

GARDEN GROVE CITY COUNCIL

RESOLUTION NO. 9161-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE AMENDING THE MEMORANDUM OF UNDERSTANDING ON SALARIES, WAGES, AND FRINGE BENEFITS FOR THE TERM 2009-2011, AS AMENDED, BY AND BETWEEN THE GARDEN GROVE POLICE MANAGEMENT ASSOCIATION AND THE CITY OF GARDEN GROVE

WHEREAS, the California Public Employees' Retirement System (CalPERS) conducted an audit of the City in 2011;

WHEREAS, CalPERS issued a final audit report in June 2012 indicating general satisfaction with the City's reporting to CalPERS, but also noting several corrections to be made pursuant to California Code of Regulations (CCR) Section 570.5 and Section 571, pertaining to the specific elements of compensation that are reportable to CalPERS;

WHEREAS, the City of Garden Grove wishes to bring the City into full compliance by adopting the corrective actions listed in the CalPERS audit with all deliberate speed, which include making specific amendments to labor union contracts and resolutions, as appropriate; and

WHEREAS, the Garden Grove Police Management Association shares with the City the goal of bringing the City in general and their union in particular into full compliance with the CalPERS audit.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DOES HEREBY RESOLVE:

1. The Memorandum of Understanding on Salaries, Wages and Fringe Benefits 2009-2012, by and between the Garden Grove Police Management Association and the City of Garden Grove as approved and adopted by the City Council in Resolution 8922-09 and subsequently amended by Resolution No. 8959-10, Resolution No. 9040-11, Resolution No. 9105-12, and Resolution No. 9150-12 is hereby further amended to read as follows:

SECTION 4: FRINGE BENEFITS

H. Holidays

i. General Provision

Effective January 1, 2013, each Association employee will receive ten (10) hours of pay in-lieu of holiday leave for each of the eleven (11) holidays as designated below in subsection H (iv). This additional

compensation will be paid as the holiday occurs and shall be reported to PERS as Special Compensation pursuant to Title 2, Division 1, Chapter 2 of the California Code of Regulations, specifically § 571 (a)(5) – Statutory Items, Holiday Pay.

ii. Part-Year Employment

An Association employee who commences employment at a time other than the beginning of a calendar year shall only be entitled to receive those holidays described in subsection H (iv) that occur during the period actually worked.

iii. Effect of Unpaid Leave of Absence

An employee who is on an unpaid leave of absence during any holiday designated in subsection H (iv) is not entitled to receive any holiday benefits for that holiday.

iv. Designated Holidays

January 1st (New Year's Day)
Third Monday of February (President's Day)
Last Monday of May (Memorial Day)
July 4th (Independence Day)
First Monday in September (Labor Day)
November 11th (Veteran's Day)
Fourth Thursday in November (Thanksgiving Day)
The Day after Thanksgiving
December 24th (Christmas Eve)
December 25th (Christmas Day)
December 31st (New Year's Eve)

2. The Director of Human Resources is directed to effect, at his earliest opportunity, whatever procedural changes are necessary to implement this Resolution.

Adopted this 22nd day of January 2013.

ATTEST:

/s/ BRUCE A. BROADWATER
MAYOR

/s/ KATHLEEN BAILOR, CMC
CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS:
CITY OF GARDEN GROVE)

I, KATHLEEN BAILOR, City Clerk of the City of Garden Grove, do hereby certify that the foregoing Resolution was duly adopted by the City Council of the City of Garden Grove, California, at a meeting held on the 22nd day of January 2013, by the following vote:

AYES: COUNCIL MEMBERS: (5) BEARD, JONES, NGUYEN, PHAN, BROADWATER
NOES: COUNCIL MEMBERS: (0) NONE
ABSENT: COUNCIL MEMBERS: (0) NONE

/s/ KATHLEEN BAILOR, CMC
CITY CLERK