

GARDEN GROVE CITY COUNCIL

RESOLUTION NO. 9163-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE
AMENDING RESOLUTION NO. 9148-12 ESTABLISHING SALARY, WAGES, TERMS,
AND CONDITIONS OF EMPLOYMENT FOR CERTAIN CENTRAL MANAGEMENT
EMPLOYMENT CLASSIFICATIONS

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, Resolution No. 9148-12 sets forth terms and conditions of employment for members of the "Central Management" unit including the Police Chief and the Fire Chief.

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

SECTION 1. Section 5, subsection (e) of Resolution No. 9148-12 pertaining to CalPERS retirement specific to the Police Chief and Fire Chief is hereby amended to read as follows:

SECTION 5: RETIREMENT

e. Police Chief and Fire Chief

1) General Provision

Effective January 1, 2013, the Police Chief and the Fire Chief will each receive ten (10) hours of pay in-lieu of holiday leave for each of the eleven (11) holidays as designated below in subpart 4 of this subsection. 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 Section 571 (a)(5) – Statutory Items, Holiday Pay.

2) Part-Year Employment

A Fire Chief or Police Chief who commences employment at a time other than the beginning of a calendar year shall only be entitled to receive those holidays described in subpart 4 of this subsection that occur during the period actually worked.

3) Effect of Unpaid Leave of Absence

A Police Chief or Fire Chief who is on an unpaid leave of absence during any holiday designated in subpart 4 of this subsection is not entitled to receive any holiday benefits for that holiday.

4) 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)

Section 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 12th day of February 2013.

ATTEST:

/s/ BRUCE A. BROADWATER
MAYOR

/s/ KATHLEEN BAILOR, CMC
CITY CLERK

