

RESOLUTION NO. 2945-2006

RESOLUTION OF THE FORT BRAGG CITY COUNCIL ACCEPTING SIDE LETTER OF AGREEMENT AMENDING THE FORT BRAGG EMPLOYEE ORGANIZATION MEMORANDUM OF UNDERSTANDING

WHEREAS, the City of Fort Bragg ("City") and the Fort Bragg Employee Organization ("FBEO") have entered into a Memorandum of Understanding ("MOU") with effective dates of July 1, 2003 to June 30, 2006; and

WHEREAS, the City met with representatives of the FBEO to review the intent and content of the MOU with respect to retirement benefits; and

WHEREAS, both the City and the FBEO desire to amend the MOU as described in a side letter of agreement and have indicated agreement by signing said letter; and

WHEREAS, the effective date of the side letter of agreement is February 28, 2006.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fort Bragg does hereby accept the side letter of agreement dated February 28, 2006 amending the FBEO MOU.

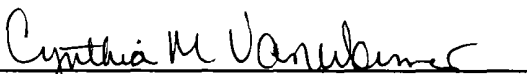
The above and foregoing Resolution was introduced by Councilmember Baltierra, seconded by Councilmember Hammerstrom, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 13th day of March, 2006, by the following vote:

AYES: Councilmembers Gjerde, Baltierra, Hammerstrom, Melo, and Mayor Turner.
NOES: None.
ABSENT: None.
ABSTAIN: None.



DAVE TURNER,
Mayor

ATTEST:


Cynthia M. VanWormer, CMC
City Clerk

SIDE LETTER
BETWEEN
CITY OF FORT BRAGG
AND
FORT BRAGG EMPLOYEE ORGANIZATION

WHEREAS, the City of Fort Bragg ("City") and the Fort Bragg Employee Organization ("FBEO") have entered into a Memorandum of Understanding ("MOU") with effective dates of July 1, 2003 to June 30, 2006; and

WHEREAS, article XIX of the MOU addresses retirement benefits for members represented by this employee group. Section three (3) of Article XIX of the MOU was negotiated and implemented with the intention of requiring covered employees hired after the effective date of the MOU, which was July 1, 2003, to pay the full employee share of CALPERS retirement contributions for the longest period allowable by law; and

WHEREAS, the mechanism that the CITY and the FBEO agreed upon to effectuate their intention to require covered employees hired after the effective date of the MOU to pay the full employee share of CALPERS retirement contributions was inappropriate given the City's method of contributing for employees that were hired prior to July 1, 2003; and

WHEREAS, the CITY has consulted with the FBEO and the parties have agreed that in order to effectuate their desires regarding employee contributions for newly hired employees in this bargaining unit the City will adopt a Time-in-Grade Exception to Employer Paid Member Contributions.

NOW THEREFORE, the parties agree as follows:

1. The City elects to pay the full employee share of CALPERS retirement contributions for all current employees covered by the FBEO MOU.
2. The City will adopt a resolution electing to pay full member contributions for all future employees who are hired in positions covered by the FBEO MOU. This resolution will contain a Time-In Grade Exception that provides that for years of employment one (1) through five (5) the newly hired employee will pay the full share of their employee CALPERS retirement contributions. This resolution will further state that once a newly-hired employee accrues five (5) total years of service (either on a continuous or cumulative basis), s/he will be entitled to employer paid member contributions on the same terms that apply to all other employees in the group or class.

3. Once the City has adopted a resolution for this bargaining group electing to pay Employer Paid Member Contributions with a Time-in Grade Exception, the City and covered employees will begin contributing to CALPERS in a manner consistent with that resolution.

Dated: 2/28/2006



Teresia Haase, Human Resources Manager for
City of Fort Bragg

Dated: 2/28/06



Linda Ruffing, City Manager

Dated: 2-28-06



Thomas Mitchell, President FBEO