

Honorable Mayor and Members  
of the City Council  
City Hall  
Torrance, California

**Members of the Council:**

**SUBJECT: City Manager – Adopt RESOLUTIONS to comply with California Public Employees Retirement System requirements for employees represented by Torrance City Employees Association and Torrance Professional and Supervisory Association.**

**RECOMMENDATION**

Recommendation of the City Manager that City Council:

1. Adopt a **RESOLUTION** pursuant to Memorandum of Understanding (MOU) amending Resolution No. 2011-43 setting forth changes regarding hours, wages, and working conditions for employees represented by the Torrance City Employees Association (TCEA) the benefits section of the MOU to comply with CALPERS Audit Finding requirements related to uniforms; and
2. Adopt a **RESOLUTION** pursuant to Memorandum of Understanding (MOU) amending Resolution No. 2011-79 setting forth changes regarding hours, wages, and working conditions for employees represented by the Torrance Professional and Supervisory Association (TPSA) updating the benefits section of the MOU to comply with CALPERS Audit Finding requirements related to uniforms.

Funding

Available in the Wage Reserve.

**BACKGROUND/ANALYSIS**

In 2010, the California Public Employees Retirement System (CALPERS) conducted a routine audit. As a result of the audit, the City is required to implement changes to employee contracts to comply with CALPERS regulations. The main change impacting TCEA and TPSA is the reporting of work on holidays for certain classifications as persable income earned for retirement calculations. With the new amendment to the MOUs, employees who are required to work on City recognized holidays will have the time worked on the holiday calculated as part of their retirement income. The following impacted classifications have been identified as positions that may be required to work on holidays:

TCEA

- Police Records Technician

TPSA

- Transit Supervisor
- Senior Forensic Identification Specialist
- Forensic Identification Specialist
- Police Operations Supervisor – Records Division
- Public Safety Communications Supervisor

This change has a minimal impact on the City's operating budget.

Respectfully submitted,

LeROY J. JACKSON  
CITY MANAGER

By   
for Aram Chaparyan  
Assistant to the City Manager

CONCUR:

  
LeRoy J. Jackson  
City Manager

Attachment A: TCEA Supplemental #1  
Attachment B: TPSA Supplemental #2

**MEMORANDUM OF UNDERSTANDING**

**TORRANCE CITY EMPLOYEES ASSOCIATION  
(TCEA)**

**2011**

**SUPPLEMENTAL #1**

**A SUPPLEMENTAL MEMORANDUM OF UNDERSTANDING SETTING FORTH THE HOURS,  
WAGES AND WORKING CONDITIONS FOR EMPLOYEES REPRESENTED BY TORRANCE  
CITY EMPLOYEES ASSOCIATION (TCEA)**

An agreement of the undersigned representatives of the Torrance City Employees Association (TCEA) and the representatives of the City of Torrance (City) that:

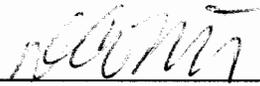
The attached Resolution is recommended to the City Council for adoption in its entirety. It covers wages, hours and working conditions effective December 20, 2011, and was reached through agreement of the undersigned parties.

Signed this \_\_\_\_ day of December, 2011.

Management

TCEA

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RESOLUTION NO. 2011-\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE  
AMENDING RESOLUTION NO. 2011-43 SETTING FORTH CHANGES  
REGARDING HOURS, WAGES AND WORKING CONDITIONS FOR  
EMPLOYEES REPRESENTED BY THE TORRANCE CITY EMPLOYEES  
ASSOCIATION (TCEA)**

The City Council of the City of Torrance does hereby resolve as follows:

**SECTION I**

That Resolution No. 2011-43 is hereby amended.

**SECTION II**

The following agreement between representatives of Management and the representatives of the Torrance City Employees Association (TCEA) is hereby amended as follows:

***Effective December 20, 2011***

**ARTICLE 13 – AMENDMENTS**

**SECTION 13.1 AMENDMENT TO SECTION 4.1 HOLIDAYS**

**ARTICLE 4 – BENEFITS**

**SECTION 4.1 HOLIDAYS**

D. Holiday Work Pay:

**ADD:**

- 3) Holiday overtime worked by employees "required to work" on holidays is considered PERS-able (income to be included in calculating retirement benefit). This section applies to the following classification only: Police Records Technician.

**SECTION III SEVERABILITY**

If any section, subsection, sentence, clause or phrase of this resolution is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction such decision shall not affect the validity of the remaining portions of the Resolution. The City Council hereby declares that it would have passed this resolution and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

Introduced, approved and adopted this \_\_\_\_\_ day of December, 2011.

\_\_\_\_\_  
Mayor Frank Scotto

APPROVED AS TO FORM:  
JOHN FELLOWS III, City Attorney

ATTEST:

By \_\_\_\_\_  
Patrick Q. Sullivan, Assistant City Attorney

\_\_\_\_\_  
Sue Herbers, City Clerk

**MEMORANDUM OF UNDERSTANDING**

**TORRANCE PROFESSIONAL AND SUPERVISORY ASSOCIATION  
(TPSA)**

**2011 - 2012**

**SUPPLEMENTAL #2**

**A SUPPLEMENTAL MEMORANDUM OF UNDERSTANDING SETTING FORTH THE HOURS,  
WAGES AND WORKING CONDITIONS FOR EMPLOYEES REPRESENTED BY THE  
TORRANCE PROFESSIONAL AND SUPERVISORY ASSOCIATION (TPSA)**

An agreement of the undersigned representatives of the Torrance Professional and Supervisory Association (TPSA) and the representatives of the City of Torrance (City) that:

The attached Resolution is recommended to the City Council for adoption in its entirety. It covers wages, hours and working conditions effective December 20, 2011, and was reached through agreement of the undersigned parties.

Signed this \_\_\_ day of December, 2011.

Management

TPSA

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**RESOLUTION NO. 2011-\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE  
AMENDING RESOLUTION NO. 2011-79 SETTING FORTH CHANGES  
REGARDING HOURS, WAGES AND WORKING CONDITIONS FOR  
EMPLOYEES REPRESENTED BY THE TORRANCE PROFESSIONAL AND  
SUPERVISORY ASSOCIATION (TPSA)**

The City Council of the City of Torrance does hereby resolve as follows:

**SECTION I**

That Resolution No. 2011-79 is hereby amended.

**SECTION II**

The following agreement between representatives of Management and the representatives of the Torrance Professional and Supervisory Association (TPSA) is hereby amended as follows:

***Effective December 20, 2011***

**ARTICLE 13 – AMENDMENTS**

**SECTION 13.2 AMENDMENT TO SECTION 4.6 – HOLIDAYS**

**ARTICLE 4 – BENEFITS**

**SECTION 4.6 HOLIDAYS**

C. Pay for Holidays Worked:

1. Any employee scheduled to work on a holiday shall be compensated at the rate of 1½ times the regular hourly rate. (This is in addition to the regular work shift of holiday pay.)
2. Emergency work on any of the holidays expressly named in subsections A and B shall be compensated under Section 5.6 "Call Out."

**ADD:**

3. Holiday overtime worked by employees "required to work" on holidays is considered PERS-able (income to be included in calculating retirement benefit). This section applies to the following classifications: Transit Supervisor, Senior Forensic Identification Specialist, Forensic Identification Specialist, Police Operations Supervisor – Records Division, and Public Safety Communications Supervisor.

**SECTION III SEVERABILITY**

If any section, subsection, sentence, clause or phrase of this resolution is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction such decision shall not affect the validity of the remaining portions of the Resolution. The City Council hereby declares that it would have passed this resolution and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

Introduced, approved and adopted this \_\_\_\_\_ day of December, 2011.

\_\_\_\_\_  
Mayor of the City of Torrance

APPROVED AS TO FORM:  
JOHN FELLOWS III, City Attorney

ATTEST:

By \_\_\_\_\_  
Patrick Q. Sullivan, Assistant City Attorney

\_\_\_\_\_  
Sue Herbers  
City Clerk