

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

Members of the Council:

SUBJECT: Adopt Supplemental Resolutions to 2005-08 Memoranda of Understanding for the following employee groups: Torrance Police Officers Association (TPOA), Torrance Police Commanders Association (TPCA) and Safety Management Employees

RECOMMENDATION

It is the recommendation of the City Manager that the City Council adopt the attached supplemental Resolutions to the Memoranda of Understanding which sets forth hours, wages and working conditions for employees represented by the following employee groups: Torrance Police Officers Association (TPOA), Torrance Police Commanders Association (TPCA), and adopt the attached Resolution for Safety Management Employees amending and clarifying retiree benefit language.

Funding

Funding is available in the wage reserve.

BACKGROUND

The 2005-2008 Memoranda of Understanding (MOU) for TPOA and TPCA, and the Resolution for Safety Management Employees were achieved after numerous discussions between the City's Labor Negotiator and the employee groups' representatives. As part of the adopted MOUs, it was agreed that commencing July 1, 2006, the City would contribute an agreed upon percent toward retiree health utilizing the compensation detail figures for each group. At the Council meeting of March 28, 2006, resolutions were adopted to reflect this benefit and to define distribution parameters. Subsequent to this date, the need arose to clarify the start date of the distribution and to define retirees qualified to receive the stipend. The attached resolutions set forth the clarifying revisions.

The representatives of TPOA and TPCA, and Safety Management Employees have reviewed and agreed with the changes noted in the attached Resolutions.

Respectfully submitted,

LeROY J. JACKSON
CITY MANAGER

CONCUR:



LeRoy J. Jackson
City Manager

By 

Mary Giordano
Assistant City Manager

Attachments: A) TPOA Supplemental
B) TPCA Supplemental
C) Safety Management Employees Resolution

MEMORANDUM OF UNDERSTANDING
TORRANCE POLICE OFFICERS ASSOCIATION
(TPOA)

2005 - 2008

SUPPLEMENTAL #2

A SUPPLEMENTAL MEMORANDUM OF UNDERSTANDING SETTING FORTH THE HOURS, WAGES AND WORKING CONDITIONS FOR EMPLOYEES REPRESENTED BY THE TORRANCE POLICE OFFICERS ASSOCIATION (TPOA)

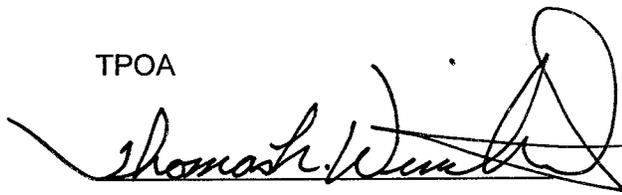
An Agreement of the undersigned representatives of the Torrance Police Officers Association (TPOA) and the representatives of the City of Torrance (City) that:

The attached Resolution is recommended to the City Council for adoption in its entirety. It covers wages, hours and working conditions effective June 13, 2006, and was reached through agreement of the undersigned parties.

Signed this 5TH day of June 2006.

Management

TPOA



RESOLUTION NO. 2006-___

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE
AMENDING RESOLUTION NO. 2005-56 SETTING FORTH CHANGES
REGARDING WAGES, HOURS AND WORKING CONDITIONS FOR
EMPLOYEES REPRESENTED BY TORRANCE POLICE OFFICERS
ASSOCIATION (TPOA)**

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

SECTION I

That Resolution No. 2005-56 is hereby amended.

SECTION II

The following agreement between representatives of Management and the representatives of the Torrance Police Officers Association (TPOA) is hereby amended as follows:

Effective June 13, 2006

ARTICLE 13 – AMENDMENTS**SECTION 13.2 AMENDMENT TO SECTION 6.3 – RETIREMENT****ARTICLE 6 – BENEFITS****SECTION 6.3 – RETIREMENT****C) Retiree Stipend**

The City shall pay to TPOA an amount equal to the sum of benefits due current members of TPOA who are retired in accordance with the following program:

- 1) All retirees who retired prior to June 25, 1995 with a minimum of 10 years of service as a sworn officer with the City of Torrance shall qualify for the stipend plan. A list of the agreed upon qualified retirees to receive the stipend through payments made by TPOA is detailed on the attached Retirees List Schedule (A). (To be eligible for this stipend, a retiree had to be receiving a benefit from TPOA's Welfare and Benefit Fund as of July 1, 1997.) The funding criteria, and vesting plan used in calculating the amounts in the attached retiree's list schedule A is described in items (a) and (b) below. Surviving spouses shall continue to receive the stipend as indicated on Schedule A.
 - a) Vesting will be at 5% of maximum benefit per year of service. (Example: 10 years of service as a sworn safety officer with the City of Torrance = 50% of maximum benefit; 15 years of service as a sworn safety officer

with the City of Torrance = 75% of maximum benefit; and 100% maximum benefit = 20 years of service or greater as a sworn safety officer with the City of Torrance).

b) Maximum Benefit

For employees who retired prior to July 30, 1989, maximum benefit will be \$100 per month. For Employees who retired between July 30, 1989 and June 25, 1995, maximum benefit will be \$150 per month.

- 2) a) All employees who retire after June 25, 1995, with 20 years of service as a sworn safety officer with the City of Torrance and who have reached age 50, shall qualify to receive through TPOA \$332.62 per month until he or she reaches age 65. All future surviving spouses of such retirees shall receive a stipend of \$150.00 per month. Upon reaching age 65, all retirees and surviving spouses of such retirees shall receive a stipend of \$134 per month.
- b) Starting July 1, 2006, the City will contribute annually \$306,000 (1%) for retiree health, in addition to the amounts provided in sections 1(b) and 2(a) above. The annual amount payable will increase by the same base pay percentage increase for unit employees as was increased during the immediately preceding fiscal year. For the term of this contract the annual amount payable based on base pay increases the preceding fiscal year is :
- July 1, 2007 \$310,590
 - July 1, 2008 \$327,787

This annual contribution will be divided equally by TPOA among ~~the~~ qualified retirees (not surviving spouses with one exception per Note 1 below) receiving the quarterly stipend in July of each year and paid as an annual payment by TPOA with the July quarterly payment. This annual payment will be made by TPOA in the same manner the quarterly stipend payments are made.

Qualified retirees are defined to be retirees with 20 years of service as a sworn safety officer with the City of Torrance and who has reached age 50 in the 12 months prior to July 1 distribution until he or she reaches age 65 in the 12 months prior to July 1 distribution.

~~On or about July 1, 2006, TPOA will inform the City how it will use the accumulated funds (\$306,000) for retiree health coverage. Thereafter, the City's annual increased contribution of \$306,000 will be utilized in the same manner as designated by TPOA for retiree health.~~

For purposes of the first distribution the effective date is July 1, 2006, and the following rules will define eligibility for the first distribution:

- all retirees that have reached the age of 50 during the period between July 1, 2005 and June 30, 2006; and

- all retirees who reached their 65th birthday before June 30, 2006.

Note 1: In the event of the death of the qualified retiree within the 12 months prior to July 1 distribution, the surviving spouse shall receive the July 1 distribution for that year.

3) Associate members

- a) The associate members of TPOA have their own associations; therefore, this additional stipend is payable to the associate members as long as their Associations continue to contribute their contracted percent cost to TPOA for the stipend program.

4) Method of Payment

- a) TPOA will invoice the City at the end of each fiscal quarter an amount equal to the stipend agreed to in section 6.3 ~~C~~ (1 and 2) above.
b) Required administration fees and contingency reserve funds to be deducted from retiree's stipend.

5) Indemnification:

TPOA shall indemnify and save the City harmless from any and all claims, demands, suits or any other action arising from the stipend program administered by the employee organization or its affiliates not caused by the City's negligence.

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 13th day of June 2006.

Mayor Dan Walker

APPROVED AS TO FORM:
JOHN L. FELLOWS III, City Attorney

ATTEST:

by _____
Ronald T. Pohl, Assistant City Attorney

Sue Herbers, CMC
City Clerk

MEMORANDUM OF UNDERSTANDING

TORRANCE POLICE COMMANDERS ASSOCIATION (TPCA)

2005 - 2008

SUPPLEMENTAL #3

A SUPPLEMENTAL MEMORANDUM OF UNDERSTANDING SETTING FORTH THE HOURS, WAGES AND WORKING CONDITIONS FOR EMPLOYEES REPRESENTED BY THE TORRANCE POLICE COMMANDERS ASSOCIATION (TPCA)

An Agreement of the undersigned representatives of the Torrance Police Commanders Association (TPCA) 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 June 13, 2006, and was reached through agreement of the undersigned parties.

Signed this 6th day of June 2006.

Management

TPCA



RESOLUTION NO. 2006-___

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE
AMENDING RESOLUTION NO. 2005-61 SETTING FORTH CHANGES
REGARDING WAGES, HOURS AND WORKING CONDITIONS FOR
EMPLOYEES REPRESENTED BY TORRANCE POLICE COMMANDERS
ASSOCIATION (TPCA)**

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

SECTION I

That Resolution No. 2005-61 is hereby amended.

SECTION II

The following agreement between representatives of Management and the representatives of the Torrance Police Commanders Association (TPCA) is hereby amended as follows:

Effective June 13, 2006

ARTICLE 12 - AMENDMENTS**SECTION 12.3 AMENDMENT TO SECTION 6.3 – RETIREMENT****ARTICLE 6 – BENEFITS****SECTION 6.3 RETIREMENT****C) Retiree Stipend**

The City shall pay to TPOA, and TPOA shall distribute an amount equal to the sum of benefits due police commanders who are retired in accordance with the following program:

- 1) All retirees who retired prior to June 25, 1995 with a minimum of 10 years of service as a sworn officer with the City of Torrance shall qualify for the stipend plan. A list of the agreed upon qualified retirees to receive the stipend through payments made by TPOA is detailed on the attached Retirees List Schedule (A). (To be eligible for this stipend, a retiree had to be receiving a benefit from TPOA's Welfare and Benefit Fund as of July 1, 1997.) The funding criteria, and vesting plan used in calculating the amounts in the attached retiree's list schedule A is described in items (a) and (b) below. Surviving spouses shall continue to receive the stipend as indicated on Schedule A.
 - a) Vesting will be at 5% of maximum benefit per year of service. (Example: 10 years of service as a sworn safety officer with the City of Torrance =

50% of maximum benefit; 15 years of service as a sworn safety officer with the City of Torrance = 75% of maximum benefit; and 100% maximum benefit = 20 years of service or greater as a sworn safety officer with the City of Torrance).

b) Maximum Benefit

For employees who retired prior to July 30, 1989, maximum benefit will be \$100 per month. For Employees who retired between July 30, 1989 and June 25, 1995, maximum benefit will be \$150 per month.

- 2) a) All employees who retire after June 25, 1995, with 20 years of service as a sworn safety officer with the City of Torrance and who have reached age 50, shall qualify to receive through TPOA \$332.62 per month until he or she reaches age 65. All future surviving spouses of such retirees shall receive a stipend of \$150.00 per month. Upon reaching age 65, all retirees and surviving spouses of such retirees shall receive a stipend of \$134 per month.
- b) Starting July 1, 2006, the City will contribute \$22,657 annually (.82%) for retiree health, in addition to the amounts provided in Sections C)1) and 2)a) above. The annual amount payable will increase by the same base pay percentage increase for unit employees as was increased during the immediately preceding fiscal year. For the term of this contract the annual amount payable based on base pay increases the preceding fiscal year is:
- July 1, 2007 \$23,111
 - July 1, 2008 \$24,035

This annual contribution shall be payable by City to TPOA for distribution in the following manner: amount will be divided equally among ~~the~~ qualified retirees (not surviving spouses, with one exception per Note 1 below) receiving the quarterly stipend in July of each year and paid as an annual payment by TPOA with the July quarterly payment. This annual payment will be made by TPOA in the same manner the quarterly stipend payments are made.

Qualified retirees are defined to be retirees with 20 years of service as a sworn safety officer with the City of Torrance and who has reached age 50 in the 12 months prior to July 1 distribution until he or she reaches age 65 in the 12 months prior to July 1 distribution.

For purposes of the first distribution the effective date is July 1, 2006, and the following rules will define eligibility for the first distribution:

- all retirees that have reached the age of 50 during the period between July 1, 2005 and June 30, 2006; and
- all retirees who reached their 65th birthday before June 30, 2006.

Note 1: In the event of the death of the qualified retiree within the 12 months prior to July 1 distribution, the surviving spouse shall receive the July 1 distribution for that year.

- 3) Method of Payment
 - a) TPOA will invoice the City at the end of each fiscal quarter an amount equal to the stipend agreed to in Sections 6.3 C (1) and 2) above.
 - b) Required administration fees and contingency reserve funds to be deducted from retiree's stipend.

- 4) Indemnification:
The City shall make such payments to TPOA providing that TPOA shall indemnify and save the City harmless from any and all claims, demands, suits or any other action arising from the stipend program administered by the employee organization or its affiliates not caused by the City's negligence.

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 13th day of June 2006.

Mayor Dan Walker

APPROVED AS TO FORM:
JOHN L. FELLOWS III, City Attorney

ATTEST:

by _____
Ronald T. Pohl, Assistant City Attorney

Sue Herbers, CMC
City Clerk

RESOLUTION 2006-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING RESOLUTION NO. 2005-122 SETTING FORTH CHANGES REGARDING THE HOURS, WAGES, AND WORKING CONDITIONS FOR SAFETY MANAGEMENT EMPLOYEES

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

SECTION I

That Resolution No. 2005-122 is hereby amended as follows:

SECTION II

Effective June 13, 2006

ARTICLE 3 - BENEFITS

SECTION 3.2 SAFETY MANAGEMENT RETIREMENT

C) Police Safety Management Retiree Stipend

The City shall pay to TPOA and TPOA shall distribute an amount equal to the sum of benefits due to police captains who are retired in accordance with the following program:

- 1) All retirees who retired prior to June 25, 1995 with a minimum of 10 years of service as a sworn officer with the City of Torrance shall qualify for the stipend plan. A list of the agreed upon qualified retirees, inclusive of retired police captains, to receive the stipend through payments made by TPOA is detailed on the attached Retirees List Schedule (A). (To be eligible for this stipend, a retiree had to be receiving a benefit from TPOA's Welfare and Benefit Fund as of July 1, 1997.) The funding criteria, and vesting plan used in calculating the amounts in the attached retiree's list schedule A is described in items (a) and (b) below. Surviving spouses shall continue to receive the stipend as indicated on Schedule A.
 - a) Vesting will be at 5% of maximum benefit per year of service. (Example: 10 years of service as a sworn safety officer with the City of Torrance = 50% of maximum benefit; 15 years of service as a sworn safety officer with the City of Torrance = 75% of maximum benefit; and 100% maximum benefit = 20 years of service or greater as a sworn safety officer with the City of Torrance).
 - b) Maximum Benefit

For employees who retired prior to July 30, 1989, maximum benefit will be \$100 per month. For employees who retired between July 30, 1989 and June 25, 1995, maximum benefit will be \$150 per month.

- 2) a) All employees who retire after June 25, 1995, with 20 years of service as a sworn safety officer with the City of Torrance and who have reached age 50, shall qualify to receive through TPOA \$332.62 per month until he or she reaches age 65. All future surviving spouses of such retirees shall receive a stipend of \$150.00 per month. Upon reaching age 65, all retirees and surviving spouses of such retirees shall receive a stipend of \$134 per month.
- b) Starting July 1, 2006, the City will contribute \$10,049 annually (.84%) for retiree health, in addition to the amounts provided in Section C)1) and 2)a) above. The annual amount payable will increase by the same base pay percentage increase for unit employees as was increased during the immediately preceding fiscal year. For the term of this contract the annual amount payable based on base pay increases the preceding fiscal year is:
- July 1, 2007 \$10,200
 - July 1, 2008 \$10,764

This annual contribution shall be payable by City to TPOA for distribution in the following manner: amount will be divided equally among qualifying-qualified police safety management retirees (not surviving spouses, with one exception per Note 1 below) receiving the quarterly stipend in July of each year and paid as an annual payment by TPOA with the July quarterly payment. This annual payment will be made by TPOA in the same manner the quarterly stipend payments are made.

Qualified retirees are defined to be retirees with 20 years of service as a sworn safety officer with the City of Torrance and who has reached age 50 in the 12 months prior to July 1 distribution until he or she reaches age 65 in the 12 months prior to July 1 distribution.

For purposes of the first distribution the effective date is July 1, 2006, and the following rules will define eligibility for the first distribution:

- all retirees that have reached the age of 50 during the period between July 1, 2005 and June 30, 2006; and
- all retirees who reached their 65th birthday before June 30, 2006.

Note 1: In the event of the death of the qualified retiree within the 12 months prior to July 1 distribution, the surviving spouse shall receive the July 1 distribution for that year.

- 3) Method of Payment
- a) TPOA will invoice the City at the end of each fiscal quarter an amount equal to the stipend agreed to in Sections 3.2) C)(1) and C)2)a) above.
- b) Required administration fees and contingency reserve funds to be deducted from retiree's stipend.

- 4) Indemnification:
 The City shall make such payments to TPOA providing that TPOA shall indemnify and save the City harmless from any and all claims, demands, suits or any other action arising from the stipend program administered by the employee organization or its affiliates not caused by the City's negligence.

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 13th day of June 2006.

Mayor Dan Walker

APPROVED AS TO FORM:
JOHN L. FELLOWS III, City Attorney

ATTEST:

by _____
Ronald T. Pohl, Assistant City Attorney

Sue Herbers, CMC
City Clerk

