

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH
AMENDING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND
THE POLICE OFFICERS' ASSOCIATION (POA), BY ADOPTING THE SIDE LETTER OF
AGREEMENT

WHEREAS, on May 1, 2006, the City Council of Huntington Beach adopted Resolution No. 2006-19 for the purpose of adopting the Memorandum of Understanding (MOU) between the City and the Police Officers' Association (POA); and

Subsequent to the adoption of the MOU, the City of Huntington Beach and the POA agreed to changes to the MOU that are reflected in a Side Letter of Agreement between the City of Huntington Beach and the POA ("Side Letter of Agreement") attached hereto as **Exhibit A** and incorporated herein by this reference. The Side Letter of Agreement pertains to retirement benefits modification,

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Huntington Beach as follows:

- 1, The Side Letter of Agreement attached hereto as **Exhibit A** is approved and adopted.
2. The Side Letter of Agreement amends the MOU between the City of Huntington Beach and the POA.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the 17th day of December, 2007.

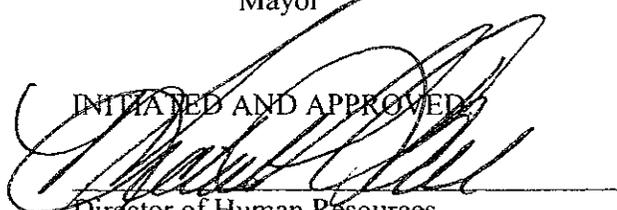


Mayor

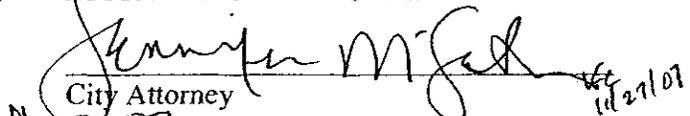
REVIEWED AND APPROVED:


City Administrator

INITIALED AND APPROVED:


Director of Human Resources

APPROVED AS TO FORM:


City Attorney
11-27-07

**City of Huntington Beach
SIDE LETTER AGREEMENT**

Representatives of the Police Officers' Association ("POA") and the City of Huntington Beach ("City") hereby agree to the following terms related to the POA MOU:

Article XI – Retirement Benefits

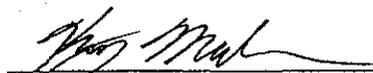
B. Miscellaneous Employee Retirement Benefits

1. 2.5% @ Age 55 Plan (California Government Code Section 21354.4) – Members of the City's miscellaneous retirement plan with the California Public Employees' Retirement System (CalPERS) shall receive the 2.5% at age 55 CalPERS retirement plan benefit formula.

If all other affected units agree, and subject to a formal ratification vote conducted in accordance with CalPERS regulations, the City shall implement the 2.5% @ 55 for miscellaneous (non-safety) employees, effective as soon as practical. Effective the beginning of the first pay period following implementation, the employees shall pay all of the additional costs to implement the 2.5% @ 55 PERS miscellaneous retirement formula for the remainder of this contract. In the event the full cost of the PERS 2.5% enhancement drops below 2.25%, employees will pay 2.25% towards the employee share of PERS retirement.

IN WITNESS WHEREOF, the parties have caused this Side Letter Agreement to be executed by and through their authorized officers on December 17, 2007.

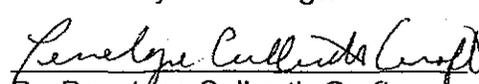
For POA



Greg Muller, President

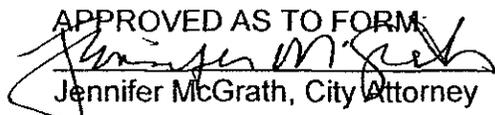
Dated: 11-28-07

For the City of Huntington Beach



Dr. Penelope Culbreth-Graft
City Administrator

Dated: 12-18-07

APPROVED AS TO FORM:


Jennifer McGrath, City Attorney

Dated: 11/27/07

STATE OF CALIFORNIA
COUNTY OF ORANGE) ss:
CITY OF HUNTINGTON BEACH)

I, JOAN L. FLYNN the duly elected, qualified City Clerk of the City of Huntington Beach, and ex-officio Clerk of the City Council of said City, do hereby certify that the whole number of members of the City Council of the City of Huntington Beach is seven; that the foregoing resolution was passed and adopted by the affirmative vote of at least a majority of all the members of said City Council at a **regular** meeting thereof held on **December 17, 2007** by the following vote:

AYES: Bohr, Coerper, Green, Carchio
NOES: Hansen, Hardy, Cook
ABSENT: None
ABSTAIN: None



City Clerk and ex-officio Clerk of the
City Council of the City of
Huntington Beach, California