RESOLUTION 2013-63

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING THE SIDE LETTER AGREEMENT BETWEEN THE CITY AND THE FULLERTON MUNICIPAL EMPLOYEES FEDERATION DATED NOVEMBER 4, 2013.

THE CITY COUNCIL OF THE CITY OF FULLERTON HEREBY RESOLVES AS FOLLOWS:

Section 1: The Side Letter Agreement between the City and the Fullerton Municipal Employees Federation dated November 4, 2013 and attached hereto is approved.

ADOPTED BY THE FULLERTON CITY COUNCIL on NOVEMBER 5, 2013.

Bruce Whitaker

Bruce Whitaker, Mayor

ATTEST:

Lucinda Williams, City Clerk

November 12, 2013

Date

SIDE LETTER AGREEMENT TO
TO THE MEMORANDUM OF AGREEMENT
BETWEEN THE CITY OF FULLERTON
AND THE FULLERTON MUNICIPAL EMPLOYEES
FEDERATION
July 1, 2011 through June 30, 2014
with an option for July 1, 2014 through June 30, 2015

The City of Fullerton ("City") and the Fullerton Municipal Employees Federation ("FMEF") hereby agree to this Side Letter of Agreement to the Memorandum of Agreement ("MOA") between them for the Period July 1, 2011 Through June 30, 2014 with an Option for July 1, 2014 through June 30, 2015.

WHEREAS, the wages, hours and other terms and conditions of employment of classifications represented by FMEF are expressed in the MOA for the period covering July 1, 2011 Through June 30, 2014 with an Option for July 1, 2014 through June 30, 2015, and

WHEREAS, Article 15: Base Salary Rates paragraph A of the MOA provides that either party may reopen negotiations for a one time salary increase to be effective on or after July 1, 2012 with the express understanding that any changes in base salary during the term of this Agreement would require mutual agreement, and

WHEREAS, the FMEF notified the City on March 13, 2013 of their exercise of the reopener on salary, and

WHEREAS, the City and FMEF ("Parties") have met and conferred and reached an agreement fully satisfying the reopener;

NOW THEREFORE, the Parties have agreed to amend the MOA as follows:

1. The FMEF hereby exercises its irrevocable exercise of the option to extend the current Memorandum of Agreement through June 30, 2015 as provided in Article 5: TERM - EFFECTIVE DATES of the MOA.

2. The City shall issue limited rebates in the form of lump sum payments to employees represented by this group of amounts contributed to CalPERS under Government Code Section 20516(f). The total value of these rebates/lump sum payments and the schedule for issuance shall be as follows:

    a. Rebate #1 will be issued with pay for the pay period ending November 22, 2013. The rebate amount for each employee on the payroll during the aforementioned pay period shall be equivalent to

1% of the employee's total compensation earnable as defined by Government Code Section 20636 for the 2012 payroll year.

b. Rebate #2 will be issued with pay for the pay period ending June 20, 2014. The rebate amount for each employee on the payroll during the aforementioned pay period shall be equivalent to 1% of the employee's total compensation earnable as defined by Government Code Section 20636 for the 2013 payroll year.

c. Rebate #3 will be issued with pay for the pay period ending June 19, 2015. The rebate amount for each employee on the payroll during the aforementioned pay period shall be equivalent to 1% of the employee's total compensation earnable as defined by Government Code Section 20636 for the 2014 payroll year.

3. All other provisions of the October 24, 2011 Agreement remain unchanged unless otherwise amended in writing and approved by the parties.

The effective date of this Side Letter Agreement shall be November 6, 2013.

DATED: November 4, 2013

FOR THE FULLERTON MUNICIPAL EMPLOYEES FEDERATION	FOR THE CITY OF FULLERTON
Andy Pizano, President	Joseph B. Felz, City Manager

City of Fullerton
RESOLUTION CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS
CITY OF FULLERTON)

RESOLUTION NO. **2013-63**

I, Lucinda Williams, City Clerk and ex-officio Clerk of the City Council of the City of Fullerton, California, hereby certify that the whole number of the members of the City Council of the City of Fullerton is five; and that the City Council adopted the above and foregoing **Resolution No. 2013-63** at a regular meeting of the City Council held on the **November 5, 2013** by the following vote:

COUNCIL MEMBER AYES:	Chaffee, Flory, Fitzgerald
COUNCIL MEMBER NOES:	Whitaker, Sebourn
COUNCIL MEMBER ABSTAINED:	None
COUNCIL MEMBER ABSENT:	None

Lucinda Williams, MMC
City Clerk