

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS
ADOPTING THE MEMORANDUM OF UNDERSTANDING WITH THE
MILPITAS MID-MANAGEMENT AND CONFIDENTIAL UNIT FOR THE PERIOD OF
JANUARY 1, 2013 THROUGH DECEMBER 31, 2013**

WHEREAS, the City of Milpitas (“City”) and the Mid-Management and Confidential Unit (“Midcon”) have considered entering into a Memorandum of Understanding with the effective dates of January 1, 2013 through December 31, 2013 (“MOU”).

NOW, THEREFORE, the City Council of the City of Milpitas hereby finds, determines and resolves as follows:

1. The City Council has considered the full record before it, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.
2. The MOU between Midcon and the City is hereby adopted to be effective from January 1, 2013 through and including December 31, 2013.

PASSED AND ADOPTED this ____ day of _____ 2013, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Mary Lavelle, City Clerk

Jose S. Esteves, Mayor

APPROVED AS TO FORM:

Michael J. Ogaz, City Attorney

MEMORANDUM OF UNDERSTANDING

BETWEEN THE

CITY OF MILPITAS

AND

**UNITED PUBLIC EMPLOYEES OF CALIFORNIA
UPEC LOCAL 792, AFL-CIO**

(MID-MANAGEMENT AND CONFIDENTIAL UNIT)

January 1, 2013 through December 31, 2013

**MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF MILPITAS,
THE MID-MANAGEMENT AND CONFIDENTIAL UNIT,
REPRESENTED BY UPEC LOCAL 792, AFL-CIO**

**January 1, 2013 through December 31, 2013
PREAMBLE**

This Memorandum of Understanding (MOU) shall be effective from 12:01 a.m., on January 1, 2013 through December 31, 2013.

- I Except as to the effective dates or as changed below in paragraphs II and III, all terms and conditions contained in that certain Memorandum of Understanding between United Public Employees of California (UPEC Local 792, AFL-CIO) (mid-management and confidential unit) and the City of Milpitas with effective dates of January 1, 2012—December 31, 2012, adopted by City Council Resolution No. 8157 on February 7, 2012, (“Prior MOU”) are incorporated herein by reference and adopted as a part of this MOU as if fully set forth herein.
- II Section 21.03 of the Prior MOU shall be replaced by the following paragraph:
- Effective the first full pay period following Council adoption of this MOU, in addition to paying the applicable employee PERS contribution rate to the Miscellaneous Plan, employees will pay 12.3% of PERSable salary toward the employer PERS contribution rate on a pre-tax basis.
- III Changes mandated as a result of modifications to California State Law, in particular those imposed by the California Public Employees Pension Reform Act of 2013.

UNION REPRESENTATIVES:

CITY REPRESENTATIVES:

Steve Allen
Advocate-Organizer, UPEC Local 792

Mary Lavelle, City Clerk

Leslie Stobbe

Carmen Valdez, HR Director

Felix Reliford

Emma Karlen, Finance Director

Chris Darker, Business Manager
UPEC Local 792