

MOTION

I MOVE that the Council adopt the attached substitute Resolution in place of Resolution (Parks - O'Farrell), Item #31 on today's Council agenda (CF#13-0002-S111), relative to support for AB 160 (Alejo) that would exempt from the California Public Employees' Pension Reform Act of 2013 certain retirement plans for public employees whose collective bargaining rights are protected by a specified provision of federal law.

PRESENTED BY: Paul Kerkorian  
PAUL KREKORIAN  
Councilmember, 2nd District

Bernard C. Parks  
BERNARD C. PARKS  
Councilmember, 8<sup>th</sup> District

SECONDED BY: U R

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ORIGINAL

## RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, after the recent passage of the California Public Employees' Pension Reform Act of 2013 (PEPRA), several public transit unions objected that this change is inconsistent with Section 5333(b) of the Federal Transit Act that protects transit workers; and

WHEREAS, the United States Department of Labor has indicated that PEPRA impairs collectively bargained pension benefits, which jeopardizes all federal transit funding for such projects as the Purple Line Extension and the Regional Connector and if left unresolved will cost California billions of dollars in federal transit funding assistance; and

WHEREAS, the United States Secretary of Labor Perez has begun to inform transit agencies that they are decertified from receiving federal transit funds; and

WHEREAS, legislation is necessary to provide an exception from the definition of public retirement system, certain multi-employer plans authorized under federal law and retirement plans for public employees whose collective bargaining rights are protected by a specified provision of federal law if a federal agency determines there is a conflict with federal law; and

WHEREAS, the State legislative session is scheduled to conclude on September 13, 2013, which is the last date to pass legislation that could resolve this issue before it seriously impacts Metro's transit capital projects;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2013-14 State Legislative Program SUPPORT for any legislation or administrative action that removes impediments to the disbursement of over \$3 billion in anticipated transportation funds to Los Angeles County that are the result of a dispute between employees and transit agencies.