



Legislation Details (With Text)

**File #:** 20-1197      **Version:** 1      **Name:** HR - CalPers POA  
**Type:** Resolution      **Status:** Adopted  
**File created:** 11/11/2020      **In control:** City Council  
**On agenda:** 12/8/2020      **Final action:** 12/8/2020

**Title:** Recommendation to adopt Resolution of Intention to amend the City's contract with the California Public Employees Retirement System (CalPERS) to include a mandatory employee contribution of 3 percent of compensation earnable toward the City's required employer contribution to CalPERS (in addition to the 9 percent statutory employee contribution) pursuant to Government Code Section 20516(a), applicable to Long Beach Police Officers Association Classic Public Safety CalPERS Members; and

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 120820-R-51sr&att.pdf, 2. RES-20-0161.pdf

Date	Ver.	Action By	Action	Result
12/8/2020	1	City Council	approve recommendation and adopt	Pass

Recommendation to adopt Resolution of Intention to amend the City's contract with the California Public Employees Retirement System (CalPERS) to include a mandatory employee contribution of 3 percent of compensation earnable toward the City's required employer contribution to CalPERS (in addition to the 9 percent statutory employee contribution) pursuant to Government Code Section 20516(a), applicable to Long Beach Police Officers Association Classic Public Safety CalPERS Members; and

On September 17, 2019, the City Council approved the 2019-2022 successor Memorandum of Understanding (MOU) with the Long Beach Police Officers Association (POA). This new contract includes a provision for Cost Sharing by POA Classic Public Safety CalPERS Members via payroll deductions, pursuant to California Government Code Section 20516(f), effective the start of the first pay period of Fiscal Year 2020 (FY 20) (October 1, 2019). Per this provision, POA CalPERS members will contribute 3 percent of compensation earnable toward the City's required employer contribution to CalPERS in addition to the 9 percent statutory employee contribution already paid by the employee, which will increase the employee's contribution to a total of 12 percent. The parties agreed to pursue a CalPERS contract amendment, as soon as administratively possible, to change the above-described 3 percent cost sharing under Government Code Section 20516(f), to cost sharing of 3 percent of compensation earnable, pursuant to Government Code Section 20516(a).

On October 22, 2019, the City notified CalPERS of its intent to initiate the CalPERS contract amendment process. Upon receipt of further instructions from CalPERS, the City must complete the following steps to finalize the amendment process:

1. City Council adoption of a Resolution of Intention (ROI) with Exhibit Amendment to Contract.
2. Submission of a certified copy of the ROI to CalPERS following City Council adoption.
3. Submission of Form CON-12, Certification of Governing Body's Action, to CalPERS following City Council adoption of the ROI.
4. Submission of Form CON-12A, Certification of Compliance with Government Code Section 7507, to CalPERS following City Council adoption of the ROI.
5. Submission of Form CON-15, Certification of Employee Election, to CalPERS, following City Council adoption of the ROI.
6. Submission of Form CON-500, Certification of Compliance with Government Code Section 20516, to CalPERS following City Council adoption of the ROI.
7. City Council adoption of an Ordinance, no earlier than 20 days following adoption of the ROI. Amendment to be effective the first day of the payroll period following adoption of the Ordinance.

This matter was reviewed by Principal Deputy City Attorney Gary J. Anderson and Budget Manager Grace H. Yoon on November 16, 2020.

City Council action is requested on December 8, 2020, to ensure timely implementation of the MOU provisions.

This recommendation allows staff to take the necessary steps required to implement the 3 percent pension pick-up (cost sharing) for all Classic (pre-state pension reform) POA employees as included in the POA contract approved by the City Council on September 17, 2020. This recommendation is a technical requirement and has no impact on the previously reported costs or impacts of the POA contract. This recommendation is not expected to require additional staff hours beyond the normal budgeted scope of duties and is consistent with existing City Council priorities. There is no local job impact associated with this recommendation.

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FRED VERDUGO  
ACTING HUMAN RESOURCES DIRECTOR

APPROVED:

THOMAS B. MODICA  
CITY MANAGER