



Council Meeting: June 25, 2013

SUBJECT: Approval to Conform Employer Paid Member Contribution Resolutions for the California Public Employees' Retirement System

BACKGROUND

The City of Sunnyvale contracts with the California Public Employees' Retirement System ("CalPERS") to provide retirement benefits for all regular full-time and part-time employees. CalPERS recently notified the City's Human Resources Department that some previously Council-approved resolutions need to be resubmitted in the standard CalPERS template.

EXISTING POLICY

Council Policy 7.3.1 – Legislative Management

Goal 7.3D: Maintain a quality workforce, consistent with state and federal laws, City Charter, and adopted policies in order to assure that City services are provided in an effective, efficient and high quality manner.

DISCUSSION

After a recent audit, CalPERS notified the City's Human Resources Department that some of the Employer Paid Member Contribution (EPMC) resolutions on file with CalPERS, dating back to 2007, are not in the required CalPERS format. In order to be compliant with CalPERS procedures, the City is required to resubmit conformed EPMC resolutions using the appropriate CalPERS template. The conformed resolutions do not change existing benefits or MOU terms previously approved by Council; they simply reflect the standardized format that CalPERS desires.

FISCAL IMPACT

No fiscal impact.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, at the Sunnyvale Senior Center, Community Center and Department of Public Safety; and by making the agenda and report available at the Sunnyvale Public Library, the Office of the City Clerk and on the City's Web site.

RECOMMENDATION

Approve attached EPMC Resolutions to be compliant with CalPERS regulations.

Reviewed by:

Teri Silva, Director, Human Resources

Prepared by: Doug Baker, Human Resources Manager

Approved by:

Gary M. Luebbbers
City Manager

Attachments

1. Resolution for Paying and Reporting the Value of Employer Paid Member Contributions – Sunnyvale Managers Association
2. Resolution for Paying and Reporting the Value of Employer Paid Member Contributions – Public Safety Managers Association
3. Resolution for Paying and Reporting the Value of Employer Paid Member Contributions – Public Safety Officers Association
4. Resolution for Paying and Reporting the Value of Employer Paid Member Contributions – Communications Officers Association
5. Resolution for Paying and Reporting the Value of Employer Paid Member Contributions – Service Employees International Union
6. Resolution for Paying and Reporting the Value of Employer Paid Member Contributions – Unrepresented Management and Confidential Employees
7. Resolution for Paying and Reporting the Value of Employer Paid Member Contributions – Unrepresented Safety Employees

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE FOR PAYING AND REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS (EPMC) FOR THE SUNNYVALE MANAGERS ASSOCIATION

WHEREAS, the governing body of the CITY OF SUNNYVALE has the authority to implement Government Code section 20636(c)(4) pursuant to Section 20691;

WHEREAS, the governing body of the CITY OF SUNNYVALE has a written labor policy or agreement which specifically provides for the normal member contributions to be paid by the employer and reported as additional compensation;

WHEREAS, one of the steps in the procedures to implement Section 20691 is the adoption by the governing body of the CITY OF SUNNYVALE of a Resolution to commence paying and reporting the value of said Employer Paid Member Contributions (EPMC);

WHEREAS, the governing body of the CITY OF SUNNYVALE has identified the following conditions for the purposes of its election to pay EPMC:

- The benefit shall apply to all employees of the Sunnyvale Managers Association (SMA).
- This benefit shall consist of the City paying 5.0 % of the normal member contributions as EPMC, and reporting the same percent of compensation earnable [excluding Government Code Section 20636(c)(4)] as additional compensation.
- The effective date of this Resolution shall be July 8, 2012.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE THAT it hereby elects to pay and report the value of EPMC as set forth above.

Adopted by the City Council at a regular meeting held on _____, 2013, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

APPROVED:

City Clerk
(SEAL)

Mayor

APPROVED AS TO FORM:

City Attorney

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE FOR PAYING AND REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS (EPMC) FOR THE PUBLIC SAFETY MANAGERS ASSOCIATION

WHEREAS, the governing body of the CITY OF SUNNYVALE has the authority to implement Government Code section 20636(c)(4) pursuant to Section 20691;

WHEREAS, the governing body of the CITY OF SUNNYVALE has a written labor policy or agreement which specifically provides for the normal member contributions to be paid by the employer and reported as additional compensation;

WHEREAS, one of the steps in the procedures to implement Section 20691 is the adoption by the governing body of the CITY OF SUNNYVALE of a Resolution to commence paying and reporting the value of said Employer Paid Member Contributions (EPMC);

WHEREAS, the governing body of the CITY OF SUNNYVALE has identified the following conditions for the purposes of its election to pay EPMC:

- The benefit shall apply to all employees of the Public Safety Managers Association (PSMA).
- This benefit shall consist of paying the full 11.25% (9.0% normal contribution and 2.25% for the single highest year option) member contributions as EPMC; and effective the first full pay period of July 2010, the benefit shall consist of the City of Sunnyvale paying 8.0% of the normal contribution; and effective with the first full pay period of January 2011, 7.0% of the normal member contribution; and effective with the first full pay period of July 2011, 6.0 % of the normal member contributions as EPMC, and reporting the same percent of compensation as earnable [excluding Government Code Section 20636(c)(4)] as additional compensation. In addition, the City will continue to pay the remaining 2.25% of the member contribution as well as the full employer contribution.
- The effective date of this Resolution shall be September 28, 2010.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE THAT it hereby elects to pay and report the value of EPMC as set forth above.

Adopted by the City Council at a regular meeting held on _____, 2013, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

APPROVED:

City Clerk
(SEAL)

Mayor

APPROVED AS TO FORM:

City Attorney

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE FOR PAYING AND REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS (EPMC) FOR THE PUBLIC SAFETY OFFICERS ASSOCIATION

WHEREAS, the governing body of the CITY OF SUNNYVALE has the authority to implement Government Code section 20636(c)(4) pursuant to Section 20691;

WHEREAS, the governing body of the CITY OF SUNNYVALE has a written labor policy or agreement which specifically provides for the normal member contributions to be paid by the employer and reported as additional compensation;

WHEREAS, one of the steps in the procedures to implement Section 20691 is the adoption by the governing body of the CITY OF SUNNYVALE of a Resolution to commence paying and reporting the value of said Employer Paid Member Contributions (EPMC);

WHEREAS, the governing body of the CITY OF SUNNYVALE has identified the following conditions for the purposes of its election to pay EPMC:

- The benefit shall apply to all employees of the Public Safety Officers Association (PSOA).
- This benefit shall consist of the City of Sunnyvale paying in the first full pay period of July 2011, eight percent (8%) of the normal member contributions as EPMC; the first full pay period in January 2012, seven percent (7%) of the normal member contributions as EPMC; and the first full pay period in January 2013, six percent (6%) of the normal member contributions as EPMC, and reporting the same percent (value) of compensation earnable (excluding Government Code Section 20636(c)(4)) as additional compensation.
- The effective date of this Resolution shall be July 10, 2011.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE THAT it hereby elects to pay and report the value of EPMC as set forth above.

Adopted by the City Council at a regular meeting held on _____, 2013, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

APPROVED:

City Clerk
(SEAL)

Mayor

APPROVED AS TO FORM:

City Attorney

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE FOR PAYING AND REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS (EPMC) FOR THE COMMUNICATION OFFICERS ASSOCIATION

WHEREAS, the governing body of the CITY OF SUNNYVALE has the authority to implement Government Code section 20636(c)(4) pursuant to Section 20691;

WHEREAS, the governing body of the CITY OF SUNNYVALE has a written labor policy or agreement which specifically provides for the normal member contributions to be paid by the employer and reported as additional compensation;

WHEREAS, one of the steps in the procedures to implement Section 20691 is the adoption by the governing body of the CITY OF SUNNYVALE of a Resolution to commence paying and reporting the value of said Employer Paid Member Contributions (EPMC);

WHEREAS, the governing body of the CITY OF SUNNYVALE has identified the following conditions for the purposes of its election to pay EPMC:

- The benefit shall apply to all employees of the Communication Officers Association (COA).
- This benefit shall consist of the City of Sunnyvale paying in the first full pay period of July 2012, six percent (6%) of the normal member contributions as EPMC; and in the first full pay period in January 2013, five percent (5%) of the normal member contributions as EPMC, and reporting the same percent (value) of compensation earnable (excluding Government Code Section 20636(c)(4)) as additional compensation.
- The effective date of this Resolution shall be July 8, 2012.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE THAT it hereby elects to pay and report the value of EPMC as set forth above.

Adopted by the City Council at a regular meeting held on _____, 2013, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

APPROVED:

City Clerk
(SEAL)

Mayor

APPROVED AS TO FORM:

City Attorney

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE FOR PAYING AND REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS TO THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM FOR SERVICE EMPLOYEES INTERNATIONAL UNION

WHEREAS, the governing body of the CITY OF SUNNYVALE has the authority to implement Government Code Section 20636(c)(4) pursuant to Section 20691;

WHEREAS, the governing body of the CITY OF SUNNYVALE has a written labor policy or agreement which specifically provides for the normal member contributions to be paid by the employer, and reported as additional compensation;

WHEREAS, one of the steps in the procedures to implement Section 20691 is the adoption by the governing body of the CITY OF SUNNYVALE of a Resolution to commence paying and reporting the value of said Employer Paid Member Contributions (EPMC);

WHEREAS, the governing body of the CITY OF SUNNYVALE has identified the following conditions for the purpose of its election to pay EPMC;

- This benefit shall apply to all employees of Service Employees International Union (SEIU).
- This benefit shall consist of the City of Sunnyvale paying five percent (5%) of the normal member contributions as EPMC, and reporting the same percent of compensation as earnable [excluding Government Code Section 20636(c)(4)] as additional compensation.
- The effective date of this Resolution shall be July 8, 2012.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE THAT it elects to pay and report the value of EPMC as set forth above.

Adopted by the City Council at a regular meeting held on _____, 2013, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

APPROVED:

City Clerk
(SEAL)

Mayor

APPROVED AS TO FORM:

City Attorney

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE FOR PAYING AND REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS TO THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM FOR UNREPRESENTED MANAGEMENT AND CONFIDENTIAL EMPLOYEES

WHEREAS, the governing body of the CITY OF SUNNYVALE has the authority to implement Government Code Section 20636(c)(4) pursuant to Section 20691;

WHEREAS, the governing body of the CITY OF SUNNYVALE has a written labor policy or agreement which specifically provides for the normal member contributions to be paid by the employer, and reported as additional compensation;

WHEREAS, one of the steps in the procedures to implement Section 20691 is the adoption by the governing body of the CITY OF SUNNYVALE of a Resolution to commence paying and reporting the value of said Employer Paid Member Contributions (EPMC);

WHEREAS, the governing body of the CITY OF SUNNYVALE has identified the following conditions for the purpose of its election to pay EPMC;

- This benefit shall apply to all unrepresented management and confidential members.
- This benefit shall consist of the City of Sunnyvale paying seven percent (7%) of the normal member contributions as EPMC, and reporting the same percent of compensation as earnable [excluding Government Code Section 20636(c)(4)] as additional compensation.
- The effective date of this Resolution shall be May 1, 2007.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE THAT it elects to pay and report the value of EPMC as set forth above.

Adopted by the City Council at a regular meeting held on _____, 2013, by the following vote:

AYES:
 NOES: NONE
 ABSTAIN: NONE
 ABSENT: NONE

ATTEST:

APPROVED:

 City Clerk
 (SEAL)

 Mayor

APPROVED AS TO FORM:

 City Attorney

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE FOR PAYING AND REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS TO THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM FOR UNREPRESENTED PUBLIC SAFETY EMPLOYEES

WHEREAS, the governing body of the CITY OF SUNNYVALE has the authority to implement Government Code Section 20636(c)(4) pursuant to Section 20691;

WHEREAS, the governing body of the CITY OF SUNNYVALE has a written labor policy or agreement which specifically provides for the normal member contributions to be paid by the employer, and reported as additional compensation;

WHEREAS, one of the steps in the procedures to implement Section 20691 is the adoption by the governing body of the CITY OF SUNNYVALE of a Resolution to commence paying and reporting the value of said Employer Paid Member Contributions (EPMC);

WHEREAS, the governing body of the CITY OF SUNNYVALE has identified the following conditions for the purpose of its election to pay EPMC;

- This benefit shall apply to all Unrepresented Public Safety Employees.
- This benefit shall consist of the City of Sunnyvale paying nine percent (9%) of the normal member contributions as EPMC, and reporting the same percent of compensation as earnable [excluding Government Code Section 20636(c)(4)] as additional compensation.
- The effective date of this Resolution shall be July 11, 2010.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE THAT it elects to pay and report the value of EPMC as set forth above.

Adopted by the City Council at a regular meeting held on _____, 2013, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

APPROVED:

City Clerk
(SEAL)

Mayor

APPROVED AS TO FORM:

City Attorney