

**THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA**  
**and for Special Districts, Agencies and Authorities Governed by the Board**

Adopted this Resolution on 10/13/2015 by the following vote:

<b>AYE:</b>	<input checked="" type="checkbox"/>	<b>John Gioia</b>
	<input checked="" type="checkbox"/>	<b>Candace Andersen</b>
	<input checked="" type="checkbox"/>	<b>Karen Mitchoff</b>
	<input checked="" type="checkbox"/>	<b>Federal D. Glover</b>
<b>NO:</b>	<input type="checkbox"/>	
<b>ABSENT:</b>	<input type="checkbox"/>	
<b>ABSTAIN:</b>	<input type="checkbox"/>	
<b>RECUSE:</b>	<input type="checkbox"/>	



**Resolution No. 2015/391**

**SUBJECT:** Implementing a New Cost of Living Adjustment to the Pension Benefit (Government Code Section 31870) for Employees Represented by the Probation Peace Officers' Association, Who Become New Members of CCCERA in the PEPRA Retirement Tier on or after January 1, 2016

Whereas Government Code section 31483 provides that whenever the Board of Supervisors has adopted a resolution or ordinance making a particular provision of the County Employees Retirement Law of 1937 (Gov. Code, §§ 31450 et. seq.) applicable, the Board may, through a future resolution or ordinance, terminate the applicability of the provision as to employees of the County whose services commence after a future date specified in the latter ordinance or resolution; and

Whereas Government Code section 31870 provides for a Cost of Living Adjustment (COLA) to the retirement allowance that shall not exceed two percent (2%) per year and that is banked; and

Whereas Government Code section 31552 provides that each person entering county employment becomes a member of the Contra Costa County Employees Retirement Association (CCCERA) on the first day of the calendar month after his/her entrance into county service, provided that the person enters a classification and position eligible for membership in CCCERA; and

Whereas pursuant to section 31552, persons who enter County employment in classifications eligible for membership in CCCERA on or after December 1, 2015, become members of CCCERA on or after January 1, 2016; and Whereas the California Public Employees Pension Reform Act of 2013, Government Code sections 7522 et. seq. (PEPRA) established a new retirement benefit for all persons becoming New Members (as defined in PEPRA) of California public retirement systems on or after January 1, 2013, but did not address the Cost of Living Adjustment to the pension benefit for such persons; and

Whereas the County and the Probation Peace Officers' Association agreed in the Memorandum of Understanding ratified by the Association and approved by the Board of Supervisors on October 13, 2015, that for safety employees represented by the Association who are hired on or after December 1, 2015, and become New Members of CCCERA in the PEPRA Tier, the COLA to the employee's retirement allowance shall not exceed two percent (2%) per year and shall be banked;

**THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY RESOLVES THAT:**

1. Government Code section 31870.1 (banked COLA not to exceed three percent) shall not apply to safety employees represented by the Probation Peace Officers' Association hired on or after December 1, 2015, who become New Members of CCCERA (as defined in PEPRA) in the PEPRA Tier. Instead, Government Code section 31870 (banked COLA not to exceed two percent) shall apply to such safety employees represented by the Probation Peace Officers' Association who become New Members of CCCERA on or after January 1, 2016.
2. To the extent a previous Resolution adopted by the Board of Supervisors is inconsistent with this Resolution 2015/391, this Resolution governs the cost of living adjustment to the pension benefit for all safety employees represented by the Probation Peace Officers' Association, who become New Members of CCCERA on or after January 1, 2016, and any inconsistent provision in such prior Resolution shall not apply.

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

**Contact: Lisa Driscoll, County Finance Director (925)  
335-1023**

**ATTESTED: October 13, 2015**

David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

**cc:** Harjit S. Nahal, Assistant County Auditor, Lisa Lopez, Assistant Director of Human Resources, Ann Elliott, Employee Benefits Manager