

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

Adopted this Resolution on 02/09/2016 by the following vote:

AYE:
NO:
ABSENT:
ABSTAIN:
RECUSE:



Resolution No. 2016/65

SUBJECT: Confirmation of Implementation of Cost of Living Adjustment to the Pension Benefit (Government Code Section 31870) for Employees Represented by AFSCME Local 512, AFSCME Local 2700, and Western Council of Engineers Hired On or After July 1, 2014, Who Become New Members of CCCERA in the PEPRA Retirement Tier

Whereas Government Code section 31485.9 authorizes the provision of different retirement benefits to different bargaining units for non-safety employees hired after a specified future date, when those benefits are adopted by the Board of Supervisors by majority vote pursuant to a Memorandum of Understanding; and

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 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 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 July 1, 2014, become members of CCCERA on or after August 1, 2014; and

Whereas the County and AFSCME Local 512, AFSCME Local 2700, and Western Council of Engineers agreed in Memoranda of Understanding ratified by the bargaining units and approved by the Board of Supervisors on July 29, 2014, by Resolution No. 2014/256, No. 2014/257, and No. 2014/258 respectively, that for all employees represented by AFSCME Local 512, AFSCME Local 2700, and Western Council of Engineers who become New Members of CCCERA on or after July 1, 2014, in the PEPRA Retirement 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 any employees represented by AFSCME Local 512, AFSCME Local 2700, and Western Council of Engineers who are hired on or after July 1, 2014, who become New Members of CCCERA (as defined by PEPRA) in the PEPRA Retirement Tier. Instead, Government Code section 31870 (banked COLA not to exceed two percent) shall apply to such employees represented by AFSCME Local 512, AFSCME Local 2700, and Western Council of Engineers who are hired on or after July 1, 2014; and 2. The effective date of this resolution is July 1, 2014.

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: February 9, 2016

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

By: , Deputy

cc: County Counsel, Employee Benefits Manager

