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THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 11/17/2015 by the following vote:

AYE:	5	**John Gioia** **Candace Andersen** **Mary N. Piepho** **Karen Mitchoff** **Federal D. Glover**
NO:		
ABSENT:		
ABSTAIN:		
RECUSE:		

Resolution No. 2015/444

SUBJECT: Implementing a New Cost of Living Adjustment to the Pension Benefit (Government Code Section 31870) for Employees Represented by the California Nurses' Association Hired On or After December 1, 2015, 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 Resolution No. 2014/116 provides that for persons in the Public Health Unit, now represented by the California Nurses' Association, who enter County employment on or after June 30, 2014 and become New Members of CCCERA in the PEPRA Retirement Tier, the pension COLA to retirement allowance shall not exceed two percent (2%) and is banked; 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 County and the California Nurses' Association agreed in the Memorandum of Understanding ratified by the Association and approved by the Board of Supervisors on November 17, 2015, that for employees represented by the California Nurses' Association, other than the Public Health Unit covered by Resolution 2014/116, who become New Members of CCCERA on or after January 1, 2016, 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; and

Whereas following adoption of this Resolution 2015/444, in all units represented by the California Nurses Association, the pension COLA for future entrants in the PEPRA Tier now will be the two percent (2%) banked COLA provided in Government Code section 31870.

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 the California Nurses' Association, who are hired on or after December 1, 2015, 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

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percent) shall apply to such employees represented by the California Nurses' Association who are hired on or after December 1, 2015. This section 1 does not apply to employees in the Public Health Unit.

2 Resolution 2014/116, implementing Government Code section 31870, continues to apply to employees in the Public Health Unit hired on or after June 30, 2014, who become New Members in the PEPRA Retirement Tier.

3. The effective date of this resolution is November 17, 2015.

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

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.

ATTESTED: November 17, 2015

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

June McHuen

By: June McHuen, Deputy

cc: Ann Elliott, Employee Benefits Manager, Harjit S. Nahal, Assistant County Auditor, County Counsel