

RESOLUTION NO. 3632-2013

RESOLUTION OF THE FORT BRAGG CITY COUNCIL MODIFYING THE CALPERS EMPLOYER PAID MEMBER CONTRIBUTIONS FOR EXEMPT AT-WILL EXECUTIVE EMPLOYEES

WHEREAS, per Government Code Section 20691, the City of Fort Bragg has the authority to pay all or a portion of the normal member contributions required to be paid by an employee who is a member of the CalPERS retirement system and such payment is commonly referred to as Employer Paid Member Contribution ("EPMC"); and

WHEREAS, on March 13, 2006, the Fort Bragg City Council adopted Resolution No. 2947-2006 establishing a time-in-grade-exception whereby Exempt At Will-Executive employees hired after March 13, 2006 are required to pay 100% of the normal member contributions for the first five years of their total service (either on a continuous or cumulative basis); and

WHEREAS, after five years of total service as a City employee (either on a continuous or a cumulative basis), a newly hired Exempt At Will-Executive employee who is subject to the time-in-grade exception is entitled to payment of EPMC on the same terms that apply to all other employees in the group or class; and

WHEREAS, Resolution No. 3474-2011, as amended by Resolution No. 3565-2012, established that beginning after July 31, 2011, for employees covered by this Resolution who are not subject to the time-in-grade exception, the City agrees to pay the full cost of the employer contribution and to pay a 5% (of eligible earnings) contribution for Miscellaneous employees; and 7% (of eligible earnings) of the employee contribution for Safety employees as EPMC pursuant to Government Code Section 20691; and effective the first full pay period in July 2012, for employees covered by this Resolution who are not subject to the time-in-grade exception, the City agrees to pay the full cost of the employer contribution and to pay a 3% of (eligible earnings) for Miscellaneous employees; and 5% (of eligible earnings) contribution for Safety employees as EPMC pursuant to Government Code Section 20691; and

WHEREAS, Public Employees' Reform Act of 2013 (PEPRA), effective January 1, 2013, made certain changes to CalPERS retirement plans available to employees hired on or after January 1, 2013, who are not "Classic Employees" as defined by CalPERS; and

WHEREAS, on April 8, 2013, the Fort Bragg City Council provided direction to staff to revise the terms regarding payment of EPMC established by Resolution No.3474-2011, as amended by Resolution No. 3565-2012, for Exempt At-Will Executive employees covered by this Resolution who are not subject to the time-in-grade exception.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fort Bragg does hereby ratify Resolution No. 3474-2011, as amended by Resolution No. 3565-2012, with respect to the time-in-grade-exception for employees with less than five years of total service and, for Exempt At Will-Executive employees covered by this Resolution who are not subject to the time-in-grade exception and who meet the definition of Classic Employees, the City elects to pay EPMC as follows:

1. Effective the first full pay period beginning after July 1, 2013, for employees covered by this Resolution who are not subject to the time-in-grade exception, and are hired after March 13, 2006 and before January 1, 2013, the City agrees to pay the full cost of the employer contribution and to pay 2% (of eligible earnings) and 4% (of eligible earnings) contribution for Safety employees as EPMC pursuant to Government Code Section 20691.
2. Effective the first full pay period beginning after July 1, 2014, for employees covered by this Resolution who are not subject to the time-in-grade exception, and are hired after March 13, 2006 and before January 1, 2013, the City agrees to pay the full cost of the employer contribution and to pay 1% (of eligible earnings) and 3% (of eligible earnings) contribution for Safety employees as EPMC pursuant to Government Code Section 20691.

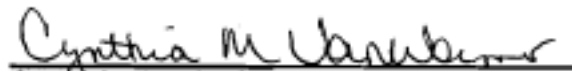
The above and foregoing Resolution was introduced by Councilmember Kraut, seconded by Councilmember Hammerstrom, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 24th day of June, 2013, by the following vote:

AYES: Councilmembers Courtney, Deitz, Hammerstrom, Kraut, and Mayor Turner.
NOES: None.
ABSENT: None.
ABSTAIN: None.



DAVE TURNER,
Mayor

ATTEST:



Cynthia M. VanWormer, MMC
City Clerk