

COMMISSION ON COMMUNITY INVESTMENT AND INFRASTRUCTURE

RESOLUTION NO. 26 – 2018

**APPROVING A RESOLUTION OF INTENTION TO APPROVE
A CONTRACT AMENDMENT BETWEEN THE CALIFORNIA PUBLIC EMPLOYEES'
RETIREMENT SYSTEM (CALPERS) AND THE SUCCESSOR AGENCY TO
INCORPORATE A PREVIOUSLY-APPROVED EMPLOYEE CONTRIBUTION TO
RETIREMENT BENEFITS**

WHEREAS, The Redevelopment Agency of the City and County of San Francisco (“Redevelopment Agency”) approved, by Agency Resolution No. 2713 (Dec. 13, 1960), a contract with the California State Employees’ Retirement System, which subsequently became the California Public Employees’ Retirement System (“CalPERS”), to provide retirement benefits for its employees; and,

WHEREAS, On February 1, 2012, state law dissolved the Redevelopment Agency, Cal. Health & Safety Code §§ 34170 et seq., and transferred certain assets and obligations to the Successor Agency to the Redevelopment Agency (“Successor Agency”). Among the transferred obligations to the Successor Agency were the CalPERS Contract, which survived dissolution as an enforceable obligation under Sections 34171 (d) (1) and 34190 of the California Health and Safety Code; and,

WHEREAS, The Board of Supervisors of the City and County of San Francisco established, by Ordinance No. 215-12 (Oct. 4, 2012), the Successor Agency Commission as the governing body of the Successor Agency (“Commission”); and,

WHEREAS, The Commission approved, by Resolution Nos. 5-2015 (Feb. 3, 2015), 6-2015 (Feb. 3, 2015), and 39-2015 (June 16, 2015), certain employee contributions to the CalPERS retirement program to offset the Successor Agency’s costs in funding the program (“Employee Cost-Sharing”); and,

WHEREAS, These contributions were negotiated with the International Federation of Professional and Technical Engineers Local 21 (Local 21) and Service Employees International Union Local 1021 (SEIU) and are codified in the 2015-2017 Memorandums of Agreement (MOAs), as amended and extended by Resolution Nos. 25-2017 and 26-2017 (June 20, 2017). The contributions are also included in the Classifications of Positions and Compensation Schedules (“Salary Resolution”), Resolution Nos. 39-2015 (June 16, 2015) and 27-2017 (June 20, 2017). Under the MOAs and Salary Resolution, the contribution rates and implementation dates are as follows:

Effective the first day of the first full pay period after February 14, 2015: 1%;

Effective the first full pay period in October 2015: 1.25%;

Effective the first full pay period in July 2016: 1.25%; and,

WHEREAS, In late 2015 and then again in 2016, OCII approved, at CalPERS insistence, a new retirement contract because the previous CalPERS contract had originally been approved by the dissolved Redevelopment Agency. Resolution Nos. 81-2015 and 50-2016. The existing CalPERS contract incorporates the first two Employee Cost-Sharing provisions, but not the third one that went into effect in July 2016; and,

WHEREAS, OCII now seeks to amend the retirement contract with CalPERS to incorporate the third and final increase of 1.25% in Employee Cost-Sharing; and,

WHEREAS, CalPERS requires that the first step to amend the retirement contract for the additional 1.25% Employee Cost-Sharing is the approval of a resolution of intention that indicates that the governing body of an agency is initiating the statutory process for approval of an amended CalPERS contract. This process includes an election by employees and subsequent final authorization of the contract by the governing body; and,

WHEREAS, CalPERS requires that the Successor Agency adopt the attached Resolution of Intention in the form prescribed by CalPERS. Now therefore be it

RESOLVED, That the Successor Agency Commission adopts the Resolution of Intention that is attached to this Resolution.

I hereby certify that the foregoing resolution and the attached Resolution of Intention were adopted by the Commission at its meeting of June 5, 2018.

Commission Secretary

Exhibit A: Resolution of Intention

**RESOLUTION OF INTENTION
TO APPROVE AN AMENDMENT TO CONTRACT
BETWEEN THE
BOARD OF ADMINISTRATION
CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM
AND THE
SUCCESSOR AGENCY COMMISSION
SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY AND
COUNTY OF SAN FRANCISCO**

WHEREAS, the Public Employees' Retirement Law permits the participation of public agencies and their employees in the Public Employees' Retirement System by the execution of a contract, and sets forth the procedure by which said public agencies may elect to subject themselves and their employees to amendments to said Law; and

WHEREAS, one of the steps in the procedures to amend this contract is the adoption by the governing body of the public agency of a resolution giving notice of its intention to approve an amendment to said contract, which resolution shall contain a summary of the change proposed in said contract; and

WHEREAS, the following is a statement of the proposed change:

To provide Section 20516 (Employees Sharing Additional Cost) of an additional 1.25% for local miscellaneous members.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the above agency does hereby give notice of intention to approve an amendment to the contract between said public agency and the Board of Administration of the Public Employees' Retirement System, a copy of said amendment being attached hereto, as an "Exhibit" and by this reference made a part hereof.

By: _____
Presiding Officer

Title

Date adopted and approved