

DEPARTMENT: Personnel

BY: Richard J. Benson

PHONE: 966-3222

**RECOMMENDED ACTION AND JUSTIFICATION:**

Adopt a Resolution of Intention to approve an amendment to the contract with CalPERS to provide for a change to the retirement formula for miscellaneous employees from 2.7% @55 to 2% @55 and for safety employees from 3% @50 to 3% @55; implement a hiring moratorium effective July 1, 2011 until such time as the contract amendment becomes effective.

Negotiations with the all four bargaining units (Service Employees International Union Local 521 [SEIU]; Mariposa County Managerial and Confidential Organization [MCMCO]; Deputy Sheriffs' Association [DSA]; Sheriffs' Management Association [SMA]) are now concluded. One of the negotiated items was to reduce the retirement formula for new employees hired after July 1, 2011 or soon thereafter. All parties agreed to the reduction in the retirement formula and the Resolution of Intention is the first step in effecting this change.

**BACKGROUND AND HISTORY OF BOARD ACTIONS:**

The Board approved the Memoranda of Understanding with the SEIU, DSA, and SMA bargaining units and most recently with the MCMCO bargaining unit and in each MOU, it was agreed that the retirement formula for new employees hired after a certain date would be reduced.

**ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:**

N/A. The Board had previously approved the reduction of the retirement formula for all bargaining units.

Financial Impact? <input type="checkbox"/> Yes <input type="checkbox"/> No	Current FY Cost: \$	Annual Recurring Cost: \$
Budgeted In Current FY? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Partially Funded		
Amount in Budget: \$ _____		List Attachments, number pages consecutively _____
Additional Funding Needed: \$ _____		
Source:		<b>Resolution of Intention</b>
Internal Transfer _____		_____
Unanticipated Revenue _____ 4/5's vote		_____
Transfer Between Funds _____ 4/5's vote		_____
Contingency _____ 4/5's vote		_____
( ) General ( ) Other		_____

**CLERK'S USE ONLY:**

Res. No.: 11-223 Ord. No. \_\_\_\_\_  
Vote - Ayes: 5 Noes: \_\_\_\_\_  
Absent: \_\_\_\_\_  
Approved  
Minute Order Attached ( ) No Action Necessary

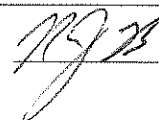
**COUNTY ADMINISTRATIVE OFFICER:**


Requested Action Recommended  
 No Opinion  
Comments:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The foregoing instrument is a correct copy of the original on file in this office.

Date: \_\_\_\_\_  
Attest: MARGIE WILLIAMS, Clerk of the Board  
County of Mariposa, State of California

By: \_\_\_\_\_  
Deputy

CAO: 

5-17 



# COUNTY OF MARIPOSA

P.O. Box 784, Mariposa, CA 95338 (209) 966-3222

JIM ALLEN, CHAIR  
JANET BIBBY, VICE-CHAIR  
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KEVIN CANN

DISTRICT V  
DISTRICT III  
DISTRICT I  
DISTRICT II  
DISTRICT IV



## MARIPOSA COUNTY BOARD OF SUPERVISORS

### MINUTE ORDER

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TO: RICHARD J. BENSON, CAO

FROM: MARGIE WILLIAMS, Clerk of the Board

SUBJECT: Adopt a Resolution of Intention to Approve an Amendment to the Agreement with CalPERS to Provide for a Change to the Retirement Formula for Miscellaneous Employees from 2.7% @ 55 to 2% @ 55 and for Safety Employees from 3% @ 50 to 3% @ 55; Implement a Hiring Moratorium Effective July 1, 2011 until Such Time as the Agreement Amendment Becomes Effective

RES. 11-223

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on May 17, 2011

#### ACTION AND VOTE:

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#### **Administration**

Adopt a Resolution of Intention to Approve an Amendment to the Agreement with CalPERS to Provide for a Change to the Retirement Formula for Miscellaneous Employees from 2.7% @ 55 to 2% @ 55 and for Safety Employees from 3% @ 50 to 3% @ 55; Implement a Hiring Moratorium Effective July 1, 2011 until Such Time as the Agreement Amendment Becomes Effective

**BOARD ACTION:** Supervisor Bibby advised that she has not participated in the labor negotiations with the safety members due to a potential conflict of interest; but she checked with County Counsel and it was determined that there is no conflict of interest for this matter because there are no salary adjustments that could be made. Rick Benson reviewed the request, including the recommendation to implement a hiring moratorium. Supervisor Turpin requested that any vacancy starting now for a permanent position be brought to the County Administrative Officer for determination of whether the position must be filled. Discussion was held.

Input from the public was provided by the following:

Bud Munck stated he feels that there should not be any permanent hires done until the new Agreement with PERS is implemented.

Ruth Catalan agreed with Bud Munck.

Further discussion was held relative to implementing a hiring moratorium. Rick Benson clarified the Board's intent to implement a hiring moratorium for permanent positions effective immediately and to remain until the new agreement is effective; and if there is an exception, it will require Board approval. Supervisor Cann requested that the Solid Waste Manager position be exempted as the department is in

the interview process for this position. (M)Turpin, (S)Cann, Res. 11-223 was adopted approving the intent to approve an amendment to the Agreement with CalPERS; and implementing a hiring moratorium for permanent positions effective immediately as discussed, and with the exception of the Solid Waste Manager position/Ayes:  
Unanimous.

Cc: Sandi Laird, Personnel  
Bill Davis, Auditor  
File

**RESOLUTION OF INTENTION**  
**TO APPROVE AN AMENDMENT TO CONTRACT**  
**BETWEEN THE**  
**BOARD OF ADMINISTRATION**  
**CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM**  
**AND THE**  
**BOARD OF SUPERVISORS**  
**COUNTY OF MARIPOSA**

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 20475 (Different Level of Benefits). Section 21354 (2% @ 55 Modified formula) is applicable to local miscellaneous members entering membership for the first time in the miscellaneous classification after the effective date of this amendment to contract.

Section 20475 (Different Level of Benefits). Section 21363.1 (3% @ 55 Modified formula) is applicable to local safety members entering membership for the first time in the safety classification after the effective date of this amendment to contract.

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  
Jim Allen  
  
Chair  
  
Title

5-17-11  
Date adopted and approved  
(Amendment)  
CON-302 (Rev. 4/96)