



## City Council Agenda Item Staff Report

CITY OF SAN BRUNO

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**DATE:** November 8, 2022

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Jovan D. Grogan, City Manager

**PREPARED BY:** Monica Walker, Human Resources Manager

**SUBJECT:** Adopt Resolution Approving Publicly Available Pay Schedule Effective November 8, 2022, Pursuant to the Public Employees' Retirement Law (PERL), Public Employees' Pension Reform Act of 2013 (PEPRA), and Title 2 of the California Code of Regulations (CCR)

**BACKGROUND:** Based on recent salary changes resulting from bargaining unit contracts approved by City Council, staff proposes to adopt a resolution approving the current salary schedule for public posting. Per CalPERS Circular Letter 200-00320 issued January 8, 2020 (Exhibit A), the Public Employees' Retirement Law (PERL), Public Employees' Pension Reform Act of 2013 (PEPRA), and Title 2 of the California Code of Regulations (CCR) require employees to be paid pursuant to a publicly available pay schedule that meets the requirements of CCR Section 570.5(a) to qualify as both compensation earnable and pensionable compensation that is reportable to the California Public Employees' Retirement System (CalPERS).

While the City has historically met all requirements for publication of pay schedules, action to adopt a single unified pay schedule is required by the CalPERS Circular Letter. Adoption of the unified pay schedule does not affect the salary or compensation paid to any City employee, but merely restates pay rates that have already been approved by the City Council at public meetings.

**DISCUSSION:** At this time, changes to the salary schedule are needed to reflect recent salary changes for the San Bruno Management Employees Association (SBMEA), City Manager, and Assistant City Manager job classifications. City Council approved salary increases for the SBMEA bargaining unit and the City Manager job classification during the regular City Council meeting on October 11, 2022. In addition, during closed session on October 4, 2022, City Council approved salary increases to the Assistant City Manager classification in the amounts of 6% effective the first full pay period in January 2022, and 3% effective the first full pay period in January 2023.

There are eight (8) requirements that must be met by a publicly available pay schedule for it to be used to determine pay rates per the CalPERS Circular Letter:

- 1) Be duly approved and adopted by the employer's governing body in accordance with requirements of applicable public meetings laws.
- 2) Identify the position title for every employee position.
- 3) Show the pay rate as a single amount or multiple amounts within a range for each identified

position.

4) Indicate the time base, including, but not limited to, whether the time base is hourly, daily, bi-weekly, monthly, bi-monthly, or annually.

5) Be posted at the office of the employer or immediately accessible and available for public review from the employer during normal business hours or posted on the employer's website.

6) Indicate an effective date and date of any revisions.

7) Is retained by the employer and available for public inspection for not less than five years.

8) Does not reference another document in lieu of disclosing the pay rate.

Historically, the City of San Bruno has consistently met all requirements for publicly available pay schedules. A compliant salary schedule is retained for at least five years, posted on the City's website, and available for public inspection in the Human Resources Department.

The City's governing body (City Council) has approved every tentative agreement or side letter containing salary increases that arise from negotiations with the City's various bargaining units. Subsequently, City Council grants approval of a "single document" salary schedule as required by CalPERS. Going forward, each time there is an action to delete or add a classification or change the salary range for any position on the salary schedule, the City will include the authorization to amend the unified salary schedule when the City Council approved the change to any salary range or classification.

**FISCAL IMPACT:** There is no fiscal impact connected to this action to update and republish the publicly available Pay Schedule pursuant to the Public Employee's Retirement Law, Public Employees' Pension Reform Act of 2013, and Title 2 of the California Code of Regulations.

**ENVIRONMENTAL IMPACT:** There is no environmental impact.

**RECOMMENDATION:** Adopt Resolution Approving Publicly Available Pay Schedule Effective November 8, 2022, Pursuant to the Public Employee's Retirement Law (PERL), Public Employees' Pension Reform Act of 2013 (PEPRA), and Title 2 of the California Code of Regulations (CCR).

**ALTERNATIVES:** Do not adopt a publicly available pay schedule pursuant to the Public Employees' Retirement Law and risk potential penalties.

**ATTACHMENTS:**

1. Resolution
2. Salary Schedule
3. CalPERS Circular Letter 200-00320