



City Council Agenda Item Staff Report

CITY OF SAN BRUNO

DATE: May 23, 2023

TO: Honorable Mayor and Members of the City Council

FROM: Cora Dino, Chief People Officer

PREPARED BY: Cora Dino, Chief People Officer

SUBJECT: Consider Adoption of a Resolution Approving Publicly Available Pay Schedule 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 salary changes resulting from bargaining unit contracts approved by Council and most recently the Council approved resolution of the City Manager job classification salary schedule, staff proposes to adopt a resolution approving the current employee pay schedule for public posting. Per the California Public Employees' Retirement System (CalPERS) Circular Letter 200-00320 issued January 8, 2020, 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 CalPERS.

While the City has historically met 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: The updated City of San Bruno Employee Monthly Pay Schedule (Exhibit A) before City Council for approval contains:

- The recently approved City Manager job classification salary schedule
- Pay schedules previously approved via Memorandums of Understanding with the City's respective bargaining units and employment agreement/programs with appointed and unrepresented employees.

The proposed job title change to Chief Financial Officer and proposed salary adjustment item is also on the May 23 council agenda. Should the Council approve the resolution, the Chief Financial Officer job title and approved salary will be included in the publicly available pay schedule.

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, biweekly, 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.

Future revisions/updates to the pay schedule will be brought to City Council for approval as warranted by MOU negotiations and position creation/changes.

FISCAL IMPACT: There is no fiscal impact.

ENVIRONMENTAL IMPACT: There is no environmental impact.

RECOMMENDATION: Adopt Resolution Approving Publicly Available Pay Schedule 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).

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

ATTACHMENTS:

1. Resolution with Exhibit A - Pay Schedule 2023