

RESOLUTION NO. 03-2016

**RESOLUTION OF THE CITY OF CLAYTON FOR
EMPLOYER PAID MEMBER CONTRIBUTIONS FOR
MISCELLANEOUS EMPLOYEES
HIRED PRIOR TO JULY 1, 2010**

**THE CITY COUNCIL
CITY OF CLAYTON, CALIFORNIA**

WHEREAS, the City Council of the City of Clayton has the authority to implement Government Code Section 20691; and,

WHEREAS, the City Council of the City of Clayton has a written labor policy or agreement which specifically provides for the normal member contributions required to be paid by employees to be paid instead by the employer; and,

WHEREAS, one of the steps in the procedures to implement Section 20691 is the adoption by the City Council of the City of Clayton of a Resolution to commence paying said Employer Paid Member Contributions (EPMC); and,

WHEREAS, City of Clayton records document that the City has paid a 7% EPMC on behalf of miscellaneous employees hired prior to July 1, 2010 since July 1, 1975 pursuant to the approval of the City Council; and,

WHEREAS, despite a diligent search, staff has been unable to find any record of action taken by the City Council of the City of Clayton to adopt an EPMC resolution; and,

WHEREAS, notwithstanding the preceding, the City of Clayton has consistently paid the EPMC to CalPERS; and,

WHEREAS, the City Council of the City of Clayton deems it prudent to adopt this Resolution to ensure that its policy regarding the EPMC on behalf of miscellaneous employees hired prior to July 1, 2010 is properly documented with CalPERS; and,

WHEREAS, the City Council of the City of Clayton has identified the following conditions for the purpose of its election to pay the EPMC:

- This benefit shall apply to all miscellaneous employees hired prior to July 1, 2010.
- This benefit shall consist of paying 7% of the normal member contribution as EPMC.
- The effective date of this resolution is July 1, 1975.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Clayton hereby elects to pay the EPMC as set forth above.

BE IT FURTHER RESOLVED that this Resolution shall remain in effect until subsequently changed by the City Council.

PASSED, APPROVED and ADOPTED by the City Council of the City of Clayton at a regular meeting of said Council held on January 19, 2016 by the following vote:

AYES: Mayor Geller, Councilmembers Haydon and Pierce.

NOES: None.

ABSTAIN: None.

ABSENT: Vice Mayor Diaz and Councilmember Shuey.

THE CITY COUNCIL OF CLAYTON, CA


Howard Geller, Mayor

ATTEST:


Janet Brown, City Clerk