



Alameda County Employees' Retirement Association
BOARD OF RETIREMENT

NOTICE and AGENDA

ACERA MISSION:

To provide ACERA members and employers with flexible, cost-effective, participant-oriented benefits through prudent investment management and superior member services.

**Thursday, July 17, 2025
2:00 p.m.**

LOCATION AND TELECONFERENCE	BOARD OF RETIREMENT TRUSTEES	
ACERA C.G. "BUD" QUIST BOARD ROOM 475 14TH STREET, 10TH FLOOR OAKLAND, CALIFORNIA 94612-1900 MAIN LINE: 510.628.3000 FAX: 510.268.9574 The public can observe the meeting and offer public comment by using the below Webinar ID and Passcode after clicking on the below link or calling the below call-in number. Link: https://zoom.us/join Call-In: 1 (669) 900-6833 US Webinar ID: 879 6337 8479 Passcode: 699406 For help joining a Zoom meeting, see: https://support.zoom.us/hc/en-us/articles/201362193	KELLIE SIMON	ELECTED GENERAL CHAIR
	TARRELL GAMBLE	APPOINTED
	ELIZABETH ROGERS	ELECTED RETIRED
	OPHELIA BASGAL	APPOINTED
	KEITH CARSON	APPOINTED
	ROSS CLIPPINGER	ELECTED SAFETY
	HENRY LEVY	TREASURER
	STEVEN WILKINSON	APPOINTED
	GEORGE WOOD	ELECTED GENERAL
	CYNTHIA BARON	ALTERNATE RETIRED¹
	KEVIN BRYANT	ALTERNATE SAFETY²

¹ The Alternate Retired Member votes in the absence of the Elected Retired Member, or, if the Elected Retired Member is present, then votes if both Elected General Members, or the Safety Member and an Elected General Member, are absent.

² The Alternate Safety Member votes in the absence of the Elected Safety Member, either of the two Elected General Members, or both the Retired and Alternate Retired Members.

Note regarding accommodations: If you require a reasonable modification or accommodation for a disability, please contact ACERA between 9:00 a.m. and 5:00 p.m. at least 72 hours before the meeting at accommodation@acera.org or at 510-628-3000.

Public comments are limited to four (4) minutes per person in total. The order of items on the agenda is subject to change without notice.

Board and Committee agendas and minutes and all documents distributed to the Board or a Committee in connection with a public meeting (unless exempt from disclosure) are posted online at www.acera.org and also may be inspected at 475 14th Street, 10th Floor, Oakland, CA 94612-1900.

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC COMMENT

4. CONSENT CALENDAR:

The Board will adopt the entire Consent Calendar by a single motion, unless one or more Board members remove one or more items from the Consent Calendar for separate discussion(s) and possible separate motion(s).

A. REPORT ON SERVICE RETIREMENTS:

Appendix A

B. LIST OF DEFERRED RETIREMENTS:

Appendix B

C. LIST OF DECEASED MEMBERS:

Appendix C

D. APPROVE REQUEST(S) FOR UP TO 130 BI-WEEKLY PAYMENTS TO RE-DEPOSIT CONTRIBUTIONS AND GAIN CREDIT:

Appendix D

E. APPROVE UNCONTESTED STAFF RECOMMENDATIONS ON DISABILITY RETIREMENTS AND DEATH BENEFITS:

Appendix E

F. APPROVE UNCONTESTED HEARING OFFICER RECOMMENDATIONS FOR DISABILITY RETIREMENTS AND DEATH BENEFITS:

None

G. APPROVE MINUTES of BOARD and COMMITTEE MEETINGS:

June 18, 2025 Minutes of the Regular Board Meeting

June 18, 2025 Actuarial Committee Minutes

June 18, 2025 Audit Committee Minutes

June 18, 2025 Operations Committee Minutes

July 2, 2025 Retirees Committee Minutes

July 2, 2025 Investment Committee Minutes

H. MISCELLANEOUS:

- *Operating Expenses as of 05/31/25*
- *Approve Staff Recommendation regarding the County of Alameda's New Pay Code Item: Chief Deputy County Administrator Officer – 43G*
- *Approve Staff Recommendation regarding the County of Alameda's New Pay Code Item: On Call FLSA Except – 840*
- *Approve Staff Recommendation regarding the County of Alameda's New Pay Code Item: Call Suprv Criminalist – 844*
- *Approve Staff Recommendation regarding Zone 7's New Pay Code Item: 5YZ Longevity 5 Year Zone – 10Z*
- *Approve Staff Recommendation regarding Zone 7's New Pay Code Item: 10Z Longevity 10 Year – 5YZ*

-----End of Consent Calendar-----
(MOTION)

REGULAR CALENDAR
REPORTS AND ACTION ITEMS

5. DISABILITY, DEATH AND OTHER BENEFIT CLAIMS:

None.

6. COMMITTEE REPORTS, RECOMMENDATIONS AND MOTIONS:

A. Retirees: [See July 2, 2025 Retirees Committee Agenda Packet for public materials related to the below listed items.]

1. Summary of July 2, 2025 Meeting.
2. Motion to increase the 2026 Group Plan Monthly Medical Allowance (MMA) by 3.75% for eligible retirees in the group plans, in accordance with the substantive plan definition adopted under GASB 43 equal to 50% of the rate of health care inflation assumptions provided by ACERA's actuary, which results in a MMA maximum of \$687.21 for the Plan Year 2026. The MMA contribution is a non-vested benefit subject to possible reduction or elimination if Board policies change or funds are unavailable. This benefit is funded by contributions from ACERA employers to the 401(h) account. After contributions are made, in accordance with the County Employees Retirement Law, ACERA treats an equal amount of Supplemental Retiree Benefit Reserve assets as employer contributions for pensions.

3. Motion to increase the 2026 Individual Plan Monthly Medical Allowance (MMA) by 3.75% for eligible qualified early (non-Medicare) retirees enrolled in individual plans through the Health Exchange, in accordance with the substantive plan definition adopted under GASB 43 equal to 50% of the rate of health care inflation assumptions provided by ACERA's actuary, which results in a MMA maximum of \$687.21 for Plan Year 2026. The MMA contribution is a nonvested benefit subject to possible reduction or elimination if Board policies change or funds are unavailable. This benefit is funded by contributions from ACERA employers to the 401(h) account. After contributions are made, in accordance with the County Employees Retirement Law, ACERA treats an equal amount of Supplemental Retiree Benefit Reserve assets as employer contributions for pensions.
4. Motion to increase the 2026 Individual Plan Monthly Medical Allowance (MMA) by 3.75% for qualified Medicare eligible retirees enrolled in individual plans through the Medicare Exchange, in accordance with the substantive plan definition adopted under GASB 43 equal to 50% of the rate of health care inflation assumptions provided by ACERA's actuary, which results in a MMA maximum of \$526.46 for Plan Year 2026. The MMA contribution is a nonvested benefit subject to possible reduction or elimination if Board policies change or funds are unavailable. This benefit is funded by contributions from ACERA employers to the 401(h) account. After contributions are made, in accordance with the County Employees Retirement Law, ACERA treats an equal amount of Supplemental Retiree Benefit Reserve assets as employer contributions for pensions.

B. Investment: [See July 2, 2025 Investment Committee Agenda Packet for public materials related to the below listed items.]

1. Summary of July 2, 2025 Meeting.

7. NEW BUSINESS:

- A.** Discussion and Possible Motion to Adopt the County of Alameda's Revised Contribution Rate.
- B.** Chief Executive Officer's Report.

- 8. CONFERENCE/ORAL REPORTS**
- 9. ANNOUNCEMENTS**
- 10. BOARD INPUT**
- 11. ESTABLISHMENT OF NEXT MEETING:**
Thursday, August 21, 2025 at 2:00 p.m.
- 12. ADJOURNMENT**

APPENDIX A
REPORT ON SERVICE RETIREMENTS

BARTON, Crystal
Effective: 5/5/2025
Probation

KIEFER, Andrea
Effective: 4/26/2025
Alameda County Health

FIGUEROA, Mona
Effective: 5/10/2025
Alameda Health System

LANE-DENNY, Myiesha
Effective: 3/29/2025
Probation

GONZALEZ, Thao
Effective: 3/13/2025
Alameda Health System

MACINTIRE, Illene
Effective: 4/21/2025
Public Works Agency

GRABER, Ronald
Effective: 3/29/2025
Sheriff's Office

MAHARAJ, Umesh
Effective: 4/26/2025
Social Services Agency

GUTIERREZ, Marylou
Effective: 5/3/2025
Superior Court

MORRIS, James
Effective: 4/12/2025
District Attorney

GUZMAN, Lilian
Effective: 5/1/2025
Alameda Health System

NUNO, Courtney
Effective: 5/29/2025
Non-Member

HAVERSTOCK, Jeffrey
Effective: 4/11/2025
Superior Court

PATTERSON, Aisha
Effective: 5/3/2025
Probation

JAMES, Anthony
Effective: 5/10/2025
General Services Agency

REESE, Anaa
Effective: 5/10/2025
Alameda County Health

KAN, Celina
Effective: 5/10/2025
Information Technology Department

SAGAR, Pradeep
Effective: 4/29/2025
Alameda Health System

KESSLER, Michael
Effective: 4/26/2025
Alameda County Health

SARGET, Susan
Effective: 5/9/2025
Public Defender

**APPENDIX A
REPORT ON SERVICE RETIREMENTS**

SECOQUIAN, Yuri
Effective: 3/21/2025
Probation

USTASZEWSKA, Jolanta
Effective: 3/29/2025
Social Services Agency

SLOAN, Ruby
Effective: 3/1/2025
Alameda Health System

WEI, Jason
Effective: 3/29/2025
Alameda County Health

STAYSA, Colby
Effective: 3/22/2025
Sheriff's Office

WHITE, Barbara
Effective: 5/12/2025
Superior Court

TORRES, William
Effective: 5/10/2025
Public Works Agency

YAP, John
Effective: 5/5/2025
Alameda Health System

**APPENDIX B
LIST OF DEFERRED RETIREMENTS**

ALLEN, Jared
General Services Agency
Effective Date: 5/15/2025

CABATIC, Maricar
Alameda Health System
Effective: 5/2/2025

ARCHULETTA, Michelle
Superior Court
Effective: 5/30/2025

CAVALLERO, Jessica
District Attorney
Effective: 5/6/2025

BARNETT, Lyonette
Alameda Health System
Effective: 5/1/2025

CLARK, Kay
Alameda Health System
Effective: 5/19/2025

BARRETO-JACKSON, Julianna
Superior Court
Effective: 5/30/2025

DARCY, Nicole
Alameda County Health
Effective: 5/12/2025

BEARD, Ivan
Alameda Health System
Effective: 5/13/2025

FAULSTICH, Amy
Alameda County Health
Effective: 5/16/2025

BLACHE, Sharae
Alameda County Health
Effective: 4/25/2025

FRANK, Brianna
Public Defender
Effective: 5/5/2025

**APPENDIX B
LIST OF DEFERRED RETIREMENTS**

HERNANDEZ, Alexis
Superior Court
Effective: 5/23/2025

NATTENBERG, Rebekah
Social Services Agency
Effective: 5/9/2025

HOANG, Phung
Social Services Agency
Effective: 4/28/2025

PAREDES, Melissa
Superior Court
Effective: 5/30/2025

HORTON, Tiffany
Social Services Agency
Effective: 5/9/2025

PEREZ, Grecia
District Attorney
Effective: 4/28/2025

JONES JR., Burt Delano
Board of Supervisors
Effective: 5/19/2025

PEROU, Shanel
Sheriff's Office
Effective: 5/14/2025

JONES-MAYFIELD, Carol
Alameda County Health
Effective: 5/9/2025

REZAEI, Mehdi
Alameda Health System
Effective: 5/12/2025

JOSEPH, Stephanie
First 5 Alameda County
Effective: 5/9/2025

RICHARDSON, Tiffany
Alameda County Health
Effective: 5/9/2025

LAVIOLETTE II, Bruce
Social Services Agency
Effective: 5/12/2025

SANTORO, John
Public Defender
Effective: 5/19/2025

MARKOFF, Gabriel
District Attorney
Effective: 5/9/2025

SORIANO, Maxine Angela
Sheriff's Office
Effective: 2/14/2025

MCDONALD, Emily
Alameda County Health
Effective: 5/9/2025

TANG, Tiffany
Superior Court
Effective: 5/23/2025

MELLO JR, Gary
Zone 7 Water Agency
Effective: 5/7/2025

WONG, Elizabeth
Public Works Agency
Effective: 5/9/2025

ZAMORA, Maritza
Alameda Health System
Effective: 5/12/2025

**APPENDIX C
LIST OF DECEASED MEMBERS**

ATKINS, Robert K.
General Services Agency
5/17/2025

BACKERS-HOYLE, Angela C.
District Attorney
6/28/2025

BARAAN, Zenaida G.
Non-Member Survivor of RESTITUTO
BARAAN
6/1/2025

BOWMAN, Rissa R.
Human Resource Services
6/6/2025

CHURCHILL, Ruth E.
Non-Member Survivor of RICHARD
CHURCHILL
5/8/2025

COLLINS-HADLEY, Delores
Non member-Survivor of BILLY COLLINS
5/25/2025

CORDOVA, Lupe R.
Alameda County Health
5/31/2025

DALOPE, Lina T.
Alameda Health System
6/4/2025

DIAZ, Graciela C.
Behavioral Health Care Services
2/24/2025

DUNCAN, Joanne R.
Social Services Agency
5/16/2025

EVANS, James W.
Sheriff's Office
6/14/2025

FORTENBERRY, John E.
Non-Member Survivor of LAVETA
FORTENBERRY
6/3/2025

FREITAS, Michael C.
Probation
5/27/2025

GORDON, Jeanne L.
Social Services Agency
2/15/2025

HANLEY, Gail A.
Non-Member Survivor of DONALD
HANLEY
4/4/2025

HERNANDEZ, Zorina M.
Public Health
6/11/2025

HEROD, Dave
Non-Member Survivor of WANDA HEROD
5/28/2025

ITURBIDE, Jeanine L.
Social Services Agency
5/30/2025

JOE, Parkman
Auditor-Controller
6/21/2025

JUNG, Cynthia A.
Sheriff's Office
6/11/2025

**APPENDIX C
LIST OF DECEASED MEMBERS**

KITTELL, Cathy A.
Alameda Health System
5/28/2025

LEON, Della W.
General Services Agency
6/3/2025

MAO, Van
Alameda County Health
5/26/2025

MC CARTHY, Daniel P.
Alameda County Health
5/19/2025

MCNAIR, Roeline B.
Non-Member Survivor of PETER J. MC
NAIR
6/16/2025

MELENDREZ HUERTA, Laura
Information Technology Department
6/19/2025

MITCHELL, Barbara A.
Alameda Health System
5/29/2025

PARKER, Nadine S.
Non-Member Survivor of CLARENCE
PARKER
6/6/2025

PRATT, Bernadette A.
General Services Agency
6/6/2025

RAY, William P.
Non-Member Survivor of MICHAELANN
RAY
3/21/2025

ROBINSON, Johnny C.
Sheriff's Office
6/26/2025

SNYDER, Robert C.
Sheriff's Office
6/22/2025

TOLANI, Kany
Public Works Agency
6/11/2025

WILKINSON, Shirley M.
Alameda Health System
5/16/2025

WORDEN, David W.
Behavioral Health Care Services
4/19/2025

APPENDIX D
REQUEST FOR 130 BI-WEEKLY PAYMENTS TO
RE-DEPOSIT CONTRIBUTIONS AND GAIN CREDIT

SANDERS, Kansophanine
Government Code § 31641.5 Part-Time & Days Prior

APPENDIX E
APPROVE UNCONTESTED STAFF RECOMMENDATIONS ON
DISABILITY RETIREMENTS AND DEATH BENEFITS

Name: Franco, Rodolfo
Type of Claim: Service-Connected

Staff's Recommendation:

Adopt the findings and conclusions and approve and adopt the recommendation contained in the Medical Advisor's report, including but not limited to, granting Mr. Franco's application for a service-connected disability, and waiving annual medical examinations and questionnaires.

Name: Perry, Cherea
Type of Claim: Service-Connected

Staff's Recommendation:

Adopt the findings and conclusions and approve and adopt the recommendation contained in the Medical Advisor's report, including but not limited to, granting Ms. Perry's application for a service-connected disability, and waiving annual medical examinations and questionnaires at this time.

Name: Staysa, Colby
Type of Claim: Service-Connected

Staff's Recommendation:

Adopt the findings and conclusions and approve and adopt the recommendation contained in the Medical Advisor's report, including but not limited to, granting Mr. Staysa's application for a service-connected disability, and waiving annual medical examinations and questionnaires at this time.

APPENDIX E
APPROVE UNCONTESTED STAFF RECOMMENDATIONS ON
DISABILITY RETIREMENTS AND DEATH BENEFITS

Name: **Thompson, Jalaina**
Type of Claim: **Service-Connected**

Staff's Recommendation:

Adopt the findings and conclusions and approve and adopt the recommendation contained in the Medical Advisor's report, including but not limited to, granting Ms. Perry's application for a service-connected disability, and waiving annual medical examinations and questionnaires at this time.

1. The Board of Retirement is not a court of law and does not have the authority to award benefits. The Board's role is to review the recommendations of the Medical Advisor and the Staff and to make a recommendation to the Board of Directors. The Board of Directors is the final authority on all matters relating to the Board of Retirement.



**ALAMEDA COUNTY EMPLOYEES' RETIREMENT ASSOCIATION
BOARD OF RETIREMENT
MINUTES**

Wednesday, June 18, 2025

Chair Kellie Simon called the meeting to order at 2:03 p.m.

Trustees Present: Ophelia Basgal
 Keith Carson
 Henry Levy
 Elizabeth Rogers
 Kellie Simon
 Steven Wilkinson
 George Wood
 Cynthia Baron (*Alternate*) (*Arrived After Roll Call*)

Trustees Excused: Ross Clippinger
 Tarrell Gamble
 Kevin Bryant (*Alternate*)

Staff Present: Victoria Arruda, Human Resource Officer (via Zoom)
 Carlos Barrios, Assistant Chief Executive Officer-Benefits
 Angela Bradford, Executive Secretary
 Sandra Dueñas-Cuevas, Benefits Manager
 Erica Haywood, Fiscal Services Officer
 Jessica Huffman, Benefits Manager
 Harsh Jadhav, Chief of Internal Audit
 Vijay Jagar, Retirement Chief Technology Officer, ACERA
 Lisa Johnson, Assistant Chief Executive Officer-Operations
 David Nelsen, Chief Executive Officer
 Jeff Rieger, Chief Counsel (via Zoom)
 Betty Tse, Chief Investment Officer

PUBLIC INPUT

On behalf of Alameda County Retired Employees (ACRE) and Retired Employees of Alameda County (REAC), ACRE President Pete Albert presented Trustee Keith Carson with an award for his Service on both the Alameda County Board of Supervisors and the Alameda County Board of Retirement.

Alyssa Giachino of the Private Equity Stakeholder Project, a non-profit organization, presented information regarding ACERA's possible exposure to risky assets due to fund investments through four Private Equity Firms. Chief Counsel Jeff Rieger explained that since this item was not agendaized there could be no substantial discussion of the subject at this meeting, but Staff could follow up with Ms. Giachino regarding her presentation.

CONSENT CALENDAR
REPORTS AND ACTION ITEMS

REPORT ON SERVICE RETIREMENTS

Appendix A

LIST OF DEFERRED RETIREMENTS

Appendix B

LIST OF DECEASED MEMBERS

Appendix C

APPROVE REQUEST(S) FOR UP TO 130 BI-WEEKLY PAYMENTS TO RE-DEPOSIT CONTRIBUTIONS AND GAIN CREDIT

None

APPROVE UNCONTESTED STAFF RECOMMENDATIONS ON DISABILITY RETIREMENTS AND DEATH BENEFITS

Appendix E

APPROVE UNCONTESTED HEARING OFFICER RECOMMENDATIONS FOR DISABILITY RETIREMENTS AND DEATH BENEFITS

Appendix F

APPROVE MINUTES of BOARD and COMMITTEE MEETINGS

May 22, 2025 Minutes of the Regular Board Meeting

May 22, 2025 Actuarial Committee Minutes

May 22, 2025 Audit Committee Minutes

June 4, 2025 Retirees Committee Minutes

June 4, 2025 Investment Committee Minutes

MISCELLANEOUS

- *Operating Expenses as of 04/30/25*
- *Quarterly Report on Member Underpayments and Overpayments*
- *1st Quarter 2025 Call Center Report*
- *Approve Staff Recommendation regarding the Alameda Health System's New Pay Item/Code: SEIU RN Specialty Cert Pay 3% – 28Y*
- *Revisions of Resolution No. 07-29, Appendix A and the SRBR Policy regarding Retired Annuitants Using HRAs*

25-39

It was moved by George Wood and seconded by Henry Levy that the Board adopt the Consent Calendar. The motion carried 7 yes (*Basgal, Carson, Levy, Rogers, Simon, Wilkinson, Wood*), 0 no, and 0 abstentions.

REGULAR CALENDAR
REPORTS AND ACTION ITEMS

DISABILITY, DEATH AND OTHER BENEFIT CLAIMS

The Board adjourned into Closed Session to address the following item, pursuant to Gov't Code § 54957(b):

Non-Service-Connected Disability Retirement Application of Shauna White, Eligibility Services Technician III, Social Services Agency for the County of Alameda: Consideration of Hearing Officer's Proposed Findings of Fact and Recommended Decision after remand, per Gov't Code § 31534.

The Board reconvened into Open Session and the following Trustees returned:
Baron, Basgal, Carson, Levy Rogers, Simon, Wilkinson and Wood

Chief Counsel Jeff Rieger reported that the Board took the following action in Closed Session:

25-40

Motion that the Board adopt the Hearing Officer's *Proposed Findings of Fact and Recommended Decision after remand* to deny Shauna White a Non-Service-Connected disability retirement benefit. The motion carried 5 yes (*Basgal, Carson, Levy, Wilkinson, Wood*), 2 no (*Rogers, Simon*), and 0 abstentions.

COMMITTEE REPORTS, RECOMMENDATIONS AND MOTIONS

This month's Committee reports were presented in the following order:

Retirees:

Elizabeth Rogers reported that the Retirees Committee met on June 4, 2025 and that the Committee was presented with and discussed the Implicit Subsidy cost for Plan Year 2024.

25-41

It was moved by Elizabeth Rogers and seconded by George Wood that the Board authorize Staff to transfer \$2,453,953 from the Supplemental Retiree Benefit Reserve account to the County Advance Reserve to be amortized over 20 years as the Implicit Subsidy payment for Plan Year 2024. The motion carried 7 yes (*Basgal, Carson, Levy, Rogers, Simon, Wilkinson, Wood*), 0 no, and 0 abstentions.

Trustee Rogers reported that the Committee was presented with and discussed the Statement of Intent to continue the Implicit Subsidy Program for health Plan Year 2026.

25-42

It was moved by Elizabeth Rogers and seconded by George Wood that the Board adopt a Statement of Intent to continue the Implicit Subsidy Program for health Plan Year 2026, following a determination by ACERA at the end of Plan Year 2026 that the amount is not greater than the actual retiree Implicit Subsidy. The motion carried 7 yes (*Basgal, Carson, Levy, Rogers, Simon, Wilkinson, Wood*), 0 no, and 0 abstentions.

Trustee Rogers reported that the Committee was presented with and discussed ACERA's retiree dental care coverage, which included the review and scoring of the Request for Proposal (RFP) responses from the bidders, and Staff's recommendation on the finalist. The Committee chose Delta Dental as its finalist.

25-43

It was moved by Elizabeth Rogers and seconded by George Wood that the Board approve Staff's recommendation to continue ACERA's retiree dental care coverage through Delta Dental, and to award the dental care coverage contract to Delta Dental for Plan Year 2026, pending competition of Legal and Benefits due diligence and successful contract negotiations. The motion carried 7 yes (*Basgal, Carson, Levy, Rogers, Simon, Wilkinson, Wood*), 0 no, and 0 abstentions.

Trustee Rogers reported that the Committee was presented with and discussed ACERA's retiree vision care coverage, which included the review and scoring of the RFP responses from the bidders, and the recommendation on the finalist. The Committee chose Vision Service Plan (VSP) as its finalist.

25-44

It was moved by Elizabeth Rogers seconded by George Wood that the Board approve Staff's recommendation to continue ACERA's retiree vision care coverage through Vision Service Plan (VSP), and to award the vision care coverage contract to VSP for Plan Year 2026, pending competition of Legal and Benefits due diligence and successful contract negotiations. The motion carried 7 yes (*Basgal, Carson, Levy, Rogers, Simon, Wilkinson, Wood*), 0 no, and 0 abstentions.

The Committee was presented with the following Information Items: *1)* Presentation and Report on Health Care Inflation/Trends; *2)* Preliminary Report on Projected Benefit Costs Funded through the Supplemental Retiree Benefit Reserve; *3)* Discussion of Monthly Medical Allowance for 2026; *4)* Report on Health Reimbursement Arrangement Account Balances and Reimbursements; and *5)* Plans for Open Enrollment and Retiree Health and Wellness Fair.

Minutes of the meeting were approved as part of the Consent Calendar.

Investment:

George Wood reported that the Investment Committee met on June 4, 2025 and that the Committee was presented with and discussed discontinuing ACERA's Directed Brokerage Program.

25-45

It was moved by George Wood seconded by Elizabeth Rogers that the Board discontinue the Directed Brokerage Program. The motion carried 7 yes (*Basgal, Carson, Levy, Rogers, Simon, Wilkinson, Wood*), 0 no, and 0 abstentions.

The Committee was presented with the following Information Items: *1)* Semiannual Performance Review for the Period Ending December 31, 2024 for: *(a)* Real Estate, *(b)* Private Equity, *(c)* Private Credit, *(d)* Real Assets and *(e)* Absolute Return; *2)* Review of the current Public Equity Structure and Possible Restructure of the same - Part 2; and *3)* Report on Private Credit Investment Made Under Delegated Authority after Distribution of the Last Investment Committee Meeting Agenda: ICG Europe Fund IX (€37 million).

Minutes of the meeting were approved as part of the Consent Calendar.

Operations:

Trustees Kellie Simon and George Wood recused themselves from all discussion and voting on this matter and left the Board room during the *Employer Reimbursement Policy* discussion based on a potential conflict of interest, given that the *Employer Reimbursement Policy* relates to ACERA reimbursements to their employing departments for a portion of their salaries.

Ophelia Basgal reported that the Operations Committee met earlier today and that the Committee was presented with and discussed revisions to the *Employer Reimbursement Policy*. Chief Executive Officer Dave Nelsen reported that there was one additional revision Staff wants to include which is to change the *Policy* review cycle from annually to a three-year review cycle.

25-46

It was moved by Ophelia Basgal and seconded by Cynthia Baron that the Board approve Staff's revisions to the *Employer Reimbursement Policy*, as recommended by the Operations Committee, including Staff's request to change the *Policy* review cycle from annually to a three-year review cycle. The motion carried 6 yes (*Baron, Basgal, Carson, Levy, Rogers, Wilkinson*), 0 no, 0 abstentions, 2 recusals (*Simon, Wood*).

Trustees Kellie Simon and George Wood returned to the Board Room.

Minutes of the meeting will be presented to the Board for adoption on the Consent Calendar at the July 17, 2025 Board meeting.

Actuarial:

Ophelia Basgal reported that the Actuarial Committee met earlier today and that the Committee was presented with and discussed revisions to the *Actuarial Funding Policy* and to the *Interest Crediting Policy*, if the County makes its anticipated contribution of \$400 million

25-47

It was moved by Ophelia Basgal and seconded by Keith Carson that the Board approve Staff's revisions to the *Actuarial Funding Policy* and to the *Interest Crediting Policy*, if the County makes its anticipated contribution of \$400 million, as recommended by the Actuarial Committee. The motion carried 7 yes (*Basgal, Carson, Levy, Rogers, Simon, Wilkinson, Wood*), 0 no, and 0 abstentions.

The Committee was presented with an Information Item regarding the deterministic projections as part of the Risk Assessment Report based on the Actuarial Valuation and Review as of December 31, 2024.

Minutes of the meeting will be presented to the Board for adoption on the Consent Calendar at the July 17, 2025 Board meeting.

Audit:

Henry Levy reported that the Audit Committee met earlier today and that the Audit Committee was presented with and discussed the audited Schedule of Employer Allocations and Schedule of Pension Amounts by Employer and the audited Schedule of Employer Allocations and Schedule of OPEB Amounts by Employer Based on the Governmental Accounting Standards Board (GASB) Statement No. 67 and Statement No. 74, as of December 31, 2024.

25-48

It was moved by Henry Levy and seconded by George Wood that the Board adopt the audited Schedule of Employer Allocations and Schedule of Pension Amounts by Employer and the audited Schedule of Employer Allocations and Schedule of OPEB Amounts by Employer Based on the Governmental Accounting Standards Board (GASB) Statement No. 67 and Statement No. 74, as of December 31, 2024. The motion carried 7 yes (*Basgal, Carson, Levy, Rogers, Simon, Wilkinson, Wood*), 0 no, and 0 abstentions.

The Committee was presented with and discussed an Information Item regarding GASB Statement No. 68 and GASB Statement No. 75 Valuations and Employer Schedules as of December 31, 2024.

Minutes of the meeting will be presented to the Board for adoption on the Consent Calendar at the July 17, 2025 Board meeting.

NEW BUSINESS:

Discussion and Possible Motion to Approve a Memorandum of Understanding with the County of Alameda Regarding its Anticipated Extraordinary Contributions to Fund a Portion of its Unfunded Liabilities

Mr. Nelsen requested that the Board approve a draft Memorandum of Understanding (MOU) between ACERA and the County of Alameda regarding the County's \$400 million extraordinary contribution towards the County General Member Unfunded Actuarial Accrued Liability (UAAL). Mr. Nelsen reported that the process is substantially similar to the County's 2021 MOU regarding the Safety Member UAAL. However, the language in, and revisions to, the draft MOU are contingent upon approval by the Alameda County Board of Supervisors. Mr. Nelsen also requested that the Board grant him the authority to agree to non-substantive modifications to the draft MOU at his discretion. Mr. Nelsen will share the final version of the MOU with the Board.

25-49

It was moved by George Wood and seconded by Keith Carson that the Board a) approve the draft Memorandum of Understanding (MOU) between ACERA and the County of Alameda regarding the County's extraordinary \$400 million contribution towards the County General Member Unfunded Actuarial Accrued Liability (UAAL); and b) grant authority to Chief Executive Officer Dave Nelsen to agree to non-substantive modifications to the draft MOU as provided in the agenda backup materials. The motion carried 7 yes (Basgal, Carson, Levy, Rogers, Simon, Wilkinson, Wood), 0 no, and 0 abstentions.

Discussion and Possible Motion regarding Chief Executive Officer Compensation

Mr. Nelsen reported that the County provides a 401(a) Defined Contribution Benefit to appointed and elected County department heads and to the Board of Supervisors (BOS), which is overseen by the Alameda County Treasurer's Office. Mr. Nelsen reported that there is a Plan Document that lists eligible positions and lays out the provisions of the 401(a) Program. However, the ACERA CEO and Zone 7 CEO positions are not included in the Plan Document. Mr. Nelsen reported that the County Treasurer is set to amend the Plan Document for several reasons and hopes to get it approved by the BOS this Summer and if the Board wants to include the ACERA CEO position in the Plan Document, now would be the time to make that request. Trustee Levy (and the Alameda County Treasurer) reported that there are a number of reasons why the Plan Document is updated and that it is also mandated by Federal Law.

25-50

It was moved by Henry Levy and seconded by Ophelia Basgal that the Board request that the ACERA CEO position be added to the Plan Document/list of eligible positions, but payment to the position would be made only after approval by the Board of Retirement, subject to negotiation and Board approval. The motion carried 6 yes (Basgal, Carson, Levy, Rogers, Simon, Wood), 0 no, and 0 abstentions. Trustee Wilkinson was not present for the motion.

Chief Executive Officer's Report

Mr. Nelsen presented his June 18, 2025 written CEO Report which provided an update on: **1)** Committee and Board Action Items; **2)** Other Items: **a)** Business Planning; **b)** Legislative Update; **c)** Legislative Highlights; **d)** Budget; and **3)** Key Performance Indicators.

Mr. Nelsen provided an update on two PEPRA bills reporting that the bills are now two-year bills, and that they have been suspended and will probably not be included in this Legislative Session.

Mr. Nelsen provided an update on the ACERA Budget. Mr. Nelsen will keep the Board abreast of the status.

CONFERENCE/ORAL REPORTS

Trustee Levy suggested that the Trustees attend the Rotman Governance Program for public pension plan Trustees. The program is located in Toronto, Canada on October 7 through 10, 2025. Trustee Levy stated that the cost of the program can be discounted depending on the number of Trustees who attend.

ANNOUNCEMENTS

None.

BOARD INPUT

Trustee Basgal suggested that the Trustees read the following two NASRA News Articles regarding Artificial Intelligence (AI): **1) *The Coming Revolution in Pension Investment Technology*** and **2) *Why Public Pensions Need an AI Academy***. Trustee Basgal recommended that the Board and Staff continue to stay informed about AI in relation to investments.

CLOSED SESSION

The Board adjourned into Closed Session to discuss the following:

See Motion Nos. 25-40 Above.

To view the June 18, 2025 Board meeting YouTube video in its entirety, go to ACERA's Website at: <https://youtu.be/WP6knY6CUcs>.

ADJOURNMENT

The meeting was adjourned at approximately 3:05 p.m.

Respectfully Submitted,



David Nelsen
Chief Executive Officer

07/17/25

Date Adopted

APPENDIX A
REPORT ON SERVICE RETIREMENTS

ABRAMS, Keir
Effective: 3/29/2025
Sheriff's Office

BYRNE MICHAEL,
Effective: 3/29/2025
Public Works Agency

ACKERMAN MIRAFLORES, Lila
Effective: 4/5/2025
Superior Court

CHAMBERS, Dean
Effective: 3/29/2025
Alameda County Health

AHIF, Matthew
Effective: 4/3/2025
Sheriff's Office

CHIONG, Rena
Effective: 3/29/2025
Social Services Agency

ALIABADI, Mitra
Effective: 3/29/2025
Assessor

COLON, Luz
Effective: 3/29/2025
Alameda Health System

ALLEN, Tanesia
Effective: 4/1/2025
Social Services Agency

CORRAL, Steven
Effective: 3/29/2025
District Attorney

AQUINO-OLIVE, Leah
Effective: 3/29/2025
Alameda Health System

DE LEON-PEREY, Celeste
Effective: 3/29/2025
Alameda County Health

BANKS, Edgar
Effective: 3/29/2025
Sheriff's Office

DENTON, Charles
Effective: 4/12/2025
Public Defender

BAUTISTA, Honeylet
Effective: 3/29/2025
General Services Agency

DUGAN, Patricia
Effective: 3/28/2025
Alameda County Health

BERNAL, Joseph
Effective: 4/2/2025
Alameda Health System

DUPES, Emilia
Effective: 3/29/2025
Dept of Child Support Services

BULLARD, Lynee
Effective: 3/29/2025
Dept of Child Support Services

ELLISON, Richard
Effective: 3/29/2025
Sheriff's Office

APPENDIX A
REPORT ON SERVICE RETIREMENTS

ESCAREZ, Carlota
Effective: 3/29/2025
Social Services Agency

HAMADANYAN, Karen
Effective: 3/29/2025
Alameda County Health

ESTABROOK-HORTON, Mary Ann
Effective: 3/29/2025
Alameda County Health

HAMLIN, Eileen
Effective: 3/29/2025
Alameda County Health

FARROW, Susan
Effective: 2/20/2025
Public Defender

HARRIS, Alfred
Effective: 3/29/2025
Public Works Agency

FERNANDES, William
Effective: 3/28/2025
General Services Agency

HAYES, Steven
Effective: 3/29/2025
Sheriff's Office

FLORES, Estella
Effective: 3/29/2025
Superior Court

HEWITT, Chet
Effective: 3/1/2025
Social Services Agency

FULLER, Gregory
Effective: 3/29/2025
General Services Agency

HINOJOSA, Lorenzo
Effective: 3/29/2025
Alameda County Health

GARCIA, Alejandro
Effective: 4/1/2025
General Services Agency

HOANG, Alton
Effective: 3/29/2025
Sheriff's Office

GARCIA, Gail
Effective: 3/29/2025
Superior Court

HUNTE, Steven
Effective: 3/29/2025
Public Works Agency

GARRICK, Jocelyn Freeman
Effective: 3/5/2025
Alameda Health System

HUTTON, Vera
Effective: 3/29/2025
Social Services Agency

GARRIDO, Roy
Effective: 3/29/2025
Social Services Agency

JIMENEZ, Maria
Effective: 3/29/2025
Social Services Agency

APPENDIX A
REPORT ON SERVICE RETIREMENTS

KARP, David
Effective: 3/29/2025
Superior Court

MC DOUGAL, Michelle
Effective: 3/31/2025
Sheriff's Office

LAU, Shiu
Effective: 4/1/2025
Auditor-Controller

MCANDREW, Eileen
Effective: 3/29/2025
District Attorney

LAW, Keith
Effective: 4/1/2025
Alameda Health System

MCBURNIE, Lisa
Effective: 3/29/2025
Social Services Agency

LEONARD, Gregory
Effective: 3/29/2025
Public Works Agency

MCKETNEY, Edwin
Effective: 3/29/2025
Alameda County Health

LEWIS, David
Effective: 3/29/2025
Public Works Agency

MEDINA, Michael
Effective: 3/29/2025
Zone 7 Water Agency

LOOMIS, Laura
Effective: 3/29/2025
Social Services Agency

MENDONCA, Judith
Effective: 3/29/2025
Dept of Child Support Services

LOTMAN, William
Effective: 3/26/2025
Sheriff's Office

MENGISTE, Wosen
Effective: 3/29/2025
Superior Court

LOUISE, Sue
Effective: 3/29/2025
Alameda County Health

NARVAEZ, Benigno
Effective: 3/29/2025
Alameda Health System

LUKAN, Maria
Effective: 3/15/2025
District Attorney

NOBREGA, Herlander
Effective: 3/29/2025
Alameda County Health

MAGLAYA, Robert
Effective: 3/29/2025
Sheriff's Office

OGUNTUASE, Abiodun
Effective: 3/15/2025
Social Services Agency

MAGTIBAY, Lisa
Effective: 3/29/2025
Social Services Agency

ORNELLAS, Teresa
Effective: 3/15/2025
General Services Agency

APPENDIX A
REPORT ON SERVICE RETIREMENTS

OSHIRO, Jennifer
Effective: 3/29/2025
Dept of Child Support Services

ROXAS, Luisito
Effective: 3/29/2025
Alameda County Health

PARKER, Andrew
Effective: 3/29/2025
Social Services Agency

SAELIAW-CHAO, Pamela
Effective: 3/29/2025
Social Services Agency

PEREZ, Rozel
Effective: 3/29/2025
Assessor

SASS, Cynthia
Effective: 3/29/2025
Sheriff's Office

PETTIGREW, Robert
Effective: 3/29/2025
General Services Agency

SCHROYER, Maria
Effective: 3/29/2025
Public Works Agency

PIERCE, Patricia
Effective: 3/15/2025
Alameda County Health

SEELEY-WILLIAMS, Sandra
Effective: 3/29/2025
Alameda Health System

PROVOST, John
Effective: 3/29/2025
Alameda Health System

SILVA, Karen
Effective: 4/1/2025
Zone 7 Water Agency

RASMUSSEN, Robin
Effective: 4/1/2025
LARPD

SWANSON, Patricia
Effective: 4/1/2025
County Administrator Office

ROA, Daisy Dacumos
Effective: 3/29/2025
Sheriff's Office

TESFAYOHANNES, Taaque
Effective: 3/29/2025
Zone 7 Water Agency

ROCHA, Ana
Effective: 3/14/2025
Social Services Agency

TOLERO, Michael
Effective: 3/29/2025
Sheriff's Office

ROSALES-PERRE, Imelda
Effective: 3/29/2025
Dept of Child Support Services

VALADEZ, Rita
Effective: 3/21/2025
Social Services Agency

ROSE, Nancy
Effective: 3/29/2025
Superior Court

VINCENT, Raymond
Effective: 3/29/2025
Sheriff's Office

APPENDIX A
REPORT ON SERVICE RETIREMENTS

WALES, Michele
Effective: 3/29/2025
Register of Voters

WONG, Jennie
Effective: 3/29/2025
First 5 Alameda County

WHITAKER, Keith
Effective: 3/29/2025
Public Works Agency

YOUNG, Teresa
Effective: 3/21/2025
Alameda Health System

APPENDIX B
LIST OF DEFERRED RETIREMENTS

ALBERT, Ernest
Alameda Health System
Effective Date: 4/24/2025

CLAFTON, Tyler
Auditor Controller
Effective: 4/3/2025

BANAGA, Jennifer
Alameda Health System
Effective: 5/1/2025

DAVIES, Anna
Alameda County Health
Effective: 4/21/2025

BARRAGAN-MORENO JR, Abraham
Sheriff's Office
Effective: 4/1/2025

DUCKWORTH, Eric
Alameda Health System
Effective: 4/25/2025

BERBER NORIEGA, Jose
Sheriff's Office
Effective: 4/16/2025

ESQUIVEL, Lisa
Social Services Agency
Effective: 4/8/2025

BOBO, Kimberly
Alameda County Health
Effective: 4/25/2025

FLORES, Nereida
First 5 Alameda County
Effective: 4/3/2025

CASSON, Kelly
Superior Court
Effective: 4/14/2025

GONZALEZ, Ramiro
Probation
Effective: 4/3/2025

CATALAN, Aileen
Social Services Agency
Effective: 4/23/2025

GUZMAN, Carlos
District Attorney
Effective: 4/25/2025

CEN, Xiaoying
Social Services Agency
Effective: 3/31/2025

JOHNSON, Benjamin
Social Services Agency
Effective: 4/24/2025

APPENDIX B
LIST OF DEFERRED RETIREMENTS

KELLEY, Stacy
Alameda Health System
Effective: 4/29/2025

ORTIZ, Gabriel
Public Works Agency
Effective: 4/24/2025

KONING, Kaitlyn
Alameda Health System
Effective: 4/10/2025

PASTRANA PAGES, Roberto
Social Services Agency
Effective: 4/25/2025

KORDISH, Lora
Alameda Health System
Effective: 4/8/2025

SANTOS, Aletho
Public Works Agency
Effective: 4/17/2025

MARQUEZ, Taylor
Superior Court
Effective: 4/11/2025

SERRANO, Matthew
Auditor Controller
Effective: 5/2/2025

MIDDLETON, Ramon
District Attorney
Effective: 4/11/2025

THOMAS, Kathleen
Alameda County Health
Effective: 4/18/2025

MURRELL, Elaisha
District Attorney
Effective: 4/11/2025

TRANSOU, Scott
General Services Agency
Effective: 4/18/2025

NGUYEN, Trinh
Social Services Agency
Effective: 4/15/2025

WALIA, Gurpreet
Alameda Health System
Effective: 5/2/2025

NIEBLAS, Guadalupe
Sheriff's Office
Effective: 4/5/2025

WHEAT, Adam
Sheriff's Office
Effective: 4/18/2025

APPENDIX C
LIST OF DECEASED MEMBERS

BENNETT, Minnie J.
Non-Member Survivor of ROBERT
BENNETT
3/13/2025

BURKE, Susan J.
Alameda Health System
4/15/2025

CHURCHILL, Ruth E.
Non-Member Survivor of RICHARD
CHURCHILL
5/8/2025

CRIST, Frieda J.
Social Services Agency
4/15/2025

DESSASAU, Loretta J.
Alameda Health System
5/2/2025

ELLIS, Dorothy M.
Alameda Health System
4/14/2025

GOMEZ, Andrew E.
Alameda Health System
5/13/2025

GOODE-HARDEMAN, Antoinette M.
Probation
5/17/2025

GREEN, Florence
Alameda Health System
4/20/2025

HAYNES, Marinett
Alameda County Health
4/25/2025

HILL, Barbara R.
Alameda Health System
5/20/2025

JONES, Annie M.
Alameda Health System
5/14/2025

JUNG, Ruth Y.
Alameda Health System
4/4/2025

KIELY, John E.
Fire Department
4/19/2025

LEE, Serah D.
Social Services Agency
5/7/2025

MORTAZAVI, Hamid
Probation
5/14/2025

PENQUITE, Dorothy J.
Non-Member Survivor of LEWIS
PENQUITE
5/15/2025

REYNOLDS, Barbara D.
Social Services Agency
4/2/2025

ROSS, Lori A.
Alameda Health System
4/10/2025

ROBLES, Alfred F.
Public Works Agency
5/6/2025

**APPENDIX C
LIST OF DECEASED MEMBERS**

SALTA, Benjamin P.
Probation
4/13/2025

WALES, George S.
Assessor
4/26/2025

SIMON, Dorothy L.
Social Services Agency
5/10/2025

WALLER, Martea
Alameda County Health
5/16/2025

SOUZA, Gloria M.
Social Services Agency
5/5/2025

WALTON, David M.
Sheriff's Department
5/18/2025

STEWART, Raygenia L.
Alameda County Health
5/1/2025

WESTBROOK, Bertha L.
Social Services Agency
5/1/2025

TABARI, Hasani O.
Probation
4/14/2025

WILLIAMS, Irvin
Non-Member Survivor of DELANE
WILLIAMS
5/18/2025

WRIGHT, Stanley D.
Sheriff's Department
4/21/2025

**APPENDIX E
APPROVE UNCONTESTED STAFF RECOMMENDATIONS ON
DISABILITY RETIREMENTS AND DEATH BENEFITS**

Name: Hargraves, John
Type of Claim: Service-Connected

Staff's Recommendation:

Adopt the findings and conclusions and approve and adopt the recommendation contained in the Medical Advisor's report, including but not limited to, granting Mr. Hargrave's application for a service-connected disability, and waiving annual medical examinations and questionnaires.

Name: Alexander, Dyan
Type of Claim: Service-Connected Disability

Adopt the Hearing Officer's Proposed Findings of Fact and Recommended Decision as the Board's own final decision to grant Ms. Alexander's application for a service-connected disability retirement and not require future medical examinations.

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MINUTES OF JUNE 18, 2025 ACTUARIAL COMMITTEE MEETING

To: Members of the Actuarial Committee

From: Ophelia Basgal, Chair

Subject: Summary of the June 18, 2025 Actuarial Committee Meeting

Committee Chair Ophelia Basgal called the June 18, 2025, Actuarial Committee meeting to order at 11:31 a.m.

ACERA TRUSTEES, SENIOR MANAGERS AND PRESENTING STAFF IN ATTENDANCE

Committee members present were Ophelia Basgal, Steven Wilkinson and Elizabeth Rogers. Also present were Kellie Simon, George Wood, and Cynthia Baron. Tarrell Gamble, Henry Levy, and Committee Member Keith Carson all arrived after roll call.

Staff present were David Nelsen, Chief Executive Officer; Lisa Johnson, Assistant Chief Executive Officer; Carlos Barrios, Assistant Chief Executive Officer; Jeff Rieger, Chief Counsel (Via Zoom); Betty Tse, Chief Investment Officer; Erica Haywood, Fiscal Services Officer (Via Zoom); Harsh Jadhav, Chief of Internal Audit; Vijay Jagar, Chief Technology Officer; and Victoria Arruda, Human Resource Officer (Via Zoom).

PUBLIC INPUT

None

Action Items

1. Discussion to make revisions to the Actuarial Funding Policy and to the Interest Crediting Policy.

Recommendation

The Actuarial Committee recommends that the Board of Retirement update the Actuarial Funding Policy and the Interest Crediting Policy if the County provides an additional contribution on or before June 30, 2025.

It was moved by Keith Carson and seconded by Elizabeth Rogers that the Actuarial Committee recommends that the Board of Retirement update the Actuarial Funding Policy and the Interest Crediting Policy if the County provides an additional contribution on or before June 30, 2025.

The motion carried 8 yes (*Basgal, Carson, Gamble, Wilkinson, Levy, Rogers, Simon, and Wood*). 0 no and 0 abstentions.

INFORMATION ITEMS

1. Presentation of the deterministic projections as part of the Risk Assessment Report based on the Actuarial Valuation and Review as of December 31, 2024.

Segal Representatives presented the deterministic projections as part of the Risk Assessment Report based on the Actuarial Valuation and Review as of December 31, 2024.

TRUSTEE INPUT AND DIRECTION TO STAFF

None

FUTURE DISCUSSION ITEMS

ESTABLISHMENT OF NEXT MEETING DATE

T.B.D

MEETING ADJOURNED

The meeting adjourned at 12:34 p.m.



MINUTES OF JUNE 18, 2025 AUDIT COMMITTEE MEETING

Date: June 18, 2025
To: Members of the Audit Committee
From: Henry Levy, Chair
Subject: **Summary of the June 18, 2025 Audit Committee Meeting**

The Audit Committee Chair, Henry Levy called the June 18, 2025, Audit Committee meeting to order at 12:40 p.m.

ACERA TRUSTEES, SENIOR MANAGERS AND PRESENTING STAFF IN ATTENDANCE

Committee members present were Henry Levy, Tarrell Gamble, Steven Wilkinson, and George Wood. Other Board members present were Ophelia Basgal, Keith Carson, Kellie Simon and alternate member Cynthia Baron. Elizabeth Rogers arrived after roll call.

Staff present were David Nelsen, Chief Executive Officer; Lisa Johnson, Assistant Chief Executive Officer; Carlos Barrios, Assistant Chief Executive Officer; Harsh Jadhav, Chief of Internal Audit; Erica Haywood, Fiscal Services Officer; and Sandra Dueñas-Cuevas, Benefits Manager. Jeff Rieger, Chief Counsel; Jessica Huffman, Benefits Manager; and Victoria Arruda, Human Resource Officer attended via Zoom.

PUBLIC COMMENT

None

ACTION ITEMS

External Audit

- 1. Review and possible motion to adopt the audited Schedule of Employer Allocations (Pension and OPEB) and the audited Schedule of Pension and OPEB Amounts by Employer based on addenda to the Governmental Accounting Standards Board (GASB) Statement No. 67 and Statement No. 74, valuations as of December 31, 2024**

ACERA and Williams Adley staff presented and discussed the audited Schedule of Employers Allocations (Pension and OPEB) and the audited Schedule of Pension and OPEB Amounts by Employer based on addenda to the GASB Statement No. 67 and Statement No. 74, valuations as of December 31, 2024.

It was moved by Trustee Gamble and seconded by Trustee Rogers that the Audit Committee recommend that the Board of Retirement adopt the audited Schedule of Employer Allocations and Schedule of Pension Amounts by Employer and the audited Schedule of Employer Allocations and

Schedule of OPEB Amounts by Employer Based on the GASB Statement No. 67 and Statement No. 74, as of December 31, 2024.

The motion carried 8 yes (*Basgal, Carson, Gamble, Levy, Rogers, Simon, Wilkinson, Wood*), 0 no, 0 abstentions.

INFORMATION ITEMS

External Audit

1. Presentation and discussion of GASB Statement No. 68 and GASB Statement No. 75 Valuations and Employer Schedules as of December 31, 2024

ACERA and Segal representatives presented the GASB Statement No. 68 and Statement No. 75 Valuations and Employer Schedules as of December 31, 2024.

Internal Audit

1. Progress report on the Internal Audit Plan

Staff provided a progress report on the Internal Audit Plan.

2. Business Impact Analysis Update

Due to time restraints, this item will be brought back at a future meeting.

TRUSTEE INPUT AND DIRECTION TO STAFF

Trustees would like to review the AI Policy

FUTURE DISCUSSION ITEMS

None

ESTABLISHMENT OF NEXT MEETING DATE

October 16, 2025

MEETING ADJOURNED

The meeting adjourned at 12:53 p.m.



MINUTES OF JUNE 18, 2025 OPERATIONS COMMITTEE MEETING

To: Members of the Operations Committee

From: Ophelia Basgal, Vice Chair

Subject: Summary of the June 18, 2025, Operations Committee Meeting

Committee Vice Chair Ophelia Basgal called the June 18, 2025, Operations Committee meeting to order at 1:31 p.m.

ACERA TRUSTEES, SENIOR MANAGERS AND PRESENTING STAFF IN ATTENDANCE

Committee members present were Ophelia Basgal, Keith Carson, Tarrel Gamble, and George Wood. Also present were Elizabeth Rogers, Kellie Simon, Steve Wilkinson, and Cynthia Baron. Henry Levy arrived after roll call.

Staff present were Dave Nelsen, Chief Executive Officer; Lisa Johnson, Assistant Chief Executive Officer; Carlos Barrios, Assistant Chief Executive Officer; Jeff Rieger, Chief Counsel (via Zoom); Jessica Huffman, Benefits Manager (via Zoom); Sandra Dueñas-Cuevas, Benefits Manager; Vijay Jagar, Chief Technology Officer; Harsh Jadhav, Chief of Internal Audit; Vicki Arruda, Human Resource Officer (via Zoom); Betty Tse, Chief Investment Officer (via Zoom); and Erica Haywood, Fiscal Services Officer (via Zoom).

PUBLIC INPUT

None

Action Items

1. Discussion and Possible motion to renew the Employer Reimbursement Policy with or without revision.

Recommendation: Staff recommends that the Operations Committee make a recommendation to the Board of Retirement to approve the Employer Reimbursement Policy, with revision.

Kellie Simon, and George Wood recused themselves from all discussion and voting and left the room during the discussion based on a potential conflict of interest, given that the Policy relates to ACERA reimbursements to their employing departments for a portion of their salaries.

It was moved by Elizabeth Rogers and seconded by Steve Wilkinson that the Operations Committee recommend to the Board of Retirement to approve the Employer Reimbursement Policy, with revision.

The motion carried 5 yes (Basgal, Carson, Rogers, Wilkinson, and Baron), 1 no (Gamble), and 1 abstention (Levy).

INFORMATION ITEMS

1. MMRO Report

Staff presented the Annual Managed Medical Review Organization report. MMRO Representative, Doug Minke, responded to Trustee questions.

TRUSTEE INPUT AND DIRECTION TO STAFF

FUTURE DISCUSSION ITEMS

November

- **Discussion and Possible motion to approve the proposed 2026 ACERA Operating Expense Budget**
- **Discussion and possible motion to approve the annual agreement for the Segal Group, ACERA's Benefits Consultant**

ESTABLISHMENT OF NEXT MEETING DATE

The next meeting is scheduled for Thursday, November 20, 2025, at 12:30 p.m.

MEETING ADJOURNED

The meeting adjourned at 2:01 p.m.

CONSENT CALENDAR ITEM

**July 2, 2025
Retirees Committee Minutes
For approval under July 17, 2025
Board “Consent Calendar”**

**The July 2, 2025
Retirees Committee Minutes
will be distributed under separate cover**



MINUTES OF THE JULY 2, 2025, INVESTMENT COMMITTEE MEETING

To: Members of the Investment Committee

From: George Wood, Chair

Subject: Summary of the July 2, 2025 Investment Committee Meeting

The Investment Committee ("Committee") met on Wednesday, July 2, 2025, at 10:30 a.m. The Committee members present were Ophelia Basgal, Keith Carson, Tarrell Gamble, Henry Levy, Elizabeth Rogers, Kellie Simon, Steven Wilkinson, and George Wood. Also present was Alternate Retired Member Cynthia Baron. ACERA Senior Managers and Presenting Staff were David Nelsen – Chief Executive Officer, Harsh Jadhav – Chief of Internal Audit, Jeff Rieger – Chief Counsel, Julius Cuaresma – Investment Analyst (via zoom), Clint Kuboyama – Senior Investment Officer, Stephen Quirk – Investment Officer, Noe Reynoso – Investment Analyst, John Ta – Senior Investment Officer, Betty Tse – Chief Investment Officer, and Susan Weiss – Investment Counsel.

PUBLIC COMMENT:

Action Item: Matters for discussion and possible motion by the Committee

1. Discussion and Possible Motion to Recommend that the Board Approve the Updated Real Estate Investment Plan
 - This action item was moved to the August Investment Committee Meeting. The Committee would like to discuss the proposed changes to the RE Policy before approving the updated RE Investment Plan. Staff confirmed that there will be no impact if we delay the RE Investment Plan until next month.

Information Items: These items are not presented for Committee action but consist of status updates and cyclical reports

1. Review of ACERA's Real Estate Policy
 - Staff and Callan discussed with the Committee the proposed changes to the Real Estate (RE) Policy, as follows: 1) reorganization and rewording of RE Policy language; 2) total fund target to RE changed from 9% to 8.2%; 3) slight change to Core Strategy Weighting from at least 60% of the portfolio to at least 50% of the portfolio, and the change to Core-Plus weighting from 0-30% to 10-40%; 4) removal of watch list language to match that of the other alternative asset class policies while 5) portfolio benchmarks, risk limits and delegated authority limits remain unchanged. These proposed RE Policy language changes are made to align the RE Policy structure to that of other Private Assets' Policies and to reflect the lower RE target adopted in the Asset Allocation "Mix C".

2. Review of the current Public Equity Structure and Possible Restructure of the same - Part 3

- Based on three criteria determined in the first two parts of the review, Staff/Consultant designed portfolio options and generated back test results. Three distinct portfolio options were constructed by staff, and a fourth was created by NEPC. All four options demonstrated improved outcomes compared to the current equity portfolio. Option 3 offered the highest potential alpha, lower risk, and greater downside protection. Based on this analysis, the staff's idea was to proceed with restructuring the equity portfolio in a manner similar to Option 3. However, because Option 3 would require a significant transition from the current portfolio, further in-depth analysis is needed before making a final recommendation to the Committee at a future ICM.
- Trustee Simon asked why ACERA should increase the active management allocation in the face of performance struggles. Staff/Consultant explained that the active management environment, per a NEPC study, favors global mandates over the dedicated US Large Cap and International Large Cap mandates that are currently employed. However, there may still be justification for retaining certain managers due to their specialized expertise within their respective areas.
- Trustee Wood inquired about the potential risks of moving to option 3. Staff/Consultant acknowledged the increased risk of underperformance, which would be mitigated by exhaustive risk management, including rigorous manager selection and disciplined portfolio construction. Ensuring that managers stick to their style/philosophy is critical.
- Trustee Gamble expressed concerns that Option 3 introduces unnecessary complexity. Staff/Consultant acknowledged that the transition would be complicated but that the resulting portfolio would be simplified: fewer managers, less rebalancing burden, and the US v International weighting decision outsourced to the global managers. He also inquired if the MSCI ACWI IMI Policy benchmark is appropriate and Staff/Consultant confirmed that the benchmark is industry standard.
- Trustee Wilkinson inquired about who was producing the review work. Staff/Consultant responded that it was a combined team approach. He also inquired about US v International relative market view and Staff/Consultant responded that global mandates are consistent with the Policy and that they are maintaining strategic allocations.
- Staff provided an update on \$400 million prefunding and stated that two fixed income managers were funded and that equity allocations went to BlackRock International Passive and a US small cap manager but not to all public equity managers. This is to avoid potentially expensive round trip transition costs as a result of the possible restructure of the Public Equity portfolio, and a rebalancing summary will be provided at the August ICM.

3. Review of the Absolute Return Policy

- Staff and NEPC discussed with the Committee the major proposed changes to the Absolute Return (AR) Policy, as follows: 1) a change in the asset-class benchmark from the HFRI Fund of Funds Composite Index to the HFRI Fund of Funds Conservative Index; 2) changes in the AR asset class target weighting and allowable range from an 8% target weighting with a 4%-10% allowable range to a 6% target weighting with a 3%-9% allowable range; 3) delegated authority limits for commitments to new managers to the AR asset class (5% of the target value of the AR asset class) as well as for aggregate commitments related to re-ups with existing managers in good standing (10% of the target value of the AR asset class); and 4) delegated authority related to continuation funds associated with existing funds.

TRUSTEE REMARKS:

FUTURE DISCUSSION ITEMS

ESTABLISHMENT OF NEXT MEETING DATE

August 6, 2025 at 9:30 a.m.

ADJOURNMENT

The meeting ended at 12:10 p.m.

To view the July 2, 2025 Investment Committee Meeting in its entirety, click on the link below: [HTTPS://WWW.YOUTUBE.COM/WATCH?V=V7TY6KTNGOo](https://www.youtube.com/watch?v=V7TY6KTNGOo)



MEMORANDUM TO THE BOARD OF RETIREMENT

DATE: July 17, 2025

TO: Members of the Board of Retirement

FROM: Erica Haywood, Fiscal Services Officer *EH*

SUBJECT: Operating Expenses & Budget Summary for May 31, 2025

ACERA's operating expenses are \$357K over budget for the period ending May 31, 2025. Budget overages and surpluses worth noting are as follows:

Budget Overages of \$509K

Staffing Expense is \$179K over budget.

The overages are attributed to temporary staffing of \$171K, and 5% staff vacancy adjustment of \$409K; offset by surplus in salaries and fringe benefits of (\$401K).

Depreciation Expense is \$330K over budget.

Pension Gold V3(PG3) was budgeted for capitalization in 2025. In accordance with GASB 51, PG3 was capitalized in 2024.

Budget Surpluses of \$152K

Staff Development is \$37K under budget.

The surplus in staff development is due to unattended trainings.

Member Services Expense is \$80K under budget.

The member services expense is currently under budget, primarily due to timing of the disability medical expense invoicing. We expect this to catch up in the second half of the year.

Systems Expense is \$11K under budget.

The surplus in systems expense is primarily due to the timing of vendor invoicing, the switched from the telephone landlines to Microsoft Teams, and the in-house execution of the Onbase software upgrade project that reduced external costs.

Board of Retirement is \$24K under budget.

The amount is comprised of surpluses in board compensation (\$4K), board conference and training (\$5K), employer reimbursement (\$13K), and board miscellaneous expense (\$2K).

Staffing Detail

No vacant positions as of May 31, 2025.

PAS Project:

Pension Administration System Project - as of May 31, 2025					
	Year-To-Date				
	Actual	Budget	Variance	2025 Budget	2019-24 Actual
Consultant Fees					
Levi, Ray and Shoup	\$40,365	\$62,500	\$(22,135)	\$1,130,000	\$5,410,677
Segal and other consultant fees					3,019,751
Total	40,365	62,500	(22,135)	1,130,000	8,430,428
Staffing	106,439	170,833	(64,394)	345,000	3,646,457
TOTAL	\$146,804	\$233,333	\$(86,529)	\$1,475,000	\$12,076,885

Attachments:

- Total Operating Expenses Summary
- Professional Fees – Year-to-Date – Actual vs. Budget
- Actual Operating Expenses comparison with last year



ALAMEDA COUNTY EMPLOYEES' RETIREMENT ASSOCIATION

TOTAL OPERATING EXPENSES SUMMARY

YEAR TO DATE - ACTUAL VS. BUDGET					
<u>May 31, 2025</u>					
	<u>Actual</u>	<u>Budget</u>	<u>YTD</u>	<u>2025</u>	<u>% Actual to</u>
	<u>Year-To-Date</u>	<u>Year-To-Date</u>	<u>Variance</u>	<u>Annual</u>	<u>Annual Budget</u>
			<u>(Under)/Over</u>	<u>Budget</u>	
Staffing	\$ 7,790,570	\$ 7,611,250	\$ 179,320	\$ 18,794,000	41.5%
Staff Development	71,126	107,750	(36,624)	290,000	24.5%
Professional Fees (Next Page)	514,714	538,500	(23,786)	1,234,000	41.7%
Office Expense	161,889	169,800	(7,911)	396,000	40.9%
Insurance	295,538	267,150	28,388	655,000	45.1%
Member Services	235,312	314,950	(79,638)	838,000	28.1%
Systems	506,809	516,860	(10,051)	1,296,000	39.1%
Depreciation	761,963	431,550	330,413	1,034,000	73.7%
Board of Retirement	266,716	290,250	(23,534)	707,000	37.7%
Uncollectable Benefit Payments	-	-	-	78,000	0.0%
Total Operating Expense	\$ 10,604,637	\$ 10,248,060	\$ 356,577	\$ 25,322,000	41.9%



ALAMEDA COUNTY EMPLOYEES' RETIREMENT ASSOCIATION

PROFESSIONAL FEES

YEAR TO DATE - ACTUAL VS. BUDGET

May 31, 2025

	<u>Actual</u> <u>Year-To-Date</u>	<u>Budget</u> <u>Year-To-Date</u>	<u>YTD Variance</u> <u>(Under)/Over</u>	<u>2025</u> <u>Annual</u> <u>Budget</u>	<u>% Actual to</u> <u>Annual Budget</u>
<u>Professional Fees</u>					
Consultant Fees - Operations and Projects ¹	\$ 170,746	\$ 190,800	\$ (20,054)	\$ 468,000	36.5%
Actuarial Fees ²	174,646	175,500	(854)	496,000	35.2%
External Audit ³	121,000	121,000	-	145,000	83.4%
Legal Fees ⁴	48,322	51,200	(2,878)	125,000	38.7%
Total Professional Fees	\$ 514,714	\$ 538,500	\$ (23,786)	\$ 1,234,000	41.7%

	<u>Actual</u> <u>Year-To-Date</u>	<u>Budget</u> <u>Year-To-Date</u>	<u>YTD Variance</u> <u>(Under)/Over</u>	<u>2025 Annual</u> <u>Budget</u>	<u>% Actual to</u> <u>Annual Budget</u>
<u>¹ CONSULTANT FEES - OPERATIONS AND PROJECTS:</u>					
Benefits					
Alameda County HRS (Benefit Services)	52,500	52,500	-	126,000	41.7%
Segal (Benefit Consultant/Retiree Open Enrollment)	57,083	82,050	(24,967)	187,000	30.5%
Total Benefits	109,583	134,550	(24,967)	313,000	35.0%
Fiscal Services					
Accounting System	-	-	-	20,000	0.0%
Total Fiscal Services	-	-	-	20,000	0.0%
Human Resources					
Lakeside Group (County Personnel)	61,163	56,250	4,913	135,000	45.3%
Total Human Resources	61,163	56,250	4,913	135,000	45.3%
Total Consultant Fees - Operations	170,746	190,800	(20,054)	468,000	36.5%
<u>² ACTUARIAL FEES</u>					
Actuarial Valuation	45,000	45,000	-	90,000	50.0%
GASB 67 & 68 Valuation	-	-	-	55,000	0.0%
GASB 74 & 75 Actuarial	-	-	-	17,000	0.0%
Actuarial Standard of Practice 51 Pension Risk	-	-	-	30,000	0.0%
Supplemental Consulting	106,646	107,500	(854)	258,000	41.3%
Supplemental Retiree Benefit Reserve valuation	23,000	23,000	-	46,000	50.0%
Total Actuarial Fees	174,646	175,500	(854)	496,000	35.2%
<u>³ EXTERNAL AUDIT</u>					
External audit	101,000	101,000	-	121,000	83.5%
GASB 67 & 68 audit	10,000	10,000	-	12,000	83.3%
GASB 74 & 75 audit	10,000	10,000	-	12,000	83.3%
Total External Audit Fees	121,000	121,000	-	145,000	83.4%
<u>⁴ LEGAL FEES</u>					
Fiduciary & Litigation	23,302	20,600	2,702	50,000	46.6%
Tax and Benefit Issues	24,668	10,000	14,668	25,000	98.7%
Miscellaneous Legal Advice	352	20,600	(20,248)	50,000	0.7%
Total Legal Fees	48,322	51,200	(2,878)	125,000	38.7%

ALAMEDA COUNTY EMPLOYEES' RETIREMENT ASSOCIATION
TOTAL EXPENDITURES VS. PRIOR YEAR ACTUAL
For the Five Months Ending 5/31/2025

	<i>For the Month of May 2025</i>	<i>For the Month of May 2024</i>	<i>Variance</i>	<i>Year-To-Date 2025</i>	<i>Year-To-Date 2024</i>	<i>Variance</i>
STAFFING						
Salaries	1,034,084	928,492	105,592	5,113,673	4,534,220	579,453
Fringe Benefits	513,765	477,023	36,742	2,490,990	2,375,020	115,970
Temporary Staffing Cost	40,833	43,467	(2,634)	185,907	211,881	(25,974)
Staffing Total	<u>1,588,682</u>	<u>1,448,982</u>	<u>139,700</u>	<u>7,790,570</u>	<u>7,121,121</u>	<u>669,449</u>
STAFF DEVELOPMENT	29,586	19,808	9,778	71,126	73,608	(2,482)
PROFESSIONAL FEES						
Actuarial Fees	21,500	3,021	18,479	174,646	150,298	24,348
Consultant Fees - Operations	19,149	28,000	(8,851)	170,746	140,000	30,746
Consultant Fees - Legal	37,079	411	36,668	48,322	40,704	7,618
External Audit	24,000	23,500	500	121,000	121,500	(500)
Professional Fees Total	<u>101,728</u>	<u>54,932</u>	<u>46,796</u>	<u>514,714</u>	<u>452,502</u>	<u>62,212</u>
OFFICE EXPENSE						
Bank Charges & Misc. Admin	6,135	6,165	(30)	28,602	29,731	(1,129)
Building Expenses	5,970	2,748	3,222	24,262	13,009	11,253
Communications	5,783	12,360	(6,577)	24,487	51,307	(26,820)
Equipment Lease/Maintenance	7,637	9,984	(2,347)	47,810	47,386	424
Minor Equipment and Furniture	453	55	398	1,381	104	1,277
Office Supplies/Maintenance	10,629	8,033	2,596	23,176	23,208	(32)
Printing & Postage	1,600	1,119	481	12,171	5,791	6,380
Office Expense Total	<u>38,207</u>	<u>40,464</u>	<u>(2,257)</u>	<u>161,889</u>	<u>170,536</u>	<u>(8,647)</u>
INSURANCE	56,485	51,590	4,895	295,538	257,951	37,587
MEMBER SERVICES						
Disability - Legal Arbitration & Transcripts	7,098	14,850	(7,752)	42,356	32,508	9,848
Disability Medical Expense	3,600	34,030	(30,430)	53,220	137,255	(84,035)
Disability Claims Management	3,850	0	3,850	19,250	15,400	3,850
Health Reimbursement Acct. (HRA)	7,496	5,808	1,688	39,432	29,699	9,733
Member Training & Education	714	1,252	(538)	5,726	3,760	1,966
Printing & Postage - Members	4,467	4,761	(294)	50,030	37,806	12,224
Virtual Call Center	(12)	5,427	(5,439)	25,298	27,167	(1,869)
Member Services Total	<u>27,213</u>	<u>66,128</u>	<u>(38,915)</u>	<u>235,312</u>	<u>283,595</u>	<u>(48,283)</u>

ALAMEDA COUNTY EMPLOYEES' RETIREMENT ASSOCIATION
TOTAL EXPENDITURES VS. PRIOR YEAR ACTUAL
For the Five Months Ending 5/31/2025


	<i>For the Month of May 2025</i>	<i>For the Month of May 2024</i>	<i>Variance</i>	<i>Year-To-Date 2025</i>	<i>Year-To-Date 2024</i>	<i>Variance</i>
SYSTEMS						
Business Continuity Expense	21,083	19,234	1,849	102,670	104,899	(2,229)
County Data Processing	12,410	11,404	1,006	62,036	57,123	4,913
Minor Computer Hardware	6,382	7,133	(751)	20,528	30,660	(10,132)
Intangible right to use SBITA - GASB96	7,376	7,348	28	37,152	35,472	1,680
Software Maintenance & Support	56,140	57,359	(1,219)	284,423	294,461	(10,038)
Systems Total	<u>103,391</u>	<u>102,478</u>	<u>913</u>	<u>506,809</u>	<u>522,615</u>	<u>(15,806)</u>
DEPRECIATION						
Depreciation Expense	152,392	10,203	142,189	761,963	51,017	710,946
BOARD OF RETIREMENT						
Board Compensation	1,700	2,400	(700)	8,000	7,400	600
Board Conferences & Training	79,329	64,311	15,018	98,203	80,170	18,033
Board Employer Reimbursement	32,490	31,570	920	149,750	158,150	(8,400)
Board Miscellaneous Expense	737	1,233	(496)	4,000	4,145	(145)
Board Software Maint. & Support	1,379	1,335	44	6,763	6,494	269
Board of Retirement Total	<u>115,635</u>	<u>100,849</u>	<u>14,786</u>	<u>266,716</u>	<u>256,359</u>	<u>10,357</u>
GRAND TOTALS	<u>2,213,319</u>	<u>1,895,434</u>	<u>317,885</u>	<u>10,604,637</u>	<u>9,189,304</u>	<u>1,415,333</u>



MEMORANDUM TO THE BOARD OF RETIREMENT

DATE: July 17, 2025

TO: Members of the Board of Retirement

FROM: Sandra Dueñas-Cuevas, Benefits Manager 

SUBJECT: **New Pay Code: Approve as “Compensation Earnable” and Exclude from “Pensionable Compensation” – County of Alameda**

The County of Alameda (County) requested that new pay code Chief Deputy CAO – 43G be reviewed to determine whether it qualifies as “compensation earnable” and “pensionable compensation.” This new pay code establishes a footnote for additional compensation of 5% of the base pay to be paid to an employee in the job classification of Deputy County Administrator (Job Code 0257) when assigned the responsibilities described below.

On April 22, 2025, the Board of Supervisors approved adding Subsection 3-6.19 to Article 3, Section 3-6 of the County of Alameda Salary Ordinance. It states: “Effective May 11, 2025, not to exceed one (1) employee in Job Code 0257, when designated by the County Administrator to serve as the Chief Deputy, in addition to their regular assigned duties, shall receive up to an additional 5% compensation of the base salary. Chief Deputy responsibilities include major countywide special projects or assignments and oversight of significant countywide operations”

Staff and Chief Counsel reviewed the required supporting documentation (attached) and made the determination that because this pay code is for one employee, it does not qualify as “pensionable compensation” under Government Code Section 7522.34 (for PEPRAs members). However, this pay code does qualify as “compensation earnable” under Government Code Section 31461 (for Legacy members). This pay code clearly meets the definition of “compensation earnable” because it is paid in cash to the member, it is not paid for overtime, and it does not fall under any of the express exclusions in Section 31461. The two relevant Government Code sections are attached.

Staff informed the County that its determination will be included on the Board’s Consent Calendar for its July 17, 2025 meeting. If this item is not pulled from the Consent Calendar for discussion, then the Board will approve Staff’s determination to exclude pay code Chief Deputy CAO – 43G from “pensionable compensation” under Government Code Section 7522.34 (for PEPRAs members), and include it as “compensation earnable” under Government Code Section 31461 (for Legacy members).

Attachments



ALAMEDA COUNTY
AUDITOR-CONTROLLER AGENCY
MELISSA WILK
AUDITOR-CONTROLLER/CLERK-RECORDER

REQUEST FOR ACERA'S REVIEW OF A NEW PAY ITEM/CODE *REVISED*

Employer Name:	County of Alameda
Date of Request	05/06/2025
Employer Department Submitting the Request	Auditor-Controller's Agency
Contact Person/Employer (include title/position)	Stephanie Tsurumoto
Contact Person Telephone incl area code	(510)272-6581
Contact Person Email address	stephanie.tsurumoto@acgov.org
Pay Item Name (and code Number)	43G – Chief Deputy CAO
Pay Item Effective Date per authorization:	05/11/2025
State if additional documentation is attached	Yes – Board Letter

NOTE: The following information is required before ACERA can review and respond to the request. To meet ACERA's requirements, please provide substantive responses below or on a separate paper and return, with this form, all of the supporting documentation prior to issuing (paying) the pay item to any employee who is an ACERA member.

1. State the job classification of employees eligible for the pay item (i.e. Job Code 0499-Nurse Practitioners II may receive this pay item)

RESPONSE #1: 0257 – Deputy County Administrator

2. State employment status of employees eligible to receive the pay item (i.e. full time employees, part time employees)

RESPONSE #2: Full Time

3. State the number of members or employees who are eligible to receive the pay item (i.e. all members or employees in a job classification eligible to receive the pay item, or "not to exceed one employee")

RESPONSE #3: Not to exceed one employee

4. State whether pay item is for overtime or regular base pay

RESPONSE #4: Regular Base Pay

5. State whether pay item is calculated as a fixed amount or percentage of the base pay

RESPONSE #5: Percentage – 5% of Base Pay

6. State whether the pay item is paid one time (i.e. incentive pay, referral pay, bonus, award)

RESPONSE #6: No

7. State whether the pay item is an ad hoc payment (i.e, stipend, payment for attending a meeting during the working hours, payment for attending a meeting during non-working hours)

RESPONSE #7: No

8. State whether the pay item is a reimbursement (i.e., car allowance, housing allowance, uniform allowance, mileage payment, cell phone allowance)

RESPONSE #8: No

9. State regular working hours of the employees who will receive the pay item (i.e., 37.5 hour workweek employees, 40 hour workweek employees)

RESPONSE #9: 40.0 Hour Work Week

10. State whether pay item is for work performed outside of the regular workweek (i.e., payment for work or services performed outside of the employee's 37.5 hour workweek, or outside the employee's 40 hour workweek)

RESPONSE #10: No

11. State whether the pay item is for deferred compensation

RESPONSE #11: No

12. State whether the pay item is for retro payments

RESPONSE #12: No

13. State whether the pay item is for accrued unused leaves (i.e., sick leave, annual leave, floating holiday, vacation, comp time)

RESPONSE #13: No

14. State whether the payment is compensation that had previously been provided in kind to the member by the employer or paid directly by the employer to a third party other than the retirement system for the benefit of the member or employee

RESPONSE #14: No

15. State whether the payment is severance or other payment in connection with or in anticipation of a separation from employment (and state if this payment is made while employee is working)

RESPONSE #15: No

16. State whether the pay item is paid in one lump sum or biweekly (or over some other time period-monthly, quarterly, annually)

RESPONSE #16: Biweekly

17. State the basis for eligibility for the pay item (i.e., certification of completion of training program conducted by an accredited university, or employee assigned as supervisor of badge distribution)

RESPONSE #17: Board Letter/Salary Ordinance

- C. Amend Article 3, Section 3-6 (County Administrator Department), to add subsection 3-6.19 to create a footnote for one (1) employee in the classification of Deputy County Administrator (JC 0257) when designated by the County Administrator to serve as the Chief Deputy, in addition to their regular assigned duties, who shall receive up to an additional 5% compensation of the base salary, effective 5/11/25

SECTION II

Article 3, Section 3-6 (County Administrator's Department), Subsection 3-6.18 of the County of Alameda Salary Ordinance is hereby amended to read as follows effective May 11, 2025:

3-6.18 – Effective May 11, 2025, not to exceed one (1) employee in Job Code 0257 when designated by the County Administrator to serve as the Chief Deputy, in addition to their regular assigned duties, shall receive up to an additional 5% compensation of the base salary. Chief Deputy responsibilities include major countywide special projects or assignments and oversight of significant countywide operations.



Lakeside Plaza Building
1401 Lakeside Drive, Suite 500
Oakland, CA 94612-4305
TDD: (510) 272-3703

April 22, 2025

Honorable Board of Supervisors
County of Alameda
1221 Oak Street, Suite 536
Oakland, California 94612-4305

SUBJECT: ADOPT SALARY ORDINANCE AMENDMENTS TO UPDATE 1) ARTICLE 1, SECTION 1-1, TO APPLY SPECIAL SALARY ADJUSTMENTS TO CERTAIN UNREPRESENTED M-DESIGNATED CLASSIFICATIONS, 2) ARTICLE 3, SECTION 3-17 (SHERIFF'S DEPARTMENT) TO AMEND SUBSECTION 3-17.20, AND 3) ADD NEW SUBSECTION 3-6.19

Dear Board Members:

RECOMMENDATIONS:

Salary Ordinance amendments to:

- A. Update Article 1 (Applicable Pay Rates), Section 1-1 (Pay Rate Schedules), subsection 1-1.1, to reflect special salary adjustments due to recruitment and internal alignment issues for certain Unrepresented M-designated classifications effective May 11, 2025; and
- B. Update Article 3, Section 3-17 (Sheriff's Department), to amend subsection 3-17.20 to reduce the footnote applicable to two (2) employees in the classification of Assistant Sheriff (Job Code ("JC") #0053) to one (1) employee effective May 11, 2025.
- C. Amend Article 3, Section 3-6 (County Administrator Department), to add subsection 3-6.19 to create a footnote for one (1) employee in the classification of Deputy County Administrator (JC #0257) when designated by the County Administrator to serve as the Chief Deputy, in addition to their regular assigned duties, who shall receive up to an additional 5% compensation of the base salary, effective May 11, 2025.

DISCUSSION/SUMMARY:

At the request of Alameda County Health ("AC Health"), Auditor-Controller/Clerk-Recorder's Agency and Human Resource Services ("HRS"), staff conducted a review of the salaries for the unrepresented M-designated classifications of County Health Officer ("CHO") (JC #5046), Assistant Controller (JC #0031) and Deputy County Administrator (JC #0257) to address internal alignment concerns and recruitment issues. In November 2020, the CHO (JC #5046) classification was expanded to include the oversight of the coordinating body for pandemic preparedness and response and was moved to the Office of the Agency Director to recognize the countywide administrative responsibility within AC Health. Due to the expanded duties, the salary was adjusted based on internal alignment with the Physician V (JC #5143) classification also in AC Health and was set above the base salary of the Physician V (JC #5143). Staff reviewed the data related to the CHO classification as well as the internal alignment and recommend an adjustment of 16.76% to maintain the internal alignment. Further, due to recruitment issues for the Assistant Controller (JC #0031) classification, staff recommend an adjustment of 13.5%. Additionally, with the adjustment of the Assistant Controller (JC #0031) salary, staff recommends adjusting the salary of the Chief Deputy Auditor (JC #0030) classification by two percent (2%) to address compaction issues with the Assistant Controller (JC #0031) classification. Lastly, staff recommend adjusting the salary of the Deputy County Administrator (JC #0257) by ten percent (10%) to address

recruitment issues and remain competitive in the market. Staff recommends the salary adjustments as noted above and outlined in the attached Ordinance effective May 11, 2025.

Further, subsection 3-17.20 of the Salary Ordinance provides for five percent (5%) additional compensation for an employee in the classification of Assistant Sheriff (JC #0053) when responsible for department-wide operational, administrative and/or management issues on a continuing basis to act for the Sheriff or Undersheriff. In June 2024, this footnote was temporarily expanded to include two (2) employees in said classification due to certain staffing considerations. Staff were informed that the staffing issues were resolved and as such, the footnote shall be amended to revert to one (1) employee eligible for said additional compensation effective May 11, 2025 as outlined in the attached Salary Ordinance amendment. Lastly, staff also recommends the addition of one (1) footnote in the County Administrator's office when assigned to serve as the Chief Deputy.

SELECTION CRITERIA:

N/A

FINANCING:

Funds are available in the 2024-2025 Approved Budget and will be included in future years' requested budgets to cover the costs resulting from the recommendations.

VISION 2026 GOAL:

The recommendations meet the 10x goal pathways of **Employment for All** in support of our shared vision of a **Prosperous and Vibrant Economy**.

Very truly yours,

DocuSigned by:

Margarita Zamora

Margarita Zamora, Director
Human Resource Services

c: CAO
Auditor-Controller
County Counsel
Sheriff
Director, Alameda County Health

By 
Kristy van Herick, Asst. County Counsel

Ordinance No.

**AN ORDINANCE AMENDING
CERTAIN PROVISIONS OF THE 2024 – 2025
COUNTY OF ALAMEDA SALARY ORDINANCE**

The Board of Supervisors of the County of Alameda ordains as follows:

SECTION I

Article 1, Section 1-1, Subsection 1-1.1 of the County of Alameda Salary Ordinance is hereby amended thereto of the following job codes, titles, and salaries, effective May 11, 2025:

Job Code	Mgmt	Classification Title	Unit Code	Step 1	Step 2	Step 3	Step 4	Step 5	FLSA
0257	EM	Deputy County Administrator	U50	11231.20 12354.40				14332.00 15765.20	X
0030	EM	Chief Deputy Auditor	051					9889.60 10087.20	X
0031	SM	Assistant Controller	051	6758.40 7670.40	7099.20 8057.60	7452.00 8458.40	7825.60 8882.40	8216.80 9326.40	X
5046	PA	County Health Officer	U45	13092.80 15287.20				15908.80 18575.20	X

SECTION II

Article 3, Section 3-6 (County Administrator's Department), Subsection 3-6.18 of the County of Alameda Salary Ordinance is hereby amended to read as follows effective May 11, 2025:

3-6.18 – Effective May 11, 2025, not to exceed one (1) employee in Job Code 0257 when designated by the County Administrator to serve as the Chief Deputy, in addition to their regular assigned duties, shall receive up to an additional 5% compensation of the base salary. Chief Deputy responsibilities include major countywide special projects or assignments and oversight of significant countywide operations.

SECTION III

Article 3, Section 3-17 (Sheriff's Department), Subsection 3-17.20 of the County of Alameda Salary Ordinance is hereby amended to read as follows effective May 11, 2025:

3-17.20 – Effective April 4, 2021, not to exceed one (1) employee in Job Code 0053 when, in addition to the regular assignment, is also responsible for department-wide operational, administrative and/or management issues and when assigned on a continuing basis to act for the Sheriff or Undersheriff, shall receive an additional five percent (5%) compensation of the base pay. ~~Effective June 23, 2024, not to exceed two (2) employees in JC 0053 shall receive this footnote. The expansion of this footnote is temporary and will be subject to review by the Director of Human Resource Services on or before June 1, 2025, and annually thereafter~~

SECTION IV

This ordinance shall take effect immediately, and before the expiration of fifteen days after its passage, shall be published once with the names of the members voting for and against it in the Inter-City Express, a newspaper published in the County of Alameda.

SECOND READING - CONTINUED FROM 4/22/25

Approved as to Form
DONNA ZIEGLER, County Counsel

By 
Kristy van Herick, Asst. County Counsel

Ordinance No.

AN ORDINANCE AMENDING CERTAIN PROVISIONS OF THE 2024 – 2025 COUNTY OF ALAMEDA SALARY ORDINANCE

The Board of Supervisors of the County of Alameda ordains as follows:

SECTION I

Article 1, Section 1-1, Subsection 1-1.1 of the County of Alameda Salary Ordinance is hereby amended thereto of the following job codes, titles, and salaries, effective May 11, 2025:

Job Code	Mgmt	Classification Title	Unit Code	Step 1	Step 2	Step 3	Step 4	Step 5	FLSA
0030	EM	Chief Deputy Auditor	051					9889.60 10087.20	X
0031	SM	Assistant Controller	051	6758.40 7670.40	7099.20 8057.60	7452.00 8458.40	7825.60 8882.40	8216.80 9326.40	X
5046	PA	County Health Officer	U45	13092.80 15287.20				15908.80 18575.20	X

SECTION II

Article 3, Section 3-17 (Sheriff's Department), Subsection 3-17.20 of the County of Salary Ordinance is hereby amended to read as follows effective May 11, 2025:

3-17.20 – Effective April 4, 2021, not to exceed one (1) employee in Job Code 0053 when, in addition to the regular assignment, is also responsible for department-wide operational, administrative and/or management issues and when assigned on a continuing basis to act for the Sheriff or Undersheriff, shall receive an additional five percent (5%) compensation of the base pay. ~~Effective June 23, 2024, not to exceed two (2) employees in JC 0053 shall receive this footnote. The expansion of this footnote is temporary and will be subject to review by the Director of Human Resource Services on or before June 1, 2025, and annually thereafter~~

SECTION III

This ordinance shall take effect immediately, and before the expiration of fifteen days after its passage, shall be published once with the names of the members voting for and against it in the Inter-City Express, a newspaper published in the County of Alameda.

Gov. Code Sec. 31461. (a) "Compensation earnable" by a member means the average compensation as determined by the board, for the period under consideration upon the basis of the average number of days ordinarily worked by persons in the same grade or class of positions during the period, and at the same rate of pay. The computation for any absence shall be based on the compensation of the position held by the member at the beginning of the absence. Compensation, as defined in Section 31460, that has been deferred shall be deemed "compensation earnable" when earned, rather than when paid.

(b) "Compensation earnable" does not include, in any case, the following:

(1) Any compensation determined by the board to have been paid to enhance a member's retirement benefit under that system. That compensation may include:

(A) Compensation that had previously been provided in kind to the member by the employer or paid directly by the employer to a third party other than the retirement system for the benefit of the member, and which was converted to and received by the member in the form of a cash payment in the final average salary period.

(B) Any one-time or ad hoc payment made to a member, but not to all similarly situated members in the member's grade or class.

(C) Any payment that is made solely due to the termination of the member's employment, but is received by the member while employed, except those payments that do not exceed what is earned in each 12-month period during the final average salary period regardless of when reported or paid.

(2) Payments for unused vacation, annual leave, personal leave, sick leave, or compensatory time off, however denominated, whether paid in a lump sum or otherwise, in an amount that exceeds that which may be earned in each 12-month period during the final average salary period, regardless of when reported or paid.

(3) Payments for additional services rendered outside of normal working hours, whether paid in a lump sum or otherwise.

(4) Payments made at the termination of employment, except those payments that do not exceed what is earned in each 12-month period during the final average salary period, regardless of when reported or paid.

Gov. Code Sec. 7522.34. (a) "Pensionable compensation" of a new member of any public retirement system means the normal monthly rate of pay or base pay of the member paid in cash to similarly situated members of the same group or class of employment for services rendered on a full-time basis during normal working hours, pursuant to publicly available pay schedules.

(b) Compensation that has been deferred shall be deemed pensionable compensation when earned rather than when paid.

(c) "Pensionable compensation" does not include the following:

(1) Any compensation determined by the board to have been paid to increase a member's retirement benefit under that system.

(2) Compensation that had previously been provided in kind to the member by the employer or paid directly by the employer to a third party other than the retirement system for the benefit of the member and which was converted to and received by the member in the form of a cash payment.

(3) Any one-time or ad hoc payments made to a member.

(4) Severance or any other payment that is granted or awarded to a member in connection with or in anticipation of a separation from employment, but is received by the member while employed.

(5) Payments for unused vacation, annual leave, personal leave, sick leave, or compensatory time off, however denominated, whether paid in a lump sum or otherwise, regardless of when reported or paid.

(6) Payments for additional services rendered outside of normal working hours, whether paid in a lump sum or otherwise.

(7) Any employer-provided allowance, reimbursement, or payment, including, but not limited to, one made for housing, vehicle, or uniforms.

(8) Compensation for overtime work, other than as defined in Section 207(k) of Title 29 of the United States Code.

(9) Employer contributions to deferred compensation or defined contribution plans.

(10) Any bonus paid in addition to the compensation described in subdivision (a).

(11) Any other form of compensation a public retirement board determines is inconsistent with the requirements of subdivision (a).


(12) Any other form of compensation a public retirement board determines should not be pensionable compensation.



MEMORANDUM TO THE BOARD OF RETIREMENT

DATE: July 17, 2025

TO: Members of the Board of Retirement

FROM: Sandra Dueñas-Cuevas, Benefits Manager 

SUBJECT: **New Pay Items/Codes: Approve as “Compensation Earnable” and Exclude from “Pensionable Compensation” – County of Alameda**

The County requested that new pay codes On Call FLSA Exempt - 840 be reviewed to determine whether it qualifies as “compensation earnable” and “pensionable compensation.” This new pay code provides on-call pay for employees in the following job classifications:

- 5141 Physician IV
- 5143 Physician V
- 5320 Registered Nurse IV
- 5325 Registered Nurse V
- 5390 Deputy Director, Public Health Nursing
- 5391 Director, Public Health Nursing
- 5046 County Health Officer
- 5786 Emergency Medical Services Coordinator
- 2175 Supervising Facilities Inspector
- 9521 Bridge and Pump Supervisor
- 9525 Field Maintenance Supervisor
- 9527 Maintenance and Operations Manager
- 9529 Public Works Fleet Supervisor
- 9531 Public Works Fleet and Infrastructure Systems Manager
- 9533 Traffic Safety Supervisor
- 9534 Traffic Signal Supervisor
- 9538 Supervising Public Works Inspector
- 6770 Adult Protection Supervisor

On January 14, 2025, the Board of Supervisors of the County of Alameda approved adoption of Salary Ordinance amendments, to update salaries for ACMEA GG and C Units in accordance with 2023-2027 MOUs. It states: “Effective February 16, 2025, employees in the Job Codes listed above, who are: 1) assigned to be on-call for one (1) full calendar week (seven (7) consecutive days, including evenings and weekends); 2) restricted from traveling and partaking in outside activities that would prohibit them from being able to perform the on-call work, if called; and 3) required to respond to calls and report onsite, if necessary, within a specific timeframe as determined by the respective Agency/Department Head or their designee shall be compensated \$350 each week when assigned.

Staff and Chief Counsel reviewed the required supporting documentation (attached) and made the determination that this new pay code qualifies as “compensation earnable” under Government Code Section 31461 (for Legacy members), but does not qualify as “pensionable compensation” under Government Code Section 7522.34 (for PEPRA members).

“Compensation Earnable”: Although section 31461(b)(3) excludes payments for additional services rendered outside of normal working hours, the pay at issue is for mandatory “on call” services that all employees in the classifications must perform on a regular, rotational basis. In *Alameda County Deputy Sheriff's Assn. v. Alameda County Employees' Retirement Assn.* (2020) 9 Cal.5th 1032, the California Supreme Court explained the reason for the exclusion in subdivision (b)(3): “This restriction prevents employees from volunteering, during their final compensation period, to perform additional services outside normal working hours in order to artificially inflate their daily rate of pay. Subdivision (b)(3) therefore reinforces the portion of section 31461 that requires compensation earnable to be based on the same work year for all employees within a particular pay grade.” *Id.* at 1097; see also *id.* at fn 32 (“Only payment for excess hours, as compared to the employee’s peers, is excluded”). Since all employees in the classifications using this pay code must work these “on call” hours, they are not providing “additional services” during these hours. Rather, they are working the “normal working hours” for their job classifications.

Note: If the Board adopts staff's recommendation to include these pay codes as “compensation earnable,” staff will implement procedures to prevent abuse of the pay codes, as it has done with some previous standby pay codes.

“Pensionable Compensation”: Section 7522.34(a) states that “pensionable compensation” is based on a member’s “normal monthly rate of pay or base pay of the member paid in cash to similarly situated members of the same group or class of employment for services rendered on a full-time basis during normal working hours, pursuant to publicly available pay schedules.” Read in the larger context of PEPRA, the pay at issue here does not fall under the most reasonable reading of that phrase since it is an extra amount paid in addition to a “monthly rate of pay or base pay” and it is paid only when the employee works an “on call” shift. While one arguably could read Section 7522.34(a) differently given the regular, mandatory, rotational nature of the “on call” assignments, since 2014 the Board has recognized other “on call” pay codes as “compensation earnable” but did not include those pay codes as “pensionable compensation.” Thus, these new “on call” pay codes are excluded under subdivision (c)(11) (“Any other form of compensation a public retirement board determines is inconsistent with the requirements of subdivision (a)”) and subdivision (c)(12) (“Any other form of compensation a public retirement board determines should not be pensionable compensation.”).

The two relevant Government Code sections are attached for the Board’s reference.

Staff informed the County that its determination will be included on the Board’s Consent Calendar for its July 17, 2025 meeting. If this item is not pulled from the Consent Calendar for discussion, then the Board will approve Staff’s determination to exclude pay code 840 from “pensionable compensation” under Government Code Section 7522.34 (for PEPRA members) and include them as “compensation earnable” under Government Code Section 31461 (for Legacy members).



ALAMEDA COUNTY
AUDITOR-CONTROLLER AGENCY
MELISSA WILK
AUDITOR-CONTROLLER/CLERK-RECORDER

REQUEST FOR ACERA'S REVIEW OF A NEW PAY ITEM/CODE *REVISED*

Employer Name:	County of Alameda
Date of Request	02/28/25
Employer Department Submitting the Request	Auditor-Controller's Agency
Contact Person/Employer (include title/position)	Stephanie Tsurumoto
Contact Person Telephone incl area code	(510)272-6581
Contact Person Email address	stephanie.tsurumoto@acgov.org
Pay Item Name (and code Number)	840 - On Call FLSA Exempt
Pay Item Effective Date per authorization:	02/16/25
State if additional documentation is attached	Yes – Board Letter

NOTE: The following information is required before ACERA can review and respond to the request. To meet ACERA's requirements, please provide substantive responses below or on a separate paper and return, with this form, all of the supporting documentation prior to issuing (paying) the pay item to any employee who is an ACERA member.

1. State the job classification of employees eligible for the pay item (i.e. Job Code 0499-Nurse Practitioners II may receive this pay item)

RESPONSE #1: 5141 Physician IV
5143 Physician V
5320 Registered Nurse IV
5325 Registered Nurse V
5391 Director, Public Health Nursing
5786 Emergency Medical Services Coordinator
2175 Supervising Facilities Inspector
9521 Bridge and Pump Supervisor
9525 Field Maintenance Supervisor
9527 Maintenance and Operations Manager
9529 Public Works Fleet Supervisor
9531 Public Works Fleet and Infrastructure Systems Manager
9533 Traffic Safety Supervisor
9534 Traffic Signal Supervisor
9538 Supervising Public Works Inspector
6770 Adult Protection Supervisor
5390 Deputy, Dir Pub Hlth Nrsg*
5046 County Health Officer*

2. State employment status of employees eligible to receive the pay item (i.e. full time employees, part time employees)

RESPONSE #2: Full Time

Office of the Auditor-Controller
1221 Oak St., Suite 249
Oakland, CA 94612
Tel: (510) 272-6565
Fax: (510) 272-6502

Central Collections Division
1221 Oak St., Suite 220
Oakland, CA 94612
Tel: (510) 208-9900
Fax: (510) 208-9932

Clerk-Recorder's Office, Main
1106 Madison St., 1st Floor
Oakland, CA 94607
Tel: (510) 272-6362
Fax: (510) 208-9858

Clerk-Recorder's Office, Tri-Valley
7600 Dublin Blvd.
Dublin, CA 94568
Tel: (510) 272-6362
Fax: (510) 208-9858

3. State the number of members or employees who are eligible to receive the pay item (i.e. all members or employees in a job classification eligible to receive the pay item, or “not to exceed one employee”)

RESPONSE #3:

Employees in the following classifications and assignments/units are eligible provided they meet the criteria outlined above:

Assignment or Unit	Job Code	Classifications	Max # of Assigned Employees Per Week
Alameda County Health ("ACH") – Public Health Department: First Call Duty Officer	5141 5143 5320 5325 5391	Physician IV Physician V Registered Nurse IV Registered Nurse V Director, Public Health Nursing	Up to One (1) per week (Up to Two (2) per week during preceptorship, as determined the Agency/Department Head)
ACH – Office of Agency Director: Emergency Medical Services	5786	Emergency Medical Services Coordinator	Up to One (1) per week
Public Works Agency	2175 9521 9525 9527 9529 9531 9533 9534 9538	Supervising Facilities Inspector Bridge and Pump Supervisor Field Maintenance Supervisor Maintenance and Operations Manager Public Works Fleet Supervisor Public Works Fleet and Infrastructure Systems Manager Traffic Safety Supervisor Traffic Signal Supervisor Supervising Public Works Inspector	Up to One (1) per week
Social Services Agency – Adult and Aging	6770	Adult Protection Supervisor	Up to Two (2) per week
Alameda County Health First Call Duty Officer	5390 5046	Deputy Dir, Pub Hlth Nrsg County Health Officer	Up to One (1) per Week Up to Two (2) per week during preceptorship (combined with the provision established for employees represented by ACMEA Gen Gov, as determined by the Director of Health Care Services

4. State whether pay item is for overtime or regular base pay

RESPONSE #4: Overtime

5. State whether pay item is calculated as a fixed amount or percentage of the base pay

RESPONSE #5: Percentage – Fixed Amount \$350 per week

6. State whether the pay item is paid one time (i.e. incentive pay, referral pay, bonus, award)

RESPONSE #6: No

7. State whether the pay item is an ad hoc payment (i.e, stipend, payment for attending a meeting during the working hours, payment for attending a meeting during non-working hours)

RESPONSE #7: No

8. State whether the pay item is a reimbursement (i.e., car allowance, housing allowance, uniform allowance, mileage payment, cell phone allowance)

RESPONSE #8: No

9. State regular working hours of the employees who will receive the pay item (i.e., 37.5 hour workweek employees, 40 hour workweek employees)

RESPONSE #9: 40.0 Hour Work Week

10. State whether pay item is for work performed outside of the regular workweek (i.e., payment for work or services performed outside of the employee's 37.5 hour workweek, or outside the employee's 40 hour workweek)

RESPONSE #10: Yes

11. State whether the pay item if for deferred compensation

RESPONSE #11: No

12. State whether the pay item is for retro payments

RESPONSE #12: No

13. State whether the pay item is for accrued unused leaves (i.e., sick leave, annual leave, floating holiday, vacation, comp time)

RESPONSE #13: No

14. State whether the payment is compensation that had previously been provided in kind to the member by the employer or paid directly by the employer to a third party other than the retirement system for the benefit of the member or employee

RESPONSE #14: No

15. State whether the payment is severance or other payment in connection with or in anticipation of a separation from employment (and state if this payment is made while employee is working)

RESPONSE #15: No

16. State whether the pay item is paid in one lump sum or biweekly (or over some other time period-monthly, quarterly, annually)

RESPONSE #16: Biweekly

17. State the basis for eligibility for the pay item (i.e., certification of completion of training program conducted by an accredited university, or employee assigned as supervisor of badge distribution)

RESPONSE #17: Board Letter/Memorandum of Understanding/Salary Ordinance

- 10.E. ON-CALL PAY FOR DESIGNATED FLSA-EXEMPT MANAGEMENT EMPLOYEES.** Effective February 16, 2025, employees in the job codes and assignments outlined below, who are: 1) assigned to be on-call for one (1) full calendar week (seven (7) consecutive days, including evenings and weekends); 2) restricted from traveling and partaking in outside activities that would prohibit them from being able to perform the on-call work, if called; and 3) required to respond to calls and report onsite, if necessary, within a specific timeframe as determined by the respective Agency/Department Head or their designee shall be compensated \$350 each week when assigned.

Employees in the following classifications and assignments/units are eligible provided they meet the criteria outlined above:

Assignment or Unit	Job Code	Classifications	Max# of Assigned Employees Per Week
Alameda County Health ("ACH") – Public Health Department: First Call Duty Officer	5141 5143 5320 5325 5391	Physician IV Physician V Registered Nurse IV Registered Nurse V Director, Public Health Nursing	Up to One (1) per week (Up to Two (2) per week during preceptorship, as determined the Agency/Department Head)
ACH – Office of Agency Director: Emergency Medical Services	5786	Emergency Medical Services Coordinator	Up to One (1) per week
Public Works Agency	2175 9521 9525 9527 9529 9531 9533 9534 9538	Supervising Facilities Inspector Bridge and Pump Supervisor Field Maintenance Supervisor Maintenance and Operations Manager Public Works Fleet Supervisor Public Works Fleet and Infrastructure Systems Manager Traffic Safety Supervisor Traffic Signal Supervisor Supervising Public Works Inspector	Up to One (1) per week
Social Services Agency – Adult and Aging	6770	Adult Protection Supervisor	Up to Two (2) per week

- iii. Article 6 (Additional Compensation), Sections 6-2 (Split Shift and Night Shift Work) to increase the split and night shift differentials to seven and one-half percent (7.5%) for unrepresented M-designated employees effective February 16, 2025; 6-3 (Standby Pay) to establish on-call pay for certain unrepresented M-designated employees when assigned to be the First Call Duty Officer for the Alameda County Health Public Health Department effective February 16, 2025; 6-5 (Temporary Assignment to Higher-Level Vacancy) to remove the 60-day waiting period for unrepresented M-designated employees to be compensated when formally assigned, on a temporary basis, to a higher-level position effective January 19, 2025, including non-substantive cleanup language; and 6-8 (Positions Designated Bilingual) to increase bilingual pay by five dollars (\$5) per pay period for each level effective February 16, 2025; and

SECTION 6-3: STANDBY DUTY

...

Effective February 16, 2025, an employee who is in an unrepresented M-designated classification (Job Codes 5390 and 5046) and required to perform the functions of the First Call Duty Officer for Alameda County Health and is 1) assigned to be on-call for one (1) full calendar week (seven (7) consecutive days, including evenings and weekends); 2) restricted from traveling and partaking in outside activities that would prohibit them from being able to perform the on-call work, if called; and 3) required to respond to calls and report onsite, if necessary, within a specific timeframe as determined by the Director of Health Care Services, or their designee shall be compensated \$350 each week when assigned. This provision shall be limited to up to one (1) employee per week and up to two (2) employees per week during preceptorship (combined with the provision established for employees represented by the Alameda County Management Employees Association General Government Unit), as determined by the Director of Health Care Services.

AGENDA INCLUDING ADDENDA

23. *Human Resource Services* - Approve the following recommendations:

A. Second reading and adoption of Salary Ordinance amendments to update:

- i. Article 1 (Applicable Pay Rates), Section 1-1 (Pay Rate Schedules), subsection 1-1.1, to reflect special salary adjustments for certain Unrepresented M-designated classifications effective 2/16/25; and to update the salaries for the classifications of Deputy Director of Child Support Services (Job Code (JC) 3165), located in the Alameda County Child Support Services (ACSS), by lowering the maximum salary rate by 15% and adjusting the spread of the salary range to approximately 27.6%, and the Director of Social Services (JC 6085), located in the Social Services Agency (SSA), by increasing the salary by ten percent (10%), both effective 1/19/25;
- ii. Article 3, Section 3-6 (County Administrator Department), to add new subsection 3-6.18 to establish a footnote for one (1) employee in the classification of Executive Assistant to the County Administrator (JC 1229) in the County Administrator's Office (CAO), when assigned the responsibilities of supervising paraprofessional and professional staff and overseeing the administrative support functions of the CAO, to receive up to an additional ten percent (10%) compensation of the base pay effective 3/2/25;
- iii. Article 6 (Additional Compensation), Sections 6-2 (Split Shift and Night Shift Work) to increase the split and night shift differentials to seven and one-half percent (7.5%) for unrepresented M-designated employees effective 2/16/25; 6-3 (Standby Pay) to establish on-call pay for certain unrepresented M-designated employees when assigned to be the First Call Duty Officer for the Alameda County Health Public Health Department effective 2/16/25; 6-5 (Temporary Assignment to Higher-Level Vacancy) to remove the 60-day waiting period for unrepresented M-designated employees to be compensated when formally assigned, on a temporary basis, to a higher-level position effective 1/19/25, including non-substantive cleanup language; and 6-8 (Positions Designated Bilingual) to increase bilingual pay by five dollars (\$5) per pay period for each level effective 2/16/25;
- iv. Article 7 (Provisions Applicable to Persons in Classifications Designated EM, SM, PA, CA, MA, OR M), Sections 7-4 (Vacation Sellback) to remove obsolete language for unrepresented employees and add language codifying applicable provisions for unrepresented non-management employees; 7-5 (Paid Leave) to increase paid leave to 64-hours effective 1/19/25 for unrepresented M-designated employees and eliminate paid leave for Fair Labor Standards Act (FLSA) non-exempt unrepresented M-designated employees hired on or after 1/4/26; 7-10 (Cafeteria Benefit Plan: Amount of Allocable Money) to clean-up language throughout; 7-17 (Professional Incentive Pool), Effective Fiscal Year 2025/2026, to increase the maximum reimbursement an employee can receive from the Professional Incentive Pool; 7-20 (Retirement), Effective 2/16/25, to increase the Employer Paid Member Contribution (EPMC) from two percent (2%) to three percent (3%) for employees with 20 years of service; and non-substantive language cleanup to said Sections; and

B. Second reading and adoption of Administrative Code amendments to update:

- i. Chapter 3.12 (Leaves of Absence), Sections 3.12.120 (Pregnancy and child bonding leave) and 3.12.160 (Child bonding leave) to clean-up language to clarify eligible leave for unrepresented employees, add language to allow use of sick leave while on approved child bonding and delete existing language in 3.12.160 and replace with "Leave for reproductive loss";
- ii. Chapter 3.20 (Sick Leave), Sections 3.20.010 (Sick leave defined) to update the definition of sick leave; 3.20.110 (Family sick leave) to increase Family Sick Leave days to twelve (12) effective 2/16/25; and 3.20.160 (Catastrophic sick leave program for unrepresented employees) to allow donations for catastrophic leave for an employee caring for an eligible

SECOND READING - CONTINUED FROM 2/18/25

AGENDA NO. _____ February 18, 2025



Lakeside Plaza Building
1401 Lakeside Drive, Suite 500
Oakland, CA 94612-4305
TDD: (510) 272-3703

February 18, 2025

Honorable Board of Supervisors
County of Alameda
1221 Oak Street, Suite 536
Oakland, California 94612-4305

SUBJECT: ADOPT: 1) SALARY ORDINANCE AMENDMENTS TO UPDATE APPLICABLE SECTIONS OF ARTICLES 1, 3, 6 AND 7; AND 2) ADMIN CODE AMENDMENTS TO UPDATE APPLICABLE SECTIONS OF CHAPTERS 3.12, 3.20, 3.24, 3.28, 3.44 AND 3.64 TO APPLY SALARY ADJUSTMENT AND BENEFIT PROVISIONS TO CERTAIN UNREP M-DESIGNATED CLASSES AND CLEAN-UP FOR UNREP NON-MGMT CLASSES

Dear Board Members:

RECOMMENDATIONS:

Adopt the following:

A. Salary Ordinance amendments to update:

- i. Article 1 (Applicable Pay Rates), Section 1-1 (Pay Rate Schedules), subsection 1-1.1, to reflect special salary adjustments for certain Unrepresented M-designated classifications effective February 16, 2025; and to update the salaries for the classifications of Deputy Director of Child Support Services (Job Code ("JC") 3165), located in the Alameda County Child Support Services ("ACCSS"), by lowering the maximum salary rate by 15% and adjusting the spread of the salary range to approximately 27.6%, and the Director of Social Services (JC 6085), located in the Social Services Agency ("SSA"), by increasing the salary by ten percent (10%), both effective January 19, 2025;
- ii. Article 3, Section 3-6 (County Administrator Department), to add new subsection 3-6.18 to establish a footnote for one (1) employee in the classification of Executive Assistant to the County Administrator (JC 1229) in the County Administrator's Office ("CAO"), when assigned the responsibilities of supervising paraprofessional and professional staff and overseeing the administrative support functions of the CAO, to receive up to an additional ten percent (10%) compensation of the base pay effective March 2, 2025;
- iii. Article 6 (Additional Compensation), Sections 6-2 (Split Shift and Night Shift Work) to increase the split and night shift differentials to seven and one-half percent (7.5%) for unrepresented M-designated employees effective February 16, 2025; 6-3 (Standby Pay) to establish on-call pay for certain unrepresented M-designated employees when assigned to be the First Call Duty Officer for the Alameda County Health Public Health Department effective February 16, 2025; 6-5 (Temporary Assignment to Higher-Level Vacancy) to remove the 60-day waiting period for unrepresented M-designated employees to be compensated when formally assigned, on a temporary basis, to a higher-level position effective January 19, 2025, including non-substantive cleanup language; and 6-8 (Positions Designated Bilingual) to increase bilingual pay by five dollars (\$5) per pay period for each level effective February 16, 2025; and
- iv. Article 7 (Provisions Applicable to Persons in Classifications Designated EM, SM, PA, CA, MA, OR M), Sections 7-4 (Vacation Sellback) to remove obsolete language for unrepresented employees and add language codifying applicable provisions for unrepresented non-management employees; 7-5 (Paid Leave)

An Equal Opportunity Employer

to increase paid leave to 64-hours effective January 19, 2025 for unrepresented M-designated employees and eliminate paid leave for Fair Labor Standards Act ("FLSA") non-exempt unrepresented M-designated employees hired on or after January 4, 2026; 7-10 (Cafeteria Benefit Plan: Amount of Allocable Money) to clean-up language throughout; 7-17 (Professional Incentive Pool), Effective Fiscal Year 2025/2026, to increase the maximum reimbursement an employee can receive from the Professional Incentive Pool; 7-20 (Retirement), Effective February 16, 2025, to increase the Employer Paid Member Contribution ("EPMC") from two percent (2%) to three percent (3%) for employees with 20 years of service; and non-substantive language cleanup to said Sections.

B. Administrative Code amendments to update:

- i. Chapter 3.12 (Leaves of Absence), Sections 3.12.120 (Pregnancy and child bonding leave) and 3.12.160 (Child bonding leave) to clean-up language to clarify eligible leave for unrepresented employees, add language to allow use of sick leave while on approved child bonding and delete existing language in 3.12.160 and replace with "Leave for reproductive loss";
- ii. Chapter 3.20 (Sick Leave), Sections 3.20.010 (Sick leave defined) to update the definition of sick leave; 3.20.110 (Family sick leave) to increase Family Sick Leave days to twelve (12) effective February 16, 2025; and 3.20.160 (Catastrophic sick leave program for unrepresented employees) to allow donations for catastrophic leave for an employee caring for an eligible family member and allow unlimited amounts of leave to be donated;
- iii. Chapter 3.24 (Vacations), Section 3.24.150 (Personal leave) to increase the personal leave days to three (3) for unrepresented M-designated employees effective January 19, 2025;
- iv. Chapter 3.28 (Overtime), Sections 3.28.010 (Definitions) and 3.28.050 (Requirement of actual work) to include non-substantive clean-up and clarifying language applicable to unrepresented non-management employees;
- v. Chapter 3.44 (Grievance Procedures), Section 3.44.030 (Departmental review and adjustment of grievance) to increase the time to respond between each step to 10-working days, including non-substantive clean-up language; and
- vi. Chapter 3.64 (Employee Health and Welfare Benefit Program), Sections 3.64.050 (County medical and dental contribution) and 3.64.100 (Long term disability insurance policy for unrepresented employees) to make non-substantive clean-up in each Section, including reference to unrepresented non-management in Section 3.64.100 (Long term disability insurance policy for unrepresented employees).

DISCUSSION/SUMMARY:

Historically, employees in unrepresented M-designated classifications related to the Alameda County Management Employees Association General Government and Confidential Units ("ACMEA GG and C Units") received the same general wage increases and benefit provisions as negotiated in the ACMEA GG and C Units Memoranda of Understanding ("MOUs"). The ACMEA GG and C Units MOUs were adopted by your Board on January 14, 2025. Your Board previously approved general wage increases of six percent (6%) and five percent (5%) for unrepresented M-designated classifications effective May 12, 2024 and December 22, 2024, respectively, and as such, staff recommends only extending certain benefit provisions negotiated with ACMEA GG and C Units to the unrepresented M-designated classifications. Staff also recommends special salary adjustments for certain unrepresented M-designated classifications, effective February 16, 2025, to address compaction and internal alignment issues based on special adjustments for specified classifications agreed to in the successor 2023-2027 ACMEA GG and C Units MOUs. The recommended changes are outlined in the attached Salary Ordinance and Administrative Code amendments.

Additionally, the ACCSS requested that the Human Resource Services ("HRS") Department conduct a salary analysis of the unrepresented classification of Deputy Director of Child Support Services (JC 3165), in anticipation of opening a recruitment in early 2025. The single-position classification is responsible for directing program activities and implementing departmental policies and procedures with general oversight by the Director of Child Support Services.

Staff conducted an external salary survey of the five (5) Bay Area counties, as well as an internal analysis, specifically comparing County of Alameda ("County") agencies/departments with similar structures to ACCSS and assessed the scope of duties and responsibilities, including the reporting structures between the deputy director and the director classifications of those agencies/departments. Staff's review indicates that the Deputy Director of Child Support Services (JC 3165) is well-above market median and the salary difference between the director- and deputy director-level is only approximately five percent (5%). As such, staff recommends reducing the maximum salary rate by 15% and adjusting the spread of the salary range to approximately 27.6% for the Deputy Director of Child Support Services (JC 3165) classification effective January 19, 2025, as outlined in the attached Salary Ordinance amendment. As a result of the recommended salary reduction, the Deputy Director of Child Support Services (JC 3165) classification will remain approximately four percent (4%) above market median and will be approximately 21% below the Director of Child Support Services (JC 3170) classification, which is consistent with the salary difference of other County agency/department director and deputy director classifications.

Further, staff conducted a salary analysis of the Director of Social Services (JC 6085) classification as part of the County's ongoing review of classifications. The Director of Social Services (JC 6085) operates at the highest policy-making level in SSA and is responsible for advising and making recommendations to your Board, the County Administrator and various other governing bodies on all matters that affect the County's welfare and social services.

Staff also completed a comprehensive salary analysis of the Director of Social Services (JC 6085) classification by conducting a salary survey of the five (5) Bay Area counties, and comparing other County agencies/departments with a similar structure to SSA to ensure the salary is appropriately aligned. The results of the analysis determined that the Director of Social Services (JC 6085) classification is below the median by approximately 8.87%. Staff recommends a ten percent (10%) special salary adjustment for the Director of Social Services (JC 6085) classification to ensure market competitiveness of this critical and essential position effective January 19, 2025 as outlined in the attached Salary Ordinance amendment.

Lastly, at the request of the CAO, staff conducted a review of additional duties currently assigned to the employee in the classification of Executive Assistant to the County Administrator (JC 1229) and determined that the additional duties assigned to said employee are outside the scope of their classification. In addition to the regular duties of secretarial and administrative support to the County Administrator, the employee is responsible for supervising paraprofessional and professional staff and overseeing the overall administrative support functions within the CAO. Staff recommends a footnote of up to ten percent (10%) additional compensation of the base salary effective March 2, 2025, as outlined in the attached Salary Ordinance amendment.

SELECTION CRITERIA:

N/A

FINANCING:

Funds are available in the 2024-2025 Approved Budget and will be included in future years' requested budgets to cover the costs resulting from the recommendations.

VISION 2026 GOAL:

The recommendations meet the 10x goal pathways of **Employment for All** in support of our shared vision of a **Prosperous and Vibrant Economy**.

Very truly yours,

DocuSigned by:

Margarita Zamora

24C63D8E0Z4A48D
Margarita Zamora, Director
Human Resource Services

c: CAO
 Auditor-Controller
 County Counsel
 Agency/Department Heads

Gov. Code Sec. 31461. (a) "Compensation earnable" by a member means the average compensation as determined by the board, for the period under consideration upon the basis of the average number of days ordinarily worked by persons in the same grade or class of positions during the period, and at the same rate of pay. The computation for any absence shall be based on the compensation of the position held by the member at the beginning of the absence. Compensation, as defined in Section 31460, that has been deferred shall be deemed "compensation earnable" when earned, rather than when paid.

(b) "Compensation earnable" does not include, in any case, the following:

(1) Any compensation determined by the board to have been paid to enhance a member's retirement benefit under that system. That compensation may include:

(A) Compensation that had previously been provided in kind to the member by the employer or paid directly by the employer to a third party other than the retirement system for the benefit of the member, and which was converted to and received by the member in the form of a cash payment in the final average salary period.

(B) Any one-time or ad hoc payment made to a member, but not to all similarly situated members in the member's grade or class.

(C) Any payment that is made solely due to the termination of the member's employment, but is received by the member while employed, except those payments that do not exceed what is earned in each 12-month period during the final average salary period regardless of when reported or paid.

(2) Payments for unused vacation, annual leave, personal leave, sick leave, or compensatory time off, however denominated, whether paid in a lump sum or otherwise, in an amount that exceeds that which may be earned in each 12-month period during the final average salary period, regardless of when reported or paid.

(3) Payments for additional services rendered outside of normal working hours, whether paid in a lump sum or otherwise.

(4) Payments made at the termination of employment, except those payments that do not exceed what is earned in each 12-month period during the final average salary period, regardless of when reported or paid.

Gov. Code Sec. 7522.34. (a) "Pensionable compensation" of a new member of any public retirement system means the normal monthly rate of pay or base pay of the member paid in cash to similarly situated members of the same group or class of employment for services rendered on a full-time basis during normal working hours, pursuant to publicly available pay schedules.

(b) Compensation that has been deferred shall be deemed pensionable compensation when earned rather than when paid.

(c) "Pensionable compensation" does not include the following:

(1) Any compensation determined by the board to have been paid to increase a member's retirement benefit under that system.

(2) Compensation that had previously been provided in kind to the member by the employer or paid directly by the employer to a third party other than the retirement system for the benefit of the member and which was converted to and received by the member in the form of a cash payment.

(3) Any one-time or ad hoc payments made to a member.

(4) Severance or any other payment that is granted or awarded to a member in connection with or in anticipation of a separation from employment, but is received by the member while employed.

(5) Payments for unused vacation, annual leave, personal leave, sick leave, or compensatory time off, however denominated, whether paid in a lump sum or otherwise, regardless of when reported or paid.

(6) Payments for additional services rendered outside of normal working hours, whether paid in a lump sum or otherwise.

(7) Any employer-provided allowance, reimbursement, or payment, including, but not limited to, one made for housing, vehicle, or uniforms.

(8) Compensation for overtime work, other than as defined in Section 207(k) of Title 29 of the United States Code.

(9) Employer contributions to deferred compensation or defined contribution plans.

(10) Any bonus paid in addition to the compensation described in subdivision (a).

(11) Any other form of compensation a public retirement board determines is inconsistent with the requirements of subdivision (a).


(12) Any other form of compensation a public retirement board determines should not be pensionable compensation.



MEMORANDUM TO THE BOARD OF RETIREMENT

DATE: July 17, 2025

TO: Members of the Board of Retirement

FROM: Sandra Dueñas-Cuevas, Benefits Manager 

SUBJECT: **Exclusion of New Pay Item/Code as “Compensation Earnable” and
“Pensionable Compensation” – County of Alameda**

The County requested that new pay code On Call Suprv Criminalist - 844 be reviewed to determine whether it qualifies as “compensation earnable” and “pensionable compensation.”

This new pay item/code provides on-call pay for employees in the following job classifications:

- 8526 Supervising Criminalist
- 8528 Supervising DNA Criminalist

Although there are two classifications that may provide these “on call” services from time to time, the County has informed ACERA that only one employee will ordinarily be “on call.” Other employees may provide coverage from time to time but only when that primary employee is not available, due to vacation or illness.

Staff and Chief Counsel reviewed the required supporting documentation (attached) and made the determination that the new pay item/code does not qualify as “compensation earnable” under Government Code Section 31461 (for Legacy members), or “pensionable compensation” under Government Code Section 7522.34 (for PEPRAs members).

All “standby” and “on call” has historically been excluded from “pensionable compensation.” Although some “standby” and “on call” pay codes have historically been included as “compensation earnable,” that is only supposed to be when other employees in the same classification ordinarily will be on “standby” or “on call” for essentially the same amount of time (such that the time is reasonable consider to be part of normal working hours). That will not be the case here.

The two relevant Government Code sections are attached for the Board of Retirement’s (Board) reference.

Staff informed the County that its determination will be included on the Board’s Consent Calendar for its July 17, 2025 meeting. If this item is not pulled from the Consent Calendar for discussion, then the Board will approve Staff’s determination to exclude pay code 844 both from “pensionable compensation” under Government Code Section 7522.34 (for PEPRAs members) and “compensation earnable” under Government Code Section 31461 (for Legacy members).

Attachments



ALAMEDA COUNTY
AUDITOR-CONTROLLER AGENCY
MELISSA WILK
AUDITOR-CONTROLLER/CLERK-RECORDER

REQUEST FOR ACERA'S REVIEW OF A NEW PAY ITEM/CODE *REVISED*

Employer Name:	County of Alameda
Date of Request	05/20/2025
Employer Department Submitting the Request	Auditor-Controller's Agency
Contact Person/Employer (include title/position)	Stephanie Tsurumoto
Contact Person Telephone incl area code	(510)272-6581
Contact Person Email address	stephanie.tsurumoto@acgov.org
Pay Item Name (and code Number)	844 - On Call Suprv Criminalist
Pay Item Effective Date per authorization:	06/08/25
State if additional documentation is attached	Yes – Board Letter

NOTE: The following information is required before ACERA can review and respond to the request. To meet ACERA's requirements, please provide substantive responses below or on a separate paper and return, with this form, all of the supporting documentation prior to issuing (paying) the pay item to any employee who is an ACERA member.

1. State the job classification of employees eligible for the pay item (i.e. Job Code 0499-Nurse Practitioners II may receive this pay item)

**RESPONSE #1: 8526 Supervising Criminalist
8528 Supervising DNA Criminalist**

2. State employment status of employees eligible to receive the pay item (i.e. full time employees, part time employees)

RESPONSE #2: Full Time

3. State the number of members or employees who are eligible to receive the pay item (i.e. all members or employees in a job classification eligible to receive the pay item, or "not to exceed one employee")

RESPONSE #3: Up to 1 per week

4. State whether pay item is for overtime or regular base pay

RESPONSE #4: Overtime

5. State whether pay item is calculated as a fixed amount or percentage of the base pay

RESPONSE #5: Percentage – Fixed Amount \$250 per week

6. State whether the pay item is paid one time (i.e. incentive pay, referral pay, bonus, award)

RESPONSE #6: No

7. State whether the pay item is an ad hoc payment (i.e, stipend, payment for attending a meeting during the working hours, payment for attending a meeting during non-working hours)

RESPONSE #7: No

8. State whether the pay item is a reimbursement (i.e., car allowance, housing allowance, uniform allowance, mileage payment, cell phone allowance)

RESPONSE #8: No

9. State regular working hours of the employees who will receive the pay item (i.e., 37.5 hour workweek employees, 40 hour workweek employees)

RESPONSE #9: 40.0 Hour Work Week

10. State whether pay item is for work performed outside of the regular workweek (i.e., payment for work or services performed outside of the employee's 37.5 hour workweek, or outside the employee's 40 hour workweek)

RESPONSE #10: Yes

11. State whether the pay item is for deferred compensation

RESPONSE #11: No

12. State whether the pay item is for retro payments

RESPONSE #12: No

13. State whether the pay item is for accrued unused leaves (i.e., sick leave, annual leave, floating holiday, vacation, comp time)

RESPONSE #13: No

14. State whether the payment is compensation that had previously been provided in kind to the member by the employer or paid directly by the employer to a third party other than the retirement system for the benefit of the member or employee

RESPONSE #14: No

15. State whether the payment is severance or other payment in connection with or in anticipation of a separation from employment (and state if this payment is made while employee is working)

RESPONSE #15: No

16. State whether the pay item is paid in one lump sum or biweekly (or over some other time period-monthly, quarterly, annually)

RESPONSE #16: Biweekly

17. State the basis for eligibility for the pay item (i.e., certification of completion of training program conducted by an accredited university, or employee assigned as supervisor of badge distribution)

RESPONSE #17: Board Letter/Memorandum of Understanding

20.E. ON-CALL PAY FOR DESIGNATED MANAGEMENT EMPLOYEES. Effective June 8, 2025, employees in the job codes and assignments outlined below, who are: 1) assigned to be on-call for one (1) full calendar week (seven (7) consecutive days, including evenings and weekends); 2) restricted from traveling and partaking in outside activities that would prohibit them from being able to perform the on-call work, if called; and 3) required to respond to calls and report onsite, if necessary, within a specific timeframe as determined by Sheriff or their designee shall be compensated two hundred fifty dollars (\$250.00) each week when assigned.

Employees in the following classifications and assignments/units are eligible provided they meet the criteria outlined above:

<u>Assignment or Unit</u>	<u>Job Code</u>	<u>Classifications</u>	<u>Max # of Assigned Employees Per Week</u>
Alameda County Sheriff's Office Crime Laboratory	8526 8528	Supervising Criminalist Supervising DNA Criminalist	Up to One (1) -per week as determined by the Sheriff)



Lakeside Plaza Building
1401 Lakeside Drive, Suite 500
Oakland, CA 94612-4305
TDD: (510) 272-3703

April 22, 2025

Honorable Board of Supervisors
County of Alameda
1221 Oak Street, Suite 536
Oakland, California 94612-4305

SUBJECT: ADOPT: 1) AN ORDINANCE APPROVING THE JUNE 11, 2023 THROUGH JUNE 19, 2027 ACMEA SHERIFF'S NON-SWORN UNIT 029 MEMORANDUM OF UNDERSTANDING; 2) SALARY ORDINANCE AMENDMENTS TO UPDATE APPLICABLE SECTIONS OF ARTICLES 1, 3, 6, AND 7; AND 3) ADMINISTRATIVE CODE AMENDMENT TO UPDATE SECTION 3.28.130

Dear Board Members:

RECOMMENDATIONS:

Adopt the following:

- 1) An Ordinance approving the June 11, 2023 through June 19, 2027 Memorandum of Understanding ("MOU") between the County of Alameda ("County") and the Alameda County Management Employees Association Sheriff's Non-Sworn Unit 029 ("ACMEA Non-Sworn Unit");
- 2) Salary Ordinance amendments to update the salaries for classifications represented by the ACMEA Non-Sworn Unit and remove obsolete language in certain provisions referencing ACMEA Non-Sworn Unit due to similar language being incorporated into the 2023-2027 MOU:
 - i. Article 1 (Applicable Pay Rates), Section 1-1 (Pay Rate Schedules), subsection 1-1.1, to reflect the negotiated general wage increases for all classifications represented by the ACMEA Non-Sworn Unit and special salary adjustments for specified classifications on the effective dates listed, and abolish one (1) classification effective June 8, 2025;
 - ii. Article 3 (Notes Applicable to Positions and Classifications Listed in Article 2 Preceding), Section 3-17 (Sheriff's Department), to amend subsection 3-17.36 to delete previously abolished Job Code ("JC") 8860 effective June 8, 2025;
 - iii. Article 6 (Additional Compensation), Section 6-2 (Split Shift and Night Shift Work), to remove the provision that references JCs 1887 and 1889 as said provision is incorporated into the successor MOU; and
 - iv. Article 7 (Provisions Applicable to Persons in Classifications Designated EM, SM, PA, CA, MA, OR M), to amend Sections 7-4 (Vacation Sellback) and 7-5 (Management Paid Leave), to remove reference to ACMEA Non-Sworn Unit, including non-substantive language cleanup; and
- 3) Administrative Code amendment to update Chapter 3.28 (Overtime), Section 3.28.130 (Deductions from pay or leave balances for absences of less than a day.) to remove reference to ACMEA Non-Sworn Unit and update subparagraphs numbering.

DISCUSSION/SUMMARY:

The ACMEA Non-Sworn Unit MOU expired as of June 10, 2023; however, the laws governing collective bargaining agreements provide that the terms and conditions set forth in the expired MOU remain in full force until modified through

the collective bargaining process. In an effort to reach agreement on a successor MOU, representatives of the County and of ACMEA Non-Sworn Unit (collectively herein, the "Parties") held 28 negotiating sessions beginning August 8, 2023. On February 21, 2025, the Parties reached comprehensive tentative agreement ("CTA") on a successor MOU and on March 3, 2025, the ACMEA Non-Sworn Unit ratified the CTA.

As such, staff recommends your Board adopt an Ordinance approving the June 11, 2023 through June 19, 2027 MOU between the Parties. The successor MOU includes the updated provisions as outlined in the attached Summary of Significant Negotiated Terms.

In addition, staff recommend updates to the Salary Ordinance and Administrative Code as follows:

Salary Ordinance Amendments:

- Update Article 1, Section 1-1 (Pay Rate Schedules), subsection 1-1.1 to 1) reflect the negotiated wage increases of six percent (6%) effective March 2, 2025, five percent (5%) effective June 8, 2025, four percent (4%) effective June 7, 2026, and four percent (4%) effective June 6, 2027, for all specified classifications; 2) special salary adjustments for 11 classifications ranging from 2% to 11% effective June 8, 2025; and 3) abolish one (1) obsolete classification (JC 6660);
- Amend Article 3, Section 3-17 (Sheriff's Department), subsection 3.17.36 to remove JC 8860, which was a previously abolished classification;
- Amend Article 6, Section 6-2 (Split Shift and Night Shift Work) to remove language referencing JCs 1887 and 1889 as said provision has been incorporated into the successor MOU; and
- Amend Article 7 (Provisions Applicable to Persons in Classifications Designated EM, SM, PA, CA, MA, OR M), Sections 7-4 (Vacation Sellback) and 7-5 (Management Paid Leave) to remove language referencing ACMEA Non-Sworn Unit as language is incorporated into the successor MOUs, including non-substantive language cleanup.

Administrative Code Amendment: Amend Chapter 3.28 (Overtime), Sections 3.28.130 (Deductions from pay or leave balances for absences of less than a day.) to remove reference to ACMEA Non-Sworn Unit and update subparagraphs numbering.

SELECTION CRITERIA:

N/A

FINANCING:

Funds are available in the 2024-2025 Approved Budget and will be included in future years' requested budgets to cover the costs resulting from the recommendations.

VISION 2026 GOAL:

The recommendations meet the 10x goal pathways of **Employment for All** in support of our shared vision of a **Prosperous and Vibrant Economy**.

Very truly yours,

DocuSigned by:

24C63D8E074A48D...
Margarita Zamora, Director
Human Resource Services

c: CAO
 Auditor-Controller
 County Counsel
 Sheriff

Ordinance No.

C-2025-25

By 
Kristy van Herick, Asst. County Counsel

**AN ORDINANCE APPROVING THE
JUNE 11, 2023 THROUGH JUNE 19, 2027 MEMORANDUM OF UNDERSTANDING WITH
THE ALAMEDA COUNTY MANAGEMENT EMPLOYEES ASSOCIATION SHERIFF'S NON-SWORN UNIT 029**

The Board of Supervisors of the County of Alameda ordains as follows:

SECTION I

The June 11, 2023 through June 19, 2027 Memorandum of Understanding, between the County of Alameda negotiators and the Alameda County Management Employees Association Sheriff Non-Sworn Unit applicable to employees in Representation Unit 029 is hereby approved and incorporated herein by reference.

SECTION II

This ordinance shall take effect immediately, and before the expiration of fifteen days after its passage, shall be published once with the names of the members voting for and against the same in the Inter-City Express, a newspaper published in the said County of Alameda.

THE FOREGOING was **PASSED** and **ADOPTED** by a majority vote of the Alameda County Board of Supervisors this **29th** day of **April, 2025**, to wit:

AYES: Supervisors Márquez, Tam & President Haubert – 3

NOES: None

EXCUSED: Supervisors Fortunato Bas & Miley

David G. Haubert

PRESIDENT, BOARD OF SUPERVISORS

File No: 31477
Agenda No: 27
Document No: O-2025-25



I certify that the foregoing is a correct copy of an Ordinance adopted by the Board of Supervisors, Alameda County, State of California

ATTEST:
Clerk, Board of Supervisors

By: *[Signature]*
Deputy

Gov. Code Sec. 31461. (a) "Compensation earnable" by a member means the average compensation as determined by the board, for the period under consideration upon the basis of the average number of days ordinarily worked by persons in the same grade or class of positions during the period, and at the same rate of pay. The computation for any absence shall be based on the compensation of the position held by the member at the beginning of the absence. Compensation, as defined in Section 31460, that has been deferred shall be deemed "compensation earnable" when earned, rather than when paid.

(b) "Compensation earnable" does not include, in any case, the following:

(1) Any compensation determined by the board to have been paid to enhance a member's retirement benefit under that system. That compensation may include:

(A) Compensation that had previously been provided in kind to the member by the employer or paid directly by the employer to a third party other than the retirement system for the benefit of the member, and which was converted to and received by the member in the form of a cash payment in the final average salary period.

(B) Any one-time or ad hoc payment made to a member, but not to all similarly situated members in the member's grade or class.

(C) Any payment that is made solely due to the termination of the member's employment, but is received by the member while employed, except those payments that do not exceed what is earned in each 12-month period during the final average salary period regardless of when reported or paid.

(2) Payments for unused vacation, annual leave, personal leave, sick leave, or compensatory time off, however denominated, whether paid in a lump sum or otherwise, in an amount that exceeds that which may be earned in each 12-month period during the final average salary period, regardless of when reported or paid.

(3) Payments for additional services rendered outside of normal working hours, whether paid in a lump sum or otherwise.

(4) Payments made at the termination of employment, except those payments that do not exceed what is earned in each 12-month period during the final average salary period, regardless of when reported or paid.

Gov. Code Sec. 7522.34. (a) "Pensionable compensation" of a new member of any public retirement system means the normal monthly rate of pay or base pay of the member paid in cash to similarly situated members of the same group or class of employment for services rendered on a full-time basis during normal working hours, pursuant to publicly available pay schedules.

(b) Compensation that has been deferred shall be deemed pensionable compensation when earned rather than when paid.

(c) "Pensionable compensation" does not include the following:

(1) Any compensation determined by the board to have been paid to increase a member's retirement benefit under that system.

(2) Compensation that had previously been provided in kind to the member by the employer or paid directly by the employer to a third party other than the retirement system for the benefit of the member and which was converted to and received by the member in the form of a cash payment.

(3) Any one-time or ad hoc payments made to a member.

(4) Severance or any other payment that is granted or awarded to a member in connection with or in anticipation of a separation from employment, but is received by the member while employed.

(5) Payments for unused vacation, annual leave, personal leave, sick leave, or compensatory time off, however denominated, whether paid in a lump sum or otherwise, regardless of when reported or paid.

(6) Payments for additional services rendered outside of normal working hours, whether paid in a lump sum or otherwise.

(7) Any employer-provided allowance, reimbursement, or payment, including, but not limited to, one made for housing, vehicle, or uniforms.

(8) Compensation for overtime work, other than as defined in Section 207(k) of Title 29 of the United States Code.

(9) Employer contributions to deferred compensation or defined contribution plans.

(10) Any bonus paid in addition to the compensation described in subdivision (a).

(11) Any other form of compensation a public retirement board determines is inconsistent with the requirements of subdivision (a).


(12) Any other form of compensation a public retirement board determines should not be pensionable compensation.



MEMORANDUM TO THE BOARD OF RETIREMENT

DATE: July 17, 2025

TO: Members of the Board of Retirement

FROM: Sandra Dueñas-Cuevas, Benefits Manager 

SUBJECT: **New Pay Items/Codes: Approve as “Compensation Earnable” and “Pensionable Compensation” – Zone 7**

The County of Alameda (County) requested that new pay items/codes Longevity 5 Year Zone 7 – 5YZ and Longevity 10 Year Zone 7 – 10Z be reviewed to determine whether they qualify as “compensation earnable” and “pensionable compensation. These new pay codes provide additional compensation for employees completing five or more years of continuous service or ten or more years of continuous service in all job classifications covered under the Zone 7 MOUs Alameda County Management Employees Association (ACMEA); International Federation of Professional & Technical Engineers Local 21; Building and Construction Trades Council (BTC); Unrepresented Classifications and Service Employees International Union (SEIU) Local 1021.

On June 18, 2025, the Board of Directors signed resolution #25-56, adding a footnote to the Alameda County Flood Control and Water Conservation District, Zone 7 Appendix A, Footnotes to the Salary Schedule as follows:

“Section 9.5 LONGEVITY PAY.

1) Effective for the period beginning June 22, 2025. Section 9.5 – Longevity Pay (Alameda County Management Employees Association, Building Trades Council of Alameda County, International Federation of Professional and Technical Engineers, Local 21, and Unrepresented classifications) – Add footnote authorizing longevity pay as follows:

- a. Employees completing the equivalent of five (5) or more years of continuous service (equivalent to or at least 10,400 total service hours) shall receive an additional two percent (2.0%) compensation applied to all hours in paid status.
- b. Employees completing the equivalent of ten (10) or more years of continuous service (equivalent to or at least 20,800 total service hours) shall receive an additional two percent (2.0%) compensation, for a total of four percent (4.0%) applied to all hours in paid status.

2) Effective for the period beginning January 4, 2026. Section 9.5 – Longevity Pay (Service Employees International Union 1021) – Add footnote authorizing longevity pay as follows:

- a. Employees completing the equivalent of five (5) or more years of continuous service (equivalent to or at least 10,400 total service hours) shall receive an additional two percent (2.0%) compensation applied to all hours in paid status.

- b. Employees completing the equivalent of ten (10) or more years of continuous service (equivalent to or at least 20,800 total service hours) shall receive an additional two percent (2.0%) compensation, for a total of four percent (4.0%) applied to all hours in paid status.

Staff and Chief Counsel reviewed the required supporting documentation (attached) and made the determination that these new pay codes qualify as “compensation earnable” under Government Code Section 31461 (for Legacy members) and “pensionable compensation” under Government Code Section 7522.34 (for PEPRAs members). These pay codes increase the employee’s base pay in all pay periods like a normal salary increase. Under the Board of Retirement’s (Board) historical practices, these kind of pay codes have been included in both “compensation earnable” and “pensionable compensation.” The two relevant Government Code sections are attached for the Board’s reference.

Staff informed the County that its determination will be included on the Board’s consent calendar for its July 17, 2025 meeting. If this item is not pulled from the consent calendar for discussion, then the Board will approve Staff’s determination that pay items/codes Longevity Pay - 5YZ and Longevity Pay – 10Z Zone 7 is “compensation earnable” under Government Code Section 31461 (for Legacy members) and “pensionable compensation” under Government Code Section 7522.34 (for PEPRAs members).

Attachments



ALAMEDA COUNTY
AUDITOR-CONTROLLER AGENCY
MELISSA WILK
AUDITOR-CONTROLLER/CLERK-RECORDER

REQUEST FOR ACERA'S REVIEW OF A NEW PAY ITEM/CODE *REVISED*

Employer Name:	County of Alameda
Date of Request	June 23, 2025
Employer Department Submitting the Request	Auditor-Controller's Agency
Contact Person/Employer (include title/position)	Stephanie Tsurumoto
Contact Person Telephone incl area code	(510)272-6581
Contact Person Email address	stephanie.tsurumoto@acgov.org
Pay Item Name (and code Number)	Longevity 5 Year Zone 7 – 5YZ
Pay Item Effective Date per authorization:	06/22/25 & 1/4/26
State if additional documentation is attached	Yes – Board Letter

NOTE: The following information is required before ACERA can review and respond to the request. To meet ACERA's requirements, please provide substantive responses below or on a separate paper and return, with this form, all of the supporting documentation prior to issuing (paying) the pay item to any employee who is an ACERA member.

1. State the job classification of employees eligible for the pay item (i.e. Job Code 0499-Nurse Practitioners II may receive this pay item)

RESPONSE #1: Effective 6/22/25, all Zone 7 Classifications covered by the following MOUs or Board Resolution:

R53, R61	Alameda County Management Employees Association (ACMEA)
060	International Federation of Professional & Technical Engineers Local 21
062	Building and Construction Trades Council (BTC)
U53, U61, 033, 063	Unrepresented Classifications

Effective 1/4/26, all Zone 7 Classifications covered by the following MOU:

059	SEIU 1021 – Zone 7 Tech/Clerk
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2. State employment status of employees eligible to receive the pay item (i.e. full time employees, part time employees)

RESPONSE #2: Full Time/Part Time Employees

3. State the number of members or employees who are eligible to receive the pay item (i.e. all members or employees in a job classification eligible to receive the pay item, or "not to exceed one employee")

RESPONSE #3: All members

4. State whether pay item is for overtime or regular base pay

RESPONSE #4: Regular Base Pay

Office of the Auditor-Controller
1221 Oak St., Suite 249
Oakland, CA 94612
Tel: (510) 272-6565
Fax: (510) 272-6502

Central Collections Division
1221 Oak St., Suite 220
Oakland, CA 94612
Tel: (510) 208-9900
Fax: (510) 208-9932

Clerk-Recorder's Office, Main
1106 Madison St., 1st Floor
Oakland, CA 94607
Tel: (510) 272-6362
Fax: (510) 208-9858

Clerk-Recorder's Office, Tri-Valley
7600 Dublin Blvd.
Dublin, CA 94568
Tel: (510) 272-6362
Fax: (510) 208-9858

5. State whether pay item is calculated as a fixed amount or percentage of the base pay

RESPONSE #5: Percentage – 2% of Base Pay

6. State whether the pay item is paid one time (i.e. incentive pay, referral pay, bonus, award)

RESPONSE #6: No

7. State whether the pay item is an ad hoc payment (i.e, stipend, payment for attending a meeting during the working hours, payment for attending a meeting during non-working hours)

RESPONSE #7: No

8. State whether the pay item is a reimbursement (i.e., car allowance, housing allowance, uniform allowance, mileage payment, cell phone allowance)

RESPONSE #8: No

9. State regular working hours of the employees who will receive the pay item (i.e., 37.5 hour workweek employees, 40 hour workweek employees)

RESPONSE #9: 40.0 Hour Work Week

10. State whether pay item is for work performed outside of the regular workweek (i.e., payment for work or services performed outside of the employee's 37.5 hour workweek, or outside the employee's 40 hour workweek)

RESPONSE #10: No

11. State whether the pay item is for deferred compensation

RESPONSE #11: No

12. State whether the pay item is for retro payments

RESPONSE #12: No

13. State whether the pay item is for accrued unused leaves (i.e., sick leave, annual leave, floating holiday, vacation, comp time)

RESPONSE #13: No

14. State whether the payment is compensation that had previously been provided in kind to the member by the employer or paid directly by the employer to a third party other than the retirement system for the benefit of the member or employee

RESPONSE #14: No

15. State whether the payment is severance or other payment in connection with or in anticipation of a separation from employment (and state if this payment is made while employee is working)

RESPONSE #15: No

16. State whether the pay item is paid in one lump sum or biweekly (or over some other time period-monthly, quarterly, annually)

RESPONSE #16: Biweekly

17. State the basis for eligibility for the pay item (i.e., certification of completion of training program conducted by an accredited university, or employee assigned as supervisor of badge distribution)

RESPONSE #17: Resolution No. 25-56

At the June 18, 2025 Board meeting, the Zone 7 Board of Directors signed Resolution #25-56 (attached), adding a footnote to the Alameda County Flood Control and Water Conservation District, Zone 7 Appendix A, Footnotes to the Salary Schedule, as follows:

Effective for the period beginning June 22, 2025

- Section 9.5 – Longevity Pay (Alameda County Management Employees Association, Building Trades Council of Alameda County, International Federation of Professional and Technical Engineers, Local 21, and Unrepresented classifications) – Add footnote authorizing longevity pay as follows:
 - o Employees completing the equivalent of five (5) or more years of continuous service (equivalent to or at least 10,400 total service hours) shall receive an additional two percent (2.0%) compensation applied to all hours in paid status.
 - o Employees completing the equivalent of ten (10) or more years of continuous service (equivalent to or at least 20,800 total service hours) shall receive an additional two percent (2.0%) compensation, for a total of four percent (4.0%) applied to all hours in paid status.

Effective for the period beginning January 4, 2026

- Section 9.5 – Longevity Pay (Service Employees International Union 1021) – Add footnote authorizing longevity pay as follows:
 - o Employees completing the equivalent of five (5) or more years of continuous service (equivalent to or at least 10,400 total service hours) shall receive an additional two percent (2.0%) compensation applied to all hours in paid status.
 - o Employees completing the equivalent of ten (10) or more years of continuous service (equivalent to or at least 20,800 total service hours) shall receive an additional two percent (2.0%) compensation, for a total of four percent (4.0%) applied to all hours in paid status.



ALAMEDA COUNTY
AUDITOR-CONTROLLER AGENCY
MELISSA WILK
AUDITOR-CONTROLLER/CLERK-RECORDER

REQUEST FOR ACERA'S REVIEW OF A NEW PAY ITEM/CODE *REVISED*

Employer Name:	County of Alameda
Date of Request	June 23, 2025
Employer Department Submitting the Request	Auditor-Controller's Agency
Contact Person/Employer (include title/position)	Stephanie Tsurumoto
Contact Person Telephone incl area code	(510)272-6581
Contact Person Email address	stephanie.tsurumoto@acgov.org
Pay Item Name (and code Number)	Longevity 10 Year Zone 7 – 10Z
Pay Item Effective Date per authorization:	06/22/25 & 1/4/26
State if additional documentation is attached	Yes – Board Letter

NOTE: The following information is required before ACERA can review and respond to the request. To meet ACERA's requirements, please provide substantive responses below or on a separate paper and return, with this form, all of the supporting documentation prior to issuing (paying) the pay item to any employee who is an ACERA member.

1. State the job classification of employees eligible for the pay item (i.e. Job Code 0499-Nurse Practitioners II may receive this pay item)

RESPONSE #1: RESPONSE #1: Effective 6/22/25, all Zone 7 Classifications covered by the following MOUs or Board Resolution:

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Effective 1/4/26, all Zone 7 Classifications covered by the following MOU:

059	SEIU 1021 – Zone 7 Tech/Clerk
-----	-------------------------------

2. State employment status of employees eligible to receive the pay item (i.e. full time employees, part time employees)

RESPONSE #2: Full Time/Part Time Employees

3. State the number of members or employees who are eligible to receive the pay item (i.e. all members or employees in a job classification eligible to receive the pay item, or "not to exceed one employee")

RESPONSE #3:

4. State whether pay item is for overtime or regular base pay

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5. State whether pay item is calculated as a fixed amount or percentage of the base pay

RESPONSE #5: Percentage – 4% of Base Pay

6. State whether the pay item is paid one time (i.e. incentive pay, referral pay, bonus, award)

RESPONSE #6: No

7. State whether the pay item is an ad hoc payment (i.e, stipend, payment for attending a meeting during the working hours, payment for attending a meeting during non-working hours)

RESPONSE #7: No

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RESPONSE #10: No

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RESPONSE #13: No

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RESPONSE #14: No

15. State whether the payment is severance or other payment in connection with or in anticipation of a separation from employment (and state if this payment is made while employee is working)

RESPONSE #15: No

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17. State the basis for eligibility for the pay item (i.e., certification of completion of training program conducted by an accredited university, or employee assigned as supervisor of badge distribution)

RESPONSE #17: Resolution No. 25-56

At the June 18, 2025 Board meeting, the Zone 7 Board of Directors signed Resolution #25-56 (attached), adding a footnote to the Alameda County Flood Control and Water Conservation District, Zone 7 Appendix A, Footnotes to the Salary Schedule, as follows:

Effective for the period beginning June 22, 2025

- Section 9.5 – Longevity Pay (Alameda County Management Employees Association, Building Trades Council of Alameda County, International Federation of Professional and Technical Engineers, Local 21, and Unrepresented classifications) – Add footnote authorizing longevity pay as follows:
 - Employees completing the equivalent of five (5) or more years of continuous service (equivalent to or at least 10,400 total service hours) shall receive an additional two percent (2.0%) compensation applied to all hours in paid status.
 - Employees completing the equivalent of ten (10) or more years of continuous service (equivalent to or at least 20,800 total service hours) shall receive an additional two percent (2.0%) compensation, for a total of four percent (4.0%) applied to all hours in paid status.

Effective for the period beginning January 4, 2026

- Section 9.5 – Longevity Pay (Service Employees International Union 1021) – Add footnote authorizing longevity pay as follows:
 - Employees completing the equivalent of five (5) or more years of continuous service (equivalent to or at least 10,400 total service hours) shall receive an additional two percent (2.0%) compensation applied to all hours in paid status.
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ZONE 7
ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

BOARD OF DIRECTORS

RESOLUTION NO. 25-56

INTRODUCED BY DIRECTOR PALMER
SECONDED BY DIRECTOR GREEN

Amendments to Appendix A, Footnotes to Salary Schedule

BE IT RESOLVED that the Board of Directors of Zone 7 of the Alameda County Flood Control and Water Conservation District does hereby approve amendments to Appendix A, Footnotes to the Salary Schedule as follows:

Effective for the period beginning June 22, 2025

- Section 1.8 – Water Quality Laboratory Technician (Service Employees International Union 1021) – Amend footnote to remove bi-annual maximum renewal fee reimbursement amount.
- Section 2.5 – Boot Allowance (Building Trades Council of Alameda County) – Amend footnote to add the classification of Heavy Equipment Operator and delete the classification of Maintenance Coordinator.
- Section 9.5 – Longevity Pay (Alameda County Management Employees Association, Building Trades Council of Alameda County, International Federation of Professional and Technical Engineers, Local 21, and Unrepresented classifications) – Add footnote authorizing longevity pay as follows:
 - Employees completing the equivalent of five (5) or more years of continuous service (equivalent to or at least 10,400 total service hours) shall receive an additional two percent (2.0%) compensation applied to all hours in paid status.
 - Employees completing the equivalent of ten (10) or more years of continuous service (equivalent to or at least 20,800 total service hours) shall receive an additional two percent (2.0%) compensation, for a total of four percent (4.0%) applied to all hours in paid status.

Effective for the period beginning January 4, 2026

- Section 9.5 – Longevity Pay (Service Employees International Union 1021) – Add footnote authorizing longevity pay as follows:
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- Employees completing the equivalent of ten (10) or more years of continuous service (equivalent to or at least 20,800 total service hours) shall receive an additional two percent (2.0%) compensation, for a total of four percent (4.0%) applied to all hours in paid status.

BE IT FURTHER RESOLVED that the salary schedules related to the aforementioned provisions are hereby adopted; and

BE IT FURTHER RESOLVED that the General Manager of Zone 7 is hereby authorized and directed to execute this Memorandum of Understanding; and

BE IT FURTHER RESOLVED that the Auditor-Controller of Alameda County is authorized and directed to draw the necessary payroll warrants from Zone 7 funds in accordance with the adopted schedules and Memorandum of Understanding.

ADOPTED BY THE FOLLOWING VOTE:

AYES: DIRECTORS BENSON, BROWN, FIGUERS, GAMBS, GREEN, NARUM, PALMER

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

I certify that the foregoing is a correct copy of a Resolution adopted by the Board of Directors of Zone 7 of the Alameda County Flood Control and Water Conservation District on June 18, 2025.

Dennis H. Gambs

By: _____
President, Board of Directors

Footnote Amendments to Appendix A

AMEND FOOTNOTE:

SECTION 1.8 WATER QUALITY LABORATORY TECHNICIAN (SEIU)

Any person occupying a position under Item 4949, Water Quality Laboratory Technician, holding a valid Water Quality Analyst Grade II or III certification issued by the American Water Works Association (AWWA) - California Nevada Section shall receive an additional 5 per cent compensation. The effective date shall be set at the pay period closest to the actual date of the test. Adjustment will be made upon receipt of 1) copy of the signed Certificate by the Director of the California-Nevada Section, AWWA and the Certificate Administrator and 2) verification of official documentation indicating test date. Otherwise, the effective date shall be set at the 1st pay period of the following month.

Any employee in the classification of 4949 holding a valid Water Quality Analyst Grade II or III certificate shall be reimbursed by Zone 7 for actual costs for the renewal of the certificate. In order to receive reimbursement, employees must submit a proper reimbursement claim form with appropriate documentation (receipt of payment and certificate).

In order to continue to receive the additional 5 per cent compensation, any person occupying a position under Item 4949 holding a valid AWWA Water Quality Analyst Grade II or III certificate must complete the following requirement every 2 years; if this requirement is not met, the 5 per cent additional compensation will terminate.

A. Employee shall earn 3 continuing education credits (CEU) by attending continuing education classes which are job related; or by attending 3 seminars from manufacturers to update instrumentation techniques or methods; or by attending 3 EPA regulation update seminars or 3 courses from AWWA. Employee shall share information with co-workers. Employee shall submit verification of completion to Human Resources.

Adopted: 6/30/96; Amended: 6/25/00; Amended: 1/20/21; Amended Date

AMEND FOOTNOTE:

SECTION 2.5 BOOT ALLOWANCE (BUILDING TRADES)

Any employee in the classification of Safety Technician I (Item 4934), Safety Technician II (Item 4935), Electrician (Item 4996), Instrument Technician I (Item 4941), Instrument Technician II (Item 4994), Plant Mechanic (Item 4988), Plant Maintenance Laborer (Item 4986), Transportation and Supply Coordinator (Item 4985), Lead Plant Mechanic (Item 4995), Construction Maintenance Laborer (Item 4983), Heavy Equipment Operator (Item 5001) may be reimbursed up to \$400 per fiscal year for the actual cost of approved safety shoes/boots and insoles.

Adopted: 1/1/95; Amended: 6/30/96; 6/28/98; 6/23/02; 7/1/07; 6/28/09; 4/21/10; 8/17/16; 6/19/19; 6/26/22; Amended Date

ADD FOOTNOTE:

SECTION 9.5 LONGEVITY PAY

ACMEA, Building Trades, Local 21, and Unrepresented Classifications

5 Years of Service - Effective June 22, 2025, employees completing the equivalent of five (5) or more years of continuous service (equivalent to or at least 10,400 total service hours) shall receive an additional two percent (2.0%) compensation applied to all hours in paid status.

10 Years of Service - Effective June 22, 2025, employees completing the equivalent of ten (10) or more years of continuous service (equivalent to or at least 20,800 total service hours) shall receive an additional two percent (2.0%) compensation, for a total of four percent (4.0%) applied to all hours in paid status.

Adopted Date

SEIU Represented Classifications

5 Years of Service - Effective January 4, 2026, employees completing the equivalent of five (5) or more years of continuous service (equivalent to or at least 10,400 total service hours) shall receive an additional two percent (2.0%) compensation applied to all hours in paid status.

10 Years of Service - Effective January 4, 2026, employees completing the equivalent of ten (10) or more years of continuous service (equivalent to or at least 20,800 total service hours) shall receive an additional two percent (2.0%) compensation, for a total of four percent (4.0%) applied to all hours in paid status.

Adopted Date

Gov. Code Sec. 31461. (a) "Compensation earnable" by a member means the average compensation as determined by the board, for the period under consideration upon the basis of the average number of days ordinarily worked by persons in the same grade or class of positions during the period, and at the same rate of pay. The computation for any absence shall be based on the compensation of the position held by the member at the beginning of the absence. Compensation, as defined in Section 31460, that has been deferred shall be deemed "compensation earnable" when earned, rather than when paid.

(b) "Compensation earnable" does not include, in any case, the following:

(1) Any compensation determined by the board to have been paid to enhance a member's retirement benefit under that system. That compensation may include:

(A) Compensation that had previously been provided in kind to the member by the employer or paid directly by the employer to a third party other than the retirement system for the benefit of the member, and which was converted to and received by the member in the form of a cash payment in the final average salary period.

(B) Any one-time or ad hoc payment made to a member, but not to all similarly situated members in the member's grade or class.

(C) Any payment that is made solely due to the termination of the member's employment, but is received by the member while employed, except those payments that do not exceed what is earned in each 12-month period during the final average salary period regardless of when reported or paid.

(2) Payments for unused vacation, annual leave, personal leave, sick leave, or compensatory time off, however denominated, whether paid in a lump sum or otherwise, in an amount that exceeds that which may be earned in each 12-month period during the final average salary period, regardless of when reported or paid.

(3) Payments for additional services rendered outside of normal working hours, whether paid in a lump sum or otherwise.

(4) Payments made at the termination of employment, except those payments that do not exceed what is earned in each 12-month period during the final average salary period, regardless of when reported or paid.

Gov. Code Sec. 7522.34. (a) "Pensionable compensation" of a new member of any public retirement system means the normal monthly rate of pay or base pay of the member paid in cash to similarly situated members of the same group or class of employment for services rendered on a full-time basis during normal working hours, pursuant to publicly available pay schedules.

(b) Compensation that has been deferred shall be deemed pensionable compensation when earned rather than when paid.

(c) "Pensionable compensation" does not include the following:

(1) Any compensation determined by the board to have been paid to increase a member's retirement benefit under that system.

(2) Compensation that had previously been provided in kind to the member by the employer or paid directly by the employer to a third party other than the retirement system for the benefit of the member and which was converted to and received by the member in the form of a cash payment.

(3) Any one-time or ad hoc payments made to a member.

(4) Severance or any other payment that is granted or awarded to a member in connection with or in anticipation of a separation from employment, but is received by the member while employed.

(5) Payments for unused vacation, annual leave, personal leave, sick leave, or compensatory time off, however denominated, whether paid in a lump sum or otherwise, regardless of when reported or paid.

(6) Payments for additional services rendered outside of normal working hours, whether paid in a lump sum or otherwise.

(7) Any employer-provided allowance, reimbursement, or payment, including, but not limited to, one made for housing, vehicle, or uniforms.

(8) Compensation for overtime work, other than as defined in Section 207(k) of Title 29 of the United States Code.

(9) Employer contributions to deferred compensation or defined contribution plans.

(10) Any bonus paid in addition to the compensation described in subdivision (a).

(11) Any other form of compensation a public retirement board determines is inconsistent with the requirements of subdivision (a).

(12) Any other form of compensation a public retirement board determines should not be pensionable compensation.



*Office of the Chief Executive Officer
Office of Administration*

DATE: July 17, 2025

TO: Members of the Board of Retirement

FROM: Dave Nelsen, Chief Executive Officer

DN

SUBJECT: Adoption of the Revised 2025-2026 Alameda County General Employer Contribution Rates to Reflect an Additional \$400 Million Contribution

Executive Summary:

On June 26, 2025, the Alameda County Board of Supervisors approved an additional \$400 million Employer Contribution for General members and related Memorandum of Understanding (MOU) between ACERA and the County. Once funds were received, the *Actuarial Funding* and *Interest Crediting Policies* were updated as approved at the June 18, 2025 Board of Retirement meeting.

Staff Recommendation:

Staff recommends that due to the additional \$400 million contribution, the Board of Retirement adopt the revised Alameda County Employer Contribution rates for General members, as provided in the backup agenda packet materials.

Enclosure: 1) Actuary's Letter re ACERA - County General Employer Contribution Rates for FY 2025-2026 Before and After Reflecting \$400 Million Additional Contributions
2) Final Memorandum of Understanding

ENCLOSURE 1

Via Email

July 9, 2025

Mr. David Nelsen
Chief Executive Officer
Alameda County Employees' Retirement Association
475 14th Street, Suite 1000
Oakland, CA 94612-1900

**Re: Alameda County Employees' Retirement Association (ACERA)
County General employer contribution rates for FY 2025-2026
before and after reflecting \$400 million additional contributions**

Dear Dave:

On June 27, 2025, the County made a payment of \$400 million to reduce the unfunded actuarial accrued liability (UAAL) for the County's General membership group. As requested by the Association, we have provided in this letter the County's General Employer contribution rates before and after the payment of the \$400 million additional contributions.

The \$400 million additional contributions is not adjusted with interest to July 1, 2025, as contributions that are deposited into ACERA would not earn any interest unless they are on deposit for at least six months prior to the June 30 or December 31 interest crediting dates in accordance with ACERA's interest crediting policy and CERL Section 31615. Based on the Memorandum of Understanding (MOU) between ACERA and the County, the additional contributions would be amortized over 10 years as a level percent of pay and would be used to reduce the County's UAAL contribution rate for their General membership group starting FY 2025-2026. As we stated in our June 11, 2025 letter, the \$400 million additional contributions would reduce the County General's UAAL of \$812.026 million as of December 31, 2024 by about one-half and a 10-year amortization of the \$400 million additional contributions would provide a contribution rate credit that would reduce the County's annual UAAL payments for the General group by about one-half.

County General employer contribution rates after additional contributions

Before considering the \$400 million additional contributions, the County General UAAL contribution rate is 13.31% of payroll. The amortization credit for the additional contributions is 6.30% of County General payroll.*

* The contribution credit for the first year is about \$49.0 million based on a projected FY 2025-2026 County General payroll of \$777.2 million.

The employer contribution rates for each County General tier are shown as follows:

- Exhibit 1 (County General Employer Contribution Rates **Before** \$400 Million Additional Contributions) – This exhibit provides the employer contribution rates for the County's General membership group as determined in the December 31, 2024 actuarial valuation for FY 2025-2026. These rates are before any consideration of the \$400 million additional contributions.
- Exhibit 2 (County General Employer Contribution Rates **After** \$400 Million Additional Contributions) – This exhibit provides the County General employer contribution rates for FY 2025-2026 that reflect the \$400 million additional contributions that are amortized to reduce the County's General UAAL payments over 10 years.

Funded status

We have also provided the funded ratios of the total County membership (County's General and Safety membership groups combined) as well as for just the County's General membership group before and after reflecting the \$400 million additional contributions. For purposes of determining the funded ratio after reflecting the \$400 million additional contributions deposited on June 27, 2025, we have discounted the \$400 million to December 31, 2024 with the assumed 7.00% interest rate used in the actuarial valuation for the time value of money.

Since the County is only one of the employers in the "General (Excluding LARPD and Office of Education)" membership cost group, the County General's UAAL of \$812.026 million as of December 31, 2024 was determined by prorating the UAAL for this cost group using the proportion of the County's General active member payroll to the total ACERA General active member payroll, after taking into account the unused Pension Obligation Bonds (POB) credit for the General group (including the County, AHS, Court, and First 5) and the remaining credit given to the County by the Board related to the implicit retiree health benefit subsidy paid by the County. This method is consistent with that applied in the December 31, 2024 valuation to determine the County's UAAL contribution rate and the details of the allocation were provided in our June 11, 2025 letter.

Even though we were also asked by the County to provide the actuarial accrued liability (AAL) and the associated valuation value of assets (VVA) that we backed into for the County's General membership group, those two amounts are **provided for informational purposes only** as a procedure required to calculate their exact values is not necessary in the ongoing valuation and is therefore not defined under the Actuarial Funding Policy. We would need specific guidance from the Board with respect to certain aspects of the calculation before a final determination could be made.

Specifically, in determining the above values, we have made a simplifying assumption of combining the AAL for those members who worked for more than one ACERA employer and assigning their AAL to their most recent employer. We would need guidance from the Board as to how their liabilities should be allocated before a final determination of the AAL could be made for the County (and the other employers). Also, there are certain General members who have

the County as their most recent employer, but they previously worked at the Court or the County hospitals before they became independent employers. We would also need guidance from the Board as to how the liabilities for those members should be allocated before a final determination of the AAL could be made for the County (and the other employers).

Finally, as the UAAL amount for the County's General members has been allocated in proportion to payroll, we would expect to see some fluctuation as the proportion of the County's General active payroll to the total ACERA's General active member payroll changes in each future annual valuation.

As shown in the tables below, as of December 31, 2024, the funded ratio for the total County General and Safety membership on the VVA basis is 90.0%. After reflecting the deposit of \$400 million additional contributions (discounted to December 31, 2024), the funded ratio as of December 31, 2024 is increased from 90.0% to 94.0%.

As of December 31, 2024, the funded ratio for the County General membership group is 87.1%. After reflecting the deposit of \$400 million additional contributions (discounted to December 31, 2024), the funded ratio is increased from 87.1% to 93.2%.

The funded ratio for the Association as a whole is 88.0% as of December 31, 2024. After reflecting the deposit of \$400 million additional contributions (discounted to December 31, 2024), the funded ratio for the Association is increased from 88.0% to 91.2%.

Funded Ratio for Combined County's General and Safety Membership Groups, *Before* \$400 Million of Additional Contributions (\$ in Millions)

Components	County General	County Safety	County (General and Safety Combined)
UAAL	\$812.026	\$162.826	\$974.852
AAL	6,286.309	3,467.987	9,754.296
Assets (VVA)	5,474.283	3,305.161	8,779.444
Funded Ratio	87.1%	95.3%	90.0%

Funded Ratio for Combined County's General and Safety Membership Groups, *After* \$400 Million of Additional Contributions (\$ in Millions)

Components	County General	County Safety	County (General and Safety Combined)
UAAL	\$425.009	\$162.826	\$587.835
AAL	6,286.309	3,467.987	9,754.296
Assets (VVA)	5,861.300	3,305.161	9,166.461
Funded Ratio	93.2%	95.3%	94.0%

Actuarial assumptions

The actuarial assumptions used to develop the contribution rate credit from the \$400 million additional contributions provided herein are based on the assumptions used to perform the December 31, 2024 funding valuation for ACERA's Retirement Plan. In particular, those assumptions include an annual interest rate of 7.00% and an annual payroll growth rate of 3.00% for an amortization that is a level percentage of payroll during the amortization period.

We assumed the FY 2025-2026 contribution rates would be effective July 1, 2025 even though in practice the contribution rate changes would take effect for pay period 25-18 ending August 16, 2025, for the pay date of August 29, 2025.

Other considerations

This document has been prepared for the exclusive use and benefit of ACERA, based upon information provided by ACERA or otherwise made available to Segal at the time this document was created. Segal makes no representation or warranty as to the accuracy of any forward-looking statements and does not guarantee any particular outcome or result. This document should only be copied, reproduced, or shared with other parties in its entirety as necessary for the proper administration of ACERA. This document does not constitute legal, tax or investment advice or create or imply a fiduciary relationship. You are encouraged to discuss any issues raised with your legal, tax and other advisors before taking, or refraining from taking, any action.

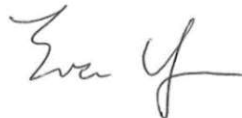
All results shown in this letter are based on the December 31, 2024 actuarial valuation including the participant data and actuarial assumptions on which that valuation was based. That valuation and these calculations were completed under the supervision of Eva Yum, FSA, MAAA, Enrolled Actuary. We are members of the American Academy of Actuaries and meet the qualification requirements to render the actuarial opinion contained herein.

Please let us know if you have any questions.

Sincerely,



Andy Yeung, ASA, MAAA, FCA, EA
Vice President and Actuary



Eva Yum, FSA, MAAA, EA
Vice President and Actuary

ST/jl

Attachments

Alameda County Employees' Retirement Association
County General Employer Contribution Rates for FY 2025-2026
Before \$400 Million Additional Contributions

Component by Tier	Basic	COLA	Total
General Tier 1 Members			
Normal Cost	7.96%	3.04%	11.00%
UAAL (Before POB Credit)	14.24%	4.89%	19.13%
Pension Obligation Bond Credit	(3.37%)	(1.42%)	(4.79%)
Implicit Retiree Health Benefit Subsidy	(1.03%)	0.00%	(1.03%)
Total Contributions	17.80%	6.51%	24.31%
General Tier 2 Members			
Normal Cost	7.62%	1.64%	9.26%
UAAL (Before POB Credit)	14.24%	4.89%	19.13%
Pension Obligation Bond Credit	(3.37%)	(1.42%)	(4.79%)
Implicit Retiree Health Benefit Subsidy	(1.03%)	0.00%	(1.03%)
Total Contributions	17.46%	5.11%	22.57%
General Tier 4 Members			
Normal Cost	7.34%	1.66%	9.00%
UAAL (Before POB Credit)	14.24%	4.89%	19.13%
Pension Obligation Bond Credit	(3.37%)	(1.42%)	(4.79%)
Implicit Retiree Health Benefit Subsidy	(1.03%)	0.00%	(1.03%)
Total Contributions	17.18%	5.13%	22.31%
All General Categories Combined			
Normal Cost	7.47%	1.65%	9.12%
UAAL (Before POB Credit)	14.24%	4.89%	19.13%
Pension Obligation Bond Credit	(3.37%)	(1.42%)	(4.79%)
Implicit Retiree Health Benefit Subsidy	(1.03%)	0.00%	(1.03%)
Total Contributions	17.31%	5.12%	22.43%

Alameda County Employees' Retirement Association
County General Employer Contribution Rates for FY 2025-2026
After \$400 Million Additional Contributions

Component by Tier	Basic	COLA	Total
General Tier 1 Members			
Normal Cost	7.96%	3.04%	11.00%
UAAL (Before POB Credit)	14.24%	4.89%	19.13%
Pension Obligation Bond Credit	(3.37%)	(1.42%)	(4.79%)
Implicit Retiree Health Benefit Subsidy	(1.03%)	0.00%	(1.03%)
County General Voluntary Contribution Credit	(4.66%)	(1.64%)	(6.30%)
Total Contributions	13.14%	4.87%	18.01%
General Tier 2 Members			
Normal Cost	7.62%	1.64%	9.26%
UAAL (Before POB Credit)	14.24%	4.89%	19.13%
Pension Obligation Bond Credit	(3.37%)	(1.42%)	(4.79%)
Implicit Retiree Health Benefit Subsidy	(1.03%)	0.00%	(1.03%)
County General Voluntary Contribution Credit	(4.66%)	(1.64%)	(6.30%)
Total Contributions	12.80%	3.47%	16.27%
General Tier 4 Members			
Normal Cost	7.34%	1.66%	9.00%
UAAL (Before POB Credit)	14.24%	4.89%	19.13%
Pension Obligation Bond Credit	(3.37%)	(1.42%)	(4.79%)
Implicit Retiree Health Benefit Subsidy	(1.03%)	0.00%	(1.03%)
County General Voluntary Contribution Credit	(4.66%)	(1.64%)	(6.30%)
Total Contributions	12.52%	3.49%	16.01%
All General Categories Combined			
Normal Cost	7.47%	1.65%	9.12%
UAAL (Before POB Credit)	14.24%	4.89%	19.13%
Pension Obligation Bond Credit	(3.37%)	(1.42%)	(4.79%)
Implicit Retiree Health Benefit Subsidy	(1.03%)	0.00%	(1.03%)
County General Voluntary Contribution Credit	(4.66%)	(1.64%)	(6.30%)
Total Contributions	12.65%	3.48%	16.13%

ENCLOSURE 2

**MEMORANDUM OF UNDERSTANDING BETWEEN THE
COUNTY OF ALAMEDA
AND
ALAMEDA COUNTY EMPLOYEES' RETIREMENT ASSOCIATION**

This **MEMORANDUM OF UNDERSTANDING** ("MOU") is made and entered into this 26th day of June 2025, by and between the **COUNTY OF ALAMEDA** ("County"), a political subdivision of the State of California, and the **ALAMEDA COUNTY EMPLOYEES' RETIREMENT ASSOCIATION** ("ACERA"), a retirement association operating under Sections 31450, et seq. and other applicable provisions of the Government Code.

RECITALS

WHEREAS, ACERA, acting through its Board of Retirement, has the power and duty to manage and administer a retirement system (the "System") for participating current and retired employees of the County, the Superior Court of California for the County of Alameda, the Alameda Health System, First 5 of Alameda County, the Livermore Area Parks and Recreation District ("LARPD"), the Housing Authority of Alameda County, and the Alameda County Office of Education ("ACOE") (collectively, the "Participating Employers"); and

WHEREAS, ACERA has two member classifications: General Members and Safety Members; among the ACERA Participating Employers, all of them have current or former General Members and only the County has current or former Safety Members; and

WHEREAS, as of the most recent actuarial valuation date of December 31, 2024, the System is approximately 88% funded with an unfunded actuarial accrued liability ("UAAL") of approximately \$1.5 billion; the UAAL is currently being funded by the Participating Employers through annual contributions determined by a series of layered amortization bases, each with a duration of 20 years or less; and

WHEREAS, as of the most recent actuarial valuation date of December 31, 2024, the General Member Cost Group (excluding LARPD and ACOE) component of the System has an allocated UAAL of approximately \$1,313 million; and

WHEREAS, as of the most recent actuarial valuation date of December 31, 2024, the approximate amount of the UAAL for General County Members is \$812 million after taking into account the unused historical County credits from the Pension Obligation Bond and the implicit retiree health benefit subsidy, and prorating the adjusted UAAL in proportion of the projected payroll of the County to the projected payroll of all Participating Employers in the General Member Cost Group; and

WHEREAS, the \$812 million amount is updated annually during each actuarial valuation to reflect the unused historical County credits and in proportion of the County's projected payrolls to the projected payrolls of all Participating Employers in the General Member Cost Group and is being funded by the County through annual contributions determined by a series of layered amortization bases, each with a duration of 20 years or less; and

WHEREAS, during the 2014-15 budget hearings the County Board of Supervisors directed the County Administrator and Auditor-Controller to develop a multi-year plan to reduce

the County's UAAL; and

WHEREAS, on April 7, 2015 the County Board of Supervisors created a Pension Liability Reduction Plan Account ("PLRP") and began making annual contributions to the PLRP; after deduction of the \$800 million County Safety Voluntary Contribution Reserve payment made by the County prior to June 30, 2021, for Safety UAAL contributions, the balance of the PLRP is approximately \$400 million as of June 26, 2025; and

WHEREAS, to provide greater security for ACERA benefits for former and current County participating employees; enhance the solvency of the System; and decrease the County's long term costs of contributing to the System by reducing the General Member Cost Group UAAL, the County has requested that ACERA accept deposits of supplemental funding amounts from the PLRP in addition to the County's annual Actuarially Determined Contributions ("ADC") for application in accordance with this MOU; and

WHEREAS, the County understands that the effect of contributing supplemental funding amounts in accordance with this MOU will reduce the County's General Member ADC that the County would otherwise owe ACERA prospectively; and

WHEREAS, the County understands that any such supplemental contributions shall be subject to the same investment risks as other funds in the System and that investment gains or losses may differ from the expected rate of return, which will affect the General UAAL in the above cost group and the projected reductions that the supplemental contributions are expected to have on the County's General Member ADC prospectively; and

WHEREAS, the County understands that Government Code §§ 31610 et seq. and ACERA's policies related to Government Code §§ 31610 et seq. apply to any supplemental contributions the County makes to ACERA under this MOU; and

WHEREAS, the County understands that all additional or supplemental contributions made to the Retirement Fund will be used solely to provide System benefits to members and their beneficiaries and to pay administrative costs of the System.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and for good and valuable consideration, the parties mutually agree as follows:

1. Definitions. Capitalized terms not defined in the Recitals are used as defined below:

(a) **"Actuarially Determined Contribution" or "ADC"** means the County's employer contribution rate as determined by ACERA's Board of Retirement in accordance with the County Employees Retirement Law of 1937 ("CERL").

(b) **"Actuarial Valuation"** means the actuarial valuation of the System required pursuant to Section 31611 of the CERL.

(c) **"County General Voluntary Contribution Reserve"** means the ACERA Valuation Reserve to which the County's voluntary contributions to pay the UAAL as described in this MOU, including interest credited on the balance of the Reserve. Pursuant to the

Board's Actuarial Funding Policy, the County General Voluntary Contribution Reserve will be subject to a separate five-year asset smoothing schedule that excludes any known deferred investment gains or losses attributable to other valuation reserves and the SRBR for periods before the County makes a voluntary contribution. The separate smoothing schedule will be established and used to calculate interest only for the County General Voluntary Contribution Reserve for each six-month crediting period until five years after each such contribution to that Reserve has been on deposit. Five years after the County makes any such contribution, the same five-year asset smoothing schedule that is used to calculate interest for the other valuation reserves and the SRBR will then be used for funds in the County General Voluntary Contribution Reserve that are attributable to such contribution.

(d) **"County General Voluntary Contribution" or "CGVC"** means County's voluntary supplemental employer contribution, in excess of the ADC, toward UAAL associated with the County's past and present General employees. County intends to make a one-time lump sum CGVC of Four Hundred Million Dollars (\$400,000,000). County may make more than one payment. County may make aggregate payments in excess of \$400 million with approval of the Board of Retirement, which will not be unreasonably withheld or delayed.

(e) **"Fiscal Year"** means the period of twelve consecutive months beginning on July 1 of any calendar year and ending on June 30 of the following calendar year.

(f) **"General Member Cost Group"** means the cost group associated with past and present General employees of the County, the Superior Court of California for the County of Alameda, the Alameda Health System, First 5 of Alameda County and the Housing Authority of Alameda County. This cost group excludes past and present General employees associated with LARPD or ACOE.

(g) **"Normal Cost"** means the portion of the actuarial present value of pension plan benefits allocated to a valuation year by the actuarial cost method as defined in the "Actuarial Funding Policy" (Exhibit B).

(h) **"Retirement Fund"** means the fund established under the System, as defined in Section 31475 of CERL.

(i) **"Supplemental Retiree Benefit Reserve" or "SRBR"** means the non-valuation reserve account established pursuant to Section 31618 for the benefit of retired members and beneficiaries, which is funded as provided by Government Code §§ 31610 et seq. and the Board of Retirement's policies.

2. Amendment of ACERA Policies.

On June 18, 2025, ACERA's Board of Retirement amended its "Interest Crediting Policy" and "Actuarial Funding Policy" as shown in Exhibit A and Exhibit B, respectively, which policies are incorporated by reference in this MOU. Such amendments are necessary and proper to allow the parties to accomplish the terms of the MOU. The Board of Retirement may further amend those policies from time to time, but any such amendments shall be consistent with the intent of the June 18, 2025 amendments and this MOU, which is to ensure that (a) the County receives full credit for its supplemental contributions, and (b) ACERA's other Participating Employers and the SRBR are

not negatively impacted by the CGVC contribution.

3. County General Voluntary Contributions and Reserve

- A. On or before June 30, 2025, County may make one or more payments to ACERA of County General Voluntary Contributions equal to at least Four Hundred Million Dollars (\$400,000,000). At any time thereafter, County may elect to make additional CGVC contributions with approval of the Board of Retirement, which will not be unreasonably withheld or delayed.
- B. ACERA shall (i) establish the County General Voluntary Contribution Reserve, (ii) accept all CGVC payments made by County, and (iii) immediately upon receipt of each County CGVC payment, deposit the CGVC payment into the County General Voluntary Contribution Reserve.

4. Supplemental Actuarial Valuation; Reduction of County General UAAL Contributions.

- A. As of the most recent actuarial valuation date of December 31, 2024, the County General Member cost group component of the System has a calculated UAAL of approximately \$812 million. This General County UAAL is updated annually during each actuarial valuation and is funded by the County through annual contributions determined by a series of layered amortization bases, each with a duration of 20 years or less, generally as shown in Exhibit C.
- B. Upon receipt of the CGVC contributions described in paragraph 3 above, ACERA will issue a supplemental actuarial valuation to determine the County's General UAAL contribution rate starting in September 2025 to reflect the financial effects of the CGVC. ACERA will establish a new amortization base layer to track the outstanding CGVC balance as CGVC Reserve funds are used to partially fund the County's annual General UAAL obligation, anticipated to be generally as shown in Exhibit E. Application of the CGVC and the new contribution rate are anticipated to result in an amortization of the County's annual General UAAL obligation generally as shown in Exhibit D.
- C. At no time shall any County General Voluntary Contribution or funds in the County General Voluntary Contribution Reserve be recognized for the purpose of calculating employer contributions for Safety members or for Participating Employers other than the County. Further, ACERA may not use funds on deposit in the CGVC Reserve to offset any Normal-Cost payment required of the County.
- D. Beginning with the County's September 2025 contributions, ACERA shall draw down funds from the County General Voluntary Contribution Reserve to reduce the County's General UAAL contributions, transferring such funds to the Employer Advance (Basic) Reserve and Cost-of-Living Reserve for credit to the County's General UAAL obligation. Transfers shall be made consistent with Exhibit A ("Interest Crediting Policy") and Exhibit B ("Actuarial Funding Policy").
- E. ACERA and its Actuary shall track plan assets separately for General and Safety classification groups until all funds in the County General Voluntary Contribution Reserve are exhausted.

5. Crediting Investment Gains and Losses to County General Voluntary Contributions

ACERA may commingle the funds on deposit in the County General Voluntary Contribution Reserve with its other funds and shall invest them in the same manner as the rest of the Retirement Fund. Earnings and losses, net of proportionate costs for investment and other administrative costs,

with regards to the CGVC Reserve will accrue to the funds in the Reserve, as provided by law and ACERA policies, including Exhibit A ("Interest Crediting Policy") and Exhibit B ("Actuarial Funding Policy"); provided such policies are not inconsistent with this MOU.

6. Audits and Inspection of Records

ACERA will maintain and make available to the County upon reasonable notice, during regular business hours, accurate books and accounting records relating to its obligations pursuant to this MOU. ACERA will maintain such records in an accessible location and condition for a period of not less than five (5) years after each year to which the records pertain or until a final audit has been resolved, whichever is later.

7. Notice to Parties

A. Unless otherwise specified herein, all notices, requests, demands and other communications pertaining to this MOU must be in writing and shall be deemed to have been duly given when hand delivered or five (5) days after being deposited in the United States mail, if mailed by certified or registered mail, return receipt requested, postage prepaid, addressed to the authorized agents to this MOU at the following addresses, and to the attention of the person named:

To County: County of Alameda
1221 Oak Street, Room 555.
Oakland, CA 94612
ATTN: County Administrator

To ACERA: ACERA
475 14th Street, Suite 1000
Oakland, CA 94612
ATTN: Chief Executive Officer

B. Addresses and persons to be notified may be changed by either party by giving ten (10) calendar days prior written notice thereof to the other party.

8. Amendments

All amendments, consents or waivers to this MOU, including its exhibits, shall be in writing and signed by the authorized parties to this MOU.

9. Severability

This MOU is subject to all applicable laws, statutes, rules and regulations. If any provision of this MOU is found by any court or other legal authority, or is agreed upon in writing by County and ACERA to be in conflict with any law, statute, rule or regulation, the conflicting provision shall be null and void. The remainder of this MOU shall continue in full force and effect.

10. Entire Agreement

This MOU constitute the entire agreement of the parties, and supersedes all previous agreements, written or oral, and all communications between the parties relating to the subject

matter of this MOU.

11. Time of the Essence

Time is of the essence for every provision of this MOU.

12. Waiver

A waiver by any party hereto shall be in writing and signed by the waiving party and shall not be construed as a waiver of any succeeding breach of any covenant, agreement, restriction or condition of this MOU. No failure to exercise and no delay in exercising any right or remedy hereunder shall operate as a waiver thereof.

13. Authority

County and ACERA each have all requisite power and authority to conduct its respective duties and to execute, deliver and perform this MOU. Each party hereto warrants that the individuals who have executed this MOU have the legal power, right and authority to enter into this MOU and to bind each respective party.

14. Cooperation

County and ACERA shall cooperate in good faith to implement this MOU, and to agree to do such further acts and things and to execute and deliver such additional agreements and instruments as may be reasonably necessary to give effect to the purpose of this MOU and their parties' agreements hereunder.

15. Assignment

Neither party shall assign any of its rights or delegate any of its obligations hereunder without the prior written consent of the other party.

16. Event of Default; Dispute Resolution; Legal Actions

A. *Event of Default.* An event of default shall arise should either party breach or fail to comply with or perform any of its covenants and obligations under this MOU and such default remain uncured thirty (30) days from receipt of a notice from the non-defaulting party to cure such breach or failure, or if a cure is not possible within thirty (30) days, to begin such cure and diligently prosecute such cure to completion. If the defaulting party does not cure within such period, then the non-defaulting party shall be entitled to any rights afforded it in law or in equity, including seeking mandamus or specific performance of this MOU.

B. *Informal Resolution.* If any dispute arises between the parties as to interpretation or application of this MOU, the parties shall attempt to resolve the dispute in accordance with this MOU prior to judicial reference or formal court action. As to any such dispute, the parties shall first meet and confer in good faith to resolve the matter between themselves. Each party shall make all reasonable efforts to provide to the other party all information relevant to the dispute, to the end that both parties will have appropriate and adequate information to resolve the dispute

C. *Mediation.* In the event that a dispute arises between any of the parties in connection with this MOU, before resorting to any other legal remedy, the parties shall attempt in good faith to

resolve any such controversy or claim by mediation conducted by one mediator, in accordance with the Commercial Mediation Rules of the American Arbitration Association.

17. Choice of Law

This MOU and the rights and obligations of the parties hereunder shall be governed by, and construed and interpreted in accordance with, the laws of the State of California.

18. Calendar Days

Unless specifically stated to the contrary, all references to days herein shall be deemed to refer to calendar days. If the final date for payment of any amount or performance of any act hereunder falls on a Saturday, Sunday or state of California holiday, such payment may be made, or act performed on the next succeeding business day.

19. Headings

Headings are for the convenience of the parties and are not to be used to interpret the MOU. The parties hereto, having read and considered the above provisions, indicate their agreement by their authorized signatures below.

20. Counterparts; Electronic Signature

This agreement may be executed in counterparts, each of which shall be an original and both of which shall constitute one and the same agreement. This agreement may be executed digitally by either party in accordance with applicable California law.

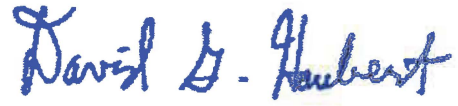
IN WITNESS WHEREOF, the parties have caused this MOU to be executed by their duly authorized officers on the date first herein written.

ALAMEDA COUNTY EMPLOYEES'
RETIREMENT ASSOCIATION


DocuSigned by:

By: David Nelson, CEO
BDA344CDF2D54F6

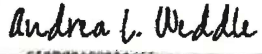
COUNTY OF ALAMEDA


By: David Haubert, President
Board of Supervisors

APPROVED AS TO FORM:
JEFF RIEGER, General Counsel

DocuSigned by:

By: Jeff Rieger
014F23A140954C7...

APPROVED AS TO FORM:
DONNA R ZIEGLER, County Counsel

DocuSigned by:

By: Andrea L. Weddle
650E2B48023A953...
Andrea L. Weddle
Chief Assistant County Counsel



Office of the Chief Executive Officer

DATE: July 17, 2025

TO: Members of the Board of Retirement

FROM: Dave Nelsen, Chief Executive Officer

DN

SUBJECT: Chief Executive Officer's Report

Senior Manager Recruitment

None

Committee/Board Action Items

ASSIGNED FOLLOW-UP ITEMS

Follow-Up Board Item	Assigned Senior Leader	Estimated Completion Date	Completion Date	Notes
Discuss with Segal the use of AI in actuarial services	Dave Nelsen	November 2024	Segal will present to the Board on this issue in the coming year.	The Board Off-Site meeting raised the question of the use of AI in the actuarial profession, and whether there are any actuarial committees discussing AI standards.

Conference/Event Schedule

None.

Other Items

Business Planning Update

Attached are the 2025 Business Plan updates.

Legislative Update

Attached is the monthly Legislative Update from the SACRS lobbying firm which discusses bills of interest and their status.

Other Items

Stand-by Pay Issue: We are continuing to gather information from the employers to determine whether stand-by pay has been appropriately reported to ACERA. For one employer, we have determined that some pay codes being reported were incorrect, and have informed the employer to discontinue reporting them to ACERA. Once we have all the information, we will bring it to the Board to discuss next steps, corrections, etc.

Budget: Through May, ACERA spending is \$357K or 3.48% over budget. There are two primary reasons for this. The first is salary expenditures coming in over what was budgeted. As you know, three years ago we began budgeting a 5% decrease in salaries to account for unplanned resignations or retirements throughout the year. This assumed vacancy rate was fairly accurate in the first year, but last year and this year so far, we have seen far less unplanned or unknown staff exits. It appears post-covid that there is less turnover than we have previously seen. While this is a good thing for staffing consistency, it has made our budget assumptions overstated.

The other item is how we are showing depreciation for our PAS project costs. During our audit with Williams Adley, they informed us of a requirement to depreciate the costs of the project sooner than what we had budgeted. This means that our depreciation is showing as a deficit every month, and making it appear as if we have spent more. We will continue to monitor the budget situation and will approach the Board if an adjustment appears warranted.

Key Performance Indicators

Below are the high-level performance indicators for ACERA, with the latest scores included:

Scorecard KPI	2025 Performance Goal
PRUDENT INVESTMENT PRACTICES	
Portfolio Performance vs. Policy Benchmark	<i>Annualized 10-year return will meet or exceed Policy benchmark at the total fund level</i> As of May of 2025: 10 year net return 7.50%, policy index 7.72%.
EFFECTIVE PLAN ADMINISTRATION	
Actual Spent vs. Approved Budget	<i>On budget or 10% below 2024 approved budget</i> As of May of 2025: 3.48% over budget.
COMPREHENSIVE ORGANIZATION DEVELOPMENT	
Employee Engagement Survey Results	<i>80% of responses in top two rating boxes on the question: "Is ACERA a great place to work?"</i> As of the latest survey (October of 2024): 77%.
SUPERIOR CUSTOMER SERVICE	
Service Excellence Survey	<i>80% of responses in top two rating boxes on the question: "Did ACERA meet or exceed my expectations for my customer service experience?"</i> For 1st Quarter of 2025: 100%.

ACERA BUSINESS PLANNING PROJECTS UPDATE

1. WFE Phase III (Adoption Into OnBase Platform)

Goal 2 (Complete in November 2025)

Migration of job performance and job development plans into the OnBase Workforce Excellence module for use by both team members and leaders. After this is completed, the entire Workforce Excellence process will have been migrated into OnBase. The OnBase Software upgrade project completion status was a predecessor to resuming this project. Migration activity resumes this month.

2. PAS 2.0 Post-Implementation Initiatives

Goal 3 (Complete in December 2025)

These initiatives are various additional improvements together with contractual items identified as pour over for Pension Gold V3. All remaining critical work items for the 2025 pipeline have resources committed and a target finish date identified. Currently, prioritized work items are 50% completed. The project is on track for completion in December.

3. General Ledger System - New Product Selection

Goal 3 (Complete December 31, 2025)

For 2025, the Great Plains upgrade project team will be selecting the final software vendor from the list that was narrowed down in 2024. The project team will take a deeper dive into each of the software options, including Hyland OnBase, now that ACERA's OnBase upgrade is complete. The goal is to target the next phase of the General Ledger System Project – implementation for 2026. The team participated in a demo for Microsoft's cloud offering this month.

4. Customer Service – Member Engagement Enhancement

Goal 4 (Complete November 1, 2025)

This project aims to improve member engagement by developing short video tutorials and quick click answers to frequently asked questions. While we initially explored using past call data to inform video topics, we've learned that historical call transcripts are not accessible through our current system. We are moving forward with a solution that will enable future call transcript analysis and have approved a one-time implementation fee to establish this capability. In the meantime, we will begin identifying common member questions through other channels to stay on track with video production ahead of the project deadline.

5. CEM – Benchmarking (Administration)

Goal 3 (Complete by October 31, 2025)

Review administrative benchmarking process and tools available to help measure, compare and guide assessment of our pension administration costs, resource levels and the value of service we provide to our members. We are currently finalizing the Performance Agreement with CEM. Scheduling the kickoff meeting is the next step.

6. Internal Administrative Dashboard Tool Review And Selection

Goal 3 (Complete by November 30, 2025)

Review and selection of an internal tool for allowing input of data and for displaying data in a dynamic, graphical, and interactive format. Our next step is to get requirements from end-users, including expectations around training. There are no updates this month.

7. 2025 Business Initiative for Investments - Clearwater Onboarding

Goal 1 (Complete by December 31, 2025)

Onboard ACERA into the Clearwater Analytics (CW) service provider platform. CW's benefits for ACERA will provide increased efficiencies and timely accessibility of investment data, automation of many processes, improved record keeping and retention, and an extra resource for data reconciliation. This project requires involvement from multiple ACERA Departments (Investment, Fiscal Services and Legal). Once onboarding is complete, it will also benefit the aforementioned departments. The onboarding process will build and transition historical and current ACERA information and data into CW's systems. The project scope will cover setting up the required user IDs, conducting user training and ongoing client service check-ins. The project is expected to be completed by the end of December 2025. There are no updates for this project this month. The project is on track.

8. Letter Printing Initiative Assessment

Goal 4 (Complete by September 30, 2025)

Automate some members' printing output for process efficiency and business resilience. The 2025 phase of the project will be dedicated to requirements assessment and limited testing of potential tools and technology. After providing some sample data to the vendor, a small population of letters have been selected for requirements development and pilot testing. Requirements development will kick off this month. Quadient's Impress Distribute Subscription and Service has been selected to test the sample population of letters.

LEGISLATIVE UPDATE



TO: State Association of County Retirement Systems
FROM: Cara Martinson, Public House Consulting
Laurie Johnson, LJ Consulting & Advocacy
DATE: July 3, 2025
RE: **Legislative Update – July 2025**

Governor Gavin Newsom signed California's 2025/26 budget into law last Friday, just ahead of the start of the new fiscal year. Alongside the budget, he also signed SB 131 — a significant overhaul of the California Environmental Quality Act (CEQA) for infill housing — a policy he had made a key condition for his approval of the budget.

While the Legislature passed an initial budget bill on June 15 to meet its constitutional deadline, negotiations continued throughout the remainder of the month. The final Budget Act of 2025 authorizes \$321.1 billion in total spending, including \$228.4 billion from the General Fund. The budget is balanced and includes \$15.7 billion in total reserves, with \$11.2 billion in the Rainy-Day Fund and \$4.5 billion in other reserves.

Governor Newsom had emphasized that CEQA reform was a prerequisite for his support of the budget – pointing to the proposal as a key tool California needs to address its affordability and homelessness crisis. SB 131 delivers on that priority, introducing major changes aimed at streamlining environmental review for infill housing projects, as well as certain other developments such as broadband infrastructure, healthcare facilities, and wildfire mitigation projects. Despite significant opposition from environmental groups, the bill passed with strong bipartisan support in the Legislature.

With the budget now enacted, lawmakers are shifting focus to the policy committee deadline of July 18, by which time all bills must pass through their respective policy committees. The Legislature will then recess for their summer break, reconvening on August 18. Upon their return, bills will advance to the Appropriations Committees and then to floor votes. The Legislature is scheduled to adjourn for the year on September 12.

SACRS is tracking the following bills:

- **ACA 2 (Jackson)** - seeks to reinstate retirement for State Legislators. ACA 2 would establish a retirement system specifically for legislators elected or serving from November 1, 2010 onward. To qualify, legislators would be required to serve at least 10 years. If their service is less than 10 years,



legislators could transfer their accumulated service credits to another public pension or retirement system they are a part of. Status: This bill did not receive a hearing and is now a 2-year bill.

- **AB 259 (Rubio)** - was amended to extend the 2026 sunset on existing laws governing teleconferencing procedures for public meetings to 2030. This bill is sponsored the CA Special District's Association (CSDA). Status: This bill will be heard in the Senate Judiciary Committee on 7/15.
- **AB 288 (McKinnor)** - expands the jurisdiction of the Public Employment Relations Board (PERB) by authorizing certain workers to petition the PERB to protect and enforce their rights. Status: This bill passed out of the Senate Committee on Labor and Public Employment and Retirement and will be heard in the Senate Judiciary Committee on 7/8.
- **AB 339 (Ortega)** - would require the governing body of a public agency to give a recognized employee organization no less than 120 days' written notice before issuing a request for proposals, request for quotes, or renewing or extending an existing contract to perform services that are within the scope of work of the job classifications represented by the recognized employee organization. Status: This bill will be heard in the Senate Committee on Labor and Public Employment and Retirement on 7/9.
- **AB 340 (Ahrens)** - would prohibit a public agency employer from questioning any employee or employee representative regarding communications made in confidence between an employee and an employee representative in connection with representation relating to any matter within the scope of the recognized employee organization's representation. Status: This bill passed out of the Senate PERS Committee and is awaiting review in the Senate Judiciary Committee.
- **AB 409 (Arambula)** - would extend the 2026 sunset on existing laws governing teleconferencing procedures for California Community College student body associations and student-run community college organizations to 2030. Status: This bill passed out of the Assembly and has been referred to the Senate Local Government and Education Committee.
- **AB 467 (Fong)** – would extend the sunset date from 2026 to 2030 (as opposed to 2031) for teleconferencing procedures for neighborhood councils, defined as an advisory body with the purpose to promote more citizen



participation in government and make government more responsive to local needs that is established pursuant to the charter of a city with a population of more than 3,000,000 people that is subject to the Brown Act. Status: This bill will be heard in the Senate Judiciary on 7/15.

- **AB 569 (Stefani)** - was amended to maintain the proposed authorization to negotiate contributions to supplemental Defined Benefit plans but also maintain consistency with the existing PEPPRA prohibitions and limitations. Status: This bill was held on the Appropriations Suspense File and is now a 2-year bill.
- **AB 814 (Schiavo)**– This bill excludes from gross income, under the Personal Income Tax (PIT) Law, peace officer retirement pay and amounts received by the beneficiary of an annuity plan set up for the surviving spouse or dependent of a person that lost their life in services as a peace officer. Status: This bill was held on the Assembly Appropriations Suspense File.
- **AB 1054 (Gipson)** – This bill would establish the Deferred Retirement Option Program as a voluntary program within PERS for employees of State Bargaining Units 5 (Highway Patrol) and 8 (Firefighters). The bill would require these state bargaining units to bargain with the Department of Human Resources to implement the program. The bill would also require the program to result in a cost savings or be cost neutral. The bill would further require the department to work with the board of PERS to develop the program. Status: This bill was not taken up in the Assembly PERS Committee and is a 2-year bill.
- **AB 1323 (Chen)** – would increase the compensation rate for certain members of the Orange County Board of Retirement to not more than \$320 per meeting. Status: This bill did not receive a policy committee hearing and is now a 2-year bill.
- **AB 1383 (McKinnor)** - This bill would establish new retirement formulas, for employees first hired on or after January 1, 2026, as 2.5% at age 55, 2.7% at age 55, or 3% at age 55. For new members hired on or after January 1, 2013, who are safety members, the bill would require employers to adjust the formulas for service performed on or after January 1, 2026, to offer one of the 3 formulas for safety members that is closest to the formula the employer provided pursuant to existing law. The bill would authorize a public employer

and a recognized employee organization to negotiate a prospective increase to the retirement benefit formulas for members and new members, consistent with the formulas permitted under the act. This bill would authorize an employer and its employees to agree in a memorandum of understanding to be subject to a higher safety plan or a lower safety plan, subject to certain requirements, including that the memorandum of understanding is collectively bargained in accordance with applicable laws. Status: This bill was held on the Assembly Suspense File and is now a 2-year bill.

- **AB 1439 (Garcia)** - would prohibit the board of a public pension or retirement system from making any additional or new investments of public employee pension or retirement funds in development projects in California or providing financing for those projects with public employee pension or retirement funds unless those projects include labor standards protections. Status: This bill did not receive a policy committee hearing and is now a 2-year bill.
- **SB 239 (Arreguín)** - allows flexibility for remote meetings of local advisory bodies (“subsidiary bodies” in the language of the bill). Specifically, this bill would allow the subsidiary body of a local agency to teleconference their meetings without having to make all locations publicly available and would require the subsidiary body to post the agenda at each physical meeting location. The bill also sunsets these provisions in 2030. Status: The bill was moved in the inactive file. The sponsors of this bill are now working with Senator Durazo on SB 707 as the consensus measure.
- **SB 301 (Grayson)** - would beginning on or after January 1, 2026, prohibit a city or district that contracts with a retirement system under the CERL from amending their contract with the system in a manner that provides for the exclusion of some, but not all, employees. This bill passed out of the Assembly PERS committee and has been referred to the Assembly floor.
- **SB 443 (Rubio)** - This bill authorizes, on or after January 1, 2026, the Pajaro Regional Flood Management Agency (PRFMA) to offer an employee the pre-Public Employee Pension Reform Act of 2013 (PEPRA) defined benefit (DB) retirement plan or formula if the employee was already subject to that retirement plan or formula as an employee of the member agency (a “pre-PEPRA” employee). Similarly, the bill authorizes a non-founding member agency of a JPA formed on or after January 1, 2013, to offer a pre-PEPRA DB retirement plan or formula to an employee within 180 days of the agency becoming a member of the JPA.



Status: This bill passed out of the Assembly Appropriations Committee and is awaiting action on the Assembly Floor.

- **SB 470 (Laird)** – would delete the 2026 sunset on existing laws governing teleconferencing procedures for state agencies relative to the Bagley-Keene Open Meeting Act and extend the sunset provision to 2030. Status: This bill will be heard in the Assembly Governmental Organization Committee on 7/9.
- **SB 707 (Durazo)** - would add additional teleconferencing meeting requirements for certain local governments until 2030 to allow members of the public to attend a public meeting via a two-way teleconferencing option. The bill would also require additional alternative language noticing requirements, among other requirements. The sponsors of SB 239 (Arreguin) are now working with Senator Durazo and have amended the bill to narrow the public participation requirements to cities, counties and special districts with certain population thresholds. The bill's two-way conferencing and translation requirements appear to no longer apply to the County Boards of Retirement. Additional amendments are expected in the Assembly related to remote comments. Status: The bill will be heard in the Assembly Local Government Committee on 7/16.
- **SB 853 (Committee Omnibus Bill)** - includes clarifying changes to the CERL:
 - Clarifies that for members subject to PEPRA, the retirement association shall compute absences using the member's pensionable compensation at the beginning of the member's absence.
 - Clarifies that where a member's service through reclassification, has been converted from general to safety member service, service converted after PEPRA's effective date is subject to PEPRA's prohibition of retroactive benefits. Thus, clarifies that conversion shall apply only to service after the operative date of the reclassification and not to all prior service.
 - Clarifies how CERL employers should report retired annuitants to their retirement association.
 - STATUS: This bill passed out of the Assembly PERS Committee and will be heard in the Assembly Appropriations Committee on 7/2.

Contact:

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