



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: OCTOBER 21, 2025

FROM: HUMAN RESOURCES DEPARTMENT WARDS: ALL

SUBJECT: A RESOLUTION TO AMEND THE MASTER FRINGE BENEFITS AND SALARY PLAN TO RETROACTIVELY ESTABLISH THE DEPUTY FIRE CHIEF CLASSIFICATION AND CORRESPONDING SALARY PAY SCALE AND RETROACTIVELY CORRECT THE SALARY PAY SCALE FOR THE DEPUTY POLICE CHIEF CLASSIFICATION TO BE IN COMPLIANCE WITH CALPERS GOVERNMENT SECTIONS 20636 AND 20636.1 AND CALIFORNIA CODE OF REGULATIONS SECTION 570.5. A RESOLUTION TO EFFECTUATE A PROVISION FOR PAYING AND REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS (EPMC) FOR CLASSIC EMPLOYEES IN THE UNREPRESENTED FIRE MANAGEMENT GROUP HIRED ON OR BEFORE OCTOBER 11, 2011 AND FOR UNREPRESENTED POLICE MANAGEMENT EMPLOYEES HIRED ON OR BEFORE MARCH 14, 2014. APPROVE ADMINISTRATIVE LANGUAGE REVISIONS TO THE MEMORANDA OF UNDERSTANDING WITH THE RIVERSIDE FIREFIGHTERS' ASSOCIATION AND RIVERSIDE FIRE MANAGEMENT GROUP TO BE IN COMPLIANCE WITH CALPERS SPECIAL COMPENSATION REPORTING REQUIREMENTS AS OUTLINED BY CALIFORNIA CODE OF REGULATIONS SECTION 571.

ISSUE:

Approve amendments to the Master Fringe Benefits and Salary Plan to retroactively establish the Deputy Fire Chief classification and corresponding salary scale and retroactively correct the salary scale for the Deputy Police Chief classification to be in compliance with CalPERS Government Sections 20636 and 20636.1 and California Code of Regulations section 570.5. Adopt a Resolution to effectuate a provision for paying and reporting the value of Employer Paid Member Contributions (EPMC) for Classic employees in the Unrepresented Fire Management group and Unrepresented Police Management group. Approve the administrative language revisions to the Memoranda of Understanding with the Riverside Firefighters' Association and Riverside Fire Management group to be in compliance with CalPERS Special Compensation reporting requirements as outlined by California Code of Regulations Section 571.

RECOMMENDATION:

That the City Council:

1. Approve the retroactive establishment of the Deputy Fire Chief classification and corresponding salary pay scale;

2. Approve the retroactive correction to the Deputy Police Chief salary scale;
3. Adopt a Resolution for paying 9% of the normal member contributions as Employer Paid Member Contributions (EPMC) and reporting the same percent (9%) as compensation earnable (excluding Government Code Section 20636(c)(4)) as additional compensation for Classic employees in the Unrepresented Fire Management group hired on or before October 11, 2011 and for employees in the Unrepresented Police Management group hired on or before March 14, 2014.
4. Approve the administrative language revisions to the Memoranda of Understanding with the Riverside Firefighters' Association and Riverside Fire Management group to be in compliance with CalPERS Special Compensation reporting requirements as outlined by California Code of Regulations Section 571.
5. Adopt the attached Resolution amending the Master Fringe Benefit and Salary Plan to retroactively establish the Deputy Fire Chief classification and corresponding salary scale and retroactively correct the salary scale for the Deputy Police Chief classification to be in compliance with CalPERS Government Sections 20636 and 20636.1 and California Code of Regulations section 570.5 and revise other special compensation provisions.

BACKGROUND:

Pursuant to Government Section Code 20636 and 20636.1 of the CalPERS Retirement system law and California Code of Regulations Section 570.5 the terms "compensation earnable" and "payrate" are defined in order to ensure compliance with reporting requirements. Section 570.5 requires that a Publicly Available Pay Schedule (PAPS) meet all requirements outlined within the Code, including that the Pay Schedule be adopted and approved by the agency's governing body and that the position title and corresponding payrate is indicated with specific time base calculations (hourly, monthly or annually).

Additionally, California Code of Regulations (CCR), Section 571, outlines all eligible special compensation for Classic and Public Employees' Pension Reform Act (PEPRA) members that is allowable as pensionable compensation. In order to be in compliance with the above referenced CalPERS' Government Codes and California Code of Regulations and ensure former and current members' salary and special compensation are properly reported, it is necessary that the City retroactively establish a Deputy Fire Chief classification and corresponding pay scale, retroactively correct the pay scale for the Deputy Fire Police classification and revise existing language within the Fire Association and Fire Management MOUs.

Furthermore, a separate Resolution is required by CalPERS for paying and reporting the value of Employer Paid Member Contributions or EPMC for employees in the Unrepresented Fire and Police Management groups.

DISCUSSION:

The Fringe Benefits and Salary Plan is the governing document adopted via Resolution and approved by City Council that defines benefits and salaries for City employees. Under Part II – Section 5, the document outlines a number of special compensation provisions, including a historical additional compensation provision for employees assigned to the Deputy Fire Chief assignment. Unfortunately, this additional compensation provision was non-complaint with

CalPERS reporting requirements. After direction and consultation with CalPERS, the resolution to this matter requires the retroactive establishment of an independent classification and pay scale for a Deputy Fire Chief back to January 2015. Retroactively establishing this classification and corresponding salary scale will allow the City to properly report the compensation for former and future City employees assigned as Deputy Fire Chiefs. Furthermore, the Fringe Benefit and Salary Plan has been updated to retroactively include all special compensations paid to the Deputy Fire Chief which includes education incentive pay, temporary upgrade pay and Employer Paid Member Contributions (EPMC), which requires the adoption of a Resolution. Similarly, the Deputy Police Chief salary scale requires retroactive corrections to ensure the former employee's salary is acceptable and reportable to CalPERS per their PAPS requirements.

The creation of the classification for the Deputy Fire Chief, requires that retroactive pay scales be established going back to January 2015. The classification will be created as Non-classified (At-will), FLSA Exempt position and assigned to the Senior Management unit with fringe benefits and salary alignment to the Fire Management group. For purposes of the CalPERS retirement system, this classification will be referred to as being part of Unrepresented Fire Management. Retroactive pay scales from January 2015 to present are shown as part of the Job Code table in Exhibit A.

Job Code	Classification Title	Bargaining Unit	Exempt Status
New	Deputy Fire Chief	07- Senior Management	Exempt

Adoption of a Resolution to pay and report Employer Paid Member contributions (EPMC) is necessary to ensure employees in the Unrepresented Fire Management and Unrepresented Police Management groups are properly reported. As provided to members of the Fire and Police represented management groups, the City will pay and report 9% as EPMC for Unrepresented Fire Management employees hired on or before October 11, 2011 and for Unrepresented Police Management employees hired on or before March 14, 2014.

The California Code of Regulations (CCR), Section 571, outlines all eligible special compensation for Classic and Public Employees' Pension Reform Act (PEPRA) members that is allowable as pensionable compensation. The negotiated MOUs with the Fire Association and Fire Management group have historically included a number of special compensation provisions that the City and the Unions have agreed over the years. These special compensation provisions as written in each respective MOU needed to be revised and updated to be compliant with CCR Section 571. The City and the Union have confirmed with CalPERS that the proposed revisions to the various special compensation provisions are acceptable. The revisions to the MOU include updates to the education pay, certificate pay, uniform allowance, holiday pay, bilingual pay and hazard pay provisions. There is no financial impact to updating the existing language to be in compliance.

FISCAL IMPACT:

There is no fiscal impact associated with this report.

Prepared by: Rene Goldman, Human Resources Director
Certified as to availability

of funds: Kristie Thomas, Financial Director/Assistant CFO
Approved by: Edward Enriquez, Assistant City Manager/CFO/Treasurer
Approved as to form: Rebecca McKee-Reimbold, Interim City Attorney

Attachments:

1. Resolution for paying 9% of the normal member contributions as Employer Paid Member Contributions (EPMC) and reporting the same percent (9%) as compensation earnable (excluding Government Code Section 20636(c)(4)) as additional compensation for Classic employees in the Unrepresented Fire Management group hired on or before October 11, 2011 and for employees in the Unrepresented Police Management group hired on or before March 14, 2014.
2. Resolution Amending the Fringe Benefits and Salary Plan
 - a. Exhibit A – Job Code Table
 - b. Exhibit B – Amended Fringe Benefits and Salary Plan
3. Redlined Memorandum of Understanding for Fire Association and Fire Management Unit