

## ATTACHMENT A

### RESOLUTION NO. 2025-43

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWPORT BEACH, CALIFORNIA REQUESTING THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM (CALPERS) AMEND THE CONTRACT BETWEEN THE CITY OF NEWPORT BEACH AND THE BOARD OF ADMINISTRATION OF CALPERS TO REDUCE OR ELIMINATE COST SHARING PURSUANT TO GOVERNMENT CODE SECTION 20516(a) FOR CITY MISCELLANEOUS TIER I EMPLOYEES CITYWIDE**

**WHEREAS**, the City Council of the City of Newport Beach ("City") has entered into good faith labor negotiations with the City's bargaining groups (collectively "Associations") that represent City Miscellaneous Tier I employees;

**WHEREAS**, based on the negotiations with the Associations, the City has entered into agreements and tentative agreements with most of the Associations to reduce or eliminate the amount of employee cost sharing of the employer retirement contributions;

**WHEREAS**, the City anticipates reaching agreements or tentative agreements with the remaining Associations soon;

**WHEREAS**, the City Council will be considering amending the Compensation Plan, which outlines the salary and benefits for the unrepresented Key and Management Employees, amending employment agreements, and taking other actions that will impact the terms and conditions of employment for unrepresented City Miscellaneous Tier I employees soon;

**WHEREAS**, for all employees who will continue to share costs, the cost sharing will be through collective bargaining agreements pursuant to Government Code Section 20516(f);

**WHEREAS**, the City has been informed by the California Public Employees' Retirement System ("CalPERS") that modifying cost sharing under Government Code Section 20516(a) requires a contract amendment with CalPERS;

**WHEREAS**, the City is aware that processing such contract change is likely to take at least a few months; and

**WHEREAS**, this is a matter of great urgency as the labor agreements with many of the Associations are in effect or will go into effect imminently.

**NOW, THEREFORE,** the City Council of the City of Newport Beach resolves as follows:

**Section 1:** The City Council hereby requests that CalPERS initiate the process to eliminate all cost sharing pursuant to Government Code section 20516(a) for all City Miscellaneous Tier I employees, represented and unrepresented, as soon as possible.

**Section 2:** If any section, subsection, sentence, clause or phrase of this resolution is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this resolution. The City Council hereby declares that it would have passed this resolution and each section, subsection, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

**Section 3:** The recitals provided in this resolution are true and correct and are incorporated into the substantive portion of this resolution.

**Section 4:** The City Council finds the adoption of this resolution is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

**Section 5:** This resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall certify the vote adopting the resolution.

**ADOPTED** this 8th day of July, 2025.

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Joe Stapleton  
Mayor

**ATTEST:**

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Molly Perry  
Interim City Clerk

**APPROVED AS TO FORM:**  
CITY ATTORNEY'S OFFICE

  
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Aaron C. Harp  
City Attorney