



DATE: March 24, 2026

TO: Mayor and City Council

FROM: Director of Human Resources

SUBJECT: Adopt Resolutions for Compliance with CalPERS, Approving a Side Letter of Agreement Amending the Memoranda of Understanding between the City of Hayward and the Hayward Fire Chief's Association, Authorizing Staff to Execute the Agreement, and Approving a Resolution Agreeing to Government Code 20516, CalPERS Cost Share, for the Unrepresented Safety Executive Group that includes the Police and Fire Chiefs who are covered by the City of Hayward Salary and Benefits Resolution for Unrepresented Employees

RECOMMENDATION

That the City Council adopts Resolutions (Attachments II and III) approving a Side Letter of Agreement amending the Memorandum of Understanding (MOU) between the City of Hayward and the Hayward Fire Chiefs Association (HFCA), authorizing staff to execute the agreement; and approving a resolution confirming and agreeing to Government Code 20516 CalPERS Cost Share for the Unrepresented Safety Executive Group that includes the Police Chief and Fire Chief. These agreements are intended to correct existing contract language for compliance with the California Public Employee Retirement System (CalPERS) Gov. Code section 20516 (Employees Sharing Additional Cost).

BACKGROUND AND SUMMARY

As a result of recent review of the MOU between the City and the HFCA for the contract term beginning July 1, 2024, through June 30, 2029, a discrepancy was discovered that requires changes to the contract language for compliance with the CalPERS Gov. Code section 20516 (Employees Sharing Additional Cost). The amendments to the HFCA contract and separate adoption of the resolution for the Unrepresented Safety Executive Group that includes the Police Chief and Fire Chief who are covered under the City of Hayward Salary and Benefits Resolution for Unrepresented Employees will bring the groups and the contract between the City and CalPERS into compliance with the Employer – Employee cost share requirements.

FISCAL IMPACT

There is no fiscal impact associated with this report. Additionally, this item is cost neutral as the amendments to the HFCA MOU, Section 6.13 Payment of Employers' PERS Contributions

and the Resolution for the Unrepresented Safety Executive Group that includes the Police Chief and Fire Chief resolve a reporting compliance matter.

DISCUSSION

The City has met and conferred in good faith with the members of the HFCA; and discussed with the Unrepresented Safety Executive Group that includes the Chief of Police and Fire Chief. The groups and the City have agreed to corrections to existing contract language compliant with CalPERS. These changes reflect the intention of pensionable contributions and have no additional fiscal impact to the City.

STRATEGIC INITIATIVES

This agenda item is a routine operational item and does not relate to one of the Council's Strategic Initiatives.

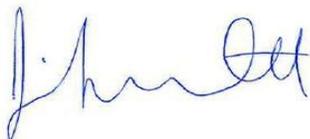
NEXT STEPS

Staff will finalize the side letter agreement and obtain necessary review by the City Attorney and approval by the City Manager to execute them. The Human Resources Department will work with the Finance Department to implement these changes.

Prepared by: Marisa Guerrero, Human Resources Manager

Recommended by: Ian Tecson, Director of Human Resources

Approved by:



Jennifer Ott, City Manager