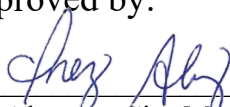


<b>City of Monterey Park</b> <b>Administrative Policy</b>	Policy Number:
	Issue Date: 04/ 27 /2021
	Revised Date: 5/22/2024
<b>Subject:</b> POLICY FOR UNFUNDED PENSION LIABILITY	Approved by:
	 _____ Inez Alvarez, City Manager
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**PURPOSE**

The purpose of this Unfunded Pension Liability Policy (“Policy”) is to provide guidance on the development and adoption of a funding plan for any Unfunded Accrued Liabilities (“UAL”) that are calculated annually by the California Public Employee Retirement System (“CalPERS”), or for any unfunded accrued liabilities remaining immediately after the issuance of a Pension Obligation Bond (“POB”). This funding Policy should also support the decision making process of the City Council and should be consistent with the overall purpose and goals of the City of Monterey Park’s pension plan. As used in this Policy, “City” means the City of Monterey Park and affiliated, but separate, legal entities such as the Monterey Park Financing Authority, as the context may require.

The City recognizes that a fiscally prudent Policy should:

- Maintain the City’s sound financial position;
- Ensure the City has the flexibility to respond to changes in future service priorities, revenue levels, and operating expenditures;
- Protect the City’s creditworthiness;
- Ensure that all pension funding decisions are structured to protect both current and future taxpayers, ratepayers, employees and residents of the City; and
- Ensure that the structure of the City’s POB and future UAL amortization is consistent with the City’s strategic planning goals, objectives, capital improvement program, budget, and/or debt policy.

**BACKGROUND**

The primary goal of funding defined benefit pension plans is to ensure that sufficient assets will be accumulated to deliver promised benefits when they come due and to protect pension benefits in situations that involve employer insolvency or bankruptcy. Establishing sound funding guidelines promotes pension benefit security. The City’s overall objective is to fund its CALPERS pension plan up to 100% of the total accrued liability and not less than 80%, whenever possible. In addition to the Section 115 Trust, the City will also create a Pension Rate Stabilization Assignment in the General Fund, the goal of which is to maintain additional savings that can be used to pay off accrued pension liabilities. The Pension Rate Stabilization Assignment allows the City to set-aside funds in the General Fund to contribute to the pension plan funded percentage and manage ongoing pension costs.

The City is committed to fiscal sustainability by employing long-term financial planning efforts, maintaining appropriate reserve levels, and employing prudent practices in governance, management, budget administration, and financial reporting. This Policy is intended to make all relevant information readily available to decision-

makers and the public to improve the quality of decisions, identify policy goals, and to demonstrate a commitment to long-term financial planning. Adherence to this Policy signals to rating agencies and the capital markets that the City is well managed and able to meet its obligations in a timely manner.

The purpose of this funding policy is to establish a framework for funding the City's defined benefit pension plan, taking into account factors that are relevant to the plan and the City. These factors include:

- The City's financial position;
- Stability of the plan and/or the affordability of the annual contributions;
- Benefit security;
- The terms of the CALPERS contract for Monterey Park, along with any related collective bargaining agreements; and
- Minimum funding requirements under California law.

There are several advantages to developing a funding policy to address an unfunded accrued liability. These advantages include the following:

- Provides the framework to ensure the proper management of future liabilities and to minimize the effects on operations. Adopting a funding policy will help ensure a disciplined decision-making process, which will contribute to better predictability in funding.
- Having a written summary of the funding policy that is accessible to the employees and the public will help improve the transparency of funding decisions and increase the understanding of pension funding issues.
- Developing this funding policy improves the identification, understanding, and management of the risk factors that affect the variability of funding requirements and the security of benefits to the employees and retirees.

The City contracts with CalPERS to manage its employee pension plan. CalPERS collects contributions from the City and its employees, invests the money, and pays monthly benefits to retirees. The market value of investments in the plan at any point in time may be less than the liability for benefits already earned, which means the City has an Unfunded Pension Liability. Each year, the amount of the liability changes based upon actual plan results. The liability grows when actual plan results do not meet CalPERS assumptions, such as retirees living longer than expected. Conversely, the liability decreases when actual plan results exceed CalPERS assumptions, such as investments earning more than the assumed rate of return. CalPERS also charges interest on the liability each year, based on the plan's discount rate, equivalent to the assumed rate of return. CalPERS requires the City to make annual contributions to reduce the unfunded liability.

## **STRATEGIES**

### New Unfunded Accrued Liability

Every June 30th, CALPERS will complete a new actuarial valuation report and will calculate the City's pension liability as of the new valuation date. If the value of the funded assets is not equivalent to this new liability amount, the City will incur a new unfunded accrued liability at that point in time. The unfunded accrued liability may increase or decrease from year to year, due to the following factors:

- Changes in actuarial assumptions and experience changes (e.g., changes in the discount rate and changes in demographic experience);
- Changes in actuarial gains and losses due to asset returns being higher or lower than expected;
- Changes in plan benefits;
- Changes in number of employees participating (Classic/PEPRA), employee pickup of plan contributions, etc.

There are two basic strategies to reduce the City's cost for the unfunded accrued liability:

1. Contribute more than required by CalPERS (an Additional Discretionary Payment) to reduce the accrual of interest; or
2. Refinance the liability, which is a legal debt of the City, at a lower interest rate.

Within these two basic strategies, there are a variety of options and associated risks.

#### Application of Additional Discretionary Payments

When the City identifies funding for an Additional Discretionary Payment (ADP), there is a strategy to apply the ADP to the unfunded pension liability.

The unfunded liability is comprised of layers, or "bases," related to each year of actual plan results. Each base is either a loss or gain. CalPERS amortizes the bases over twenty years to calculate the annual required contribution to reduce the liability. Loss bases at the beginning of an amortization cycle are desirable targets for an ADP to maximize overall savings. Conversely, loss bases at the end of an amortization cycle are desirable targets to maximize short-term savings.

It is the City's policy to apply any ADP to loss bases at the beginning of an amortization cycle to maximize overall savings.

#### Use Accumulated Fund Balance or One-Time Money

The City uses its General Fund to pay for unrestricted revenues and expenditures. It also uses many other "restricted" fund accounts for revenues with spending restrictions imposed by law, other governmental agencies, or legally enforceable agreements. The City allocates its unfunded pension liability to each fund based upon the prior year normal cost charged to the fund through payroll.

When the City receives more revenue than expected, or spends less than budgeted, a fund balance accumulates. Much like spending from a savings account, accumulated fund balance is a one-time resource the City can use to pay down a fund's allocation of the unfunded pension liability. The City has a separate "reserve" policy to establish the minimum fund balance to keep on hand for emergencies and operational cash flow.

It is the City's policy to consider an additional discretionary payment to reduce the unfunded pension liability during each annual budget process, when the City Manager, or designee, identifies accumulated fund balance in excess of reserve policy requirements. It is the City's goal to allocate up to 50% of any General Fund year end savings for additional payments to CalPERS, or deposits into the City's Section 115 Trust account.

This table lays out an estimate of **CalPERS’ paying off / funding schedule of new UAL:**

<b>New Unfunded Accrued Liability (Any new liability incurred after the June 30, 2020 valuation date report )</b>	<b>Payoff / Funding Time Period</b>
\$0 to \$2,000,000	5 Years
\$2,000,001 to \$5,000,000	8 Years
\$5,000,001 to \$15,00,000	10 Years
Over \$15,000,000	15 Years

Each year, when the City is provided with the annual valuation report from CALPERS, the City Manager, or designee, will present to the City Council, as part of the next budgetary cycle, the following:

- The dollar amount of the new liability (new amortization base);
- The number of years that staff is recommending to pay off/fund the liability;
- The dollar amount of the annual contribution to be made;
- The funding source(s) of the payments; and
- The short-term and long-term financial impacts on the City’s General Fund reserve balance.

Use Cash Planned for Capital Projects and Issue Tax-Exempt Debt

When the City has unrestricted cash on hand to fund capital projects, the City may consider using the cash to reduce the unfunded pension liability and instead issue tax-exempt debt to pay for the project. Tax-exempt debt carries a lower interest rate, and this strategy effectively swaps a higher-rate debt for a lower-rate debt.

The City funds most of its capital projects with restricted money. Therefore, the restricted funds’ allocation of unfunded pension liability, and the cash available for a project, limits the use of this strategy. In addition, frequent debt issues can negatively affect the City’s credit rating.

*It is the City’s policy to consider paying down the unfunded pension liability when there is at least \$10 million of unrestricted cash available for capital projects and it is feasible to issue tax-exempt debt for the projects.*

Irrevocable Section 115 Trust

As an alternative to making an ADP to CalPERS, the City can choose to set aside additional money in a “Section 115 Trust.” The Section 115 Trust refers to Internal Revenue Code Section 115. Money placed into the Section 115 Trust is irrevocable, funds are committed for the essential function specified in the Trust Agreement. The City previously established a Section 115 Trust in 2012 for Other Post-Employee Benefits (OPEB).

There are two primary benefits associated with a Section 115 Trust. The City has more control over the investment, and the City can use the Trust for pension cost stabilization. If there are future spikes in pension costs, the City could use money from the Section 115 Trust to help pay some of the required CalPERS contributions. However,

to utilize the Trust, funds must be deposited in advance to have available when needed.

*It is the City's policy to consider adding money to the Section 115 Trust account during each annual budget process.*

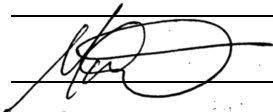
Pension Obligation Bonds

The City may consider issuing Pension Obligation Bonds (POBs) to refinance its unfunded pension liability. When low interest rates are available, issuing POBs can significantly reduce the City's pension costs. However, there is risk associated with the refinancing. If actual pension plan results consistently exceed CalPERS assumptions, the City may pay more overall.

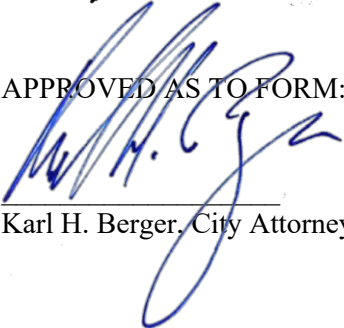
**CERTIFICATION AND RECEIPT OF UNDERSTANDING**

**I certify that I have received a copy of the City of Monterey Park Policy for Disclosure Procedures. I have reviewed and understand its contents and agree to abide by the principles and requirements in the Disclosure Procedures.**

Name: 5/22/2024

Date: 

APPROVED AS TO FORM:

  
Karl H. Berger, City Attorney