

ORDINANCE NO. 565 N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
 AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN
 THE CITY COUNCIL OF THE CITY OF PASO ROBLES AND
 THE BOARD OF ADMINISTRATION OF THE CALIFORNIA
 PUBLIC EMPLOYEES RETIREMENT SYSTEM

The City Council of the City of Paso Robles does ordain as follows:

Section 1.

This Ordinance shall rescind Ordinance No. 561 N.S.

Section 2.

That an amendment to the Contract between the City Council of the City of Paso Robles and the Board of Administration, California Public Employees' Retirement System is hereby authorized, a copy of said amendment being attached hereto, marked "Exhibit A", and by such reference made a part hereof as though herein set out in full.

Section 3.


The Mayor of the City Council is hereby authorized, empowered, and directed to execute said amendment for and on behalf of said Agency.

Section 4.

This Ordinance shall take effect immediately upon its adoption, and prior to the expiration of 30 days from the passage thereof shall be published at least once in the Country News, a newspaper of general circulation, published and circulated in the City of Paso Robles and thenceforth and thereafter the same shall be in full force and effect.


Adopted and approved this 6th day of December, 1988, by the following roll call vote:

AYES: Dolan, Russell, Conway and Martin
 NOES: None
 ABSENT: Reneau



 Steve Martin, Mayor

Attest:



 Jerry Bankston, City Clerk

ABJ649

AMENDMENT TO CONTRACT
BETWEEN THE
BOARD OF ADMINISTRATION
OF THE
PUBLIC EMPLOYEES' RETIREMENT SYSTEM
AND THE
CITY COUNCIL
OF THE
CITY OF PASO ROBLES

The Board of Administration, Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of above public agency, hereinafter referred to as Public Agency, having entered into a contract effective March 1, 1974, and witnessed January 28, 1974, and as amended effective July 1, 1983 and November 6, 1984, which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 13 are hereby stricken from said contract as executed effective November 6, 1984, and hereby replaced by the following paragraphs numbered 1 through 14 inclusive:
1. All words and terms used herein which are defined in the Public Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 60 for local miscellaneous members, and age 55 for local fire members, and age 50 for local police members.
 2. Public Agency shall participate in the Public Employees' Retirement System from and after March 1, 1974 making its employees as hereinafter provided, members of said System subject to all provisions of the Public Employees' Retirement Law except such as apply only on election of a contracting agency and are not provided for herein and to all amendments to said Law hereafter enacted except those, which by express provisions thereof, apply only on the election of a contracting agency.
 3. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:
 - a. Local Fire Fighters (herein referred to as local safety members);
 - b. Local Police Officers (herein referred to as local safety members);
 - c. Employees other than local safety members (herein referred to as local miscellaneous members).

4. In addition to the classes of employees excluded from membership by said Retirement Law, the following classes of employees shall not become members of said Retirement System:

- a. ELECTED OFFICIALS.

5. Prior to January 1, 1975, those members who were hired by Public Agency on a temporary and/or seasonal basis not to exceed 6 months were excluded from PERS membership by contract. Government Code Section 20336 supersedes this contract provision by providing that any such temporary and/or seasonal employees are excluded from PERS membership subsequent to January 1, 1975.

Assets heretofore accumulated in the local retirement system held by Pacific Mutual Life Insurance Company were transferred to the Public Employees' Retirement System within two-months of March 1, 1974 and applied against the liability for prior service incurred thereunder. That portion of the assets so transferred representing the accumulated contributions (plus interest thereof) required of the employees under said local system has been credited to the individual membership account of each such employee under the Public Employees' Retirement System.

7. The fraction of final compensation to be provided for each year of credited prior and current service as a local miscellaneous member shall be determined in accordance with Section 21251.13 of said Retirement Law (2% at age 60), supplemental to Federal Social Security.
8. The fraction of final compensation to be provided for each year of credited prior and current service as a local fire member shall be determined in accordance with Section 21252.6 of said Retirement Law (2% at age 55), supplemental to Federal Social Security.
9. The fraction of final compensation to be provided for each year of credited prior and current service as a local police member shall be determined in accordance with Section 21252.01 of said Retirement Law (2% at age 50), supplemental to Federal Social Security.
10. The following additional provisions of the Public Employees' Retirement Law, which apply only upon election of a contracting agency, shall apply to the Public Agency and its employees:
 - a. Section 21361.5 (Local System Service Credit).
 - b. Section 20862.8 (Unused Sick Leave Credit).

- in accordance with Government Code Section 20740, be an "employer" for purposes of Section 20759 effective on 1983. Accumulated contributions of Government Code Section 20759, and accumulated contributions thereafter shall be held by the Board as provided in Government Code Section 20759.
12. Public Agency shall contribute to said Retirement System as follows:
- a. With respect to local miscellaneous members, the agency shall contribute the following percentages of salaries earned as members of said Retirement System:
 - (1) 5.605 percent until June 30, 2011 on account of the liability for current service benefits. (Subject to annual change.)
 - (2) 4.555 percent until June 30, 2011 on account of the liability for prior service benefits. (Subject to annual change.)
 - b. With respect to local safety members, the agency shall contribute the following percentages of salaries earned as members of said Retirement System:
 - (1) 4.555 percent until June 30, 2011 on account of the liability for current service benefits. (Subject to annual change.)
 - (2) 15.818 percent until June 30, 2000 on account of the liability for prior service benefits. (Subject to annual change.)
 - c. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.
 - d. A reasonable amount, as fixed by the Board, payable in one installment on the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.
13. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement Law, and on account of the experience under the Retirement System as determined by the periodic investigation and valuation required by said Retirement Law.

14. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within thirty days after the end of the period to which said contributions refer or as may be prescribed by Board regulation. If more or less than the correct amount of contributions is paid for any period, proper adjustment shall be made in connection with subsequent remittances. Adjustments on account of errors in contributions required of any employee may be made by direct payments between the employee and the Board.
