

NOT CODIFIED

TOWN OF SAN ANSELMO

ORDINANCE NO. 877

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN
OF SAN ANSELMO AUTHORIZING AN AMENDMENT TO THE
CONTRACT BETWEEN THE TOWN COUNCIL OF THE TOWN OF
SAN ANSELMO AND THE BOARD OF ADMINISTRATION OF THE
CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

The Town Council of the Town of San Anselmo does ordain as follows:

Section 1.

That an amendment to the Contract between the Town Council of the Town of San Anselmo 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 2.

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

Section 3.

This Ordinance shall take effect 30 days after the date of its adoption, and prior to the expiration of 15 days from the passage thereof shall be published at least once in the Ross Valley Reporter, a newspaper of general circulation, published and circulated in the Town of San Anselmo and thenceforth and thereafter the same shall be in full force and effect.

ADOPTED AND APPROVED this 14th day of January, 1986.


MAYOR

ATTEST:


TOWN CLERK

AMENDMENT TO CONTRACT
BETWEEN THE
BOARD OF ADMINISTRATION
OF THE
PUBLIC EMPLOYEES' RETIREMENT SYSTEM
AND THE
TOWN COUNCIL
OF THE
TOWN OF SAN ANSELMO

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 July 1, 1959, and witnessed April 24, 1959, and as amended effective January 1, 1964, November 1, 1966, December 1, 1968, December 1, 1972, July 1, 1973, September 1, 1973, September 28, 1973, June 27, 1974, May 1, 1976, October 1, 1977, November 1, 1982 and September 14, 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 September 14, 1984, and hereby replaced by the following paragraphs numbered 1 through 13 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 safety members who elected to continue under the provisions of Section 21252.5 on November 1, 1966, and age 60 for those local safety members who did not so elect.
 2. Public Agency shall participate in the Public Employees' Retirement System from and after July 1, 1959 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 Police Officers (herein referred to as local safety members);
 1. Local Police Officers shall include individuals defined by Section 20020 of the Government Code prior to its amendment at the 1975-76 Regular Legislative Session, effective January 1, 1976, employed by Public Agency prior to such amendment;

- b. 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. SCHOOL CROSSING GUARDS HIRED ON OR AFTER JULY 1, 1974.
 5. Public Agency and the Town of Fairfax have agreed to a merger of the fire functions of their contracts, into the Ross Valley Fire Service, forming a new agency, pursuant to Section 20567.5 of the Government Code. Such merger is effective as of July 1, 1982. This merger transferred all benefits for fire function members employed by the Town of San Anselmo and the Town of Fairfax, retired fire members, their beneficiaries, and inactive fire members into the contract of Ross Valley Fire Service. Assets and liabilities applicable to these members were also transferred to the Ross Valley Fire Service.
 6. 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 subject to the reduction provided therein for Federal Social Security (2% at age 60 Modified and Full).
 7. The fraction of final compensation to be provided for each year of credited service as a local safety member shall be determined in accordance with Section 21252.5 for members who elected to stay on this formula effective November 1, 1966 (1-1/4% 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 for those local safety members who did not elect to continue under the provisions of Section 21252.5 on November 1, 1966, shall be determined in accordance with Section 21252.1 subject to the reduction for Federal Social Security as provided in Section 21251.45 of said Retirement Law (Modified one-half pay at age 55).
 9. 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 21222.1 (Spec. 15 Lease - 1970). Legislation repealed said Section effective January 1, 1980.
 - b. Section 20020 ("Local Police Officer" shall include persons assigned to identification and communication duties in the Police Department who were not classified as local safety members and who were in such employment on August 4, 1972, and who elected safety membership on or before September 28, 1973).

- c. Section 20024.2 (One-Year Final Compensation).
 - d. Section 20930.3 (Military Service Credit), as defined in Chapter 1437, Statutes of 1974.
 - e. Section 20930.3 (Military Service Credit), as defined in Chapter 830, Statutes of 1976.
 - f. Section 20862.8 (Unused Sick Leave Credit).
10. Public Agency, in accordance with Government Code Section 20740, ceased to be an "employer" for purposes of Section 20759 effective on May 1, 1976. Accumulated contributions of Public Agency shall be fixed and determined as provided in Government Code Section 20759, and accumulated contributions thereafter shall be held by the Board as provided in Government Code Section 20759.
11. 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) 0.950 percent until June 30, 1992 on account of the liability for prior service benefits. (Subject to annual change.)
 - (2) 12.441 percent until June 30, 2011 on account of the liability for current 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) 0.789 percent until June 30, 2011 on account of the liability for prior service benefits. (Subject to annual change.)
 - (2) 11.377 percent until June 30, 2011 on account of the liability for current 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 as 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.

12. 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.
13. 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.

B. This amendment shall be effective on the 1st day of March, 1986.

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

TOWN COUNCIL
OF THE
TOWN OF SAN ANSELMO

BY *Sidney C. McCausland*
for SIDNEY C. McCAUSLAND,
EXECUTIVE OFFICER

BY *William J. Blunz*
Presiding Officer

M. S. Hanson - 1/27/86
Witness Date

Approved as to form:

Attest:

Iris Aitchison 11/27/85
Legal Office, Date

Caroline Foster
Clerk Date

PERS-CON-702 (AMENDMENT)
(Rev. 9/85)