

AN ORDINANCE AMENDING THE CONTRACT WITH  
THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM (PERS)  
BOARD OF ADMINISTRATION  
(Not to be Codified)

WHEREAS, the Mariposa County Board of Supervisors has given their notice of intent to approve an amendment to the contract with the California PERS Board of Administration which provides safety members (members of Deputy Sheriffs' Association and Sheriffs' Management Association) a 3%@50 formula and one-year final compensation at retirement;

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, a political subdivision of the State of California, does ordain as follows:


**Section I:** That an amendment to the contract between the Board of Supervisors of the County of Mariposa and the Board of Administration, California Public Employees' Retirement System is hereby authorized, a copy of said amendment being attached hereto, marked Exhibit, and by such reference made a part hereof as though herein set out in full.

**Section II:** The Chairman of the Board of Supervisors is hereby authorized, empowered, and directed to execute said amendment for and on behalf of said Agency.

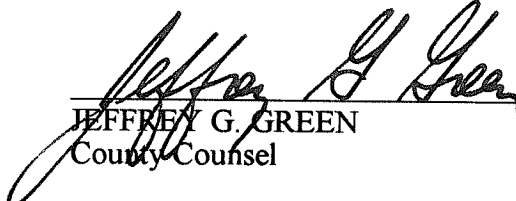
**Section III:** This Ordinance shall become effective immediately pursuant to Government Code § 251239(e).

**PASSED AND ADOPTED** by the Board of Supervisors of Mariposa County this 5th day of June, 2001 by the following vote:

AYES: Balmain, Parker, Reilly, Stewart, Pickard  
NOES: None  
ABSENT: None  
ABSTAINED: None

  
\_\_\_\_\_  
DOUG BALMAIN, Chairman  
Board of Supervisors

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

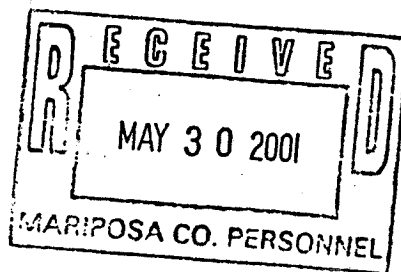
  
\_\_\_\_\_  
JEFFREY G. GREEN  
County Counsel

ATTEST:

  
\_\_\_\_\_  
MARGIE WILLIAMS  
Clerk of the Board



COPY



California  
Public Employees' Retirement System

---

**AMENDMENT TO CONTRACT**

Between the  
Board of Administration  
California Public Employees' Retirement System  
and the  
Board of Supervisors  
County of Mariposa

---

The Board of Administration, California Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of the above public agency, hereinafter referred to as Public Agency, having entered into a contract effective July 1, 1961, and witnessed June 7, 1961, and as amended effective April 1, 1965, January 1, 1967, October 1, 1968, May 1, 1973, April 1, 1974, May 1, 1976, June 1, 1979, August 1, 1982, December 15, 1982, February 25, 1983, August 1, 1988, October 1, 1992, March 17, 1993, December 7, 1994, June 30, 1996 and September 22, 2000 which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

Pursuant to Government Code sections 20460.1, 20469.1, subdivision (b), and 71624, this contract is hereby amended to add the Trial Court of Mariposa County, hereinafter referred to as Trial Court, as a contracting party. Trial Court shall participate in the Public Employees' Retirement System from and after the implementation date of the Trial Court Employment Protection and Governance Act pursuant to the terms and conditions of this contract, making its employees 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 in this contract 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."

A. Paragraphs 1 through 12 are hereby stricken from said contract as executed effective September 22, 2000, and hereby replaced by the following paragraphs numbered 1 through 12 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 55 for local miscellaneous members and age 50 for local safety members.
2. Public Agency shall participate in the Public Employees' Retirement System from and after July 1, 1961 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. County Peace Officers (included 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. **PERSONS COMPENSATED ON AN HOURLY AND OR PER DIEM BASIS ON OR AFTER OCTOBER 1, 1968.**
5. The percentage 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 21354 of said Retirement Law subject to the reduction provided therein for Federal Social Security (2% at age 55 Modified and Full).
6. The percentage of final compensation to be provided for each year of credited prior and current service as a local safety member shall be determined in accordance with Section 21362.2 of said Retirement Law subject to the reduction provided therein for Federal Social Security (3% at age 50 Modified). The required member contribution rate is 9% of reportable compensation in excess of \$133.33.

7. Public Agency elected and elects to be subject to the following optional provisions:
- a. Section 20437 ("County Peace Officer" shall include constables, deputy constables, marshals and deputy marshals as described in Government Code Section 20437).
  - b. Section 21222.1 (One-Time 5% Increase - 1970). Legislation repealed said Section effective January 1, 1980.
  - c. Section 21222.2 (One-Time 5% Increase - 1971). Legislation repealed said Section effective January 1, 1980.
  - d. Section 20439 ("County Peace Officer" shall include county jail, detention or correctional facility employees as described in Government Code Section 20439).
  - e. Section 20690, Statutes of 1978, (Reduction of Normal Member Contribution Rate). From June 1, 1979 and until July 31, 1982, the normal local miscellaneous member and local safety member contribution rate shall be 3.5%. Legislation repealed said Section effective September 29, 1980.
  - f. Section 21024 (Military Service Credit as Public Service), Statutes of 1976.
  - g. Section 20690, Statutes of 1980, (To Prospectively Revoke Section 20614, Statutes of 1978).
  - h. Section 20903 (Two Years Additional Service Credit).
  - i. Section 20965 (Credit for Unused Sick Leave) for local miscellaneous members only.
  - j. Section 21023.5 (Public Service Credit for Peace Corps or AmeriCorps: VISTA Service).
  - k. Section 20042 (One-Year Final Compensation) for local safety members only.
8. Public Agency, in accordance with Government Code Section 20790, ceased to be an "employer" for purposes of Section 20834 effective on June 1, 1979. Accumulated contributions of Public Agency shall be fixed and determined as provided in Government Code Section 20834, and accumulated contributions thereafter shall be held by the Board as provided in Government Code Section 20834.
9. Public Agency shall contribute to said Retirement System the contributions determined by actuarial valuations of prior and future service liability with respect to local miscellaneous members and local safety members of said Retirement System.

10. Public Agency shall also contribute to said Retirement System as follows:
- a. 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.
  - b. 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.
11. 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.
12. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within fifteen 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 5th day of June, 2001.

BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BOARD OF SUPERVISORS  
COUNTY OF MARIPOSA

BY \_\_\_\_\_  
KENNETH W. MARZION, CHIEF  
ACTUARIAL & EMPLOYER SERVICES DIVISION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY Doug Balmain  
PRESIDING OFFICER  
Doug Balmain, Chair

June 7, 2001  
Witness Date

Attest:  
Margie Williams  
Clerk  
Margie Williams  
Clerk of the Board

*Awaiting  
Signed  
Original 6/7/01*  
*(Signature)*