

1 MARIPOSA COUNTY RESOLUTION No. 82-108

2 A RESOLUTION OF INTENTION TO APPROVE AN AMENDMENT  
3 TO CONTRACT BETWEEN THE BOARD OF ADMINISTRATION  
4 OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND  
5 THE BOARD OF SUPERVISORS OF THE COUNTY OF MARIPOSA

6 WHEREAS, the Public Employees' Retirement Law permits the par-  
7 ticipation of public agencies and their employees in the Public  
8 Employees' Retirement System by the execution of a contract, and  
9 sets forth the procedure by which said public agencies may elect  
10 to subject themselves and their employees to amendments to said  
11 Law; and

12 WHEREAS, one of the steps in the procedure to amend this con-  
13 tract is the adoption by the legislative body of the public agency  
14 of a resolution giving notice of its intention to approve an amend-  
15 ment to said contract, which resolution shall contain a summary of  
16 the change proposed in said contract; and

17 WHEREAS, the following is a statement of the proposed change:

18 To provide Section 20614 (Statutes of 1980,  
19 to prospectively revoke Section 20614, Stat-  
20 utes of 1978).

21 NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors  
22 of Mariposa County gives, and it does hereby give notice of inten-  
23 tion to approve an amendment to the contract between the said  
24 governing body and the Board of Administration of the Public Em-  
25 ployees' Retirement System, a copy of said amendment being attached  
26 hereto, as an "Exhibit" and by this reference made a part hereof.


27 PASSED AND ADOPTED this  1st  day of  June , 1982 by the  
28 Board of Supervisors of Mariposa County, by the following vote:

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Res. No.  
PERS

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AYES: Taber, Barrick, Dalton, Erickson, Moffitt  
NOES: None  
ABSENT: None  
ABSTAINED: None

  
WILLIAM H. MOFFITT, Chairman  
Mariposa County Board of Supervisors

ATTEST:

  
ELLEN BRONSON, County Clerk and  
Ex Officio Clerk of the Board

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

  
RICHARD K. DENHALTER  
County Counsel, Mariposa County

AMENDMENT TO CONTRACT BETWEEN THE  
BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM  
AND THE  
BOARD OF SUPERVISORS  
OF THE  
COUNTY OF MARIPOSA

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 under date of June 7, 1961, effective July 1, 1961, and as amended effective April 1, 1965, January 1, 1967, October 1, 1968, May 1, 1973, April 1, 1974, May 1, 1976, and June 1, 1979, which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

A. Paragraphs 1 through 11 are hereby stricken from said contract as executed effective June 1, 1979, and hereby replaced by the following paragraphs numbered 1 through 11 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 and age 55 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 such as by express provisions thereof apply only on the election of contracting agencies.
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 Firemen (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).

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:

PERSONS COMPENSATED ON AN HOURLY AND/OR PER DIEM  
BASIS HIRED ON OR AFTER OCTOBER 1, 1968

4. 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 (Modified 2% at age 60).
5. The fraction 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 21252.5 for members who elected to stay on this formula effective January 1, 1967 (1-1/4% at age 60).
6. The fraction 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 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).
7. 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 20021.6 (providing for the participation of constables, deputy constables, marshals and deputy marshals under the definition of County Peace Officers).
  - b. Section 21222.1 (Special 5% increase - 1970).
  - c. Section 21222.2 (Special 5% increase - 1971).
  - d. Section 20021.9 (providing for classification as "County Peace Officers" of those employees of the Sheriff Department employed in county jail, detention or correctional facility and having as their primary duty and responsibility the supervision and custody of persons committed to such facility).
  - e. Section 20614 (Statutes of 1978, reduction of normal member contribution rate). From and after June 1, 1979, the normal member contribution rate shall be 3.5%, for local miscellaneous members, and shall be the amount specified in Section 21252.1 minus 3.5% for local safety members.
  - f. Section 20930.3 (Military service credit) as defined in Chapter 830, Statutes of 1976.
  - g. Section 20614 (Statutes of 1980, to prospectively revoke Section 20614, Statutes of 1978).

8. Public Agency, in accordance with Section 20740, Government Code, ceased to be an "employer" for purposes of Chapter 6 of the Public Employees' Retirement Law effective on June 1, 1979. Accumulated contributions of Public Agency as of the aforementioned date shall be fixed and determined as provided in Section 20759, Government Code, and accumulated contributions as of the aforementioned date and contributions thereafter made shall be held by the Board as provided in Section 20759, Government Code.
9. Public Agency shall contribute to said Retirement System as follows:
- a. With respect to miscellaneous members, the agency shall contribute the following percentages of monthly salaries earned as miscellaneous members of said Retirement System:
    - (1) 11.688 percent on account of the liability for current service benefits.
  - b. With respect to local safety members, the agency shall contribute the following percentages of monthly salaries earned as local safety members of said Retirement System:
    - (1) 11.497 percent on account of the liability for current service benefits.
  - c. A reasonable amount per annum, as fixed by the Board 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.
10. 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.
11. 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, or adjustments on account of errors in contributions required of any employee may be made by direct cash payments between the employee and the Board. Payments by Public Agency to Board may be made in the form of warrants, bank checks, bank drafts, certified checks, money orders or cash.

B. This amendment shall be attached to said contract and shall be effective on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

Witness our hands the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BOARD OF SUPERVISORS  
OF THE  
COUNTY OF MARIPOSA

BY \_\_\_\_\_  
Carl J. Blechinger, Executive Officer

BY \_\_\_\_\_  
Presiding Officer

Approved as to form:

Attest:

*Cynthia G. Besemer 5/21/82*  
Cynthia G. Besemer, Legal Office, Date

\_\_\_\_\_  
Clerk

PERS CON-762

PLEASE DO NOT SIGN "EXHIBIT ONLY"