ORDINANCE NO. 1047

AN ORDINANCE OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF SOLANO AUTHORIZING AN AMENDMENT
TO THE CONTRACT BETWEEN THE BOARD OF SUPERVISORS
AND THE BOARD OF ADMINISTRATION OF THE
CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

The Board of Supervisors of the County of Solano, State
of California, does ordain as follows:

SECTION I.
An amendment to the Contract between the Board of Super­
visors of the County of Solano 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 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 be published once before the expira­
tion of FIFTEEN DAYS after its final passage in the DAILY
REPUBLIC, a newspaper of general circulation, 
printed and published in the County of Solano, State of Cali­
fornia, and shall be in full force and effect THIRTY (30) DAYS
after its passage.

ATTEST: NEIL CRAWFORD, County Clerk
and ex officio Clerk of the
Board of Supervisors.

By Garland Durham, Deputy Clerk

I, NEIL CRAWFORD, County Clerk and ex officio Clerk of
the Board of Supervisors of the County of Solano, State of
California, do hereby certify that the above and foregoing Ordinance was introduced at a regular meeting thereof held October 10, 1978.

On the motion of Supervisor BRANN and the second of Supervisor SCOFIELD, this Ordinance was adopted at a regular meeting of said Board on the 17 day of October, 1978, by the following vote:

AYES: SUPERVISORS: BRANN, BRAZELTON, SCOFIELD AND CHAIRMAN HAMPTON

NOES: SUPERVISORS: NONE

ABSENT: SUPERVISORS: ASERA

WITNESS my hand and the Seal of said Board this 17th day of October, 1978.

NEIL CRAWFORD, County Clerk

Garland Durham, Deputy Clerk
AMENDMENT TO CONTRACT BETWEEN THE
BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM
AND THE
BOARD OF SUPERVISORS
OF THE
COUNTY OF SOLANO


A. Paragraphs 1 through 11 are hereby stricken from said contract as executed effective November 12, 1978, and hereby replaced by the following paragraphs number 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 miscellaneous members and age 55 for local safety members.

2. Public Agency shall participate in the Public Employees' Retirement System from and after July 1, 1945, 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 (herein referred to as local safety members);

c. Employees other than local safety members (herein referred to as 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:

NO ADDITIONAL EXCLUSIONS

EXHIBIT D  

CON-702-1
4. The fraction of final compensation to be provided for each year of credited prior and current service as a 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 miscellaneous member shall be determined in accordance with Section 21251.13 of said Retirement Law (2% at age 60), for marshals and constables.

6. The fraction of final compensation to be provided for each year of credited prior and current service as a safety member shall be determined in accordance with Section 21252.1 of said Retirement Law (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 21222.1 (providing a five-percent increase in allowance to which the annual cost-of-living provisions apply, payable for time commencing on the first day of the calendar month coinciding with or next following the effective date of the amendment to add this section to this contract, to or on account of members retired or deceased on or prior to December 31, 1970).

   b. Section 21222.2 (providing a five-percent increase in allowances to which the annual cost-of-living provisions apply, payable for time commencing on the first day of the calendar month coinciding with or next following the effective date of the amendment to add this section to this contract, to or on account of members retired or deceased on or after January 1, 1971 but before July 1, 1971).

   c. Section 21222.6 (providing a fifteen-percent increase in allowances to which the annual cost-of-living provisions apply, payable for time commencing on the first day of the calendar month coinciding with or next following the effective date of the amendment to add this section to this contract, to or on account of certain miscellaneous members retired or deceased prior to July 1, 1971).

   d. Sections 21380-21388 (providing for allowances for survivors of members covered under the 1959 Survivor's Program upon the member's death before retirement).

   e. Section 20952.5 (providing for age 50 as the minimum voluntary retirement age for local safety members, with benefit payments commencing prior to age 55 subject to actuarial discount).

   f. Section 20983.6 (providing that miscellaneous members attaining age 67 may continue in employment irrespective of age as members of said System upon certification of the member's competence by Public Agency).
g. Section 4.2.85 (providing increases ranging from 3% to 15%, depending on date of retirement or death, in allowances to which the annual cost-of-living provisions apply, payable for time commencing on the first day of the calendar month coinciding with or next following the effective date of the amendment to add this section to this contract, to or on account of members retired or deceased on or prior to December 31, 1973).

h. Section 20024.2 (defining "final compensation" on the basis of average compensation earnable during the year immediately preceding retirement or any other one year period elected by the member).

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 October 2, 1977. 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) 0.028 percent until June 30, 2000 on account of the liability for prior service benefits.
   (2) 10.980 percent on account of the liability for current service benefits.
   (3) 0.140 percent until January 31, 1979 on account of the liability for the benefits provided under Section 21222.1 and 21222.2 of said Retirement Law.

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) 0.032 percent until June 30, 2001 on account of the liability for prior service benefits.
   (2) 14.118 percent on account of the liability for current service benefits.
   (3) 0.342 percent until January 31, 1979 on account of the liability for the benefits provided under Section 21222.1 and 21222.2 of said Retirement Law.

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 periodical 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 periodical 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 periodical 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 24th day of December, 1978.

Witness our hands this day of December, 1978.

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY
Carl J. Blechinger, Executive Officer

Approved as to form:

Legal Office, PERS 9-15-78

Clerk

CON-702-4