ORDINANCE NO. 1535

AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE PERS CONTRACT TO PROVIDE EMPLOYEES THE OPTION OF PURCHASING PREVIOUS MILITARY SERVICE CREDIT AS PUBLIC SERVICE

The Solano County Board of Supervisors ordains as follows:

Section 1.

The Solano County Board of Supervisors is authorized to amend the contract between Solano County and the Board of Administration of the Public Employees’ Retirement System. The amendment provides Solano County employees the option to purchase up to four years of public service credit for any continuous active service with the Armed Forces or the Merchant Marine before county employment. A copy of the amendment is attached as Exhibit “A” and incorporated by this reference.

Section 2.

The Chair of the Solano County Board of Supervisors is authorized to execute the amendment for Solano County.

Section 3.

This uncodified ordinance shall be effective thirty (30) days after its adoption, or February 6, 1997.

Section 4.

A summary of this uncodified ordinance shall be published once within fifteen (15) days after its adoption in the Fairfield Daily Republic, a newspaper of general circulation in Solano County.
This uncodified ordinance was introduced at a regular meeting of the Solano County Board of Supervisors on December 10, 1996 and adopted at its regular meeting on January 7, 1997, by the following vote:

**AYES:** Supervisors Carroll, Silva, Thomson, and Chairman Gojkovich

**NOES:** Supervisors None

**ABSTAINED:** Supervisors None

**ABSENT:** Supervisors Kondylis

Chair, Board of Supervisors

ATTEST:
Michael Johnson, Acting Clerk
Board of Supervisors

By: Deputy
EXHIBIT "A"

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


A. Paragraphs 1 through 15 are hereby stricken from said contract as executed effective October 1, 1995, and hereby replaced by the following paragraphs numbered 1 through 15 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, age 50 for those County Peace Officers in the Deputy Sheriff's Association, Unit #3 and #4, and age 55 for all other 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 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:

   NO ADDITIONAL EXCLUSIONS

5. Public Agency and the Vacaville Unified School District Library District have agreed to a merger of their contracts, and this contract shall be a continuation of the benefits of the contract of the Vacaville Unified School District Library District, pursuant to Section 20567.6 of the Government Code. Such merger is effective as of July 1, 1979. Public Agency, by this contract, assumes the assets and liabilities accumulated under the former contract of the Vacaville Unified School District Library District. Legislation repealed said Section effective January 1, 1988.

6. 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).

7. The percentage of final compensation to be provided for each year of credited prior and current service for those local safety members other than those County Peace Officers of the Deputy Sheriff's Association, Units #3 and #4, who did not elect within 90 days of January 1, 1984 to continue under the provisions of Section 21366 shall be determined in accordance with Section 21369 of said Retirement Law (2% at age 55 Full).
8. The percentage of final compensation to be provided for each year of credited prior and current service for those local safety members other than those County Peace Officers of the Deputy Sheriff's Association, Units #3 and #4, who did elect within 90 days of January 1, 1984 to continue under provisions of Section 21366 shall be determined in accordance with Section 21366 of said Retirement Law (One-half pay at age 55 Full).

9. The percentage of final compensation to be provided for each year of credited prior and current service for those County Peace Officers of the Deputy Sheriff's Association, Units #3 and #4 only shall be determined in accordance with Section 21362 of said Retirement Law (2% at age 50 Full).

10. Public Agency elected and elects to be subject to the following optional provisions:

   a. Section 21222.1 (Special 5% Increase-1970). Legislation repealed said Section effective January 1, 1980.

   b. Section 21222.2 (Special 5% Increase-1971). Legislation repealed said Section effective January 1, 1980.

   c. Section 21571 (Basic Level of 1959 Survivor Benefits) for local safety members only.

   d. Section 21319 (Special 15% Increase for Local Miscellaneous Members).

   e. Section 21325 (Special 3% - 15% Increase) for or on behalf of those local safety and local miscellaneous members who retired or died prior to January 1, 1974.

   f. Section 20042 (One-Year Final Compensation).

   g. Section 20903 (Two Years Additional Service Credit).

   h. Section 20437 ("County Peace Officer" shall include constables, deputy constables, marshals and deputy marshals as described in Government Code Section 20437).

   i. Section 20439 ("County Peace Officer" shall include county jail, detention or correctional facility employees as described in Government Code Section 20439).
j. Section 20438 ("County Peace Officer" shall include probation officers, deputy and assistant probation officers, and other persons employed in positions as described in Government Code Section 20438).

k. Section 21024 (Military Service Credit as Public Service), Statutes of 1976.

11. Public Agency, in accordance with Government Code Section 20790, ceased to be an "employer" for purposes of Section 20834 effective on October 2, 1977. 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.

12. 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.

13. 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.

14. 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.
15. 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 ___ day of ______________, 19__.

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY
KENNETH MARZION, CHIEF
ACTUARIAL EMPLOYER SERVICES DIVISION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BOARD OF SUPERVISORS
OF THE
COUNTY OF SOLANO

BY
PRESIDING OFFICER

Witness Date
Attest:

Clerk