ORDINANCE NO. 1619

AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE SOLANO COUNTY BOARD OF SUPERVISORS AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM TO PROVIDE A SERVICE RETIREMENT BENEFIT OF 2% @ 50 FOR PROBATION OFFICERS

Whereas, the Memorandum of Understanding with SEIU, Local 1280 provided for a reopener to discuss a service retirement benefit of 2% @ 50 for eligible probation officers defined in Government Code section 20438; and

Whereas, Solano County and SEIU, Local 1280 met and conferred in good faith in accordance with Government Code section 3501 et seq.; and

Whereas, the California Public Employees' Retirement System requires the County to adopt an ordinance authorizing an amendment to the contract between the Board of Supervisors and the Board of Administration of the California Public Employees' Retirement System to provide for this benefit amendment.

The Solano County Board of Supervisors ordains as follows:

Section 1. The Solano County Board of Supervisors authorizes an amendment to the contract between the Board of Supervisors and the Board of Administration, California Public Employees' Retirement System, to provide for a service retirement benefit of 2% @ 50 for probation officers defined in Government Code section 20438, a copy of the amendment is attached as Exhibit A and incorporated by this reference.

Section 2. The Chairman of the Solano County Board of Supervisors is authorized and directed to execute the amendment for and on behalf of the County of Solano.

Section 3. This ordinance will take effect thirty (30) days after its adoption.

Section 4. A summary of this ordinance will be published within fifteen (15) days after its adoption, in the Fairfield Daily Republic, a newspaper of general circulation.
ORDINANCE NO. 1619

Passed and adopted by the Solano County Board of Supervisors at its regular meeting on May 28, 2002 by the following vote:

AYES: Supervisors Kondylis, Kromm, Silva, Thomson, and Chairman Carroll

NOES: Supervisors None

EXCUSED: Supervisors None

~{ William J. Carroll, Chairman
Solano County Board of Supervisors

ATTEST:
Michael D. Johnson, Clerk
Board of Supervisors

By: Myra Chinola, deputy
Deputy

First reading: May 7, 2002
Second reading: May 28, 2002
Effective date: June 28, 2002

A. Paragraphs 1 through 15 are hereby stricken from said contract as executed effective March 1, 2001, 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 and age 50 for County Peace Officers in the Deputy Sheriff Association, Units #3 and #4, Probation Officers defined in Section 20438 and age 55 for Correctional Officers defined in Section 20439.
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 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% @ 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 not elect within 90 days of January 1, 1984 to continue under the 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 local County Peace Officers of the Deputy Sheriff's Association, Units #3 and #4, and Probation Officers defined in Section 20438 only shall be determined in accordance with Section 21362 of said Retirement Law (2% @ 50 Full).

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


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

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

   d. Section 21319 (One-Time 15% Increase for Local Miscellaneous Members Who Retired or Died Prior to July 1, 1971). Legislation repealed said Section effective January 1, 2002.

   e. Section 21325 (One-Time 3% to 15% Increase For Local miscellaneous members and local safety Members Who Retired or Died Prior to January 1, 1974). Legislation repealed said Section effective January 1, 2002.

   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, juvenile hall employees, and persons employed as peace officers pursuant to Section 830.5 of the Penal Code as described in Government Code Section 20438).

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

l. Section 21574 (Fourth Level of 1959 Survivor Benefits) for County Peace Officers only.

m. Section 20965 (Credit for Unused Sick Leave) for local miscellaneous members only.

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. Contributions required per covered member on account of the 1959 Survivor Benefits provided under Section 21574 of said Retirement Law. (Subject to annual change.) In addition, all assets and liabilities of Public Agency and its employees shall be pooled in a single account, based on term insurance rates, for survivors of all local County Peace Officers members.

b. 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.

c. 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 28th day of May, 2002.

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

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

BOARD OF SUPERVISORS
COUNTY OF SOLANO

BY
PRESIDING OFFICER

Attest:

Clerk

May 28, 2002
Witness Date
CERTIFICATION
OF
FINAL ACTION OF GOVERNING BODY

I hereby certify that the _______________ Board of Supervisors _______________ of the
(governing body)

__________________________

County of Solano
(public agency)

adopted on _______________ May 28 _______________, 2002, by an affirmative vote of a majority
(date)
of the members of said Governing Body, __________________ Ordinance _______________
(Ordinance or Resolution)

No. 1619 approving the attached contractual agreement between the
Governing Body of said Agency and the Board of Administration of the California Public
Employees' Retirement System, a certified copy of said __________________ Ordinance _______________
(Ordinance or Resolution)
in the form furnished by said Board of Administration being attached hereto.

[Signature]
Clerk/Secretary

[Signature]
Deputy Clerk
Title

Date 5/28/02

PERS-CON-5 (Rev. 1/96)