

**ORDINANCE NO. 92-003**

ADOPTED BY THE SACRAMENTO CITY COUNCIL

**JAN 21 1992**

ON DATE OF \_\_\_\_\_

**AN ORDINANCE AUTHORIZING AN AMENDMENT TO  
CONTRACT NO. 89110-1 BETWEEN THE CITY COUNCIL OF  
THE CITY OF SACRAMENTO AND THE BOARD OF  
ADMINISTRATION OF THE CALIFORNIA PUBLIC  
EMPLOYEES' RETIREMENT SYSTEM**

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

That an amendment to the Contract between the City Council of the City of Sacramento 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 2.


The Mayor of the City of Sacramento is hereby authorized, empowered, and directed to execute said amendment for and on behalf of said Agency.

SECTION 3.


THIS ORDINANCE SHALL TAKE EFFECT 30 DAYS AFTER THE DATE OF ADOPTION.

DATE ENACTED: January 21, 1992

DATE EFFECTIVE: February 21, 1992

  
\_\_\_\_\_  
VICE MAYOR

ATTEST:

  
\_\_\_\_\_  
CITY CLERK

FOR CITY CLERK USE ONLY

ORDINANCE NO.: 92-003  
DATE ADOPTED: JAN 21 1992

**COPY**

**AMENDMENT TO CONTRACT  
BETWEEN THE  
BOARD OF ADMINISTRATION  
OF THE  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM  
AND THE  
CITY COUNCIL  
OF THE  
CITY OF SACRAMENTO**

**PLEASE DO NOT SIGN "EXHIBIT ONLY"**

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 effective January 29, 1977, and witnessed January 25, 1977, and as amended effective June 1, 1978, March 17, 1988, December 30, 1989 and June 26, 1991, which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 15 are hereby stricken from said contract as executed effective June 26, 1991, and hereby replaced by the following paragraphs numbered 1 through 16 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 members, age 50 for those local safety members entering membership in this System on or prior to December 30, 1989 and age 55 for those local safety members entering membership in this System after December 30, 1989.
  2. Public Agency shall participate in the Public Employees' Retirement System from and after January 29, 1977 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. Local Police Officers (herein referred to as local safety members);
    - c. Employees other than local safety members (herein referred to as local miscellaneous members).

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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. **ALL MISCELLANEOUS EMPLOYEES WHO WERE IN EMPLOYMENT PRIOR TO JANUARY 29, 1977; AND**
  - b. **ALL PERSONS WHO ARE PARTICIPANTS (AS THAT TERM IS DEFINED IN THE ACT HEREINAFTER REFERRED TO AND ANY REGULATIONS PROMULGATED THEREUNDER) UNDER THE COMPREHENSIVE EMPLOYMENT AND TRAINING ACT OF 1973, AS AMENDED.**
5. Assets heretofore accumulated with respect to members in the local retirement system who entered membership in this System on December 30, 1989 have been transferred to the Public Employees' Retirement System and applied against the liability for prior service incurred thereunder. That portion of the assets so transferred which represent the accumulated contributions (plus interest thereupon) required of the employees under said local system has been credited to the individual membership account of each such employee under the Public Employees' Retirement System.
6. This contract shall be a continuation of the fire function of the Pacific Fire Protection District, hereinafter referred to as "Former Agency". The accumulated contributions, assets and liability for prior and current service under the Former Agency's contract with respect to the fire function shall be merged pursuant to Section 20567.1 of the Government Code. Such merger occurred December 28, 1991.
  - a. All benefits provided under this contract shall apply to all past service for former local safety employees of the Pacific Fire Protection District.
7. The percentage of final compensation to be provided for local miscellaneous members for each year of credited prior service is zero and the percentage of final compensation to be provided for each year of credited current service is 100, and determined in accordance with Section 21251.13, subject to the reduction provided therein for service on or after January 29, 1977, for members whose service has been included in Federal Social Security (2% at age 60 Full and Modified).
8. The percentage of final compensation to be provided for each year of credited prior service is zero and the percentage to be provided for each year of credited current service is 100, and determined in accordance with Section 21252.01 of said Retirement Law (2% at age 50 Full) for local safety members entering membership in this System on or after January 29, 1977 and prior to December 30, 1989.
9. The percentage of final compensation to be provided for each year of credited prior and current service shall be determined in accordance with Section 21252.01 of said Retirement Law (2% at age 50 Full) for local safety members who transferred from the local system and entered membership in this System on December 30, 1989.

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10. The percentage of final compensation to be provided for each year of credited prior and current service shall be determined in accordance with Section 21252.02 of said Retirement Law (2.5% at age 55), for local safety members entering membership in this System after December 30, 1989.
11. 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. Sections 21263/21263.1 (Post-Retirement Survivor Allowance).
  - b. Sections 21022/21022.1 (Industrial Disability Retirement For Local Miscellaneous Members).
  - c. Section 20930.11 (Public Service Credit for Periods of Lay-Off) for local fire members only.
  - d. Section 21230 (3% Cost-of-Living Allowance) limited pursuant to Section 21252.023(a) for local safety members who transferred from the local system, entered membership in this System on December 30, 1989 and retired after that date.
  - e. Section 20938 (Cancellation of Payment for Optional Service Credit Upon Retirement for Industrial Disability) limited pursuant to Section 20938.1 for local safety members who transferred from the local system and entered membership in this System on December 30, 1989.
  - f. Section 20607(b) (Member Contribution Rate of 9% of Compensation) for local safety members entering membership in this System after December 30, 1989.
  - g. Section 21361.5 (Local System Service Credit Included in Basic Death Benefit) for local safety members who transferred from the local system and entered membership in this System on December 30, 1989.
  - h. Section 20024.2 (One-Year Final Compensation) for local safety members only.
12. Public Agency, in accordance with Government Code Section 20759, shall not be considered an "employer" for purposes of the Public Employees' Retirement Law. Contributions of the Public Agency shall be fixed and determined as provided in Government Code Section 20759, and such contributions hereafter made shall be held by the Board as provided in Government Code Section 20759.
13. 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.

14. Public Agency shall 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.

15. 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.

16. 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 \_\_\_\_\_

BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY \_\_\_\_\_  
CHIEF, CONTRACT SERVICES DIVISION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL  
OF THE  
CITY OF SACRAMENTO

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

Witness Date \_\_\_\_\_

Attest:

\_\_\_\_\_  
Clerk

PERS-CON-702 (AMENDMENT)  
(Rev. 3/91)

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JAN 21 1992