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**Sacramento  
Housing &  
Redevelopment  
Agency**

March 11, 2004

Housing Authority  
of the City of Sacramento  
Sacramento, California

Honorable Members in Session:

**SUBJECT: RESOLUTION OF INTENTION TO AMEND RETIREMENT CONTRACT  
WITH PUBLIC EMPLOYEES' RETIREMENT SYSTEM (PERS) TO PROVIDE  
SECTION 21024 - MILITARY SERVICE CREDIT AS PUBLIC SERVICE**

**LOCATION & COUNCIL DISTRICT - Citywide**

**RECOMMENDATION**

Staff recommends adoption of the attached Resolution of Intention giving public notice to authorize the Executive Director to amend the contract with the Public Employees' Retirement System (PERS) to provide Section 21024 (Military Service Credit as Public Service) for local miscellaneous members.

**CONTACT PERSONS**

Wendell Garrett, Management Analyst, 440-1375  
James Shields, Director of Administration, 440-1308

**FOR COUNCIL MEETING OF – March 23, 2004**

# SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY

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## **SUMMARY**

The attached Resolution of Intention hereby gives the required 20-day public notice to authorize the Executive Director to amend the retirement contract. A sample PERS Amendment to Contract is attached as an exhibit only. The final resolution is scheduled for Council approval on April 13, 2004. The actual Amendment to Contract will also be submitted for signature along with the final resolution at that time.

## **BACKGROUND**

At its meeting of December 9, 2003, the Council authorized the Executive Director to amend the Agency contract with the Public Employees' Retirement System (PERS) to add Section 21024 (Military Service Credit as Public Service). There must be a 20-day period between the adoption of the Resolution of Intention and the adoption of the final Resolution pursuant to Government Code Section 20471.

## **FINANCIAL CONSIDERATIONS**

**Employer Cost:** There is no valuation required in order to amend the Agency contract with PERS to add Section 21024. Actual costs may emerge in future valuations. We expect costs, if any, will be minimal due to the small percentage of employees that are eligible to participate in this option.

**Member Cost:** Individual calculation is required. After the contract has been amended, the employee may obtain cost information by contacting PERS Member Services Division.

## **POLICY CONSIDERATIONS**

The action proposed in this staff report is consistent with required PERS Contract Amendment requirements.

## **ENVIRONMENTAL REVIEW**

The proposed action is an administrative policy activity that does not constitute a project under CEQA per Guidelines Section 15378 (b) (2) and is exempt under NEPA per 24 CFR Section 58.34(a)(3).


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**M/WBE CONSIDERATIONS**

The items discussed in this report have no M/WBE impact; therefore M/WBE considerations do not apply.

Respectfully submitted,

  
ANNE M. MOORE  
Executive Director

Transmittal approved,


  
ROBERT P. THOMAS  
City Manager

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**RESOLUTION NO. \_\_\_\_\_**

**ADOPTED BY THE HOUSING AUTHORITY OF THE CITY OF SACRAMENTO**

ON DATE OF

**RESOLUTION OF INTENTION TO APPROVE AN AMENDMENT TO CONTRACT  
BETWEEN THE BOARD OF ADMINISTRATION  
CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE  
BOARD OF COMMISSIONERS  
HOUSING AUTHORITY OF THE CITY OF SACRAMENTO**

WHEREAS, the Public Employees' Retirement Law permits the participation of public agencies and their employees in the Public Employees' Retirement System by the execution of a contract, and sets forth the procedure by which said public agencies may elect to subject themselves and their employees to amendments to said Law; and

WHEREAS, one of the steps in the procedures to amend this contract is the adoption by the governing body of the public agency of a resolution giving notice of its intention to approve an amendment to said contract, which resolution shall contain a summary of the change proposed in said contract; and

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

To provide Section 21024 (Military Service Credit as Public Service) for local miscellaneous members.

**BE IT RESOLVED BY THE HOUSING AUTHORITY OF THE CITY OF SACRAMENTO:**

That the governing body of the above agency does hereby give notice of intention to approve an amendment to the contract between said public agency and the Board of Administration of the Public Employees' Retirement System, a copy of said amendment being attached hereto, as an "Exhibit" and by this reference made a part hereof.

\_\_\_\_\_  
CHAIR

ATTEST:

\_\_\_\_\_  
SECRETARY

\_\_\_\_\_  
**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_



**EXHIBIT**

California  
Public Employees' Retirement System

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**AMENDMENT TO CONTRACT**

Between the  
**Board of Administration**  
**California Public Employees' Retirement System**  
and the  
**Board of Commissioners**  
**Sacramento City Housing Authority**

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The Board of Administration, California Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of the above public agency, hereinafter referred to as Public Agency, having entered into a contract effective December 1, 1968, and witnessed October 16, 1968, and as amended effective June 11, 1983, January 17, 1987, January 9, 1992, September 30, 1992 and July 1, 2001 which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 12 are hereby stricken from said contract as executed effective July 1, 2001, and hereby replaced by the following paragraphs numbered 1 through 12 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.
  2. Public Agency shall participate in the Public Employees' Retirement System from and after December 1, 1968 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.

PLEASE DO NOT SIGN "EXHIBIT ONE"

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. 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:
  - a. **HOURLY RATED OR HOURLY BASIS EMPLOYEES; AND**
  - b. **SAFETY EMPLOYEES.**
5. This contract shall be a continuation of the contract of the Redevelopment Agency of the City of Sacramento, hereinafter referred to as "Former Agency". The accumulated contributions, assets and liability for prior and current service under the Former Agency's contract shall be merged pursuant to Section 20508 of the Government Code. Such merger occurred July 1, 2001.
6. The percentage of final compensation to be provided for local miscellaneous members for each year of credited prior service is 0% and the percentage of final compensation to be provided for each year of credited current service is 100% and determined in accordance with Section 21354 of said Retirement Law (2% at age 55 Modified).
7. Public Agency elected and elects to be subject to the following optional provisions:
  - a. Sections 21624, 21626 and 21628 (Post-Retirement Survivor Allowance).
  - b. Section 20965 (Credit for Unused Sick Leave).
  - c. Section 20903 (Two Years Additional Service Credit).
  - d. Section 20042 (One-Year Final Compensation).
  - e. Section 21024 (Military Service Credit as Public Service), Statutes of 1976.
8. Public Agency, in accordance with Government Code Section 20790, ceased to be an "employer" for purposes of Section 20834 effective on June 11, 1983. 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.

9. 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 of said Retirement System.
10. 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.
11. 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.
12. 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 \_\_\_\_\_  
KENNETH W. MARZION, CHIEF  
ACTUARIAL & EMPLOYER SERVICES DIVISION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BOARD OF COMMISSIONERS  
SACRAMENTO CITY HOUSING  
AUTHORITY

BY \_\_\_\_\_  
PRESIDING OFFICER

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

Attest:

\_\_\_\_\_  
Clerk