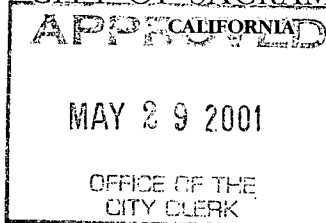




1.16

OFFICE OF  
LABOR RELATIONS

CITY OF SACRAMENTO



921 10TH STREET  
ROOM 601  
SACRAMENTO, CA  
95814-2711

PH 916-264-5424  
FAX 916-264-8110

May 1, 2001

City Council  
Sacramento, California

**CONTINUED**

FROM 5-8-01  
TO 5-29-01

Honorable Members in Session:

**SUBJECT:** ORDINANCE AMENDING CONTRACT #89-110 WITH PUBLIC EMPLOYEES' RETIREMENT SYSTEM (PERS)

**LOCATION AND COUNCIL DISTRICT:** City Wide

**RECOMMENDATION:**

It is recommended that the item be passed for publication of title and continued to May 29, 2001.

**CONTACT PERSON:**

Dee Contreras, Director of Labor Relations, 264-5424

**FOR COUNCIL MEETING OF:** May 8, 2001

**SUMMARY:**

This item is presented at this time for approval of publication of title pursuant to City Charter, Section 32.

**COMMITTEE/COMMISSION ACTION:**

There was none required for this report.

**BACKGROUND INFORMATION:**

In order to amend the PERS contract an ordinance must be published pursuant to City Charter,

Section 32.

**FINANCIAL CONSIDERATIONS:**

This report has no fiscal implications.

**ENVIRONMENTAL CONSIDERATIONS:**

There are no applicable environmental concerns.

**ESBD CONSIDERATIONS**

No goods or services are being purchased under this report.

Respectfully submitted,

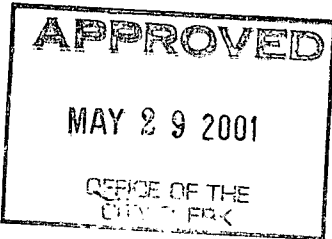


Dee Contreras  
Director of Labor Relations

**RECOMMENDED APPROVED:**



Robert P. Thomas  
City Manager



**ORDINANCE NO. 2001-022**

ADOPTED BY THE SACRAMENTO CITY COUNCIL

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

**AN ORDINANCE AUTHORIZING AN AMENDMENT TO  
CONTRACT NO 89-110 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", 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 City of Sacramento.

**SECTION 3.**

**THIS ORDINANCE SHALL TAKE EFFECT THIRTY (30) DAYS AFTER THE DATE OF ITS ADOPTION.**

\_\_\_\_\_  
MAYOR

ATTEST:

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

**FOR CITY CLERK USE ONLY**

ORDINANCE NO.: \_\_\_\_\_

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



**EXHIBIT**

California  
Public Employees' Retirement System

---

**AMENDMENT TO CONTRACT**

Between the  
Board of Administration  
California Public Employees' Retirement System  
and the  
City Council  
City of Sacramento

---

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 January 29, 1977, and witnessed January 25, 1977, and as amended effective June 1, 1978, March 17, 1988, December 30, 1989, June 26, 1991, February 21, 1992, May 29, 1996, November 20, 1996, December 19, 1997 and July 1, 2000, which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 14 are hereby stricken from said contract as executed effective July 1, 2000, 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 local safety members.
  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).
  
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 thereof) 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 20508 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 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 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, 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 55 Full and Modified).
8. The percentage of final compensation to be provided for local safety members who entered membership in this System on or after January 29, 1977 and prior to December 30, 1989 and for those local safety members who entered membership after December 30, 1989 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 21362 of said Retirement Law (2% at age 50 Full).
9. The percentage of final compensation to be provided for each year of credited prior and current service for local safety members who transferred from the local system and entered membership in this System on December 30, 1989 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. Sections 21624 and 21626 (Post-Retirement Survivor Allowance).
  - b. Section 21151 (Industrial Disability Retirement For Local Miscellaneous Members).
  - c. Section 21022 (Public Service Credit for Periods of Lay-Off) for local fire members only.
  - d. Section 21335 (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. Legislation repealed said Section effective June 30, 1991.
  - e. Section 21037 (Cancellation of Payment for Optional Service Credit Upon Retirement for Industrial Disability) limited pursuant to Section 21038 for local safety members who transferred from the local system and entered membership in this System on December 30, 1989.

- f. Section 21536 (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.
  - g. Section 20042 (One-Year Final Compensation).
  - h. Section 21024 (Military Service Credit as Public Service), Statutes of 1976.
  - i. Section 21023.5 (Public Service Credit for Peace Corps or AmeriCorps: VISTA Service) for local miscellaneous members only.
11. Public Agency, in accordance with Government Code Section 20834, 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 20834, and such contributions hereafter made 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 \_\_\_\_\_,

BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL  
CITY OF SACRAMENTO

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

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

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

Attest:

\_\_\_\_\_  
Clerk



11/8

**CITY OF SACRAMENTO  
ORDINANCE**

On May 8, 2001, the following ordinance was considered by the Sacramento City Council and will be considered for final adoption at the regular meeting of May 29, 2001. In accordance with Sacramento City Charter Section 32, the title is herein published:

**AN ORDINANCE AUTHORIZING AN AMENDMENT TO  
CONTRACT NO. 89-110 BETWEEN THE CITY COUNCIL OF  
THE CITY OF SACRAMENTO AND THE BOARD OF  
ADMINISTRATION OF THE CALIFORNIA PUBLIC  
EMPLOYEES' RETIREMENT SYSTEM**

Anyone interested in the full text of the above ordinance may contact the Office of the City Clerk, City Hall, 915 "I" Street, Room 304, phone (916) 264-5427.

SACRAMENTO CITY COUNCIL

BY: VALERIE A. BURROWES  
CITY CLERK

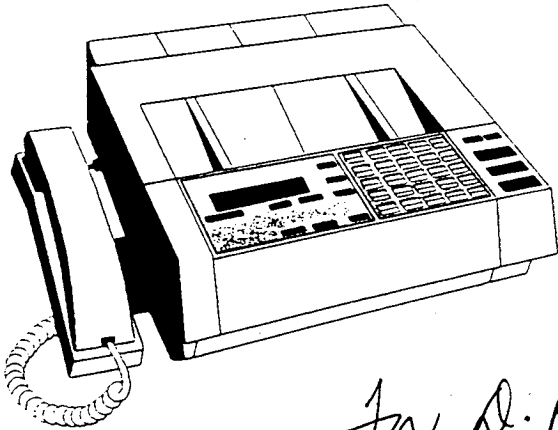
AD NO.: 9260  
RUN ONE TIME: May 15, 2001  
PROOF OF PUB: 2



A FAX Transmission from the  
City Clerk's Office  
City of Sacramento

Date: May 10, 2001

TO: Barbara  
CO/DEPT: Daily Recorder  
FAX #: 444-0636  
PHONE #: \_\_\_\_\_  
REGARDING: ppp ordinance - PERS



For your info   
Per your request   
Please comment

Number of pages 2  
(Including Cover Sheet)

In D.R. pub on 5-15-01.

FROM: Carolyn Hoover  
DEPT: \_\_\_\_\_  
ORGANIZATION: \_\_\_\_\_  
FAX #: \_\_\_\_\_  
PHONE #: 264-7200

TRANSMISSION VERIFICATION REPORT

TIME : 05/10/2001 10:51  
NAME : SAC CITY CLERK  
FAX : 9162647672  
TEL : 9162645799

DATE, TIME	05/10 10:50
FAX NO./NAME	DLY RECORDER LE
DURATION	00:00:48
PAGE(S)	02
RESULT	OK
MODE	STANDARD ECM

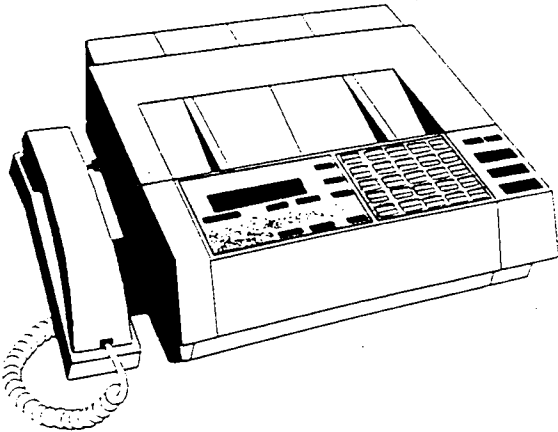


A FAX Transmission from the  
City Clerk's Office  
City of Sacramento

In  
PERS  
Item  
on  
May 29, 01

Date: May 10, 2001

TO: Barbara  
CO/DEPT: Barley Reender  
FAX #: 444-6636  
PHONE #: \_\_\_\_\_  
REGARDING: 7 items, attached



- For your info
- Per your request
- Please comment

Number of pages 3  
(Including Cover Sheet)

FROM: Carolyn Hoover  
DEPT: \_\_\_\_\_  
ORGANIZATION: \_\_\_\_\_  
FAX #: \_\_\_\_\_  
PHONE #: 264-7200

**RESOLUTION NO. 2001-271**

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF MAY - 8 2001

**A RESOLUTION OF INTENTION  
TO APPROVE AN AMENDMENT TO CONTRACT NO. 89-110  
BETWEEN THE BOARD OF ADMINISTRATION OF THE  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE  
CITY COUNCIL 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 amend said contract; 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 summary of the proposed amendments to said contract between the City of Sacramento and the Public Employees' Retirement

- (1) Section 21354 (2% @ 55 Full and Modified formula) for all local miscellaneous members.
- (2) Section 20042 (One-Year Final Compensation) for all local miscellaneous members.
- (3) Section 21151 (Industrial Disability for Local Miscellaneous Members) for members entering membership after December 19, 1997.
- (4) Section 21023.5 (Public Service Credit for Peace Corps or America Corps:VISTA) for all local miscellaneous members.

**NOW, THEREFORE, BE IT RESOLVED** that the Sacramento City Council, as governing body of the City of Sacramento does hereby give notice of its intention to approve an amendment to the contract between the City of Sacramento 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.

**HEATHER FARGO**  
MAYOR

ATTEST:

**VALERIE BURROWES**  
CITY CLERK

AD NO. 9259  
RUN 1 TIME: MAY 11, 2001  
2 PROOFS OF PUB

**FOR CITY CLERK USE ONLY**

4  
RESOLUTION NO.: 2001-271  
DATE ADOPTED: MAY - 8 2001