

ORDINANCE NO. 2203

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL OF THE CITY OF CHULA VISTA AND THE BOARD OF ADMINISTRATION OF CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

The City Council of the City of Chula Vista does hereby resolve as follows:

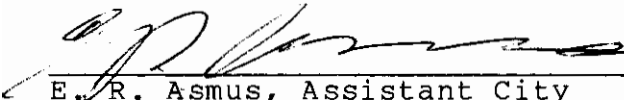
SECTION I: That an amendment to the contract between the City Council of the City of Chula Vista and the Board of Administration of the California Public Employees' Retirement System is hereby authorized, a copy of said amendment being attached hereto, marked "Exhibit A", and by such reference made a part hereof as though herein set out in full.

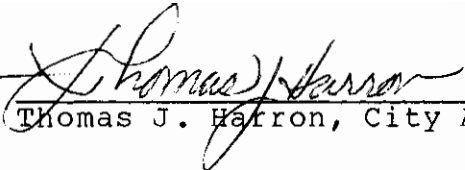
SECTION II: The Mayor of the City of Chula Vista is hereby authorized, empowered, and directed to execute said amendment for and on behalf of said Agency.

SECTION III: This ordinance shall take effect thirty days after the date of its adoption, and prior to the expiration of ten days from the passage thereof shall be published at least once in the Chula Vista Star News, a newspaper of general circulation, published and circulated in the City of Chula Vista and thenceforth and thereafter the same shall be in full force and effect.

Presented by

Approved as to form by


E. R. Asmus, Assistant City
Manager


Thomas J. Harron, City Attorney

2850a

FIRST READ AT A REGULAR MEETING OF THE CITY COUNCIL OF THE
CITY OF CHULA VISTA, CALIFORNIA, HELD May 5, 1987, AND
FINALLY PASSED AND ADOPTED AT A REGULAR MEETING THEREOF HELD May 26,
1987, BY THE FOLLOWING VOTE, TO-WIT:

AYES: Councilmen : Nader, McCandliss, Cox, Moore
NAYES: Councilmen : None
ABSTAIN: Councilmen : None
ABSENT: Councilmen : Malcolm

Gregory R. Cox
Mayor of the City of Chula Vista

ATTEST Jennie M. Fulasz
City Clerk

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss.
CITY OF CHULA VISTA)

I, JENNIE M. FULASZ, CMC, CITY CLERK of the City of Chula Vista, California,
DO HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of
ORDINANCE NO. 2203, and that the same has not been amended or repealed.

DATED _____



City Clerk

Public Employees' Retirement System
Field & Contract Services Division
Contracts Office, Section 900
Post Office Box 942709
Sacramento, CA 94229-2709
Telephone (916) 326-3608
326-3000 (Telecommunications
Device for the Deaf)

CERTIFICATION OF GOVERNING BODY'S ACTION

I hereby certify that the foregoing is a true and correct copy of a
Resolution adopted by the City Council,
(Governing Body)
of the City of Chula Vista,
(Name of Public Agency)
on May 5, 1987, appearing at Page _____,
(Date)
column _____ of the (Minutes) (Official Records) of
the City Council.
(Governing Body)


CITY CLERK

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Field & Contracts Services Division
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CERTIFICATION OF COMPLIANCE WITH
GOVERNMENT CODE SECTION 7507

I hereby certify that in accordance with Section 7507 of the Government Code the future annual costs as determined by the System Actuary and/or the increase in retirement benefit(s) have been made public at a public meeting by the City Council of City of Chula Vista
(governing body) (public agency)
at least two weeks prior to the adoption of the final Ordinance/Resolution.

Date: May 29, 1987

Gregory R. Cox
original signature

Mayor, City of Chula Vista
official title



Field & Contracts Services Division
 P.O. Box 942709
 Sacramento, CA 94229-2709
 (916) 326-3608
 326-3000 (Telecommunication
 Device for the Deaf)

Reply to Section 900
 Field & Contracts
 Services Division

November 5, 1987

Employer Code #0195

*copy perhaps for our
 files - then to
 city clerk*

Mr. E. R. Asmus
 Assistant City Manager
 City of Chula Vista
 276 Fourth Avenue
 Chula Vista, CA 92010

Dear Mr. Asmus:

The contract amendment and agreement to merge has been executed by our office. The effective date of the contract amendment is July 3, 1987.

If you have any questions, please do not hesitate to contact the Retirement Specialist who has been assisting your agency with its contract activity at the above address or telephone number.

Sincerely,

Darlene Eredia
 Contracts Office
 Field & Contracts Services Division

Attachment

CO308
 (7/87)

RECEIVED
 CITY MANAGER
 CHULA VISTA, CA
 NOV 9 1987

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

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 October 1, 1948, and witnessed August 31, 1948, and as amended effective October 1, 1951, November 1, 1955, January 1, 1960, January 1, 1961, September 1, 1967, September 28, 1973, October 4, 1973, October 8, 1976, April 16, 1981, January 8, 1982 and September 28, 1984, 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 September 28, 1984, 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 60 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 October 1, 1948 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);

(1). Local Police Officers shall include individuals defined by Section 20020 of the Government Code prior to its amendment at the 1975-76 Regular Legislative Session, effective January 1, 1976, employed by Public Agency prior to such amendment;

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. Effective October 4, 1973 and prior to January 1, 1975, those members who were hired by Public Agency on a temporary and/or seasonal basis not to exceed 6 months were excluded from PERS membership by contract. Government Code Section 20336 supersedes this contract provision by providing that any such temporary and/or seasonal employees are excluded from PERS membership subsequent to January 1, 1975.

6. This contract shall be the continuation of the benefits of the contract of the Montgomery Fire Protection District, hereinafter referred to as "Former Agency", pursuant to Section 20567.1 of the Government Code, Former Agency having ceased to exist and been succeeded by Public Agency on January 1, 1986. Public Agency, by this contract, assumes the accumulated contributions and assets derived therefrom and liability for prior and current service under the Former Agency's contract with respect to the Former Agency's employees.

a. Service performed for the former agency prior to January 1, 1986 shall be computed separately from service performed on and after January 1, 1986, pursuant to Government Code Section 20567.8. All benefits except Section 21382.2 (Increased Level of 1959 Survivor Benefits), provided under the contract of the City of Chula Vista shall apply to all past service for former employees of the Montgomery Fire Protection District.

7. The fraction 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 21251.13 of said Retirement Law (2% at age 60 Full).

8. The fraction of final compensation to be provided for each year of credited prior and current service as a local safety member shall be determined in accordance with Section 21252.01 of said Retirement Law (2% at age 50 Full).

9. 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 21380 - 21387 (1959 Survivor Program) excluding Section 21382.2 (Increased 1959 Survivor Benefits) and Section 21382.4 (Third Level of 1959 Survivor Benefits).
- b. Section 20862.8 (Unused Sick Leave Credit).
- c. Section 20020 ("Local Police Officer" shall include persons assigned to identification and communication duties in the Police Department who were not classified as local safety members and who were in such employment on or prior to August 4, 1972, and who elected to be local safety members on or before September 28, 1973.
- d. Section 21222.85 (Special 3% - 15% Increase) for or on behalf of those local miscellaneous and those local safety members who retired or died prior to January 1, 1974.
- e. Sections 21263/21263.1 (Post-Retirement Survivor Allowance) for local safety members only.
- f. Section 20500 (Cost Sharing) Public Agency and its employees have agreed to share the cost of the following benefit applicable to Section 21252.01.

From and After September 28, 1984 the local safety employees of Public Agency shall be assessed an additional 0.341% of their compensation - for a total contribution rate of 9.341% pursuant to Government Code Section 20500.

- g. Section 20500 (Cost Sharing) Public Agency and its employees have agreed to remove the cost sharing of the benefit applicable to Section 21252.01.

From and After July 1, 1985 the local safety employees of Public Agency shall be assessed an additional 0.000% of their compensation for a total contribution rate of 9.000% pursuant to Government Code Section 20500.

10. Public Agency, in accordance with Government Code Section 20740, ceased to be an "employer" for purposes of Section 20759 effective on October 8, 1976. Accumulated contributions of Public Agency shall be fixed and determined as provided in Government Code Section 20759, and accumulated contributions thereafter shall be held by the Board as provided in Government Code Section 20759.

11. Public Agency shall contribute to said Retirement System as follows:
- a. With respect to local miscellaneous members, the agency shall contribute the following percentages of salaries earned as members of said Retirement System:
 - (1) 0.039 percent until June 30, 2000 on account of the liability for prior service benefits. (Subject to annual change.)
 - (2) 8.937 percent until June 30, 2011 on account of the liability for current service benefits. (Subject to annual change.)
 - (3) 0.082 percent until June 30, 1996 on account of the liability for the benefits provided under Section 21222.85 of said Retirement Law. (Subject to annual change.)
 - b. With respect to local safety members, the agency shall contribute the following percentages of salaries earned as members of said Retirement System:
 - (1) 0.492 percent until June 30, 2000 on account of the liability for prior service benefits. (Subject to annual change.)
 - (2) 25.364 percent until June 30, 2011 on account of the liability for current service benefits. (Subject to annual change.)
 - (3) 0.016 percent until June 30, 2011 on account of the liability for the 1959 Survivor Program. (Subject to annual change.)
 - c. 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.
 - d. 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.
12. 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.

13. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within thirty 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 26th 3rd day of July, 1987.
Bp

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL
OF THE
CITY OF CHULA VISTA

BY Sandra C. Lund
SANDRA C. LUND
ASSISTANT EXECUTIVE OFFICER
BENEFIT SERVICES

BY Gregory R. Cox
Presiding Officer

June 4, 1987
Witness Date

Attest:

Jennie M. Fulasz
Clerk

PERS-CON-702 (AMENDMENT)
(Rev. 9/86)