

RESOLUTION NO. 5-89

**RESOLUTION OF INTENTION
TO APPROVE AN AMENDMENT TO CONTRACT
BETWEEN THE
BOARD OF ADMINISTRATION
OF THE
PUBLIC EMPLOYEES' RETIREMENT SYSTEM
AND THE
BOARD OF DIRECTORS
OF THE
SEWER AUTHORITY MID-COASTSIDE**

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 procedure 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 21382.4 (Third Level of 1959 Survivor Benefits) for local miscellaneous members.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the above agency does hereby give notice of intention to approve an amendment to the contract between the said governing body 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.

BY


(NAME)

CHAIRMAN OF THE BOARD

(TITLE)

OCTOBER 23, 1989

(Date adopted and approved)

C0302

Ret. Form 122

Secretary
of the
Board

**AMENDMENT TO CONTRACT
BETWEEN THE
BOARD OF ADMINISTRATION
OF THE
PUBLIC EMPLOYEES' RETIREMENT SYSTEM
AND THE
BOARD OF DIRECTORS
OF THE
SEWER AUTHORITY MID-COASTSIDE**

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 July 16, 1983, and witnessed July 11, 1983, and as amended effective August 1, 1987, which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 10 are hereby stricken from said contract as executed effective August 1, 1987, and hereby replaced by the following paragraphs numbered 1 through 10 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.
 2. Public Agency shall participate in the Public Employees' Retirement System from and after July 16, 1983 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. 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. **ELECTED OFFICIALS; AND**
 - b. **ALL SAFETY EMPLOYEES.**

5. 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).
6. 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. Section 20024.2 (One-Year Final Compensation).
 - b. Sections 21380 - 21387 (1959 Survivor Benefits) including Section 21382.2 (Increased 1959 Survivor Benefits) and Section 21382.4 (Third Level of 1959 Survivor Benefits).
 - c. Sections 21263, 21263.1 and 21263.3 (Post-Retirement Survivor Allowance).
7. 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.
8. 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) 6.858 percent until June 30, 2011 on account of the liability for current service benefits. (Subject to annual change.)
 - b. Public Agency shall contribute \$2.50 per employee, per month on account of the liability for the 1959 Survivor Program provided under Section 21382.4 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 beneficiaries of all local 10 members.
 - 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.

9. 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.
10. 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 26th ^{1st} day of ~~December~~ January, 19 ~~89~~ 90.

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BOARD OF DIRECTORS
OF THE
SEWER AUTHORITY MID-COASTSIDE

BY _____
CHIEF, CONTRACT SERVICES DIVISION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY *[Signature]*
Presiding Officer

12-26-89
Witness Date

Attest:

[Signature]
Clerk

OF THE

BOARD OF DIRECTORS
(Name of Governing Body)

AUTHORIZING AN AMENDMENT TO THE CONTRACT
OF THE

SEWER AUTHORITY MID-COASTSIDE
(Name of Public Agency)

AND THE BOARD OF ADMINISTRATION OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM

WHEREAS, the BOARD OF ADMINISTRATION of the PUBLIC EMPLOYEES' RETIREMENT SYSTEM and the Board of Directors (Name of Governing Body) of the SEWER AUTHORITY MID-COASTSIDE (Name of Public Agency) entered into a Contract effective on July 16, 1983, providing for the participation of said Sewer Authority Mid-Coastside (Name of Public Agency) in the Public Employees' Retirement System; and

WHEREAS, it is now desirable to take advantage of certain benefits provided under said Retirement System and not included in said contract;

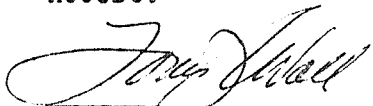
NOW, THEREFORE, BE IT RESOLVED, that said Board of Directors (Name of Governing Body) authorized, and it does hereby authorize, an amendment to said Contract, a copy of said amendment being attached hereto marked "Exhibit A", and by such reference made a part hereof as though herein set out in full; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the presiding officer of said Board of Directors (Name of Governing Body) be, and the presiding officer is hereby authorized, empowered and directed to execute said amendment for and on behalf of said SEWER AUTHORITY MID-COASTSIDE (Name of Public Agency).

Adopted this 26th day of December, 1989.



Presiding Officer

Attest:


Clerk or Secretary



Contract Services Division
 P.O. Box 942709
 Sacramento, CA 94229-2709
 (916) 326-3420
 326-3000 (Telecommunications
 Device for the Deaf)

**CERTIFICATION
 OF
 FINAL ACTION OF GOVERNING BODY**

DATE: December 26, 1989

I hereby certify:

That the BOARD OF DIRECTORS of
 (Governing Body)

the SEWER AUTHORITY MID-COASTSIDE adopted
 (Public Agency)

on December 26, 1989, by an affirmative vote of a majority of the
 (Date)

members of said Governing Body, RESOLUTION No. 7-89
 (Ordinance or Resolution)

approving the attached contractual agreement between the Governing Body of said
 Agency and the Board of Administration of the Public Employees' Retirement
 System, a certified copy of said RESOLUTION in the form
 (Ordinance or Resolution)

furnished by said Board of Administration being attached hereto.


 (Clerk or Secretary)

SEWER AUTHORITY MID-COASTSIDE
 (Public Agency)

Public Employees' Retirement System
Public Agency Contract Services
Contract Services Division - Section 220
Post Office Box 942709
Sacramento, CA 94229-2709
Telephone (916) 326-3420
326-3000 (Telecommunications
Device for the Deaf)

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 BOARD OF DIRECTORS of SEWER AUTHORITY MID-COASTSIDE (governing body) (public agency) at least two weeks prior to the adoption of the final Ordinance/Resolution.

Date: November 27, 1989


original signature

CHAIRMAN OF THE BOARD
official title

Public Employees' Retirement System
Public Agency Contract Services
Contract Services Division - Section 220
Post Office Box 942709
Sacramento, CA 94229-2709
Telephone (916) 326-3420
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 BOARD OF DIRECTORS,
(Governing Body)
of the SEWER AUTHORITY MID - COASTSIDE,
(Name of Public Agency)
on November 27, 1989.
(Date)

Helen R. Bedesen

~~RTV CLERK~~ or
Secretary of the Board *Pro-Tem*

AGREEMENT
AUTHORIZING THE RELEASE OF
1959 SURVIVOR BENEFITS ASSETS AND LIABILITIES
INTO THE
THIRD LEVEL 1959 SURVIVOR BENEFIT POOL
BETWEEN THE
BOARD OF ADMINISTRATION
OF THE
PUBLIC EMPLOYEES' RETIREMENT SYSTEM
AND THE
BOARD OF DIRECTORS
OF THE
SEWER AUTHORITY MID-COASTSIDE

WHEREAS, the Board of Directors of the Sewer Authority Mid-Coastside has adopted a Resolution of Intention to include in its contract with the Board of Administration, Public Employees' Retirement System, pursuant to Government Code Sections 21380-21387, including Government Code Section 21382.4, the Third Level of 1959 Survivor Benefits for local miscellaneous members; and

WHEREAS, Government Code Section 21382.4, requires all assets and liabilities of all contracting agencies subject to this section, and their employees who are covered by this section, to be pooled into a single account;

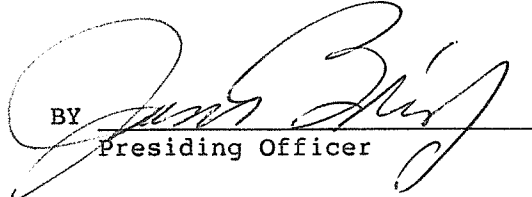
NOW THEREFORE BE IT AGREED:

Accumulated and/or future contributions required of the Sewer Authority Mid-Coastside and its covered employees are to be released, pursuant to the provisions of Government Code Section 21382.4, to a single account referred to herein as the Third Level 1959 Survivor Benefits Pool.

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BOARD OF DIRECTORS
OF THE
SEWER AUTHORITY MID-COASTSIDE

BY _____
CHIEF, CONTRACT SERVICES DIVISION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY 
Presiding Officer

Date November 27, 1989



Contract Services Division

P.O. Box 942709

Sacramento, CA 94229-2709

(916) 326-3420

326-3000 (Telecommunications
Device for the Deaf)

Reply to Section 220

Public Agency Contract Services

Contract Services Division

February 1, 1990

Employer Code #1339

Ms. Kim Salera
Accountant
Sewer Authority Mid-Coastside
P.O. Box 3100
Half Moon Bay, CA 94019

RECEIVED

FEB 2 1990

SEWER AUTHORITY MID-COASTSIDE

Dear Ms. Salera:

The contract amendment and 1959 survivor agreement has been executed by our office. The effective date of the contract amendment is January 1, 1990.

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
Public Agency Contract Services
Contract Services Division

Attachment

CO308

(Rev. 11/88)

AMENDMENT TO CONTRACT
BETWEEN THE
BOARD OF ADMINISTRATION
OF THE
PUBLIC EMPLOYEES' RETIREMENT SYSTEM
AND THE
BOARD OF DIRECTORS
OF THE
SEWER AUTHORITY MID-COASTSIDE

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 July 16, 1983, and witnessed July 11, 1983, and as amended effective August 1, 1987, which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 10 are hereby stricken from said contract as executed effective August 1, 1987, and hereby replaced by the following paragraphs numbered 1 through 10 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.
 2. Public Agency shall participate in the Public Employees' Retirement System from and after July 16, 1983 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. 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. ELECTED OFFICIALS; AND
 - b. ALL SAFETY EMPLOYEES.

5. 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).
6. 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. Section 20024.2 (One-Year Final Compensation).
 - b. Sections 21380 - 21387 (1959 Survivor Benefits) including Section 21382.2 (Increased 1959 Survivor Benefits) and Section 21382.4 (Third Level of 1959 Survivor Benefits).
 - c. Sections 21263, 21263.1 and 21263.3 (Post-Retirement Survivor Allowance).
7. 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.
8. 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) 6.858 percent until June 30, 2011 on account of the liability for current service benefits. (Subject to annual change.)
 - b. Public Agency shall contribute \$2.50 per employee, per month on account of the liability for the 1959 Survivor Program provided under Section 21382.4 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 beneficiaries of all local 10 members.
 - 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.

9. 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.

10. 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 26th ^{1st} day of December ~~January~~, 19 89 ^{90th}

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BOARD OF DIRECTORS
OF THE
SEWER AUTHORITY MID-COASTSIDE

BY _____
CHIEF, CONTRACT SERVICES DIVISION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY *[Signature]*
Presiding Officer

12-26-89
Witness Date

Attest:
[Signature]
Clerk

AGREEMENT
AUTHORIZING THE RELEASE OF
1959 SURVIVOR BENEFITS ASSETS AND LIABILITIES
INTO THE
THIRD LEVEL 1959 SURVIVOR BENEFIT POOL
BETWEEN THE
BOARD OF ADMINISTRATION
OF THE
PUBLIC EMPLOYEES' RETIREMENT SYSTEM
AND THE
BOARD OF DIRECTORS
OF THE
SEWER AUTHORITY MID-COASTSIDE

WHEREAS, the Board of Directors of the Sewer Authority Mid-Coastside has adopted a Resolution of Intention to include in its contract with the Board of Administration, Public Employees' Retirement System, pursuant to Government Code Sections 21380-21387, including Government Code Section 21382.4, the Third Level of 1959 Survivor Benefits for local miscellaneous members; and

WHEREAS, Government Code Section 21382.4, requires all assets and liabilities of all contracting agencies subject to this section, and their employees who are covered by this section, to be pooled into a single account;

NOW THEREFORE BE IT AGREED:

Accumulated and/or future contributions required of the Sewer Authority Mid-Coastside and its covered employees are to be released, pursuant to the provisions of Government Code Section 21382.4, to a single account referred to herein as the Third Level 1959 Survivor Benefits Pool.

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BOARD OF DIRECTORS
OF THE
SEWER AUTHORITY MID-COASTSIDE

BY Malcolm K. DeLeon
CHIEF, CONTRACT SERVICES DIVISION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY John B. King
Presiding Officer

Date November 27, 1989

5-89

SAM
RESOLUTION 5-89

RESOLUTION OF INTENTION
TO APPROVE AN AMENDMENT TO CONTRACT
BETWEEN THE
BOARD OF ADMINISTRATION
OF THE
PUBLIC EMPLOYEES' RETIREMENT SYSTEM
AND THE
BOARD OF DIRECTORS
OF THE
SEWER AUTHORITY MID-COASTSIDE

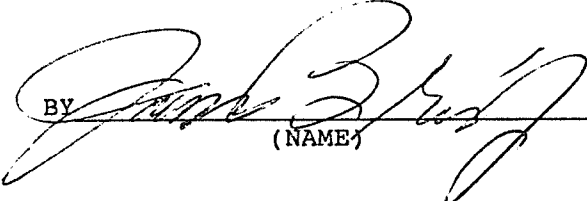
WHEREAS, the Public Employees' Retirement Law permits the participation of public agencies and their employees in the Public Employees' Retirement System by the execution of a contract, and sets forth the procedure by which said public agencies may elect to subject themselves and their employees to amendments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

WHEREAS, one of the steps in the procedure 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 21382.4 (Third Level of 1959 Survivor Benefits) for local miscellaneous members.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the above agency does hereby give notice of intention to approve an amendment to the contract between the said governing body 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.

BY  _____
(NAME)

CHAIRMAN OF THE BOARD

(TITLE)

OCTOBER 23, 1989
(Date adopted and approved)

Ret. Form 122

Public Employees' Retirement System
Public Agency Contract Services
Contract Services Division - Section 220
Post Office Box 942709
Sacramento, CA 94229-2709
Telephone (916) 326-3420
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 BOARD OF DIRECTORS
(Governing Body)
of the SEWER AUTHORITY MID - COASTSIDE
(Name of Public Agency)
on November 27, 1989
(Date)

Helen R. Bedersen
CITY CLERK or
Secretary of the Board

AGREEMENT
AUTHORIZING THE RELEASE OF
1959 SURVIVOR BENEFITS ASSETS AND LIABILITIES
INTO THE
THIRD LEVEL 1959 SURVIVOR BENEFIT POOL
BETWEEN THE
BOARD OF ADMINISTRATION
OF THE
PUBLIC EMPLOYEES' RETIREMENT SYSTEM
AND THE
BOARD OF DIRECTORS
OF THE
SEWER AUTHORITY MID-COASTSIDE

WHEREAS, the Board of Directors of the Sewer Authority Mid-Coastside has adopted a Resolution of Intention to include in its contract with the Board of Administration, Public Employees' Retirement System, pursuant to Government Code Sections 21380-21387, including Government Code Section 21382.4, the Third Level of 1959 Survivor Benefits for local miscellaneous members; and

WHEREAS, Government Code Section 21382.4, requires all assets and liabilities of all contracting agencies subject to this section, and their employees who are covered by this section, to be pooled into a single account;

NOW THEREFORE BE IT AGREED:

Accumulated and/or future contributions required of the Sewer Authority Mid-Coastside and its covered employees are to be released, pursuant to the provisions of Government Code Section 21382.4, to a single account referred to herein as the Third Level 1959 Survivor Benefits Pool.

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BOARD OF DIRECTORS
OF THE
SEWER AUTHORITY MID-COASTSIDE

BY _____
CHIEF, CONTRACT SERVICES DIVISION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY 
Presiding Officer

Date November 27, 1989

Public Employees' Retirement System
Public Agency Contract Services
Contract Services Division - Section 220
Post Office Box 942709
Sacramento, CA 94229-2709
Telephone (916) 326-3420
326-3000 (Telecommunications
Device for the Deaf)

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 BOARD OF DIRECTORS of SEWER AUTHORITY MID-COASTSIDE (governing body) (public agency) at least two weeks prior to the adoption of the final Ordinance/Resolution.

Date: November 27, 1989


original signature

CHAIRMAN OF THE BOARD

official title