

ORDINANCE NO. 1505

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LODI
AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL
OF THE CITY OF LODI AND THE BOARD OF ADMINISTRATION OF THE
CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM,
THEREBY AMENDING LODI MUNICIPAL CODE CHAPTER 2.48

BE IT ORDAINED BY THE LODI CITY COUNCIL AS FOLLOWS:

SECTION 1: Lodi Municipal Code Chapter 2.48 - Retirement System - is hereby amended as follows:

SECTION 2:

That an amendment to the Contract between the City Council of the City of Lodi 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 3:

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

SECTION 4:

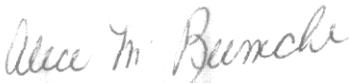
This Ordinance shall take effect 30 days after the date of its adoption, and prior to the expiration of 10 days from the passage thereof shall be published at least once in the Lodi News Sentinel, a newspaper of general circulation, published and circulated in the City of Lodi and thenceforth and thereafter the same shall be in full force and effect.

Approved this 16th day of January 1991



DAVID M. HINCHMAN
Mayor

Attest:


ALICE M. REIMCHE
City Clerk

State of California
County of San Joaquin, ss.

I, Alice M. Reimche, City Clerk of the City of Lodi, do hereby certify that Ordinance No.1505 was introduced at a regular meeting of the City Council of the City of Lodi held December 19, 1990, and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held January 16, 1991 by the following vote:

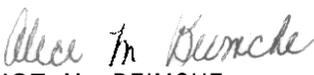
Ayes : Council Members - Pennino, Pinkerton, Sieglock,
Snider and Hinchman (Mayor)

Noes : Council Members - None

Absent: Council Members - None

Abstain : Council Members - None

I further certify that Ordinance No. 1505 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.


ALICE M. REIMCHE
City Clerk

Approved as to Form


BOBBY W. McNATT
City Attorney

ORD1505/TXTA.01V

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
CITY COUNCIL
OF THE
CITY OF LODI

WHEREAS, the City Council of the City of Lodi 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 local safety 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 City of Lodi 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

CITY COUNCIL
OF THE
CITY OF LODI

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

BY 
Presiding Officer

Date 1/18/91

AGREEMENT
AUTHORIZING THE RELEASE OF
1959 SURVIVOR BENEFITS ASSETS AND LIABILITIES
INTO THE
THIRD LEVEL 1959 SURVIVOR BENEFIT POOL
BETWEEN THE
BOARD OF ADMINISTRATION
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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 City of Lodi 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

CITY COUNCIL
OF THE
CITY OF LODI

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

BY 
Presiding Officer

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

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 June 1, 1966, and witnessed April 27, 1966, and as amended effective May 1, 1970, July 1, 1973 and July 1, 1977, 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, 1977, and hereby replaced by the following paragraphs numbered 1 through 13 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 June 1, 1966 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. **PWSONS COMPENSATED ON AN HOURLY BASIS WHO ARE UIRED JUNE 1, 1966 OR THEREAFTER; AND**
- b. **ELECTIVE OFFICIALS.**

Assets heretofore accumulated with respect to members in the local retirement system 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. The percentage of final compensation to be provided for local miscellaneous members for each year of credited prior and current service shall be determined in accordance with Section 21251.13 of said Retirement Law, subject to the reduction provided therein for service prior to June 30, 1977, termination of Social Security, for members whose service has been included in Federal Social Security (2% at age 60 Full and Modified).

7. The percentage 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).

8. Public Agency elected to be subject to the following optional provisions:

- a. Section 21361.5 (Local System Service Credit Included in Basic Death Benefit).
- b. Section 21222.1 (Special 5% Increase - 1970). Legislation repealed said Section effective January 1, 1980.
- c. Sections 21263 and 21263.1 (Post-Retirement Survivor Allowance) for local miscellaneous members only.
- d. Sections 21380-21387 (1959 Survivor Benefits) including Section 21382.4 (Third Level of 1959 Survivor Benefits) for local safety members only.
- e. Sections 21380-21387 (1959 Survivor Benefits) including Section 21382.2 (Increased 1959 Survivor Benefits) and Section 21382.4 (Third Level of 1959 Survivor Benefits) for local miscellaneous members only.

PLEASE DO NOT REMOVE THIS STAMP

- f. Section 21298 (Improved Non-Industrial Disability Allowance) for local miscellaneous members only.
- g. Section 20024.2 (One-Year Final Compensation) for local fire members only.
9. Public Agency, in accordance with Government Code Section 20740, ceased to be an "employer" for purposes of Section 20759 effective on July 1, 1977. 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.
10. 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.
11. Public Agency shall also contribute to said Retirement System as follows:
- a. Public Agency shall contribute \$2.50 per employee, per month on account of the liability for the 1959 Survivor Benefits 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 survivors of all local miscellaneous members and local safety members.
 - b. 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.
 - c. 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.

PLEASE DO NOT SIGN "EXHIBIT ONLY"

13. 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 _____ 19____

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL
OF THE
CITY OF LODI

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

BY _____
Presiding Officer

Witness Date

Attest:

Clerk

PLEASE DO NOT SIGN
RECEIVED ONLY
PLEASE DO NOT SIGN