

ORDINANCE NO. 802 N.S.

AN ORDINANCE OF THE CITY OF EL PASO ROBLES
AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY OF
EL PASO DE ROBLES AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

WHEREAS, the City Council of the City of El Paso de Robles does ordain as follows:

WHEREAS, California's Public Employee's Retirement Law permits public agencies and their employees to participate in the Public Employees Retirement System (PERS).

WHEREAS, the City and its employees hold contracts with PERS. One each for Police Public Safety Employees, Emergency Services Safety Employees and for "Miscellaneous" employees (employees other than public safety).

WHEREAS, one benefit option, available to Safety Employee groups, is the 2% at 50 years of age retirement plan.

WHEREAS, September 21st, 1999 City Council approved a Memorandum of Understanding with the Department of Emergency Services (Resolution 99-184) which included the 2% at 50 years of age retirement benefit.

WHEREAS, the MOU requires that the 2% at 50 years of age retirement benefit be enacted January 2, 2001.

WHEREAS, as required by PERS, the City adopted a Resolution of Intention at the December 5, 2000, meeting.

SECTION 1. That an amendment to the contract between the City Council of the City of El Paso de Robles 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 Council is hereby authorized, empowered, and directed to execute said amendment for and on behalf of said Agency.

SECTION 3. Publication. The City Clerk shall cause this ordinance to be published once within fifteen (15) days after its passage in a newspaper of general circulation, printed, published and circulated in the City in accordance with Section 36933 of the Government Code.

SECTION 4. Severability. If any section, subsection, sentence, clause, or phrase of the Ordinance is, for any reason, found to be invalid or unconstitutional, such finding shall not affect the remaining portions of this Ordinance.

The City Council hereby declares that it would have passed this ordinance by section, subsection, sentence, clause, or phrase irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases are declared unconstitutional.

SECTION 5. Inconsistency. To the extent that the terms or provisions of this Ordinance may be inconsistent or in conflict with the terms or conditions of any prior City ordinance(s), motion, resolution, rule, or regulation governing the same subject matter thereof and such inconsistent and conflicting provisions of prior ordinances, motions, resolutions, rules, and regulations are hereby repealed.

SECTION 6. Effective Date. This Ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the 31st day after its passage.

Introduced at a regular meeting of the City Council held on January 2, 2001, and passed and adopted by the City Council of the City of El Paso de Robles on the 16th of January 2001 by the following vote:

AYES:	Finigan, Heggarty, Nemeth, Picanco and Mecham
NOES:	None
ABSENT:	None
ABSTAIN:	None

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk