

ORDINANCE NO. 438

AN ORDINANCE OF THE CITY OF SAN ANSELMO AUTHORIZING  
A CONTRACT BETWEEN THE CITY COUNCIL OF THE CITY OF  
SAN ANSELMO AND THE BOARD OF ADMINISTRATION OF THE  
CALIFORNIA STATE EMPLOYEES' RETIREMENT SYSTEM.

THE PEOPLE OF THE CITY OF SAN ANSELMO DO ORDAIN AS FOLLOWS:

Section 1: That contract between the City Council of  
the City of San Anselmo and the Board of  
Administration of the California State  
Employees' Retirement System is hereby  
authorized, said contract providing in full  
as follows:

CONTRACT  
BETWEEN THE  
STATE EMPLOYEES' RETIREMENT SYSTEM  
AND THE  
CITY COUNCIL  
OF  
CITY OF SAN ANSELMO

In consideration of the covenants and agreement hereafter contained and  
on the part of both parties to be kept and performed, Public Agency and Board  
hereby agree as follows:

1. All words and terms used herein which are defined in the State  
Employees' Retirement Law shall have the meaning as defined  
therein unless otherwise specifically provided. "Normal  
retirement age" shall mean age 65 for miscellaneous members  
and age 60 for local firemen and local policemen.
2. Public Agency shall participate in the State Employees'  
Retirement System from and after July 1, 1959, making its  
employees as hereinafter provided, members of said System  
subject to all provisions of the State 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 such as by express pro-  
vision thereof apply only on the election of contracting agencies.
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 firemen; (herein referred to as local safety members);
  - b. Local policemen; (herein referred to as local safety members);
  - c. Employees other than local firemen and local policemen;  
(herein referred to as miscellaneous members).

The following employees shall be excluded from membership in said  
Retirement System:

NO ADDITIONAL EXCLUSIONS

4. 1/70 shall be the fraction of final compensation to be provided  
for each year of credited current service as a miscellaneous  
member upon retirement at normal retirement age subject to the  
modification set forth in paragraph 6 below.

5. Subject to the modification set forth in paragraph 6 below, benefits on account of each year of prior service shall be 100 percent of the fraction of final compensation provided under the law and this contract for each year of current service upon retirement for service.
6. The fraction of final compensation specified in paragraphs 4 and 5 shall be reduced to 1/140 for application to the first \$350 per month of final compensation in the computation of service retirement allowances for miscellaneous members on account of all service credited under this contract.
7. Any member who, upon retirement for service before age 65, is fully insured under the Federal Old Age, Survivors, and Disability Insurance may elect to receive the actuarial equivalent of his unmodified service retirement allowance in the form of an increased monthly income until he reaches age 65 and a reduced income thereafter in accordance with the provisions of Section 21703.
8. The retirement benefits payable upon retirement for ordinary disability shall not be affected by paragraph 6 of this contract and for the purposes of the limit on any such allowance imposed under Section 21298, Government Code, allowances for retirement for service shall be computed according to the formula set out in paragraph 4 of the contract both as to service before and after the date of the contract. All other provisions of this contract shall be fully applicable to the computation of allowances upon retirement for disability.
9. Contributions to be made by miscellaneous members with respect to service rendered after the effective date of this contract shall be at one-half the rate provided in said Retirement Law for the "1/70 formula" as that rate applies to compensation which is equal to or less than \$350 per month ( or its equivalent for any other pay period) and at 100 percent of such rate as it applies to compensation which is in excess of \$350 per month ( or its equivalent for any other pay period).
10. The following provisions of the State Employees' Retirement Law which apply only upon election of a contracting agency shall apply to the Public Agency and its employees:
  - a. Section 21252.001 (providing for a guaranteed percentage of final compensation for each year of current service).
  - b. Section 21252.5 (providing for a guaranteed percentage of final compensation for each year of current service for local firemen and local policemen).
  - c. Section 20024.01 (defining "final compensation" on the basis of a period of 3 consecutive years).
  - d. Section 21258 (c) (providing a minimum retirement allowance of \$480.00 per year).
  - e. Section 21367.51 (providing a \$400.00 death benefit upon death after retirement).
  - f. Section 20025 (providing for inclusion of compensation without limit in computations of benefits).
11. Public Agency shall contribute to said Retirement System as follows:
  - a. 5.062 per cent each month of total salaries paid to members for 25 years beginning with the effective date of this contract on account of the liability for prior service.

- b. 7.672 per cent of total salaries paid by Public Agency each month to its employees who are and hereafter become members of said Retirement System, provided that only salary earned as members of said System shall be included in said total salaries.
- c. A reasonable amount per annum, as fixed by Board 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 periodical investigation and valuation required by law, provided that said amount shall be determined on the basis of the number of employees of Public Agency who are members on July 1st of the respective fiscal years, or with respect to the first year of participation, on the effective date of said participation.
- d. A reasonable amount as fixed by the Board, payable in one installment as the occasions arise, to cover costs of special valuations on account of employees of Public Agency, and costs of the periodical investigation and valuation required by law.
12. Contributions required of Public Agency and its employees shall be subject to adjustments by Board on account of amendments to the State Employees' Retirement Law, and on account of experience under the Retirement System, as determined by the periodical 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. If more or less than the correct amount of contribution is paid for any period, proper adjustment shall be made in connection with subsequent remittances, or adjustments on account of errors in contributions required of any employee may be made by direct cash payments between the employee and Board. Payments by Public Agency to Board may be made in the form of warrants, bank checks, bank drafts, certified checks, money orders, or cash.

Witness our hands this \_\_\_\_\_ day of \_\_\_\_\_

BOARD OF ADMINISTRATION  
STATE EMPLOYEES' RETIREMENT  
SYSTEM

CITY COUNCIL OF THE  
CITY OF SAN ANSELMO

\_\_\_\_\_  
William E. Payne,  
Executive Officer

\_\_\_\_\_  
Presiding Officer

Attest:

\_\_\_\_\_  
Clerk

Section 2: That the Mayor of the City Council of the City of San Anselmo is hereby authorized, empowered, and directed to execute said contract for and on behalf of the City of San Anselmo.

Section 3: This ordinance shall take effect immediately upon adoption.

PASSED, APPROVED, AND ADOPTED by the people of the City of San Anselmo at the general election held on the 4th day of November, 1958.

\_\_\_\_\_  
Presiding Officer

Attest:

\_\_\_\_\_  
Clerk