

LAKE SHASTINA COMMUNITY SERVICES DISTRICT

RESOLUTION AUTHORIZING A CONTRACT

No. 1-02

WHEREAS, the Public Employees' Retirement Law provides for the participation of a Public Agency in the California Public Employees' Retirement System, making its employees members of said System; and

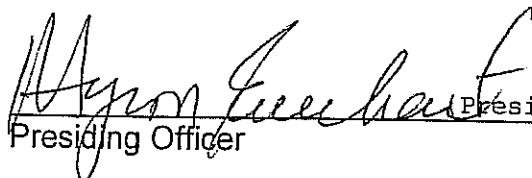
WHEREAS, the Board of Directors of the Lake Shastina Community Services District on June 19, 2002, adopted a Resolution giving notice of intention to approve a contract providing for such participation; and

WHEREAS, the employees of said public agency, whose memberships in said Retirement System are contemplated, have approved said participation, by majority vote;

NOW, THEREFORE, BE IT RESOLVED, that a contract between the Board of Directors of the Lake Shastina Community Services District and the Board of Administration, California Public Employees' Retirement System is hereby authorized, a copy of said contract being attached hereto and by such reference made a part hereof as though herein set out in full; and

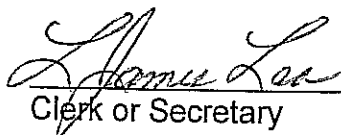
NOW, THEREFORE, BE IT FURTHER RESOLVED, that the presiding officer of said governing body is hereby authorized, empowered and directed to execute said contract for and on behalf of said public agency.

Adopted this 19th day of June, 2002.



(President)
Presiding Officer

Attest:



Clerk or Secretary

CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM
Actuarial and Employer Services Division
Public Agency Contract Services
P.O. Box 942709
Sacramento, CA 94229-2709
(916) 326-3420 FAX (916) 326-3005

ANTICIPATED SCHEDULE OF AGENCY ACTIONS

The Lake Shastina Community Services District hereby requests the documents necessary to provide the benefits as described below for participation in the California Public Employees' Retirement System. (Enter the dates each action will be taken, sign and return the schedule.)

Section 21354 (2% @ 55 Full formula); Section 21031 (Public Service Credit for Limited Prior Service) and 0% prior service, and

Section 21574.5 (Indexed Level of 1959 Survivor Benefits), or

Section 21574 (Fourth Level of 1959 Survivor Benefits).

Enter dates:

1. 5-10-02 THE DATE YOUR AGENCY NEEDS THE RESOLUTION OF INTENTION FROM THIS OFFICE TO INCLUDE IN AGENDA FOR YOUR GOVERNING BODY. This date must be at least four weeks from the date this form is received in the Public Agency Contract Services office.
2. 5-17-02 ADOPTION OF RESOLUTION OF INTENTION declaring the agency's intent to enter into a contract with CalPERS.
3. 5-18-02 EMPLOYEE ELECTION.
4. 6-19-02 ADOPTION OF FINAL RESOLUTION. This date cannot be earlier than 20 days after adoption of the Resolution of Intention (date #2).
5. 6-22-02 EFFECTIVE DATE OF CalPERS CONTRACT. This date cannot be earlier than the first day of a payroll period following the effective date of the Resolution.

BY Debbie J. Washburn

TITLE OFFICE MANAGER

Date 4-17-02

Telephone 530-938-3281

THIS OFFICE WILL PREPARE ALL DOCUMENTS NECESSARY TO COMPLETE YOUR CONTRACT. IF YOUR AGENCY ATTEMPTS TO EXPEDITE THE CONTRACT PROCESS BY PROCEEDING WITHOUT THE DOCUMENTS PROVIDED BY THIS OFFICE, LEGAL REVIEW MAY BE REQUIRED WHICH COULD DELAY THE ANTICIPATED EFFECTIVE DATE OF THE CONTRACT.



California
Public Employees' Retirement System

CONTRACT

Between the
Board of Administration
California Public Employees' Retirement System
and the
Board of Directors
Lake Shastina Community Services District

In consideration of the covenants and agreement hereafter contained and on the part of both parties to be kept and performed, the governing body of above public agency, hereafter referred to as "Public Agency", and the Board of Administration, Public Employees' Retirement System, hereafter referred to as "Board", hereby agree as follows:

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 55 for local miscellaneous members.
2. Public Agency shall participate in the Public Employees' Retirement System from and after June 22, 2002 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. Any exclusion(s) shall remain in effect until such time as the Public Employees' Retirement System determines that continuing said exclusion(s) would risk a finding of non-compliance with any federal tax laws or regulations. If such a determination is contemplated, the Public Employees' Retirement System will meet with the Public Agency to discuss the matter and coordinate any required changes or amendments to the contract.

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. **SAFETY EMPLOYEES.**
 - b. **MEMBERS OF THE GOVERNING BODY FIRST ELECTED OR APPOINTED PRIOR TO JULY 1, 1994. (Elected or appointed officials who are first elected or appointed on or after July 1, 1994 or to a term of office not consecutive with a term held on June 30, 1994 are excluded pursuant to Government Code Section 20322).**
5. The percentage of final compensation to be provided for local miscellaneous members for each year of credited prior service is 0% and the percentage of final compensation to be provided for each year of credited current service is 100% and determined in accordance with Section 21354 of said Retirement Law (2% at age 55 Full).
 6. Public Agency elects to be subject to the following optional provisions:
 - a. Section 21031 (Public Service Credit for Limited Prior Service).
 7. 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 of said Retirement System.
 8. Public Agency shall also contribute to said Retirement System as follows:
 - a. Contributions required per covered member on account of the 1959 Survivor Benefits provided under Section 21574 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.
 - 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.
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.

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY *Kenneth W. Marzion*
KENNETH W. MARZION, CHIEF
ACTUARIAL & EMPLOYER SERVICES DIVISION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BOARD OF DIRECTORS
LAKE SHASTINA COMMUNITY
SERVICES DISTRICT

BY *Wynne Eubank*
WYNNE EUBANK, PRESIDENT
PRESIDING OFFICER

Berrie J. Wishart 6-26-02
Witness Date

Attest:

J. Kelly 6-26-02
Clerk

- f. Retirement of Police Officer – Received and Filed
 - g. Letter to property owner re: violation of California Penal Code 602(m) – Received and Filed
5. Sewer Department----- GM Lea
- a. *Written Report – None
 - b. Verbal Report – None
 - c. Unit 9-2 Lots 128 & 129: invoice to property owner for water and sewer relocate
– Received and Filed: GM Lea reported invoice has been paid.

Item 9. OLD BUSINESS:

- A. Status Report of Generator – Backup Power Fire/Police Station: GM Lea reported there was nothing to report at this time - table item. Item to be on next month agenda.
- B. Status Report of SB 1977:
 - 1. CSDA Letter of Support of SB 1977 – Received and Filed
 - 2. CSDA Special District Flyer – Received and Filed
 GM Lea reported a group went to the Tax and Revenue Committee meeting in Sacramento on June 17th. Al Brezinsky represented LSCSD. Ron Allen represented LSMWC. Dodi Dickson represented LSPOA. Jamie Lea represented LSMWC. Opposition was present at the meeting. SB 1977 bill is currently in suspense. Dir. Allen reported SB 1977 is being amended to be general, not specific to LSMWC. It will include any water company created before 1977. This change is positive because it will make passing easier and will reduce opposition arguments since it is not specific to MWC. The amended bill will have to go back to Senate for passing.
- C. Status Report of 2002 - 2003 Budget Workshop – Preliminary Budget Received and Filed: OM Wishart reported the preliminary budget included in the packet needed an approval. OM Wishart stated the Police Department budget will be balanced in approved final budget.

Motion by Dir. Allen, second by Dir. Dean to approve preliminary 2002 - 2003 Budget.

Ayes: Directors Allen, Brezinsky, Dean and Everhart

Noes: None

Absent: Youngstrom

- D. Status of cold water gear final donation – Letter Received and Filed: OM Wishart reported final cost of cold water gear was \$4,243.31 which exceeds the approved amount of \$3,500.00 by \$743.31. FC Hall commented there was a need for a fourth suit and approved the expenditure not knowing it would exceed the approved amount. Board discussed paying for additional amount out of Fire Department current budget.

Motion by Dir. Dean, second by Dir. Brezinsky to approve additional cold water gear cost of \$743.31 to be expensed out of Fire Department current budget.

Ayes: Directors Allen, Brezinsky, Dean and Everhart

Noes: None

Absent: Youngstrom

- E. ✓ Approval of CalPers: OM Wishart reported all CalPers paperwork has been received and items listed below required approval. GM Lea reported Board could approve subject to legal counsel approval.
 - 1. Resolution Authorizing a Contract – Received and Filed
 - 2. Certification of Final Action of Governing Body – Received and Filed
 - 3. Contract – Received and Filed

Motion by Dir. Allen, second by Dir. Brezinsky to approve CalPers Resolution Number 1-02 Authorizing a Contract, Certificate of Final Action of Governing Body and Contract subject to LSCSD legal counsel approval.

Ayes: Directors Allen, Brezinsky, Dean and Everhart

Noes: None

Absent: Youngstrom