

DEPARTMENT: Personnel

BY: Richard J. Benson

PHONE: 966-3222

RECOMMENDED ACTION AND JUSTIFICATION:

2/2 Waive first reading and introduce an Ordinance / 2/19 Waive second reading and adopt an Ordinance rescinding Ordinance No. 1078 which authorized amending the CalPERS contract to provide for a change to the retirement formula for miscellaneous employees from 2.7% @55 to 2% @55 and for safety employees from 3% @50 to 3% @55. Ordinance No. 1078 needs to be rescinded because in addition to changing the retirement formula for new hires after the amendment effective date, a three year final compensation provision should have also been included, however, it was not. All four bargaining units not only agreed to a change to the retirement formula, they also agreed to changing from a one year final compensation provision to a three year final compensation provision for new hires. By rescinding Ordinance No. 1078, CalPERS has indicated that we can then move forward with the process to amend the contract to include a change to the final compensation provision from one year to three years in addition to changing the retirement formula for new hires.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board of Supervisors adopted Ordinance No. 1078 at their meeting of June 7, 2011 with an effective date of July 7, 2011.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

A negative action would result in only a change to the retirement formula for new hires and not a change to the final compensation provision which would be contradictory to the language in the Memoranda of Understanding with the SEIU, MCMCO, DSA, and SMA bargaining units

Financial Impact? () Yes () No	Current FY Cost: \$	Annual Recurring Cost: \$
Budgeted In Current FY? () Yes () No () Partially Funded		
Amount in Budget: \$ _____		List Attachments, number pages consecutively _____
Additional Funding Needed: \$ _____		_____
Source:		Ordinance
Internal Transfer _____		_____
Unanticipated Revenue _____ 4/5's vote		_____
Transfer Between Funds _____ 4/5's vote		_____
Contingency _____ 4/5's vote		_____
() General () Other		_____

CLERK'S USE ONLY:

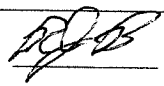
Res. No.: _____ Ord. No. 1080
Vote - Ayes: 3 Noes: _____
Absent: Thompson, Cant
Approved
() Minute Order Attached () No Action Necessary

COUNTY ADMINISTRATIVE OFFICER:

Requested Action Recommended
 No Opinion
Comments:

The foregoing instrument is a correct copy of the original on file in this office.

Date: _____
Attest: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California
By: _____
Deputy

CAO: 

MARIPOSA COUNTY ORDINANCE NO. 1080

**AN ORDINANCE RESCINDING ORDINANCE NO. 1078 WHICH
AUTHORIZED AMENDING THE CONTRACT WITH
THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM (PERS)
BOARD OF ADMINISTRATION
(Not to be Codified)**

WHEREAS, the Mariposa County Board of Supervisors adopted Ordinance No. 1078 which authorized amending the contract with the California PERS Board of Administration to change the retirement formula for miscellaneous members from the 2.7%@55 to the 2%@55 formula and for safety members from 3%@50 to the 3%@55 retirement formula; and

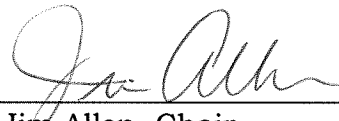
WHEREAS, the Board of Supervisors desires to rescind Ordinance No. 1078 as the three year final compensation provision was not included in the contract amendment;

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, a political subdivision of the State of California, does hereby ordain to rescind Ordinance No. 1078.

This Ordinance shall become effective thirty (30) days after final passage.

PASSED AND ADOPTED by the Board of Supervisors of Mariposa County this 19th day of July, 2011 by the following vote:


AYES: STETSON, BIBBY, ALLEN
NOES: NONE
ABSENT: TURPIN, CANN
ABSTAINED: NONE




Jim Allen, Chair
Board of Supervisors

ATTEST:

APPROVED AS TO FORM

by: 
Margie Williams
Clerk of the Board


Steven W. Dahlem
County Counsel