



LAKE SHASTINA COMMUNITY SERVICES DISTRICT

RESOLUTION 3-19

**RESOLUTION OF INTENTION
TO APPROVE AN AMENDMENT TO CONTRACT
BETWEEN THE BOARD OF ADMINISTRATION
CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM
AND THE
BOARD OF DIRECTORS
LAKE SHASTINA COMMUNITY SERVICES DISTRICT**

WHEREAS, the Public Employees' Retirement Law permits the participation of public agencies and their employees in the Public Employees' Retirement System by the execution of a contract, and sets forth the procedure by which said public agencies may elect to subject themselves and their employees to amendments to said Law; and

WHEREAS, one of the steps in the procedures to amend this contract is the adoption by the governing body of the public agency of a resolution giving notice of its intention to approve an amendment to said contract, which resolution shall contain a summary of the change proposed in said contract; and

WHEREAS, the following is a statement of the proposed change:

To provide for a new police category with Section 7522.25(d) (2.7% @ 57 Full formula) and Section 21574 (Fourth Level of 1959 Survivor Benefits) with 0% prior service.


NOW, THEREFORE, BE IT RESOLVED that the governing body of the above agency does hereby give notice of intention to approve an amendment to the contract between said public agency and the Board of Administration of the Public Employees' Retirement System, a copy of said amendment being attached hereto, as an "Exhibit" and by this reference made a part hereof.

I hereby certify that the forgoing is a full, true and correct copy of Resolution 3-19 duly passed and adopted by the Board of Directors of the Lake Shastina Community Services District, Siskiyou County, California, at a meeting thereof duly held on the 17th day of July 2019, by the following vote:

AYES: Directors Cupp, MacIntosh and Thompson
NOES: Director Beck
ABSENT: Director Mitchell



Rick Thompson, President

ATTEST:


Robert Moser, Secretary



EXHIBIT

California
Public Employees' Retirement System

AMENDMENT TO CONTRACT

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

The Board of Administration, California Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of the above public agency, hereinafter referred to as Public Agency, having entered into a contract effective June 22, 2002, and witnessed 6/26/02, which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 10 are hereby stricken from said contract as executed effective June 22, 2002, 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 55 for classic local miscellaneous members, age 62 for new local miscellaneous members and age 57 for local safety members.
 2. Public Agency shall participate in the Public Employees' Retirement System from and after June 22, 2019 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.

PLEASE DO NOT SIGN "EXHIBIT ONLY"

3. Public Agency agrees to indemnify, defend and hold harmless the California Public Employees' Retirement System (CalPERS) and its trustees, agents and employees, the CalPERS Board of Administration, and the California Public Employees' Retirement Fund from any claims, demands, actions, losses, liabilities, damages, judgments, expenses and costs, including but not limited to interest, penalties and attorney fees that may arise as a result of any of the following:
 - (a) Public Agency's election to provide retirement benefits, provisions or formulas under this Contract that are different than the retirement benefits, provisions or formulas provided under the Public Agency's prior non-CalPERS retirement program.
 - (b) Any dispute, disagreement, claim, or proceeding (including without limitation arbitration, administrative hearing, or litigation) between Public Agency and its employees (or their representatives) which relates to Public Agency's election to amend this Contract to provide retirement benefits, provisions or formulas that are different than such employees' existing retirement benefits, provisions or formulas.
 - (c) Public Agency's agreement with a third party other than CalPERS to provide retirement benefits, provisions, or formulas that are different than the retirement benefits, provisions or formulas provided under this Contract and provided for under the California Public Employees' Retirement Law.
4. 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 Police Officers (herein referred to as local safety members);
 - b. Employees other than local safety members (herein referred to as local miscellaneous members).
5. 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. **FIREFIGHTERS; AND**

PLEASE DO NOT SIGN "EXHIBIT ONLY"

- 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)**
6. 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).
 7. The percentage of final compensation to be provided for each year of credited prior and current service as a new local miscellaneous member shall be determined in accordance with Section 7522.20 of said Retirement Law (2% at age 62 Full).
 8. The percentage of final compensation to be provided for local police 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 7522.25(d) of said Retirement Law (2.7% at age 57 Full).
 9. Public Agency elected and elects to be subject to the following optional provisions:
 - a. Section 21031 (Public Service Credit for Limited Prior Service) for local miscellaneous members only.
 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. 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 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.
 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 _____.

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BOARD OF DIRECTORS
LAKE SHASTINA COMMUNITY
SERVICES DISTRICT

BY _____
ARNITA PAIGE, CHIEF
PENSION CONTRACTS AND PREFUNDING
PROGRAMS DIVISION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY _____
PRESIDING OFFICER

Witness Date

Attest:

Clerk



LAKE SHASTINA COMMUNITY SERVICES DISTRICT

Regular Meeting
 Wednesday, July 17, 2019, 1:00 p.m.
 Administration Building
 16320 Everhart Drive • Weed, California 96094 • (530) 938-3281

MINUTES

CALL TO ORDER AND ROLL CALL: 1:00 p.m.

LSCSD Board Roll Call: Beck Cupp MacIntosh Mitchell absent Thompson

Also present: GM Moser and AA Charvez (SAC Nelle, APC Bullington and FC Pappas present for a portion of the meeting). There were approximately 18 people in the audience.

PLEDGE OF ALLEGIANCE: Carried out.

PUBLIC COMMENTS: Comments received.

CONSENT CALENDAR: (All items accepted/approved by the Board unless otherwise noted.)

1. A. Approval of Minutes: Regular Meeting June 19, 2019
- B. Ratification of Disbursements: June 1 through June 30, 2019
- C. Budget Comparison: FY 2018/19
- D. Accounts Receivable Aging Analysis: FY 2018/19
- E. Ratification for transfer of funds in LAIF Savings

Motion by Dir. MacIntosh second Dir. Cupp to approve Consent Calendar.

Ayes: Directors Beck, Cupp, MacIntosh and Thompson

Noes: None

Absent: Director Mitchell

MONTHLY REPORTS: NO ACTION ITEMS:

2. Department Written Reports
 - A. Fire Department: FC Pappas reported.
 - B. Police Department: APC Bullington reported.
 - C. Sewer Department: GM Moser reported.
 - D. Water Department: GM Moser reported.
3. Committee Written Reports / Approved Minutes
 (Pres. Thompson may make committee appointments/changes as necessary.)
 - A. Budget / Finance Committee: Nothing to report.
 - B. Fire Department Advisory Committee: GM Moser reported.
 - C. Police Department Advisory Committee: Dir. Cupp reported.
 - D. Policy Committee: Dir. MacIntosh reported.
 - E. Safety Committee: Dir. Beck reported.
 - F. Sewer and Water Systems Oversight Committee: Dir Beck reported.

DISCUSSION / REPORTS: ACTION ITEMS:

4. Consideration of adoption of Resolution of Intention to approve an amendment to contract between CalPERS and LSCSD: CalPERS representative Nate Jensen was present via teleconference. The Board discussed.

Motion by Dir. Cupp second Dir. MacIntosh to adopt Resolution 3-19, regarding the Board's intention to approve an amendment to contract between CalPERS and LSCSD.

Ayes: Directors Cupp, MacIntosh and Thompson

Noes: Director Beck

Absent: Director Mitchell

5. Public Hearing: Delinquent Charges [Government Code §61115(b)] to be sent to 2019 Tax Roll: Public Hearing to hear and consider all objections or protests to CSD's Impending Delinquency Report of taxes, assessment and other charges levied for the fiscal year 2018-2019, being delinquent, shall be declared tax-defaulted pursuant to Government Code §61115(b) and shall direct the General Manager to file with the Siskiyou County Auditor/Tax Collector a copy of the final report, on or before August 10, 2019.

Pres. Thompson opened the Public Hearing at 2:08 p.m. There were no comments from the audience. Pres. Thompson closed the Public Hearing at 2:08 p.m. The Board discussed.

Motion by Dir. Cupp second Dir. Beck to declare said delinquencies tax-defaulted pursuant to Government Code §61115(b) and direct the General Manager to file the final report with the Siskiyou County Auditor on or before August 10, 2019.

**Ayes: Directors Beck, Cupp, MacIntosh and Thompson
Noes: None
Absent: Director Mitchell**

6. Proposed Ordinance 2-19, Animal Control: introduce by title only, waive second reading and consideration of adoption: Pres. Thompson introduced proposed ordinance by title.

Motion by Dir. Cupp second Dir. Beck to waive reading of proposed Ordinance 2-19.

**Ayes: Directors Beck, Cupp, MacIntosh and Thompson
Noes: None
Absent: Director Mitchell**

Motion by Dir. Cupp second Dir. MacIntosh to adopt Ordinance 2-19, Animal Control, as presented.

**Ayes: Directors Cupp, MacIntosh and Thompson
Noes: Director Beck
Absent: Director Mitchell**

- 7. Discussion / Possible Action regarding Burn Site program: GM Moser reported. The Board discussed and agreed to set a special meeting to discuss options for continuing the Burn Site program. Direction was given to staff to keep the Site closed until further Board direction is given.
- 8. Discussion / Possible Action regarding a Fire Department Tax Measure: GM Moser reported. The Board discussed and agreed to include this item on the agenda for the special meeting discussed in Item 7 above.
- 9. Consideration of resolution regarding the General Manager's purchasing authority: GM Moser reported. The Board discussed.

Motion by Dir. Cupp second Dir. MacIntosh to adopt Resolution 4-19 regarding the General Manager's purchasing authority.


**Ayes: Directors Beck, Cupp, MacIntosh and Thompson
Noes: None
Absent: Director Mitchell**

STAFF COMMENTS: None

BOARD MEMBER COMMENTS: Comments received.

ADJOURNMENT: With no objections by the Board, Pres. Thompson adjourned the meeting at 2:52 p.m. The next LSCSD Regular Board Meeting is on Wednesday, August 21, 2019, 1:00 p.m. at the Administration Building.

Approval Date: 8/21/19



Rick Thompson, President

ATTEST:



Robert Moser, General Manager/Secretary