

ORDINANCE NO. 98-11

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM TO PERMIT CITY EMPLOYEES TO BUY BACK RETIREMENT CREDIT FOR PREVIOUS MILITARY SERVICE PURSUANT TO GOVERNMENT CODE SECTION 21024

WHEREAS, In 1992, the City of American Canyon ("City") entered into a contract with the Public Employees' Retirement System (PERS) to provide retirement benefits for City employees; and,

WHEREAS, The contract between City and PERS was subsequently amended in 1993; and,

WHEREAS, City now wishes to amend its contract with PERS to permit City employees to buy back retirement credit for previous military services pursuant to Government Code section 21024;

NOW, THEREFORE BE IT RESOLVED, THAT THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON HEREBY ORDAINS AS FOLLOWS:

Section 1. The amendment to the contract between the City Council of the City of American Canyon and the Board of Administration, California Public Employees' Retirement System, attached hereto as Exhibit A and incorporated by reference, is hereby authorized and approved.

Section 2. The Mayor of the City Council is hereby authorized, empowered, and directed to execute said amendment for and on behalf the City.

Section 3. This ordinance shall take effect 30 days after the date of its adoption, and prior to the expiration of 15 days from its passage shall be published at least once in the Vallejo Times Herald, a newspaper of general circulation, published and circulated in the City of American Canyon.

Section 4. **Severability.** This ordinance shall be liberally construed to achieve its purposes and to preserve its validity. If any provision or clause of this Chapter, or application thereof to any person or circumstances, is held invalid, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without application of the invalid provision. To this end, the provisions of this ordinance are declared to be severable and to have independent validity.

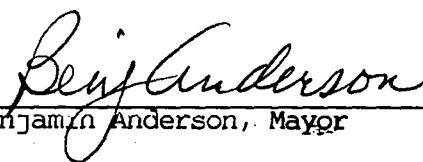
The foregoing ordinance was introduced and read at a regular meeting of the City Council of the City of American Canyon, State of California, held on the 5th day of November, 1998 and was passed and adopted at a regular meeting of the City Council of the City of American Canyon, State of California, held on the 3rd day of December, 1998 by the following vote:

AYES: Anderson, Maples, Shaver, Canziani, Colcleaser

NOES: None

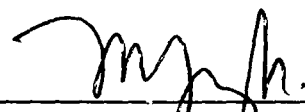
ABSTAIN: None


ABSENT: None


Benjamin Anderson, Mayor

ATTEST:

APPROVED AS TO FORM:


Mark Joseph, City Clerk


William D. Ross, City Attorney