

ORDINANCE 2005-04

**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**

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

WHEREAS, the contract between the City and PERS was subsequently amended in 1993, 1998, 2001, and 2004; and

WHEREAS, the City now wishes to amend its contract to include one enhanced benefit; namely, to provide Section 21624, 21626 & 21628 (Post-Retirement Survivor Allowance) benefit for local miscellaneous members.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON DOES HEREBY ORDAINS THE FOLLOWING:

SECTION 1: That an amendment to the contract between the City Council of the City of American Canyon and the Board of Administration, California Public Employees' Retirement System, is hereby authorized, and a copy of said amendment is attached hereto marked Exhibit A, and such reference made a part hereof as though herein set out in full.

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

SECTION 3: A summary of this Ordinance shall be published once in the Vallejo Times Herald, a newspaper of general circulation serving the City of American Canyon, within fifteen (15) days after its passage and shall become effective thirty (30) days after the date of its adoption.

SECTION 4: The foregoing Ordinance is an Urgency Ordinance and shall take effect immediately upon adoption. This ordinance is an urgency measure because:

a. It will authorize the execution of an amendment to the contract between the California Public Employee Retirement System and the City regarding the retirement benefits to be paid to the members of CalPERS. Pursuant to law, the ordinance to amend the contract cannot be adopted until at least twenty (20) days after the adoption

of a resolution of intention to approve the amendment to the contract. The resolution of intention was adopted by the City Council at its meeting of May, 5, 2005.

b. Second reading of this ordinance will take place on June 2, 2005, as set forth in Section 5(a) above. The contract effective date must be June 4, 2005, to correspond with the first day of the payroll period in which the June 4, 2005, effective date deadline falls.

c. Based on the time the annual actuarial valuation reports were prepared and provided by CalPERS to the City to initiate this process, if this ordinance is not adopted as an urgency measure, the City would not be able to comply with negotiated employee contracts for the "Miscellaneous" work group which require amendment to retirement benefits effective June 4, 2005.

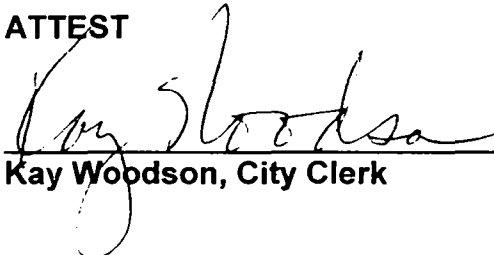
PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of American Canyon on the 2nd day of June 2005 by the following vote:

AYES: Shaver, Garcia, Anderson, Coffey, Luporini
NOES: None
ABSTAIN: None
ABSENT: None



Cecil Shaver, Mayor

ATTEST



Kay Woodson, City Clerk

APPROVED AS TO FORM



William D. Ross, City Attorney