

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Chief Executive Office

BOARD AGENDA # B-17

Urgent

Routine

AGENDA DATE December 21, 2010

CEO Concurs with Recommendation YES NO

4/5 Vote Required YES NO

(Information Attached)

SUBJECT:

Approval to Adopt Resolutions Regarding Retirement Benefits and to Implement the Provisions Contained in the Retirement Benefits Modification Summary for County Employees Hired on or After January 1, 2011

STAFF RECOMMENDATIONS:

1. Approve and adopt resolutions regarding retirement benefit modifications for future County Employees (Attachments 1 and 2).
2. Approve the provisions contained in the attached Retirement Benefits Modification Summary (Attachment 3).
3. Direct the Chief Executive Officer to implement the provisions contained in the Retirement Benefit Modification Summary with respect to Stanislaus County employee members of the Stanislaus County Employees Retirement Association.
4. Direct the Chief Executive Officer to implement a hiring freeze as of January 1, 2011 for any full-time regular position in any classification that is not included in the affected bargaining units as outlined in the Retirement Benefits Modification Summary and applicable Retirement Resolution.

FISCAL IMPACT:

An analysis has been conducted of the impact of a new tier of benefits under the Stanislaus County Employees Retirement Association (StanCERA) to be provided to future County employees. The projected long-term percentage decrease to the employer's normal cost of retirement is approximately a 27% savings as a result of reinstating Tier 2 benefits for new hires effective January 1, 2011. The projected dollar savings from an employer normal cost perspective does not materialize to any significant level until Fiscal Year 2014-2015 when it is projected to create a savings of approximately \$1.1 million in the employer normal cost of retirement rates.

(Continued on Page 2)

BOARD ACTION AS FOLLOWS:

No. 2010-783

On motion of Supervisor DeMartini, Seconded by Supervisor O'Brien and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Monteith, DeMartini, and Chairman Grover

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) Approved as recommended

2) Denied

3) Approved as amended

4) Other:

MOTION:

Christine Ferraro

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

FISCAL IMPACT (Continued):

One assumption that was included in this analysis from the actuary is that new members would be hired to replace current members who retire or leave for other reasons, so the number of active members remains constant. It is anticipated that will not be the case for at least the next 24 months during which time the County is projecting budget shortfalls. This recommended change in retirement benefits implements a lower service multiplier for new employees. Since the change only impacts new hires there is no fiscal benefit to the employer's existing accrued liability for retirement costs. The assumptions used in projecting this benefit savings are the same assumptions under the current retirement program as it relates to termination and death. The new benefit tier could change member behavior with respect to retirement age since the benefit will no longer be as great at a younger age.

DISCUSSION:

Background

The Stanislaus County retirement system was first established in 1948. Retirement benefits are administered through the Stanislaus County Employee Retirement Association, under the County Employees' Retirement Law of 1937 (California Government Code Section 31450 et seq), commonly referred to as the "1937 Act." Employee retirement benefits have been modified periodically based on changes in State law which provides various options and benefit formulas that may be utilized by Counties operating under the 1937 Act. The County is required to negotiate with designated labor representatives prior to implementing changes in employee retirement benefits.

Stanislaus County adopted Tier 1 retirement benefits in July 1974. In July 1980, the County closed Tier 1 retirement benefits for new employees and implemented a new Tier 2 benefit. The new Tier 2 benefits provided a reduced benefit plan at a lower cost to employees and the County.

In April 1986 the County added the Tier 3 benefit plan, offered to employees as an alternative to enrolling in the standard Tier 2 plan. The new Tier 3 plan provided employees an option to receive a substantially lower benefit in exchange for eliminating the employee's required contributions to the plan. Tier 2 benefits remained in place as the standard benefit plan for all new County employees from July 1980 until March 2002.

In March 2002 the County modified employee retirement benefits through a negotiated agreement with labor organizations to implement the new Tier 4 and Tier 5 benefit plans. The new retirement tiers provided enhanced benefit plans made available by State law. At this same time, the County closed the Tier 2 and Tier 3 plans. Tier 4 was not opened for new employees, but was established for existing employees who were previously enrolled in the Tier 1 plan. New employees from March 2002 to present have been enrolled in the enhanced Tier 5 benefit plan.

Approval to Adopt Resolutions Regarding Retirement Benefits and to Implement the Provisions Contained in the Retirement Benefits Modification Summary for County Employees Hired on or After January 1, 2011

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For the last several years, Stanislaus County has experienced significant shortfalls in discretionary revenue which supports essential services in all County departments. Increasing costs and declining revenues have resulted in ongoing budget deficits that have required the County to reduce the number of full-time County employees from a high of 4603 in Fiscal Year 2007-2008, to a projected 3687 as of January 31, 2011. The employer contribution to the retirement system has been adversely impacted by investment market losses and the general state of the economy, resulting in a dramatic increase in the cost for which the employer is responsible. Employee retirement costs have contributed significantly to the ongoing budget deficit resulting in the need to reduce County staffing and related services in the community. Long-term projections indicate ongoing fiscal challenges with the cost of maintaining the enhanced Tier 5 benefit plan for future employees.

Recommended Benefit Plan Modifications

During the past year the County has negotiated with a majority of County bargaining units to discontinue the Tier 5 benefit plan for new employees hired on or after January 1, 2011. Retirement benefits for current full-time employees are legally protected vested benefits and are not subject to negotiated reductions based on existing legal standards. The new agreements with County labor organizations will reinstate the former Tier 2 level of retirement benefits in place prior to March 2002. The following is a summary of current retirement benefit levels and the recommended modification of retirement benefits:

	Current Benefit (Tier 5*)	Recommended Benefit (Tier 2*)
General Members	Years of Service at 2% at age 55	Years of Service at 2% at age 61
Safety Members	Years of Service at 3% at age 50	Years of Service at 2% at age 50
Final Average Salary Calculation	Based on highest 12-months of compensation	Based on average of highest 36-months of compensation

**Benefit formulas are rounded based on age and years of service.*

Retirement benefit modifications have been approved by the Board of Supervisors for the majority of County bargaining units through a series of prior Board actions during 2010, including all unrepresented employee classifications. Based on varying expiration dates for individual labor agreements, it is projected that not all County bargaining units will have agreed to the new retirement benefit modifications prior to January 1, 2011.

The recommendations and actions outlined in this report will be implemented on January 1, 2011 for those bargaining units outlined in the Retirement Benefit Modification Summary (Attachment 3). It is anticipated that additional bargaining units will be included by future action based on contract expiration dates and the anticipated

Approval to Adopt Resolutions Regarding Retirement Benefits and to Implement the Provisions Contained in the Retirement Benefits Modification Summary for County Employees Hired on or After January 1, 2011
Page 4

conclusion of current negotiations with labor organizations. It is recommended to adopt a hiring freeze for any bargaining unit which has not adopted the Tier 2 retirement benefit modifications by January 1, 2011. The hiring freeze will remain in effect for each individual bargaining unit until such time as the Board of Supervisors approves the implementation of the Tier 2 retirement benefit in each of the remaining bargaining units through subsequent Board action.

This agenda report has been prepared to summarize all of the related recommendations and final actions necessary for the Board of Supervisors prior to final adoption and implementation of the retirement benefit modifications. In order to make these changes the Board of Supervisors is required to adopt several Government Code Sections relating to the County Employee's Retirement Law of 1937. Recommended resolutions to adopt and apply the applicable code sections are attached (Attachment 1 and 2). The Retirement Benefit Modification Summary (Attachment 3) was prepared to summarize the rules and provisions to be utilized in establishing Tier 2 retirement benefits for new employees.

POLICY ISSUE:

The implementation of Tier 2 retirement benefits for new employees will support the Board's priority of Efficient Delivery of Public Services, and is essential to the County's long-term financial viability.

STAFFING IMPACT:

There is no foreseeable long-term staffing impact from the implementation of the change in retirement benefits for employees hired after January 1, 2011. The County has evaluated the impact of the change in retirement benefits on its ability to attract qualified applicants in the future. Statewide public agencies have recognized that the current level of pension benefits are unsustainable and are contemplating or have already implemented reduced retirement benefits for new hires. As a result the County expects to continue to provide a competitive benefit package and to attract qualified candidates to the organization.

CONTACT PERSON:

Jody Hayes, Deputy Executive Officer. (209) 525-5714

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
STATE OF CALIFORNIA

Date: December 21, 2010

No. 2010-783

On motion of Supervisor DeMartini Seconded by Supervisor O'Brien
and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Monteith, DeMartini, and Chairman Grover

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

Item # B-17

THE FOLLOWING RESOLUTION WAS ADOPTED:

In re: Resolution Establishing A New Retirement Allowance Formula Applicable To Employees Commencing Service On or After January 1, 2011 In Safety Membership Positions Of The Stanislaus County Employees' Retirement Association

WHEREAS, Government Code Section 31483 authorizes this Board, whenever it has made a particular retirement allowance formula provision of the County Employees Retirement Law of 1937, Government Codes section 31450 et seq., applicable in the County, to adopt a resolution terminating the applicability of such provision as to employees who services commence after a given date specified in the resolution; and,

WHEREAS on August 17, 1971 Government Code section 31462.1 was adopted and made applicable to members of the Stanislaus County Employees Retirement Association ("StanCERA"); and,

WHEREAS on June 10, 1980 (Resolution S-23) Government Code section 31462.1 was terminated and Government Code section 31462 was adopted and made applicable to members of StanCERA who were hired on or after July 1, 1980; and,

WHEREAS, on February 12, 2002 (Resolution 2002-96), this Board reinstated Government Code section 31462.1 and made the retirement allowance formula provision of Government Code section 31664.1 (commonly known as "3% at 50") applicable to all safety members of StanCERA who were in active service on March 9, 2002 or who were hired on or after March 9, 2002; and,

WHEREAS, the Board intends to terminate the applicability of the retirement allowance formula provisions of Government Code section 31462.1 and section 31664.1 as to employees whose safety member service commences on or after January 1, 2011; and,

WHEREAS, this Board intends to make applicable the retirement allowance formula provisions of Government Code section 31462 and section 31664 (commonly known as "two percent at 50") as to employees whose safety member service commences on or after January 1, 2011; and,

NOW THEREFORE, BE IT RESOLVED AND ORDERED:

1. The retirement allowance formula provision of Government Code section 31664.1 is hereby terminated and the retirement allowance formula provision of Government Code section 31664 shall apply;

2. The applicability of Government Code section 31462.1 is terminated and the provisions of Government Code section 31462 shall apply;

3. The applicability of Government Code sections 31639.25 and 31808.6 are reaffirmed and shall apply;

BE IT FURTHER RESOLVED that effective January 1, 2011, there shall be four classes of safety members of StanCERA, Tier 1 safety shall be comprised of members whose services commenced before July 1, 1980 and terminated before March 9, 2002; Tier 2 safety shall be comprised of members whose services commenced on or after July 1, 1980 and terminated before March 9, 2002, or members whose service commences on and after January 1, 2011; Tier 4 safety shall be comprised of safety members whose services commenced before July 1, 1980 and were active on and after March 9, 2002; and Tier 5 safety shall be comprised of members whose services commenced on or after July 1, 1980 and were active on and after March 9, 2002, or whose services commenced on or after March 9, 2002.

BE IT FURTHER RESOLVED that effective January 1, 2011, Special Districts who are members of StanCERA may adopt and implement these same provisions of the County Employees Retirement Law of 1937 and make them applicable to their employees who are safety members of the Stanislaus County Employees Retirement Association.

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk
Stanislaus County Board of Supervisors,
State of California



By:
1010-56

File No.

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
STATE OF CALIFORNIA

Date: December 21, 2010

No. 2010-783

On motion of Supervisor DeMartini Seconded by Supervisor O'Brien
and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Monteith, DeMartini, and Chairman Grover

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

Item # B-17

THE FOLLOWING RESOLUTION WAS ADOPTED:

In re: Resolution Establishing a New Retirement Allowance Formula Applicable to Employees Commencing Service On or After January 1, 2011 In General Membership Positions of Specified Bargaining Units of the Stanislaus County Employees' Retirement Association

WHEREAS, Government Code Section 31483 authorizes this Board, whenever it has made a particular retirement allowance formula provision of the County Employees Retirement Law of 1937, Government Codes section 31450 et seq., applicable in the County, to adopt a resolution terminating the applicability of such provision as to employees who services commence after a given date specified in the resolution; and,

WHEREAS, Government Code section 31489.5 provides that when there is a memorandum of understanding made under the Meyers-Milias-Brown Act (Chapter 10 (commencing with section 3500) of Division 4 Title 2) ("MOU") with a bargaining unit different retirement benefits may be adopted for any subgroup of general members within that bargaining unit who are members of the Stanislaus County Employees Retirement Association (StanCERA) who are hired on or after the date specified in the resolution adopted by majority vote of the Board; and,

WHEREAS, Government Code section 31489.5 further provides that all unrepresented employees within similar job classifications as employees in a bargaining unit subject to the MOU, or supervisors and managers thereof, shall be subject to the same formula for the calculation of retirement benefits when hired on or after the date specified in the resolution adopted by majority vote of the Board; and,

WHEREAS, on April 2, 1974, the Board of Supervisors adopted a resolution (Resolution No. S-23) making the retirement allowance formula provisions of Government Code sections 31676.12 and 31462.1 applicable in the County to employees in positions authorizing or requiring general membership in StanCERA; and,

WHEREAS on June 10, 1980, the Board of Supervisors adopted a resolution (Resolution No. S-23) terminating the applicability of Government Code sections 31676.12 and 31462.1 to general members of StanCERA whose services commenced on or after July 1, 1980, and making the retirement allowance formula provisions of Government Code sections 31676.1 and 31462 applicable to such general members: and,

WHEREAS, on February 12, 2002, (Resolution 2002-96), effective March 9, 2002, this Board terminated the applicability of Section 31676.12 (Tier 1) and section 31676.1 (Tier 2) as to the general members of StanCERA; and made two retirement classes of general members of StanCERA, Tier 4 comprised of active general members of StanCERA who were actively employed and whose services commenced on or before June 30, 1980; and Tier 5 comprised of active members of StanCERA who were currently employed and whose services commenced on or after July 1, 1980 and adopted retirement formula provisions of Government Code section 31676.14 (commonly known as "2% at 55") applicable to such general members of StanCERA; and,

WHEREAS, on February 12, 2002, (Resolution 2002-96) the Board further adopted provisions of Government Code section 31462.1 for Tier 5, sections 31621.3 and 31621.9, and provisions of Government Code section 31808(a) were reaffirmed and adopted; and,

WHEREAS, the Board intends to terminate the applicability of the retirement allowance formula provisions of Government Code sections 31676.14, 31462.1, 31621.3 and 31621.9 for employees whose general member service commences on or after January 1, 2011; and,

WHEREAS, this Board intends to make applicable the retirement allowance formula provisions of Government Code sections 31676.1, 31462, and 31621 for employees whose general member service commences on or after January 1, 2011.

NOW THEREFORE, BE IT RESOLVED AND ORDERED:

1. This resolution shall apply to the following employee units: Community and Health Services - Unit A; Registered Nurses - Unit 4; Emergency Dispatchers - Unit 6; Board of Supervisors/CEO/County Counsel - Unit 0 (unrepresented); Department Heads - Unit 1 (unrepresented); Management - Unit M (unrepresented); and Confidential - Unit 2 (unrepresented).
2. The retirement allowance formula provisions of Government Code section 31676.14 are hereby terminated and the retirement allowance formula provisions of Government Code section 31676.1 made applicable to persons first employed, or are reemployed after a break in StanCERA membership (except as required by Government Code section 31652(a)), on or after January 1, 2011;
3. The applicability of Government Code section 31462.1 is terminated and the provisions of Government Code section 31462 shall apply;
4. The applicability of Government Code sections 31621.3 and 31621.9 are terminated and the provisions of Government Code section 31621 shall apply; and
5. The applicability of Government Code section 31808(a) is reaffirmed and shall apply.


BE IT FURTHER RESOLVED that effective January 1, 2011, there shall be five classes of general members of the Stanislaus County Employees Retirement Association, Tier 1 shall be comprised of members of StanCERA whose employment commenced on or before June 30, 1980 and terminated before March 9, 2002; Tier 2 shall be comprised of members of StanCERA whose employment commenced on or after July 1, 1980 and terminated before March 9, 2002,

or those whose services commence on or after January 1, 2011; Tier 3 shall be comprised of members whose employment commenced before March 9, 2002 and who elected the alternative Tier 3 plan; Tier 4 shall be comprised of members of StanCERA whose employment commenced before June 30, 1980 and who were employed on and after March 9, 2002; and Tier 5 shall be comprised of members of StanCERA whose employment commenced on or after July 1, 1980 and who were employed on March 9, 2002, or whose services commenced on or after March 9, 2002.

BE IT FURTHER RESOLVED that Tier 3 shall continue to be closed to all new hires of Stanislaus County.

BE IT FURTHER RESOLVED that effective January 1, 2011, Special Districts who are members of the StanCERA may adopt and implement these same provisions of the County Employees Retirement Law of 1937 and make them applicable to their employees who are members of StanCERA.

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk
Stanislaus County Board of Supervisors,
State of California



By:
1010-56

File No.

ATTACHMENT 3

COUNTY OF STANISLAUS RETIREMENT BENEFIT MODIFICATION SUMMARY December 21, 2010

1. EFFECTIVE DATE

Retirement benefit modifications will be effective January 1, 2011.

2. COVERED EMPLOYEES AND EMPLOYEE UNITS

The recommended retirement benefit modifications in this summary will not apply to current employees hired prior to January 1, 2011.

The recommended retirement benefit modifications will apply to regular, full-time employees hired on or after January 1, 2011 in the following employee units as approved by the Board of Supervisors:

General Members

- Community and Health Services - Bargaining Unit A (SEIU)
- Registered Nurses - Bargaining Unit 4
- Emergency Dispatchers - Bargaining Unit 6
- Board of Supervisors/CEO/County Counsel - Unit 0 (unrepresented)
- Department Heads - Unit 1 (unrepresented)
- Management - Unit M (unrepresented)
- Confidential - Unit 2 (unrepresented)

Safety Members

- Custodial Deputy Sheriffs - Bargaining Unit 7
- Sworn Deputy Sheriffs - Bargaining Unit S
- District Attorney Investigators - Bargaining Unit G
- Deputy Probation Officers - Bargaining Unit H
- Sergeants - Bargaining Unit N
- Lieutenants and Custodial Lieutenants - Bargaining Unit Q
- Group Supervisors - Bargaining Unit T

3. RETIREMENT BENEFITS

The County shall provide Tier 2 retirement benefits for new employees hired on or after January 1, 2011 as follows:

General Member: the formula outlined in Govt. Code section 31676.1, commonly known as 2% at 61.

Safety Members: the formula outlined in Govt. Code section 31664, commonly known as 2% at 50.

4. FINAL COMPENSATION

Tier 2 retirement benefits shall be calculated based on an average of the employee's highest consecutive 36-months of compensation. The definition of final compensation as outlined in Govt. Code Section 31462 will be utilized.

5. RETIREMENT TIERS

Tier 1, Tier 3 and Tier 4 will remain closed to all new employees.

Employees hired prior to January 1, 2011 will remain in their existing retirement tier and shall maintain all rights associated with their respective retirement tier as previously approved by the Board of Supervisors.

Classifications Covered in Bargaining Units Included in Section 2

Tier 5 shall be closed after December 31, 2011 to new employees hired into any covered classification.

Tier 2 will be the default tier for new employees hired on or after January 1, 2011 in any covered classification.

All Other Classifications in Bargaining Units Not Included in Section 2

Tier 5 shall remain the default tier for new employees and all other tiers will remain closed until such time as the Board of Supervisors approves additional bargaining units to be included in the retirement benefit modifications.

5. MEMBERS WHO ARE REHIRED/REINSTATED IN EMPLOYMENT

Employees who are rehired/reinstated with the County after the implementation of Tier 2 on January 1, 2011 and have met the necessary membership criteria to be placed in their former retirement tier shall be eligible for placement in that former tier. In general, current legal standards allow rehired employees the opportunity to reinstate into their former retirement tier as long as the individual member either has left his retirement contributions on deposit since his prior period of County service or elects and completes the redeposit of withdrawn retirement contributions plus applicable interest. The membership tier will depend on the employee's/member's individual circumstances and prior retirement selections. Employees who are rehired/reinstated with the County on or after January 1, 2011 are encouraged to confirm their membership status and retirement tier reinstatement options with StanCERA.

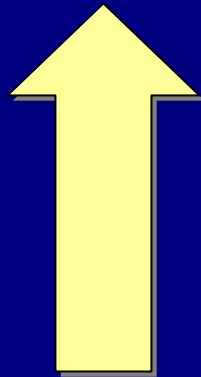
PowerPoint Presentation



Retirement Benefit Modifications

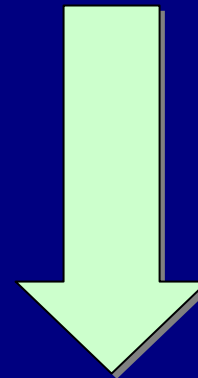
December 21, 2010

Background



- Employee retirement costs increasing
 - Investment market losses
 - Actuarial adjustments

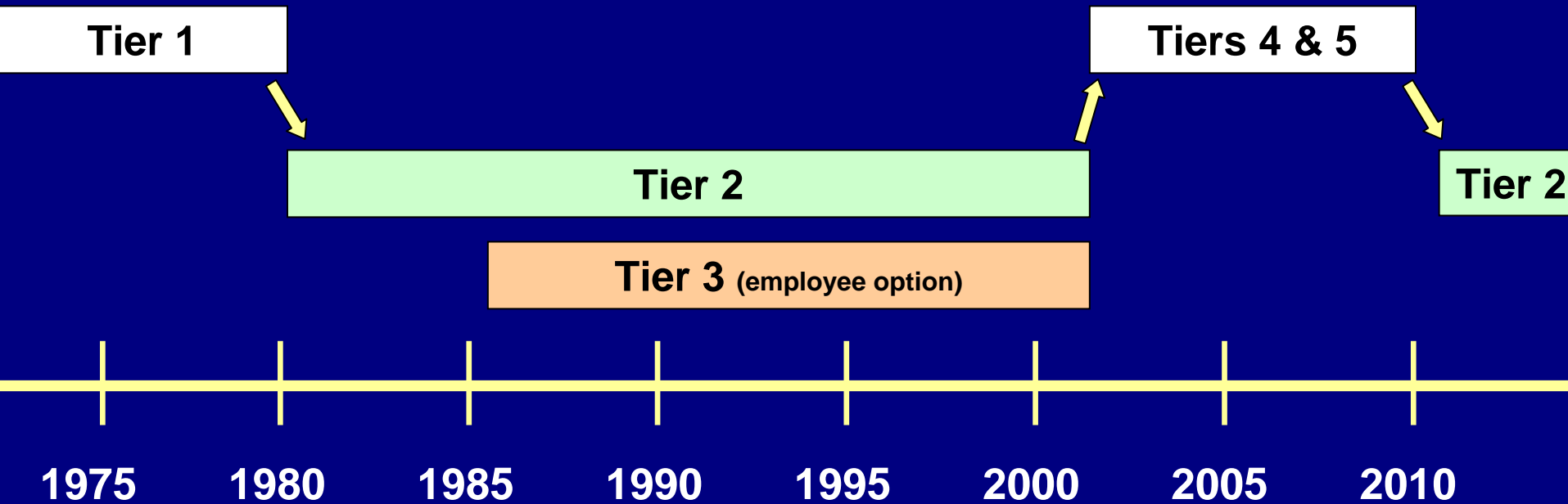
- County discretionary funding decreasing
 - Property tax
 - Sales tax



Labor Cost Reduction Strategies

- Reductions-in-force
- Hiring freeze
- Reduction in allocated positions
 - From 4603 in FY 2007-2008 to 3687 as of Jan. 2011
- Employee furloughs (5% wage deductions)
- Reduced/suspended various benefits
- Long-term - retirement benefits for future employees

Employee Retirement Benefits History



**Current
Misc. Retirement Benefit
(Tier Five)**

**Proposed
Misc. Retirement Benefit
(Tier Two)**

Benefit Level	<p align="center">Years of Service at 2% at age 55</p> <p align="center">Benefit % increases each year to a maximum of 2.61% at age 62</p>	<p align="center">Years of Service at 2% at age 61</p> <p align="center">Benefit % increases each year to a maximum of 2.43% at age 65</p>
Example	<p align="center">Employee retires at age 55 with 30 years of service 2% multiplied by 30 years = 60% of annual salary in retirement</p>	<p align="center">Employee retires at age 61 with 36 years of service 2% multiplied by 36 years = 72% of annual salary in retirement</p>
Final Average Salary	<p align="center">Employee's annual salary is determined by their single highest year of earnings</p>	<p align="center">Employee's annual salary is determined by an average of their three highest years of earnings</p>

**Current
Safety Retirement Benefit
(Tier Five)**

**Proposed
Safety Retirement Benefit
(Tier Two)**

Benefit Level	<p align="center">Years of Service at 3% at age 50</p> <p align="center">Benefit does not increase beyond 3% at age 50</p>	<p align="center">Years of Service at 2% at age 50</p> <p align="center">Benefit % increases each year to a maximum of 2.62% at age 55</p>
Example	<p align="center">Employee retires at age 50 with 25 years of service 3% multiplied by 25 years = 75% of annual salary in retirement</p>	<p align="center">Employee retires at age 55 with 30 years of service 2.62% multiplied by 30 years = 78.6% of annual salary in retirement</p>
Final Average Salary	<p align="center">Employee's annual salary is determined by their single highest year of earnings</p>	<p align="center">Employee's annual salary is determined by an average of their three highest years of earnings</p>

Benefit Modifications

- Retirement benefit reductions will apply to future employees starting January 1, 2011
 - No changes to current employee retirement benefits
- Projected long-term cost savings
 - Actual savings based on when County hires future employees
 - Projected 27% decrease to long-term retirement costs for future employees

Retirement Tier Changes

Safety Units

All Units Approved

- DA Investigators
- Deputy Probation Officers
- Sheriff Custodial Deputies
- Sheriff Sergeants
- Sheriff Lieutenants
- Sworn Deputy Sheriffs
- All Unrepresented Classifications
- Group Supervisors (subject to final ratification)

Misc. Units

Approved as of December 21, 2010

- SEIU
- Nurses Association
- Dispatch Association
- All Unrepresented Classifications (Elected Officials, Dept Heads, Management & Confidential)

Pending Contract Expiration or Ratification

- Attorney's Association
- AFSCME

Staff Recommendations

1. Approve and adopt resolutions regarding retirement benefit modifications for future County employees
2. Approve the provisions contained in the attached Retirement Benefit Modification Summary

Staff Recommendations

3. Direct the CEO to implement the provisions contained in the Retirement Benefits Modification Summary with respect to Stanislaus County employee members of StanCERA
4. Direct the CEO to implement a hiring freeze as of January 1, 2011 for any full-time regular position in any classification that is not included in the affected bargaining units as outlined in the Retirement Benefits Modification Summary and applicable Retirement Resolution

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
STATE OF CALIFORNIA

31664.1

Date: February 12, 2002

No. 2002-96

On motion of Supervisor Paul....., Seconded by Supervisor Blom.....,
and approved by the following vote,
Ayes: Supervisors: Blom, Simon, Caruso, Paul, and Chairman Mayfield.....
Noes: Supervisors: None.....
Excused or Absent: Supervisors: None.....
Abstaining: Supervisor: None.....
*B-6

THE FOLLOWING RESOLUTION WAS ADOPTED:

In re: Adopting the Applicability
of Certain Provisions of the
County Employees Retirement
Law of 1937

WHEREAS, pursuant to Government Code Section 31483, this Board may, by
resolution, adopt the applicability of particular provisions of the County Employees
Retirement Law of 1937 to members of the Stanislaus County Employees Retirement
Association; and

WHEREAS, this Board desires to adopt and implement particular provisions of
the County Employees Retirement Law of 1937;

NOW, THEREFORE, BE IT RESOLVED that the following provisions be, and
the same hereby are, applied as to members of the Stanislaus County Employees
Retirement Association who are in active County service on March 9, 2002 or who are
hired into County service on or after March 9, 2002, in accordance with the attached
Enhanced Retirement Benefit Agreement:

1. The provisions of Section 31664.1 of the Government Code shall apply to
Safety members; and
2. The provisions of Section 31676.14 of the Government Code shall apply
to General members; and

TEST: CHRISTINE FERRARO TALLMAN, Clerk
Stanislaus County Board of Supervisors,
State of California,

Christine Ferraro
By: Deputy

File No.

3. The provisions of Section 31621.3 of the Government Code shall apply;
and
4. The provisions of Section 31621.9 of the Government Code shall apply;
and
5. The provisions of Section 31808(a) of the Government Code are hereby
reaffirmed and shall apply;

BE IT FURTHER RESOLVED that effective March 9, 2002, there shall be two new classes of members of the Stanislaus County Employees Retirement Association, Tier IV shall be comprised of active members of the Stanislaus County Employees Retirement Association who are actively employed and whose services commenced on or before June 30, 1980, and Tier V shall be comprised of active members of the Stanislaus County Employees Retirement Association who are currently employed and whose services commence on and after July 1, 1980.

BE IT FURTHER RESOLVED that effective March 9, 2002, Tier III shall be closed to all new hires of Stanislaus County and the provisions Government Section 31621.3 shall be adopted and implemented in accordance with the provisions outlined in the *Enhanced Retirement Benefit Agreement*.

BE IT FURTHER RESOLVED that effective March 9, 2002, Special Districts who are members of the Stanislaus County Employees Retirement Association may adopt and implement these same provisions of the County Employees Retirement Law of 1937 and make them applicable to their employees who are members of the Stanislaus County Employees Retirement Association.

See 31621.3 for additional documentation.