

CENTRAL FIRE PROTECTION DISTRICT OF SANTA CRUZ COUNTY

RESOLUTION
AUTHORIZING AN AMENDMENT TO THE CONTRACT

No. 2024-09

WHEREAS, the Board of Administration of the California Public Employees' Retirement System and the Board of Directors of the Central Fire Protection District of Santa Cruz County entered into a contract effective on October 17, 1987, providing for the participation of said public agency in the California Public Employees' Retirement System; and

WHEREAS, it is now desirable to take advantage of certain benefits provided under said Retirement System and not included in said contract;

NOW, THEREFORE, BE IT RESOLVED, that said governing body authorized, and it does hereby authorize, an amendment to said contract, a copy of said amendment attached hereto and by such reference made a part hereof as though herein set out in full; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the presiding officer of said governing body is hereby authorized, empowered and directed to execute said amendment for and on behalf of said public agency.

Adopted this 11 day of April, 2024.



Presiding Officer

Attest:



Clerk/Secretary



California Public Employees' Retirement System
 Financial Office | Pension Contracts and Prefunding Programs Division
 P.O. Box 942703, Sacramento, CA 94229-2703
 888 CalPERS (or 888-225-7377) | TTY: (877) 249-7442 | www.calpers.ca.gov

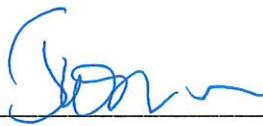
**CERTIFICATION
 OF
 FINAL ACTION OF GOVERNING BODY**

I hereby certify that the Board of Directors of the
 (governing body)
Central Fire District of Santa Cruz County
 (public agency)

considered and adopted on April 11, 2024, by an affirmative vote of a
 (date)

majority of the members of said Governing Body, **Ordinance/Resolution** No. 2024-09
 approving the attached contractual agreement between the Governing Body of said Agency and
 the Board of Administration of the California Public Employees' Retirement System, a certified
 copy of said **Ordinance/Resolution** in the form furnished by said Board of Administration being
 attached hereto.

Adoption of the retirement benefit increase/change was not placed on the consent calendar.


 Clerk/Secretary

FIRE CHIEF
 Title

Date 4/11/24



California
Public Employees' Retirement System

AMENDMENT TO CONTRACT

Between the
Board of Administration
California Public Employees' Retirement System
and the
Board of Directors
Central Fire Protection District of Santa Cruz County

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 October 17, 1987, and witnessed April 26, 1988, and as amended effective December 17, 1994, June 24, 2000, September 29, 2001, August 11, 2007, December 25, 2010, and July 24, 2021, which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 19 are hereby stricken from said contract as executed effective July 24, 2021, and hereby replaced by the following paragraphs numbered 1 through 19 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, age 50 for classic local safety members entering membership in the safety classification on or prior to December 25, 2010, age 55 for classic local safety members entering membership for the first time in the safety classification after December 25, 2010, and age 57 for new local safety members.

2. Public Agency shall participate in the Public Employees' Retirement System from and after October 17, 1987, 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.
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 Fire Fighters (herein referred to as local safety members);
 - b. Employees other than local safety members (herein referred to as local miscellaneous members).
5. 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. **ELECTED OFFICIALS; AND**
 - b. **POLICE OFFICERS.**

6. This contract shall be a continuation of the contract of the Central Fire Protection District of Santa Cruz and the Capitola Fire Protection District, hereinafter referred to as "Former Agency". The accumulated contributions, assets and liability for prior and current service under the Former Agency's contract shall be merged pursuant to Section 20508 of the Government Code. Such merger occurred October 17, 1987.
 - a. Service performed for the Former Agencies prior to April 30, 1988, shall be subject to the terms and conditions of the Former Agencies' contract as it was in effect at that time. Service performed on and after April 30, 1988, shall be subject to the terms and conditions of this contract. For purposes of computing retirement allowances, separate calculations shall be made for service performed under each contract, pursuant to Government Code Section 20567.8.
7. This contract shall be a continuation of the contract of the Aptos/La Selva Fire Protection Agency, hereinafter referred to as "Former Agency". The accumulated contributions, assets and liability for prior and current service under the Former Agency's contract shall be merged pursuant to Section 20508 of the Government Code. Such merger occurred February 4, 2021.
8. The percentage of final compensation to be provided for each year of credited prior and current service as a classic local miscellaneous member in employment before and not on or after August 11, 2007, shall be determined in accordance with Section 21354 of said Retirement Law (2% at age 55 Full).
9. The percentage of final compensation to be provided for each year of credited prior and current service as a classic local miscellaneous member in employment on or after August 11, 2007, shall be determined in accordance with Section 21354.4 of said Retirement Law (2.5% at age 55 Full).
10. 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).
11. The percentage of final compensation to be provided for each year of credited prior and current service as a classic local safety member entering membership in the safety classification on or prior to December 25, 2010, shall be determined in accordance with Section 21362.2 of said Retirement Law (3% at age 50 Full).
12. The percentage of final compensation to be provided for each year of credited current service as a classic local safety member entering membership for the first time in the safety classification after December 25, 2010, shall be determined in accordance with Section 21363.1 of said Retirement Law (3% at age 55 Full).

13. The percentage of final compensation to be provided for each year of credited prior and current service as a new local safety member shall be determined in accordance with Section 7522.25(d) of said Retirement Law (2.7% at age 57 Full).
14. Public Agency elected and elects to be subject to the following optional provisions:
 - a. Section 20042 (One-Year Final Compensation) for those classic local miscellaneous members and those classic local safety members entering membership on or prior to December 25, 2010.
 - b. Section 20965 (Credit for Unused Sick Leave).
 - c. Section 21574.5 (Indexed Level of 1959 Survivor Benefits).
 - d. Section 21623.5 (\$5,000 Retired Death Benefit).
 - e. Section 20475 (Different Level of Benefits); Section 20037 (Three-Year Final Compensation) is applicable to classic local miscellaneous members entering membership for the first time with this agency in the miscellaneous classification after December 25, 2010.

Section 21363.1 (3% @ 55 Full formula) and Section 20037 (Three-Year Final Compensation) are applicable to classic local safety members entering membership for the first time with this agency in the safety classification after December 25, 2010.
15. Public Agency, in accordance with Government Code Section 20834, shall not be considered an "employer" for purposes of the Public Employees' Retirement Law. Contributions of the Public Agency shall be fixed and determined as provided in Government Code Section 20834, and such contributions hereafter made shall be held by the Board as provided in Government Code Section 20834.
16. 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.
17. Public Agency shall also contribute to said Retirement System as follows:
 - a. 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.

- b. 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.
- 18. 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.
- 19. 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 13th day of April, 2024.

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BOARD OF DIRECTORS
CENTRAL FIRE PROTECTION
DISTRICT OF SANTA CRUZ COUNTY

BY _____
MELODY BENAVIDES, CHIEF
PENSION CONTRACTS AND PREFUNDING
PROGRAMS DIVISION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY 
PRESIDING OFFICER

April 11, 2024
Witness Date

Attest:

Clerk