

ORDINANCE NO. 14-006

**AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF PACIFIC GROVE AUTHORIZING
AMENDMENT OF THE CONTRACT BETWEEN THE CITY
AND THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM**

FINDINGS

1. The City of Pacific Grove and the General Employees Association for Pacific Grove reached an agreement regarding employees displaced due to lease of the Pacific Grove Golf Course. This agreement, in part, allows employees facing layoffs to take advantage of the "Two-Year Service Credit" CalPERS option under Government Code §20903. This circumstance also applies to a single employee of the Community Development Department.
2. The amended CalPERS contract allows two years additional service credit to members who retire during a designated period. Government Code §20903 sets specific conditions for use of the two-year service credit.
3. Classifications eligible to retire with two years of additional service credit are: Golf Maintenance Worker II, Golf Field Supervisor, and Program Manager, Advanced Planning.
4. The period in which employees will be eligible to receive the additional service credit is from July 1, 2014 to September 30, 2014. Eligible employees must retire during this time period.
5. If all eligible employees retired within the window allowed under this provision, the total cost would be \$196,279. However, it appears only one employee shall opt to take the two-year service credit, making the total cost \$59,337. Under the current employee Memorandum of Understanding provisions of the GEA and MEA of Pacific Grove, this cost would be borne by the employee contributions, given that employer costs are limited to 10%.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE:

SECTION 1. The foregoing Findings are adopted as findings of the City Council as though set forth fully herein.

SECTION 2. Amendment of the contract between the City Council of the City of Pacific Grove and the Board of Administration, California Public Employees' Retirement System is hereby authorized, a copy of said amendment being attached hereto, marked Exhibit, and by such reference made a part hereof as though herein set out in full.

SECTION 3. The Mayor and City Manager are hereby authorized, empowered, and directed to execute all documents for and on behalf of the City to affect this Ordinance and the CalPERS amendment it approves. .

SECTION 4. If any provision, section, paragraph, sentence, clause or phrase of this ordinance, or any part thereof, or the application thereof to any person or circumstance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance, or any part thereof, or its application to other persons or circumstances. The City Council hereby declares that it would have passed and adopted each provision, section, paragraph, subparagraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, paragraphs, subparagraphs, sentences, clauses or phrases, or the application thereof to any person or circumstance, be declared invalid or unconstitutional.

SECTION 5. This Ordinance shall take effect 30 days after the date of its adoption.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE
this 7th day of May, 2014, by the following vote:

AYES: Mayor Kampe, Councilmembers Cohen, Cuneo, Fischer, Huitt, Lucius, Miller

NOES: None

ABSENT: None

APPROVED:

Attest:

BILL KAMPE, Mayor

Interim City Clerk