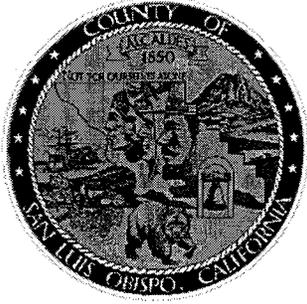


**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Pension Trust		(2) MEETING DATE MARCH 7, 2006		(3) CONTACT/PHONE Tony Petruzzi 781-5465	
(4) SUBJECT Request to approve amendments to the SLO County Employees Retirement Plan to make miscellaneous technical corrections to the Plan.					
(5) SUMMARY OF REQUEST The attached amendments are clean up provisions that will clarify certain Articles or Sections of the Retirement Plan.					
(6) RECOMMENDED ACTION It is recommended that your Board approve the attached Retirement Plan Amendments					
(7) FUNDING SOURCE(S) N/A		(8) CURRENT YEAR COST N/A		(9) ANNUAL COST N/A	
(10) BUDGETED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> N/A <input type="checkbox"/> NO					
(11) OTHER AGENCY/ADVISORY GROUP INVOLVEMENT (LIST):					
(12) WILL REQUEST REQUIRE ADDITIONAL STAFF? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, How Many? _____ <input type="checkbox"/> Permanent _____ <input type="checkbox"/> Limited Term _____ <input type="checkbox"/> Contract _____ <input type="checkbox"/> Temporary Help _____					
(13) SUPERVISOR DISTRICT(S) 1st, 2nd, 3rd, 4th, 5th, <u>All</u>			(14) LOCATION MAP <input type="checkbox"/> Attached <input checked="" type="checkbox"/> N/A		
(15) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Hearing (Time Est. _____) <input type="checkbox"/> Presentation <input type="checkbox"/> Board Business (Time Est. _____)			(16) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions (Orig + 4 copies) <input type="checkbox"/> Contracts (Orig + 4 copies) <input checked="" type="checkbox"/> Ordinances (Orig + 4 copies) <input type="checkbox"/> N/A		
(17) NEED EXTRA EXECUTED COPIES? <input type="checkbox"/> Number: _____ <input type="checkbox"/> Attached <input checked="" type="checkbox"/> N/A			(18) APPROPRIATION TRANSFER REQUIRED? <input type="checkbox"/> Submitted <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A		

(19) ADMINISTRATIVE OFFICE REVIEW	OK G. Wilcox	B-10 (3-7-06)
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**Board of Trustees
San Luis Obispo County Pension Trust**

1000 Mill Street
San Luis Obispo, CA 93408

TO: The Board of Supervisors
County of San Luis Obispo

FROM: Tony Petruzzi 
Pension Trust Executive Secretary

DATE: February 28, 2006

SUBJECT: **A Resolution Adding Miscellaneous Technical Amendments to the Retirement Plan**

Recommendation:

It is recommended that your Board approve the attached Retirement Plan Amendments.

Discussion:

The attached amendments are essentially clean up provisions that will clarify certain Articles or Sections of the Retirement Plan.

Amendment to Section 1.17 provides that members concurrently employed by the Court and the County or by any two employers covered by the Plan must elect one position to be the reporting position. The Section establishes criteria for which position is to be reported to the Trust. (Exhibit A)

The amendment to Section 3.03: Superior Court Officers and Attaches clarifies the membership requirement for Court employees under the Retirement Plan. (Exhibit B)

The amendment to Article 8: Membership updates the current listing of Safety Members covered by the Retirement Plan. (Exhibit C)

Other Agency Involvement:

None

Financial Considerations:

None

Results:

Adoption of this Resolution will amend the specified Sections of the Retirement Plan.

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IN THE BOARD OF SUPERVISORS
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

28th day of February, 2006

PRESENT: Supervisors

ABSENT:

Resolution No. _____

A Resolution Adding Miscellaneous Technical Amendments to the Retirement Plan

WHEREAS, Article 18 of the San Luis Obispo County Employees Retirement Plan confers sole authority to amend the Retirement Plan on the Board of Supervisors, and

WHEREAS, it has become necessary to amend the Retirement Plan to maintain consistency and clarity of Plan provisions, and

WHEREAS, the Pension Trust Board of Trustees, as the body charged with the authority to administer the Retirement Plan has reviewed the Plan and has recommended to the Board of Supervisors that the Plan be amended as set forth below.

NOW, THEREFORE, be it resolved and ordered by the Board of Supervisors of the County of San Luis Obispo as follows:

- 1.) That Section 1.17 "Normal Hours" be, and is hereby amended to read as set forth in Exhibit A attached hereto.
- 2.) That Section 3.03: "Superior Court Officers and Attaches" be, and is hereby amended to read as set forth in Exhibit B attached hereto.
- 3.) That Section 8.02: Safety Member be, and is hereby amended to read as set forth in Exhibit C attached hereto.

Upon Motion of Supervisor _____,

Seconded by Supervisor _____,
and on the following roll call vote to wit:

AYES:

NOES:

ABSTAINING:

The foregoing resolution is hereby adopted:

Chairman, Board of Supervisors

**APPROVED AS TO FORM
AND LEGAL EFFECT:**

JAMES B. LINDHOLM, JR.
County Counsel

By: Warren Jensen
Deputy County Counsel

Dated: Feb. 7, 2006

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ATTEST:

JULIE RODEWALD
County Clerk and Ex-Officio Clerk of the
Board of Supervisors

By: _____
Deputy Clerk

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EXHIBIT A

Section 1.17: "Normal Hours" for a full-time County Employee shall be 40 hours per seven day work week of County Employment, or, for County Employees who are Safety Members ~~employed in the Civil Service Classifications of Firefighter, Fire Engineer and Fire Captain~~, the optional equivalent of the 40 hours per seven day work week allowed by the Federal Fair Labor Standards Act and adopted by the County Employer. "Normal Hours" shall not include overtime worked by a County Employee for the County Employer. "Overtime" is the aggregate hours worked by a County Employee for the County Employer in excess of the hours of work considered normal for a County Employee on a full time basis and as defined in the Federal Fair Labor Standards Act. For a County Employee whose County Employment is less than full-time, "Normal Hours" shall be the same as the ratio of actual County Employment to full-time County Employment. For example, Normal Hours for "half-time" County Employment shall be 20 hours per week of work for the County Employer. "Normal Hours" shall have no meaning or application for elected officers of the County.

If a Member is concurrently employed in two or more positions covered by the Pension Trust, one or more of which is fulltime, employment in the part-time position shall constitute overtime. If two or more positions are permanent and full time, the position with the highest compensation shall be designated as the Pension Trust covered employment to be reported to the Pension Trust.. (02-__-06)

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EXHIBIT B

ARTICLE 3: ELIGIBILITY FOR MEMBERSHIP

Section 3.03: Superior Court Officers and Attaches. ~~The following~~ Officers, employees and attaches of the Superior Court of the State of California in and for the County of San Luis Obispo, except Judges ~~and those making personal contributions to any other public agency retirement system,~~ are eligible to, and shall become Members of the Pension Trust upon the first day of permanent employment with ~~the calendar month following the calendar month of employment or appointment~~ the Superior Court. and upon filing an application for membership with the Pension Trust:

- ~~(a) Official Reporters (Government Code Section 70059.9);~~
- ~~(b) Executive Officer of the Superior Court (Government Code Section 69898);~~
- ~~(c) Secretaries and Assistants (Government Code Section 69892); and~~
- ~~(d) Commissioner (Government Code Sections 70141, 70144, and 70146).~~
- ~~(e) Such additional judicial officers and/or employees established by the said Superior Court with the approval of the Board of Supervisors (Government Code Section 69894.2).~~

~~Any said officer, employee or attaché who does not file an application for membership as required by this section is ineligible for membership in the Pension Trust.~~

The eligibility of any officer, employee or attaché of the said Superior Court to participate, or to continue to participate, in the Pension Trust is conditioned upon the payment by the said Superior Court to the Pension Trust, on behalf of each such officer, employee and attaché of the said Superior Court, such amounts of money as are established by the Board of Trustees as necessary to provide Retirement Plan benefits to each such officer, employee or attaché. (1-1-74) (11-7-89) (02-__-2006)

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EXHIBIT C

ARTICLE 8: MEMBERS

Section 8.01: Member. "Member" means a County Employee or an Elected Officer of the County who is eligible under Article 3 hereof to make contributions to the Trust pursuant to Article 5 hereof and is participating in the Trust pursuant to Article 4 hereof. "Member" shall include "Miscellaneous Member", and "Safety Member" and "Probation Officer Member".(12-11-90)

Section 8.02: Safety Member. "Safety Member" shall mean only:

- (a) the Sheriff-Coroner of the County (only for persons holding this elective County office on or after July 24, 1988), and
- (b) those County Employees whose principal duties consist of active law enforcement or active fire suppression and who are employed in the following civil service classifications:

- (1) Sheriff's Chief Deputy
- (2) ~~Lieutenant~~, Sheriff's Commander
- (3) Sergeant,
- (4) Sheriff's Senior Deputy Sheriff
- (5) Deputy Sheriff,
- (6) Sheriff's Correctional ~~Lieutenant Supervisor~~
- (7) Sheriff's Senior Correctional Officer
- (8) Sheriff's Correctional Officer,
- (9) Sheriff's Correctional Sergeant
- (10) Undersheriff
- (11) District Attorney Investigator I, II and III,
- (12) Chief District Attorney Investigator,
- (13) Fire Chief,
- (14) Assistant Fire Chief,
- (15) Fire Captain,
- (16) Fire Engineer, and
- (17) Fireman.

Safety Member shall not mean, nor shall it include, any County Employee in the civil service classifications of Sheriff's Cadet or Sheriff's Property Officer. (4-11-77)(11-17-80)(1-8-85)(7-05-88)(12-__-05)

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