

1 [Safety Retirement]

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3 **Resolution implementing MOU provision and authorizing an amendment to correct an**
4 **error in the contract between the Board of Administration of the Public Employees’**
5 **Retirement System and the Board of Supervisors of the City and County of San**
6 **Francisco**

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8 WHEREAS, The Board of Supervisors of the City and County of San Francisco,
9 hereinafter referred to as Public Agency, and the Board of Administration of the Public
10 Employees’ Retirement System entered into a contract effective February 7, 1969 providing
11 for the participation of Public Agency in the Public Employees’ Retirement System; and

12 WHEREAS, Said contract was amended effective July 1, 1985 and subsequently
13 amended on May 31, 1986, December 27, 1986, October 3, 1987, September 1, 1990,
14 October 20, 1993 and October 1, 1996, and due to an inadvertent error, the contract stated
15 that airport county peace officers entered into the system as "local police officers" but should
16 have stated that they entered into the system as "county peace officers"; and

17 WHEREAS, Section 20472 of the Government Code provides that errors in any
18 contract may be corrected through amendments approved by the adoption of suitable
19 resolutions by the contracting parties; now, therefore, be it

20 RESOLVED, That said governing body of Public Agency authorizes, and it does
21 hereby authorize, the attached contract error amendment to said contract effective July 1,
22 1985 and thereafter;

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1 A. Paragraph number 3 letter a of said contract shall be changed as follows:

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3 “Local Police Officers include those employees who were: active harbor police
4 employees employed by the San Francisco Port Authority prior to February 7, 1969, as
5 provided by Chapter 1333, Statutes of 1968; active police employees of the Housing
6 Authority on December 31, 1984; active institutional police on May 31, 1986 who
7 waived their rights under the local retirement system; all herein referred to as local
8 safety members.”

9 B. Paragraph number 3 letter b of said contract shall be changed as follows:

10 “County Peace Officers include those employees who were: active peace officer
11 employees of the Sheriff’s Department on January 24, 1973 or on February 1, 1978
12 and who waived their rights under the local retirement system; active airport county
13 peace officers on July 1, 1985 and who waived their rights under the local retirement
14 system; active district attorney investigators on December 27, 1986 and who waived
15 their rights under the local retirement system; active probation officers, deputy and
16 assistant probation officers, and juvenile hall employees who elected membership
17 under this system, prospectively from September 1, 1990 and as of October 1, 1996,
18 for all past service under the local retirement system; all herein referred to as local
19 safety members.”

20 C. Paragraph number 5 of said contract shall be changed as follows:

21 “Assets heretofore accumulated with respect to local police officers who became local
22 safety members of this system on February 7, 1969 or May 31, 1986 and were
23 members of the local retirement system who waived their rights under that system have
24 been transferred to the Public Employees’ Retirement System and applied against the
25 liability for prior service incurred thereunder. That portion of assets so transferred
which represent the accumulated contributions (plus interest thereof) required of the
employees under said local system have been credited to the individual membership
account of each such employee under the Public Employees’ Retirement System.”

26 D. Paragraph number 6 of said contract shall be changed as follows:

27 “Assets heretofore accumulated with respect to county peace officers who became
28 local safety members of this system on January 24, 1973, February 1, 1978, July 1,
29 1985, December 27, 1986 or September 1, 1990, and were members of the local
30 retirement system who waived their rights under that system have been transferred to

1 the Public Employees' Retirement System and applied against the liability for prior
2 service incurred thereunder. That portion of assets so transferred which represent the
3 accumulated contributions (plus interest thereof) required of the employees under said
4 local system have been credited to the individual membership account of each such
5 employee under the Public Employees' Retirement System.”

6 FURTHER RESOLVED, That the presiding officer of the governing body of Public
7 Agency is hereby authorized, empowered, and directed to execute said attached amendment
8 for and on behalf of Public Agency.
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