

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

\_\_\_\_\_ day \_\_\_\_\_, 2012

PRESENT:

ABSENT:

RESOLUTION NO. \_\_\_\_\_

AMENDMENTS TO THE SAN LUIS OBISPO COUNTY PENSION TRUST RETIREMENT  
PLAN BY AMENDING ARTICLE 12: EMPLOYMENT AFTER RETIREMENT  
AND ARTICLE 15: INALIENABILITY  
AND BY ADDING ARTICLE 29: TIER THREE-AB 340: MISCELLANEOUS,  
ARTICLE 30: TIER THREE-AB 340: SAFETY, AND  
ARTICLE 31: TIER THREE-AB 340: PROBATION

The following resolution is hereby offered and read:

WHEREAS, on September 12, 2012, the California Public Employees' Pension Reform Act of 2013 (PEPRA) was signed into law by California Governor Jerry Brown through Assembly Bill 340; and

WHEREAS, the County of San Luis Obispo (hereinafter referred to as "County") is required to implement the provisions of PEPRA as set out in Section 15, Article 4 (Section 7522), Chapter 21, Division 7, Title 1 of the Government Code; and

WHEREAS, the San Luis Obispo County Pension Trust Plan shall include a third Tier for all County employees hired on or after January 1, 2013 in compliance with PEPRA; and

WHEREAS, all Miscellaneous, Safety, and Probation employees newly hired into the County on or after January 1, 2013, will be placed in a new third Tier of retirement benefits; and

WHEREAS, current County employees who promote, transfer or otherwise change bargaining units, will remain in the Tier they resided in as of December 31, 2012; and

WHEREAS, amendments to the Plan includes an amendment to Article 12: Employment After Retirement, which includes the post-retirement employment provisions of PEPRA, affecting current employees and new hires on or after January 1, 2013; and

WHEREAS, amendments to the Plan includes an amendment to Article 15: Inalienability, which includes the felony provisions of PEPRA, affecting current employees and new hires on or

after January 1, 2013; and

WHEREAS, amendments to the Plan includes adding Article 29: Tier Three-AB 340: Miscellaneous, which outlines the provisions of the third Tier for Miscellaneous members; and

WHEREAS, amendments to the Plan includes adding Article 30: Tier Three-AB 340: Safety, which outlines the provisions of the third Tier for Safety members; and

WHEREAS, amendments to the Plan includes adding Article 31: Tier Three-AB 340: Probation, which outlines the provisions of the third Tier for Probation members; and

WHEREAS, it is in the best interest of the County of San Luis Obispo that the Board of Supervisors implement the revisions to the San Luis Obispo County Pension Trust Plan, attached hereto as Exhibits A, B, C, D, and E.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of San Luis Obispo, State of California as follows:

1. That the recitals set forth hereinabove are true, correct, valid and incorporated herein; and
2. That Article 12: Employment After Retirement and Article 15: Inalienability of the San Luis Obispo County Employees Retirement Plan be revised, attached hereto as Exhibits A and B, respectively; and
3. That Article 29: Tier Three-AB 340: Miscellaneous, Article 30: Tier Three-AB 340: Safety, and Article 31: Tier Three-AB 340: Probation of the San Luis Obispo County Employees Retirement Plan be added, attached hereto as Exhibits C, D, and E, respectively; and
4. That newly hired Miscellaneous, Safety, and Probation County employees on or after January 1, 2013 will be placed in the Tier Three-AB340 Retirement Plan pursuant to the terms of the Plan as set forth in Article 29: Tier Three-AB 340: Miscellaneous, Article 30: Tier Three-AB 340: Safety, and Article 31: Tier Three-AB 340: Probation, attached hereto as Exhibits C, D, and E, respectively; and
5. That the Retirement Plan Contribution Rates are hereby added as Appendices A, B, and C.

Upon motion of Supervisor \_\_\_\_\_, seconded by Supervisor

\_\_\_\_\_, and on the following roll call vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

The foregoing resolution is hereby adopted:

\_\_\_\_\_  
Chairman of the Board of Supervisors

ATTEST:

\_\_\_\_\_  
Clerk, Board of Supervisors

BY: \_\_\_\_\_, Deputy Clerk

APPROVED TO FORM AND LEGAL EFFECT:



RITA L. NEAL  
County Counsel

Date: \_\_\_\_\_