

June 04, 2004

**Public  
Transportation  
Services  
Corporation**

One Gateway  
Plaza, Los Angeles,  
CA 90012

213 922 4611

**SUBJECT: ADD SECTION 21023.5 (PUBLIC SERVICE CREDIT FOR PEACE CORPS OR AMERICORPS: VISTA SERVICE) OPTIONAL BENEFIT TO THE PTSC PERS CONTRACT**

**ACTION: ADOPT RESOLUTION OF INTENTION TO AMEND THE CONTRACT BETWEEN PERS AND PTSC**

### RECOMMENDATION

Adopt the Resolution of Intention (Attachment A) required to approve the Amendment To Contract (Attachment B) between PTSC and the Board of Administration California Public Employees' Retirement System (PERS).

### RATIONALE

At the request of several employees, the PTSC Board of Directors elected to add Section 21023.5 Public Service Credit for Peace Corps or AmeriCorps: VISTA Service (Corps) as an optional benefit. The provision provides for employees to purchase up to three (3) years of service credit for any volunteer service in the Corps. PERS Board of Administration' procedures require a Resolution of Intention approved by the PTSC Board as notice of its intent to amend the contract.

### POLICY IMPLICATIONS

The PTSC contract currently permits employees to purchase service credit for Military Service under optional Section 21024. Section 21023.5 recognizes members' service in the Corps through an equivalent benefit.

### FINANCIAL IMPACT

Employees will purchase the service credit at their own expense. The addition of the optional benefit will not require an immediate actuarial valuation. Actual costs will emerge in future valuations and will depend upon employee utilization.

### ALTERNATIVES CONSIDERED

The PTSC could choose not to add optional Section 21023.5. However, adding the Corps optional benefit enhances the PTSC retirement plan, which is used to attract and retain employees.



Metropolitan Transportation Authority

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**NEXT STEPS**

File the Resolution of Intention to amend the contract with PERS.

**ATTACHMENT(S)**

- A. Resolution Of Intention
- B. Amendment to Contract

Prepared by: Donna Mills, Assistant Treasurer



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Terry Matsumoto  
Executive Officer, Finance & Treasurer

**RESOLUTION OF INTENTION  
TO APPROVE AN AMENDMENT TO CONTRACT  
BETWEEN THE  
BOARD OF ADMINISTRATION  
CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM  
AND THE  
BOARD OF DIRECTORS  
PUBLIC TRANSPORTATION SERVICES CORPORATION**

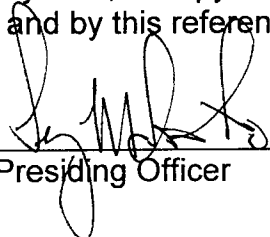
WHEREAS, the Public Employees' Retirement Law permits the participation of public agencies and their employees in the Public Employees' Retirement System by the execution of a contract, and sets forth the procedure by which said public agencies may elect to subject themselves and their employees to amendments to said Law; and

WHEREAS, one of the steps in the procedures to amend this contract is the adoption by the governing body of the public agency of a resolution giving notice of its intention to approve an amendment to said contract, which resolution shall contain a summary of the change proposed in said contract; and

WHEREAS, the following is a statement of the proposed change:

To provide Section 21023.5 (Public Service Credit for Peace Corps or AmeriCorps: Vista Service) for local miscellaneous members.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the above agency does hereby give notice of intention to approve an amendment to the contract between said public agency and the Board of Administration of the Public Employees' Retirement System, a copy of said amendment being attached hereto, as an "Exhibit" and by this reference made a part hereof.

By:  \_\_\_\_\_  
Presiding Officer

Executive Officer, Finance & Treasurer  
Title

\_\_\_\_\_  
Date adopted and approved



**EXHIBIT**

California  
Public Employees' Retirement System

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**AMENDMENT TO CONTRACT**

Between the  
Board of Administration  
California Public Employees' Retirement System  
and the  
Board of Directors  
Public Transportation Services Corporation

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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 August 10, 1997, and witnessed August 8, 1997, which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 11 are hereby stricken from said contract as executed effective August 10, 1997, and hereby replaced by the following paragraphs numbered 1 through 11 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 60 for local miscellaneous members.
  2. Public Agency shall participate in the Public Employees' Retirement System from and after August 10, 1997 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.

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3. 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. Employees other than local safety members (herein referred to as local miscellaneous members).
4. 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. **EXCLUDE ALL EMPLOYEES WHO, IMMEDIATELY PRIOR TO THE EFFECTIVE DATE OF THIS CONTRACT, WERE MEMBERS OF THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AGENCY NON-CONTRACT EMPLOYEES' RETIREMENT INCOME PLAN AND WHO ON THE EFFECTIVE DATE OF THIS CONTRACT CONTINUE ACTIVE PARTICIPATION IN THE LOS ANGELES METROPOLITAN TRANSPORTATION AGENCY NON-CONTRACT EMPLOYEES' RETIREMENT INCOME PLAN. ANY EMPLOYEE SO EXCLUDED WHO TERMINATES ACTIVE PARTICIPATION IN THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AGENCY NON-CONTRACT EMPLOYEES' RETIREMENT INCOME PLAN SHALL BECOME A MEMBER OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM ON THE LATER OF 1) THE FIRST DAY OF EMPLOYMENT AFTER SAID ACTIVE PARTICIPATION TERMINATES OR 2) THE DAY SAID EMPLOYEE FIRST BECOMES ELIGIBLE FOR PARTICIPATION IN THIS SYSTEM.**
5. This contract shall be a continuation of the contract of the Los Angeles County Transportation Commission, 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 August 10, 1997.
  - a. All future contract amendments under this contract shall apply to all past service for former employees of the Los Angeles County Transportation Commission.
6. The percentage of final compensation to be provided for each year of credited prior and current service as a local miscellaneous member shall be determined in accordance with Section 21353 of said Retirement Law (2% at age 60 Full).

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7. Public Agency elected and elects to be subject to the following optional provisions:
  - a. Section 20938 (Limit Prior Service to Members Employed on Contract Date).
  - b. Section 21024 (Military Service Credit as Public Service), Statutes of 1976.
  - c. Section 21023.5 (Public Service Credit for Peace Corps, AmeriCorps VISTA, or AmeriCorps Service).
8. 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 of said Retirement System.
9. Public Agency shall also contribute to said Retirement System as follows:
  - a. Contributions required per covered member on account of the 1959 Survivor Benefits provided under Section 21573 of said Retirement Law. (Subject to annual change.) In addition, all assets and liabilities of Public Agency and its employees shall be pooled in a single account, based on term insurance rates, for survivors of all local miscellaneous members.
  - b. 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.
  - c. 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.
10. 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.

11. 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 \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BOARD OF DIRECTORS  
PUBLIC TRANSPORTATION  
SERVICES CORPORATION

BY \_\_\_\_\_  
KENNETH W. MARZION, CHIEF  
ACTUARIAL & EMPLOYER SERVICES DIVISION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY \_\_\_\_\_  
PRESIDING OFFICER

\_\_\_\_\_  
Witness Date

Attest:

\_\_\_\_\_  
Clerk

PLEASE DO NOT SIGN "EXHIBIT ONLY"

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**CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM**

Actuarial and Employer Services Division

Public Agency Contract Services

P.O. Box 942709

Sacramento, CA 94229-2709

(888) CalPERS (225-7377)

**CERTIFICATION OF GOVERNING BODY'S ACTION**

I hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the

\_\_\_\_\_ of the  
(governing body)

\_\_\_\_\_  
(public agency)

on \_\_\_\_\_  
(date)

\_\_\_\_\_  
Clerk/Secretary

\_\_\_\_\_  
Title