

RESOLUTION NO. 2002-03

EMPLOYER PICKUP RESOLUTION PRE-TAX PAYROLL DEDUCTION PLAN FOR SERVICE CREDIT PURCHASES (CONTRIBUTION CODE 4)

WHEREAS, the Board of Administration of the California Public Employees' Retirement System (CalPERS) at the April 1996 meeting approved a pre-tax payroll deduction plan for service credit purchases under Internal Revenue Code (IRC) section 414(h)(2); and

WHEREAS, the City of Elk Grove has the authority to implement the provisions of IRC section 414(h)(2) and has determined that even though implementation is not required by law, the tax benefit offered by this section should be provided to those employees who are members of CalPERS; and

WHEREAS, the City of Elk Grove elects to participate in the pre-tax payroll deduction plan for all employees in the following CalPERS coverage group(s):
Miscellaneous

NOW, THEREFORE, BE IT RESOLVED:

- I. That the City of Elk Grove will implement the provisions of IRC section 414(h)(2) by making employee contributions for service credit purchases pursuant to the California State Government Code on behalf of its employees who are members of CalPERS and who have made a binding irrevocable election to participate in the pre-tax payroll deduction plan. "Employee contributions" shall mean those contributions reported to CalPERS which are deducted from the Salary of employees and are credited to individual employee accounts for service credit purchases, thereby resulting in tax deferral of employee contributions.
- II That the contributions made by the City of Elk Grove to CalPERS, although designated as employee contributions, are being paid by the City of Elk Grove in lieu of contributions by the employees who are members of CalPERS.
- III. That the employees shall not have the option of choosing to receive the contributed amounts directly instead of having them paid by the City of Elk Grove to CalPERS.
- IV. The City of Elk Grove shall pay to CalPERS the contributions designated as employee contributions from the same source of funds as used in paying salary, thereby resulting in tax deferral of employee contributions.

Employer code: 1806


- V. That the effective date for commencement of the pre-tax payroll deduction plan cannot be any earlier than July 1, 1996, or the date the completed resolution is received and approved in CalPERS, whichever is later.
- VI. That the governing body of the City of Elk Grove shall participate in and adhere to requirements and restrictions of the pre-tax payroll deduction plan by reporting pre-tax payroll deductions when authorized by CalPERS for those employees of the above stated coverage group(s) who have elected to participate in this plan.

PASSED AND ADOPTED by the governing body of the City of Elk Grove on this 9th day of January 2002.



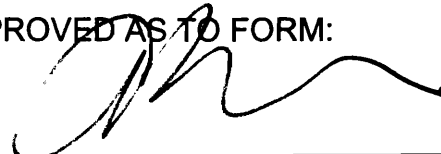
 MICHAEL P. LEARY, MAYOR of the
 CITY OF ELK GROVE

ATTEST:



 PEGGY JACKSON,
 CITY CLERK

APPROVED AS TO FORM:



 TONY MANZANETTI,
 CITY ATTORNEY

AYES: Leary, Scherman,
 Cooper, Briggs, Soares
NOES: None
ABSTAIN: None
ABSENT: None

JAN 10 2002