

**TOWN OF  
APPLE VALLEY, CALIFORNIA**

**AGENDA MATTER**

**Subject Item:**

**ADOPT ORDINANCE NO. 423 – AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY TO AMEND THE CONTRACT BETWEEN THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES’ RETIREMENT SYSTEM (CALPERS) AND THE TOWN OF APPLE VALLEY TO IMPLEMENT CALIFORNIA GOVERNMENT CODE SECTION 20903 (TWO YEARS ADDITIONAL SERVICE CREDIT), SECTION 20475 (DIFFERENT LEVEL OF BENEFITS), SECTION 21354 (2% @ 55 FORMULA) AND SECTION 20037 (THREE-YEAR FINAL COMPENSATION) FOR ALL LOCAL MISCELLANEOUS MEMBERS.**

**Summary Statement:**

At the Town Council Meeting on August 23, 2011, the Town Council reviewed and introduced Ordinance No. 423, an Ordinance of the Town of Apple Valley to amend the contract between the Board of Administration of the California Public Employees’ Retirement System (CalPERS) and the Town of Apple Valley to implement California Government Code Section 20903, 20475, 21354, and 20037. As part of the requirements to adopt a new Ordinance, Ordinance 423 has been scheduled for adoption at the September 13, 2011 Town Council meeting. The contract amendment with CalPERS will be effective on October 23, 2011.

**Recommended Action:**

Adopt Ordinance No. 423.

**Proposed by:** Marc Puckett, Finance Director **Item Number** \_\_\_\_\_

**T. M. Approval:** \_\_\_\_\_ **Budgeted Item**  Yes  No  N/A

**ORDINANCE NO. 423**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, APPLE VALLEY, CALIFORNIA AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM TO IMPLEMENT CALIFORNIA GOVERNMENT CODE SECTION 20903 (TWO YEARS ADDITIONAL SERVICE CREDIT), SECTION 20475 (DIFFERENT LEVEL OF BENEFITS), SECTION 21354 (2% @ 55 FORMULA) AND SECTION 20037 (THREE-YEAR FINAL COMPENSATION) FOR ALL LOCAL MISCELLANEOUS MEMBERS**

An Ordinance of the Town of Apple Valley of the Town of Apple Valley authorizing an amendment to the contract between the Town Council of the Town of Apple Valley, Apple Valley, CA and the Board of Administration of the California Public Employees' Retirement System.

The Town Council of the Town of Apple Valley does ordain as follows:

- Section 1. That an amendment to the contract between the Town Council of the Town of Apple Valley, Apple Valley, California and the Board of Administration, California Public Employees' Retirement System is hereby authorized, a copy of said amendment being attached hereto, marked Exhibit, and by such reference made a part hereof as though herein set out in full.
- Section 2. The Mayor of the Town Council is hereby authorized, empowered, and directed to execute said amendment for and on behalf of said Agency.
- Section 3. Except as specifically amended or revised by the provisions of this ordinance, the provisions of the Town of Apple Valley Municipal Code shall remain in effect.
- Section 4. The Town Clerk of the Town of Apple Valley shall certify to the adoption of this ordinance and cause publication to occur in a newspaper of general circulation and published and circulated in the Town in a manner permitted under section 36933 of the Government Code of the State of California.
- Section 5. This ordinance shall become effective thirty (30) days after the date of its adoption.

Section 6. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications, and to this end the provisions of this ordinance are declared to be severable.

**PASSED, APPROVED AND ADOPTED** this 13<sup>th</sup> day of September, 2011.

Town of Apple Valley

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Mayor

ATTEST:

\_\_\_\_\_  
Town Clerk

Approved as to form:

\_\_\_\_\_  
Town Attorney

Approved as to content:

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Town Manager