

RESOLUTION NUMBER 2014-04
RESOLUTION OF BOARD OF DIRECTORS OF THE TAMALPAIS COMMUNITY SERVICES DISTRICT (DISTRICT) TERMINATING THE APPLICABILITY OF THE 4% COST OF LIVING ADJUSTMENT OPTIONAL BENEFIT PROVISION UNDER THE COUNTY EMPLOYEES RETIREMENT LAW OF 1937 (CERL) TO PERSONS FIRST EMPLOYED BY THE DISTRICT ON OR AFTER MAY 14, 2014

THE BOARD OF DIRECTORS OF THE DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, on July 7, 1970, by its Ordinance No. 1777, the Board of Supervisors of the County of Marin (County) adopted the provisions of CERL Article 16.5 (Chapter 3, Part 3, Division 4, Title 3 (Sections 31870, et seq.) of the California Government Code relating to cost of living adjustments, effective April 1, 1970;

WHEREAS, the County Board of Supervisors subsequently adopted a cost of living benefit up to 4% per year as permitted by Government Code Section 31870.2, and the benefit was also provided to employees of the District.

WHEREAS, on June 10, 1980, by its Resolution 80-179, the County Board of Supervisors acted under its authority in Section 31483 of the Government Code to terminate the applicability of optional increased cost of living adjustments permitted under Government Code Section 31870.2 as to persons first hired by the County on or after July 1, 1980, such that the default 2% cost of living adjustment in Government Code Section 31870 would apply to subsequent County employees.

WHEREAS, the District Board has determined to exercise its independent authority under Section 31483 of the Government Code also to terminate the applicability of optional increased cost of living adjustments permitted by Section 31870.2 of the Government Code to persons first hired by the District on or after May 14, 2014, such that the default 2% cost of living adjustment in Government Code Section 31870 would apply to District employees first hired thereafter.

NOW, THEREFORE, BE IT RESOLVED that the optional 4% annual cost of living adjustments permitted by Section 31870.2 of the Government Code shall not be applicable to persons first hired on or after May 14, 2014, by the Tamalpais Community Services District into membership positions in the Marin County Employees' Retirement Association.

BE IT FURTHER RESOLVED that the default 2% cost of living adjustment provided in Section 31870 of the Government Code will therefore apply instead to persons first hired on or after May 14, 2014, by the Tamalpais Community Service District into membership positions in the Marin County Employees' Retirement Association.

AYES: 5

NOES: 0

ABSENT: 0

ATTEST:







PRESIDENT, BOARD OF DIRECTORS