

In the Matter of:

**Resolution Authorizing a Settlement Team to Enter into a five year Settlement Agreement
to Resolve the CalPers Obligations of the Central Sierra Planning Council**

RESOLUTION NO. 559

WHEREAS, Amador City was a founding member of the Joint Powers Agreement creating the Central Sierra Planning Council in January of 1973 under California Government Code §6500 *et seq*; and

WHEREAS, California Government Code § 6508.1 provides that member entities that are parties to the agreement are responsible for debts, liabilities, and obligations of the JPA; and

WHEREAS, in 1999, the Board of the Central Sierra Planning Council, voted to enroll the employees of the program into the CalPERS retirement program; and

WHEREAS, in 2011, following an audit by the Tuolumne County Auditor's office, the Governing Board of the Central Sierra Planning Council voted to terminate all of its employees and cease day to day operations; and

WHEREAS CalPERS has provided the member entities with a preliminary termination valuation on January 30, 2018 showing an unfunded liability of \$678,700; and

WHEREAS, the office of County Counsel of Tuolumne County has continued to work with member entities and with CalPERS to finally wind up the JPA and resolve outstanding issues related to it;

WHEREAS, the eleven municipalities and counties that were parties to the JPA have resolved in principle to propose a five year settlement agreement to satisfy the debt owed by the member organizations to CalPers and that such a settlement would involve division of the total obligation between members according to their respective populations;

WHEREAS, five attorneys from the County Counsel's Office of Tuolumne, Alpine, Calaveras, and Amador have volunteered to participate as members of a CalPERS Negotiation Team; the team is headed up by Deputy County Counsel Carlyn Drivdahl of Tuolumne County;

WHEREAS, in order to resolve this matter, the CalPERS Negotiation Team now seeks authorization of all member entities to collectively settle the Central Sierra Planning Council's obligation to CalPERS;

NOW THEREFORE BE IT RESOLVED, by the City Council of Amador City

1. Authorization to Settle. In order to avoid the burdens and costs associated with individually resolving Amador City's potential liability to CalPERS resulting from its membership in the Central Sierra Planning Council, the City Council of Amador City hereby authorizes the CalPERS Negotiation Team to enter into a settlement agreement on behalf of the City of Amador City.

2. Contingency and Termination of Authorization. The continuing authorization to negotiate on behalf of the City of Amador City for the resolution of this issue is expressly contingent upon the CalPERS Negotiation Team's commitment to the principle that the total obligation shall be divided between the member entities proportionally according to the populations of each member entity and that in no event shall Amador City's total contribution exceed one thousand and five hundred dollars (\$1,500).

Passed and Adopted by the City Council of Amador City, on March 15, 2018

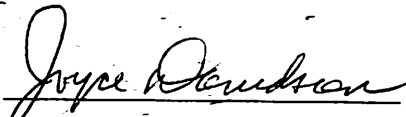
AYES: * 5

NOES: X 0

ABSENT: ~~Council~~


David Groth, Mayor

ATTEST:



Joyce Davidson, the Clerk of Amador City.

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