

# SUNNYSLOPE COUNTY WATER DISTRICT

## RESOLUTION #506

### RESOLUTION FOR EMPLOYER PICK-UP

**WHEREAS**, the Sunnyslope County Water District has the authority to implement the provisions of section 414(h)(2) of the Internal Revenue Code (IRC); and

**WHEREAS**, the Board of Administration of the Public Employees' Retirement System adopted its resolution regarding section 414(h)(2) IRC on September 18, 1985; and

**WHEREAS**, the Internal Revenue Service has stated in December 1985, that the implementation of the provisions of section 414(h)(2) IRC pursuant to the Resolution of the Board of Administration would satisfy the legal requirements of section 414(h)(2) IRC; and

**WHEREAS**, the Sunnyslope County Water District has determined that even though the implementation of the provisions of section 414(h)(2) IRC is not required by law, the tax benefit offered by section 414(h)(2) IRC should be provided to its employees who are members of the Public Employees' Retirement System:

**NOW, THEREFORE, BE IT RESOLVED:**

- I. That the Sunnyslope County Water District will implement the provisions of section 414(h)(2) Internal Revenue Code by making employee contributions pursuant to California Government Code section 20691 to the Public Employees' Retirement System on behalf of its employees who are members of the Public Employees Retirement System. "Employee contributions" shall mean those contributions to the Public Employees' Retirement System which are deducted from the salary of employees and are credited to individual employee's accounts pursuant to California Government Code section 20691.
- II. That the contributions made by the Sunnyslope County Water District to the Public Employees' Retirement System, although designated as employee contributions, are being paid by the Sunnyslope County Water in lieu of contributions by the employees who are members of the Public Employees' Retirement System.
- III. That employees shall not have the option of choosing to receive the contributed amounts directly instead of having them paid by the Sunnyslope County Water to the Public Employees' Retirement System.
- IV. That the Sunnyslope County Water shall pay to the Public Employees' Retirement System the contributions designated as employee contributions from the same source of funds as used in paying salary.
- V. That the amount of the contributions designated as employee contributions and paid by the Sunnyslope County Water District to the Public Employees' Retirement System on behalf of an employee shall be the entire contribution required of the employee by the Public Employees' Retirement Law (California Government Code sections 20000, et seq.).
- VI. That the contributions designated as employee contributions made by Sunnyslope County Water District to the Public Employees' Retirement System shall be treated for all purposes, other than taxation, in the same way that member contributions are treated by the Public Employees' Retirement System.

The Sunnyslope County Water District has been paying the Employer Paid Member Contribution since February 27, 1986, pursuant to Board Action of that date. Also, by Resolution #466, the District implemented Government Code Section 20691 by paying normal member contributions

for all employees of the Miscellaneous Employees coverage group, which was adopted by the Board on January 13, 2000, and became effective January 14, 2000.

The effective date of Resolution #506 shall be November 14, 2008.

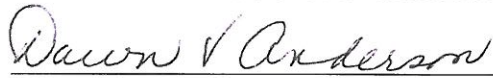
**ADOPTED** at a regular meeting of the Sunnyslope County Water District by the Board of Directors on this 13th day of November 2008, by the following vote:

AYES: Anderson, Hailstone, Nelson, Keck, and Meraz

NOES: None

ABSENT: None

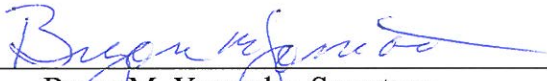
SUNNYSLOPE COUNTY WATER DISTRICT



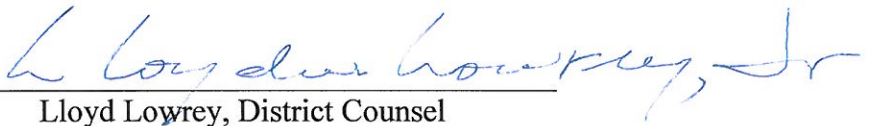
Dawn Anderson, President

(SEAL)

ATTEST:

  
Bryan M. Yamaoka, Secretary

APPROVED AS TO FORM:

  
Lloyd Lowrey, District Counsel