

# SANTA FE COUNTY

Resolution No. 2006- |

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## A RESOLUTION AUTHORIZING AN ELECTION FOR ADOPTION OF MUNICIPAL FIRE MEMBER COVERAGE PLAN 5

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**WHEREAS**, the Public Employees Retirement Act, NMSA 1978, § 10-11-1, et seq., (i) establishes the Public Employees Retirement Association ("PERA") and (ii) authorizes Municipal Fire Member Coverage Plan 5 (NMSA 1978, § 10-11-110 through § 10-11-115) for an affiliated public employer's municipal fire members, defined in NMSA 1978, § 10-11-2(M)(4) (2005); and

**WHEREAS**, the County of Santa Fe ("County") is an affiliated public employer, within the meaning of NMSA 1978, § 10-11-2(B); and

**WHEREAS**, Municipal Fire Member Coverage Plan 5 provides a plan for retirement of municipal fire members at a three and fifty one-hundredths percent (3.5%) pension factor per year of service, which translates into the following pension benefits:

- seventy percent (70%) of final average salary at 20 years of service; and
- a maximum of eighty percent (80%) of final average salary at 22 years and 11 months of service; and

**WHEREAS**, under Municipal Fire Member Coverage Plan 5, municipal fire members are eligible to retire at any age after 20 years of service; and

**WHEREAS**, under Municipal Fire Member Coverage Plan 5, (i) the affiliated public employer is required to contribute twenty one and twenty five one-hundredths percent (21.25%) of each municipal fire member's salary to the state retirement fund and (ii) each municipal fire member is required to contribute sixteen and two-tenths percent (16.2%) of their salary, unless the affiliated public employer elects to pick up some of the fire member's required contribution pursuant to NMSA 1978, § 10-11-5 (1999); and

**WHEREAS**, NMSA 1978, Section 10-11-110 requires that Municipal Fire Member Coverage Plan 5 must be adopted by the affirmative vote of the majority of the affiliated public employer's municipal fire members; and

**WHEREAS**, PERA's rules and regulations require the governing body of the affiliated public employer to authorize the required election by resolution and to appoint a representative to be responsible for the conduct of the election.

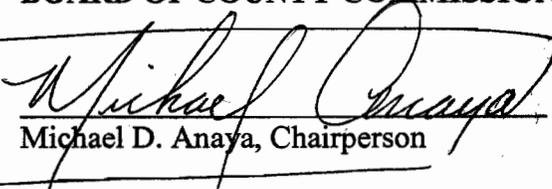
SFC CLERK RECORDED 01/12/2006

**NOW, THEREFORE**, the Board of County Commissioners of the County of Santa Fe hereby resolves as follows:

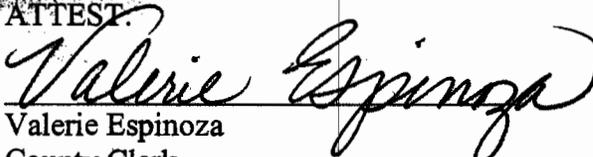
1. That an election shall be held on March 10, 2006, upon the question of whether Municipal Fire Member Coverage Plan 5 shall be adopted for all municipal fire members of the County, such election to be conducted in accordance with NMSA 1978, § 10-11-110 and all applicable PERA rules and regulations.
2. All municipal fire members of the County – i.e., full-time nonvolunteer firefighters who have taken the oath prescribed for firefighters – shall be eligible to vote in the election.
3. That the County Clerk or her designee be, and hereby is, designated as the representative of the County who is responsible for the conduct of the election, including canvassing and verifying the results of the election as well as certifying, on behalf of the County, the results of the election to the Public Employees Retirement Board immediately following the election.

**PASSED, APPROVED, AND ADOPTED** this 10<sup>th</sup> day of January 2006.

**BOARD OF COUNTY COMMISSIONERS**

  
Michael D. Anaya, Chairperson

ATTEST:

  
Valerie Espinoza  
County Clerk

APPROVED AS TO FORM:

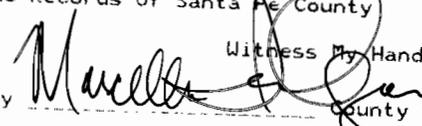
  
Stephen C. Ross  
County Attorney



COUNTY OF SANTA FE )  
STATE OF NEW MEXICO ) ss

BCC RESOLUTIONS  
PAGES: 2

I Hereby Certify That This Instrument Was Filed for  
Record On The 12TH Day Of January, A D , 2006 at 16:19  
And Was Duly Recorded as Instrument # 1415734  
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office  
Deputy  Valerie Espinoza  
County Clerk, Santa Fe, NM

SFC CLERK RECORDED 01/12/2006