

SANTA FE COUNTY

Resolution No. 2006 - 21

A RESOLUTION AUTHORIZING 50% PICK UP OF NON- BARGAINING UNIT MEMBER CONTRIBUTIONS UNDER MUNICIPAL FIRE MEMBER COVERAGE PLAN 5

WHEREAS, the Public Employees Retirement Act, NMSA 1978, § 10-11-1, et seq., establishes the Public Employees Retirement Association (“PERA”) and authorizes Municipal Fire Member Coverage Plan 5 (NMSA 1978, § 10-11-110 through § 10-11-115) for municipal fire members, defined in NMSA 1978, § 10-11-2(M)(4) (2005), of an affiliated public employer; 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, NMSA 1978, Section 10-11-110 (1989) 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, the Board of County Commissioners of the County of Santa Fe (“BCC”) has, by resolution, authorized the required election concerning the adoption of Municipal Fire Member Coverage Plan 5, which is to be held on March 10, 2006; and

WHEREAS, NMSA 1978, § 10-11-5 (1999) allows the governing body of an affiliated public employer to elect, by irrevocable resolution, for the affiliated public employer to be responsible for making contributions of up to seventy-five percent of its employees’ member contributions to PERA; and

WHEREAS, the County’s municipal fire members are comprised of (i) unionized bargaining unit members, who are covered by that certain Agreement Between the County of Santa Fe, New Mexico, and the Santa Fe County Firefighters Association, I.A.F.F. Local 4366, approved by the BCC on November 29, 2005, and (ii) non-bargaining unit members, a group whose compensation is not established by negotiated contract; and

WHEREAS, bargaining unit members are regular nonprobationary employees of the County Fire Department within the following job classifications: Firefighter/Lieutenants, Firefighter/Paramedics, Firefighter/EMTs, and Fire Protection Specialists; and

WHEREAS, the County desires to be responsible for fifty percent (50%) of non-bargaining unit members’ member contributions to PERA under Municipal Fire Member Coverage Plan 5.

NOW, THEREFORE, the BCC hereby irrevocably resolves to be responsible for making contributions to PERA of fifty percent (50%) of the member contributions under Municipal Fire Member Coverage Plan 5 of all County municipal fire members who are **NOT** within the following job classifications:

- Firefighter/Lieutenants;
- Firefighter/Paramedics;
- Firefighter/EMTs; and
- Fire Protection Specialists.

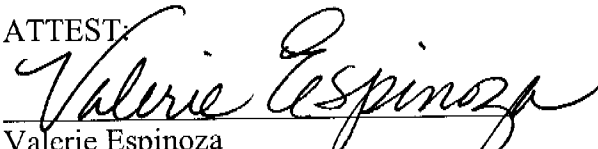
NOW, THEREFORE, the BCC hereby further resolves that the County's obligations under this Resolution are contingent upon Municipal Fire Member Coverage Plan 5 being duly adopted by the affirmative vote of the majority of the County's municipal fire members at the March 10, 2006 election.

PASSED, APPROVED, AND ADOPTED this 14th day of February, 2006.

BOARD OF COUNTY COMMISSIONERS

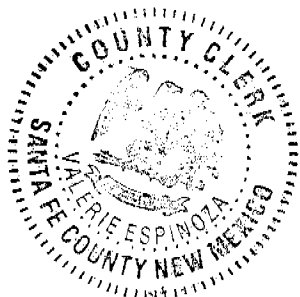
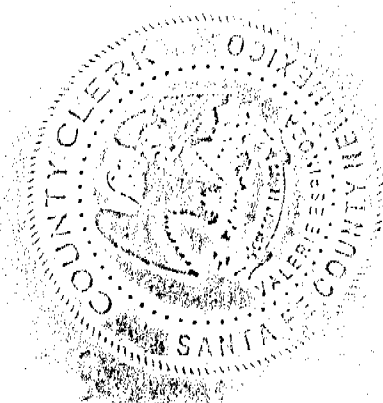

Harry B. Montoya, Chairperson

ATTEST:


Valerie Espinoza
County Clerk

APPROVED AS TO FORM:

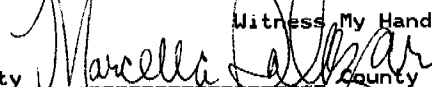

Stephen C. Ross
County Attorney



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BCC RESOLUTIONS
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I Hereby Certify That This Instrument Was Filed for Record On The 16TH Day Of February, A.D., 2006 at 08:41 And Was Duly Recorded as Instrument # 1420340 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 02/16/2006