

**RESOLUTION NUMBER 4312**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, REGARDING TAX DEFER MEMBER PAID CONTRIBUTIONS – IRC414 (h)(2) OF THE INTERNAL REVENUE CODE.**

**WHEREAS**, the governing body of the City of Perris has the authority to implement the provisions of section 414(h)(2) of the Internal revenue code (IRD): and

**WHEREAS**, the City of Perris 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 all employees in a recognized group or class of employment who are members of the California Public Employees' Retirement System:

**Section 1.** That the City of Perris 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 California Public Employees' Retirement System on behalf of all its employees or all its employees in a recognized group or class of employment who are members of the California 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.

**Section 2.** That the contributions made by the City of Perris to the California Public Employees' Retirement System, although designated as employee contributions, are being paid by the City of Perris in lieu of contributions by the employees who are members of the California Public Employees' Retirement System.

**Section 3.** That employees shall not have the option of choosing to receive the contributed amounts directly instead of having them paid by the City of Perris to the California Public Employees 'Retirement System.

**Section 4.** That the City of Perris shall pay to the California Public Employees' Retirement System the contributions designated as employee contributions from the same source of funds as used in paying salary.

**Section 5.** That the amount of the contributions designated as employee contributions and paid by the City of Perris to the California Public Employees' Retirement System on behalf of an employee shall be the entire contribution required of the employee by the California Public Employees' Retirement Law (California government Code Sections 20000, et seq.).

**Section 6.** That the contributions designated as employee contributions made by the City of Perris to the California Public Employees' Retirement System shall be treated for all purposes, other than taxation, in the same way that member contributions are treated by the California Public Employees' Retirement System.

***NOW, THEREFORE, BE IT RESOLVED***, that the City Council of the City of Perris, California, elects to comply with the provisions, as set forth above.

***ADOPTED, SIGNED and APPROVED*** this 29th day of June, 2010.

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Mayor, Daryl R. Busch

ATTEST:

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Judy L. Haughney, C.M.C., City Clerk

STATE OF CALIFORNIA    )  
COUNTY OF RIVERSIDE    ) §  
CITY OF PERRIS            )

I, Judy L. Haughney, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number 4312 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 29th day of June, 2010, by the following called vote:

AYES:            COUNCILMEMBERS:       Landers, Yarbrough, Evans, Rogers, Busch  
NOES:            COUNCILMEMBERS:       None  
ABSENT:          COUNCILMEMBERS:       None  
ABSTAIN:         COUNCILMEMBERS:       None

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Judy L. Haughney, C.M.C., City Clerk