

Attachment A

Section 218 process Tentative Schedule



Official State Social Security Administrator
 California Public Employees' Retirement System

P.O. Box 720720
 Sacramento, CA 94229-0720

Phone: (916) 795-0810 | Fax: (916) 795-3005
 888 CalPERS (or 888-225-7377) | TTY: (877) 249-7442
www.calpers.ca.gov/ssa

SOCIAL SECURITY AND MEDICARE
ANTICIPATED SCHEDULE OF ACTIONS

The **San Luis Obispo Local Agency Formation Commission** hereby requests the documents necessary to provide **Social Security** under the Section 218 agreement with California Public Employees' Retirement System. (Enter the dates each action will be taken, sign and return the schedule.)

Yes _____ Control Date

No X Control Date

Enter dates:

1. 02/2020 ADOPTION OF RESOLUTION
 Step 1

2. 03/2020 DATE "NOTICE OF ELECTION" WILL BE MADE PUBLIC

3. N/A DATE OF EMPLOYEE INFORMATION SESSION (with SSSA if available) Step 3

4. 06/2020 DATE EMPLOYEE ELECTION WILL BE HELD
 (DATE MUST BE 90 DAYS AFTER NOTICE DATE LINE 3) step 3

5. 06/2020 DATE ELECTION FORMS WILL BE CANVASSED
 (for division vote only, date must be 10 days after employee election #4)

6. 06/2020 DATE ADOPTION OF RESOLUTION AND APPLICATION AGREEMENT Step 4

7. 05/23/2001 EFFECTIVE DATE OF 218 AGREEMENT
 (Effective date can be retroactive up to 5 years, or date when error first occurred)

Attachment B

Section 218 Agreement Overview



Section 218 Agreement Overview

Process:

The process is a six-step process and could take anywhere from 18 to 24 months. Our office provides the agency with an information packet and a questionnaire.

The agency completes the questionnaire, then the agency decides what type of vote the agency will be providing to the eligible employees.

The two options for the election are:

Majority: if the majority of the employees vote YES then the agency can proceed with the contract and ALL of the eligible employees would be covered including new hires. If the majority of the employees vote NO then the process stops – a new election could be held 12 months later.

Division: Employees who vote YES will receive Social Security coverage, those who vote NO will not receive the coverage, future hires would get the coverage.

Step 1: The agency adopts a resolution with their governing board to express their intent to provide Social Security coverage for its employees.

Step 2: The agency creates a plan of procedure: Choose the date when the notice of election will be given to the employees, no less than 90 days later our office supervises the election.

In between the notice date and the election date our office, along with the Social Security Administration offers an informational session about Social Security benefits and the election process.

Step 3: Election – We supervise the election.

Step 4: The agency adopts a final resolution and signs the Agreement that we will provide.

**** At any time, before and including this step the agency can choose to cancel the process. Once we deliver the documents to the Social Security Administration, the agency cannot request for the process to be cancelled.

Step 5: Our office forwards the signed Agreement and all of the documents from the steps above to the Social Security Administration. The Social Security Administration provides a response within 12-24 months

Step 6: Our office notifies the agency the Social Security Administration's decision.

The agency's retirement agreement may need to be amended to reflect that the agency is now offering Social Security benefits, after the Social Security Agreement is finalized.

Attachment C

Resolution to begin Section 218 Agreement process



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January 29, 2020

CalPERS ID No.:

Imelda Marquez
LAFCO Commission Clerk
San Luis Obispo Local Agency Formation Commission
1042 Pacific St., STE A
San Luis Obispo, CA 93401-3656

Dear Imelda Marquez,

Thank you for contacting the State Social Security Administrator's Office (State Administrator) regarding Social Security coverage.

Based on the information provided by the agency in the Coverage Questionnaire, the agency desires to provide a Majority vote election to cover its employees for social security benefits.

All eligible members of the retirement system will vote in an election. If a majority of the members vote in favor of Social Security coverage, all employees occupying positions covered under the retirement system would be covered under Social Security, including those who voted "no".

The first step would be for the agency to adopt a resolution to request permission to conduct an election among eligible members of the retirement system.

These documents should not be modified in any way as only the content included in the documents provided by this office will be accepted.

If you have any questions regarding the enclosed information, please contact this office at (916) 795-0810.

Sincerely,

Diane Carpenter
State Social Security Administrator Program

Enclosures

WHEREAS, San Luis Obispo Local Agency Formation Commission hereinafter designated as "Public Agency", desires to include services performed by its employees in positions covered by San Luis Obispo County Pension Trust in the California State Social Security Agreement of March 9, 1951, providing for the coverage of public employees under the old age, survivors, disability and health insurance system established by the Federal Social Security Act, as amended; and

WHEREAS, State and Federal laws require, as a condition of such coverage, that an election first be authorized by the Board of Administration, Public Employees' Retirement System, and conducted among the "eligible employees" (as defined in Section 218(d)(3) of the Social Security Act) of the Public Agency; and

WHEREAS, it is necessary that the "Public Agency" now designate any classes of positions covered by said retirement system which it desires to exclude from coverage under said insurance system;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Administration, Public Employees' Retirement System be, and hereby is requested to authorize the foregoing election; and

BE IT FURTHER RESOLVED, that upon receipt of authorization from the Board of Administration, an election shall be conducted in accordance with the requirements of Section 218(d) of the Social Security Act, and applicable State and Federal laws and regulations; that such election shall be held on the question of whether service in positions covered by said retirement system should be excluded from or included under an agreement under the insurance system established under the Social Security Act, as hereinbefore provided, with such coverage effective as to services performed on and after May 23, 2001; and

BE IT FURTHER RESOLVED, that the following classes of positions covered by said retirement system of the "Public Agency" shall be excluded from coverage under said agreement:

1. All services excluded from coverage under the agreement by Section 218 of the Social Security Act; and
2. Services excluded by option of the Public Agency (**Check a or b; fill in b if checked**):
 - a. No optional exclusions desired.
 - b. Service performed: Elective Officials and Student Services

BE IT FURTHER RESOLVED, that not less than ninety days' notice of such election be given to all "eligible employees" as hereinabove provided; and that Imelda Marquez, LAFCO Commission Clerk

is hereby designated and appointed to conduct such election on behalf of the "Public Agency" in accordance with law, regulations, and this resolution, including the giving of proper notice thereof to all such "eligible employees"; and

BE IT FURTHER RESOLVED, that with respect to eligible members thereof, the benefits and contributions of the said retirement system shall not be modified in any way and

BE IT FURTHER RESOLVED, that the Public Agency will pay and reimburse the State at such time and in such amounts as may be determined by the State the approximate cost of any and all work and services relating to such election.

Presiding Officer

San Luis Obispo Local Agency Formation Commission

Official Name of Public Agency

Date

CERTIFICATION

I, David, Church of the San Luis Obispo Local Agency Formation Commission, State of California, do hereby certify the foregoing to be a full, true, and correct copy of Resolution No. 2020 - 01 adopted by the San Luis Obispo Local Agency Formation Commissioners of the San Luis Obispo Local Agency Formation Commission at the regular/special meeting held on the 20th day of February, 2020, as the same appears of record in my office.

Signature: _____

Title: Executive Officer _____

Date: _____