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**DATE:**  
**BOARD MEETING DATE:**  
**SPECIAL NOTICE/HEARING:**  
**VOTE REQUIRED:**

April 27, 2021  
June 8, 2021  
None  
Majority

**TO:** Honorable Board of Supervisors  
**FROM:** Scott Hood, Chief Executive Officer, SamCERA  
**SUBJECT:** Amendments to Board of Retirement Regulations

**RECOMMENDATION:**

Adopt a resolution amending Board of Retirement Regulation Section 7.3 (D), adding 7.3 (F) to Section 7.3 Service Credit Available For Purchase By Active Members, renumbering existing Sections 7.3 (F)(1) and (F)(2) to Sections 7.3 (G)(1) and (G)(2), adding Section 7.3 (G)(3), renumbering existing Sections 7.3 (F)(3) and (F)(4) to Sections 7.3 (H) and 7.3 (I), amending Sections 7.4 (B) and 7.4 (C) to Section 7.4 Payment Options, and amending Section 7.5 (E) Redeposit of Previously Withdrawn Contributions in Article VII Purchase of Credit for Public Service.

**BACKGROUND:**

Government Code §31525 authorizes the Board of Retirement (BOR) to adopt regulations and provides that they become effective when approved by the Board of Supervisors. At its April 27th meeting, the BOR adopted the regulation changes discussed below which are now submitted to this Board for approval.

**DISCUSSION:**

On March 23, 2021, the Board of Supervisors adopted a resolution making newly added Government Code section 31646(b) effective for SamCERA members. This provision allows eligible active members to purchase certain uncompensated parental leave upon the payment of both the member and employer contributions that would have been paid during the leave period, together with the interest. The member must return to active service for a period at least equal to that of the leave and the parental leave must have commenced on or after March 23, 2021. The BOR amended Section 7.3 D of Article VII Purchase of Credit for Public Service to reflect members' ability to make this purchase.

In August 2011, the various Memoranda of Understanding and Management Resolutions applicable to General Members provided that members in General Plan 5 can transfer to Plan 4, if they have provided 10 years of County service (20,800 hours) in Plan 5 and/or Plan 3 and pay all the additional employee and employer contributions, plus interest, that

would have been required had the member been in Plan 4 since the date of employment. The BOR amended Section 7.3 to add Section F to reflect this purchase and amended Section 7.4 Payment Options to clarify that certain pre-tax payment options are not available for the cost of this transfer.

Finally, per statute, upon the withdrawal of accumulated contributions and interest by a former spouse or partner, active members may redeposit such amounts, plus interest, in order to restore service credit. As such, the BOR amended Sections 7.3 (G) and 7.5 (E) to reflect this existing redeposit process.

Counsel has reviewed and approved the resolution as to form.

**FISCAL IMPACT:**

None.