



## AGENDA REPORT

SAN CLEMENTE CITY COUNCIL MEETING  
Meeting Date: August 18, 2020

Agenda Item 9E

Approvals:

City Manager ES

Dept. Head \_\_\_\_\_

Attorney \_\_\_\_\_

Finance S. 182

**Department:** Finance and Administrative Services  
**Prepared By:** Heather Lowe, Human Resources Manager

**Subject:** *APPROVAL OF AN AMENDED CONTRACT WITH THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM (CALPERS) – ADOPTION OF RESOLUTION INTENT (FIRST STEP)*

**Fiscal Impact:** No direct impact. However, the addition of the Park Ranger and Lead Park Ranger classifications as excluded positions will avoid the accrual of pension liability with respect to future employees hired into these classifications. This exclusion will allow scheduling of these classifications beyond the 960 hour limitation within a fiscal year. The statutory threshold is 1000 hours but the City applies a buffer to account for errors. The addition of the Water Safety Instructor classification is not a new exclusion. It only represents a change in title to an existing exclusion.

**Summary:** Organizations can request CalPERS to review new classifications and, if appropriate, exclude these classifications from eligibility to the retirement plan based on the criteria of Government Code Section 20502. Additionally, if previously included classifications titles are changed, these updates also need to be approved and amended in the contract.

The proposed contract amendment would exclude from CalPERS membership any future employees hired into the Park Ranger and Lead Park Ranger classifications. Staff submitted a request for approval of the exclusion to CalPERS on August 6, 2019 and on received approval from CalPERS on April 23, 2020 on the basis that the classifications of Park Ranger and Lead Park Ranger constitute a valid group that meets the criteria of Government Code Section 20502 for exclusion.

The Water Safety Instructor classification represents a change in title to the Pool Lifeguard/Instructor classification, which is already included as an excluded classification under the City's CalPERS contract. Therefore, addition of the Water Safety Instructor classification does not represent a change.

In order to proceed with amending the City's CalPERS contract to incorporate the preceding, the City must first adopt a Resolution of Intent to amend the City's CalPERS contract. Final action – adoption of an ordinance to amend the City's CalPERS contract – cannot occur until at least 20 days after the resolution of intent is adopted. Further, the ordinance cannot become effective until notice of the amendment is published in a newspaper with local circulation. Taking all this into account, staff anticipates that the amended contract would become effective in October, 2020.

Below is the anticipated schedule of actions required by CalPERS:

- August 18, 2020 – Adoption of the Resolution of Intention & First Reading of Ordinance
- September 10, 2020 – First newspaper publication
- September 15, 2020 – Second Reading of Ordinance & Adoption
- September 30, 2020 (no later) – Second and final newspaper publication
- October 15, 2020 – Effective Date of Ordinance
- October 16, 2020 – Effective Date of Amendment

**Recommended**

**Action:** STAFF RECOMMENDS THAT the City Council take action as follows:

1. Adopt the Resolution of Intention to amend the current contract
2. Initiate the first reading of the Ordinance to amend the current contract

- Attachments:**
1. CalPERS Exclusion Request
  2. City of San Clemente Exclusion Approval
  3. Amendment to Contract "Exhibit"

RESOLUTION NO.

A RESOLUTION OF INTENTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, TO APPROVE AN AMENDMENT TO THE CONTRACT BETWEEN THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE

WHEREAS, the Public Employees' Retirement law permits the participation of public agencies and their employees in the Public Employee' Retirement System by the execution of a contract, and sets forth the procedure by which said public agencies may elect to subject themselves and their employees to amendments to said Law; and

WHEREAS, one of the steps in the procedures to amend this contract is the adoption by the governing body of the public agency of a resolution giving notice of its intention to approve an amendment to said contract, which resolution shall contain a summary of the change proposed in said contract; and

WHEREAS, the following is a statement of the proposed change:

To provide for the exclusions of Park Ranger, Lead Park Ranger, and Water Safety Instructor prospectively from the effective date of this amendment to contract.

NOW, THEREFORE, The City Council of the City of San Clemente does hereby resolve as follows:

Section 1: The City Council of the City of San Clemente does hereby give notice of intention to approve an amendment to the contract between said public agency and the Board of Administration of the Public Employees' Retirement System, a copy of said amendment being attached hereto, as an "Exhibit" and by this reference made a part hereof.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

ATTEST:

\_\_\_\_\_  
City Clerk of the City of  
San Clemente, California

\_\_\_\_\_  
Mayor of the City of San  
Clemente, California

STATE OF CALIFORNIA )  
 COUNTY OF ORANGE ) §  
 CITY OF SAN CLEMENTE )

I, JOANNE BAADE, City Clerk of the City of San Clemente, California, do hereby certify that Resolution No. \_\_\_\_\_ was adopted at a regular meeting of the City Council of the City of San Clemente held on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by the following vote:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Clemente, California, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
 CITY CLERK of the City of  
 San Clemente, California

Approved as to form:

\_\_\_\_\_  
 City Attorney

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA DOES ORDAIN AS FOLLOWS:

Section 1. That an amendment to the contract between the City Council of the City of San Clemente and the Board of Administration, California Public Employees' Retirement System is hereby authorized, a copy of said amendment being attached hereto, marked Exhibit A, and by such reference made a part hereof as though herein set out in full.

Section 2. The Mayor of the City of San Clemente is hereby authorized, empowered, and directed to execute said amendment for and on behalf of the City of San Clemente.

Section 3. Prior to the expiration of 5 days prior to the date of adoption of this Ordinance, a summary of this Ordinance shall be published in the Sun Post News, a newspaper of general circulation, published and circulated by the City of San Clemente. In addition, prior to the expiration of 15 days following the date of adoption, a second summary of this Ordinance, including the votes taken thereon, shall be published in the Sun Post News. This Ordinance shall take effect 30 days after the date of its adoption and thenceforth and thereafter the same shall be in full force and effect.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

ATTEST:

\_\_\_\_\_  
City Clerk of the City of  
San Clemente, California

\_\_\_\_\_  
Mayor of the City of San  
Clemente, California

STATE OF CALIFORNIA )  
 COUNTY OF ORANGE ) §  
 CITY OF SAN CLEMENTE )

I, JOANNE BAADE, City Clerk of the City of San Clemente, California, do hereby certify that Resolution No. \_\_\_\_\_ was adopted at a regular meeting of the City Council of the City of San Clemente held on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by the following vote:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Clemente, California, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
 CITY CLERK of the City of  
 San Clemente, California

Approved as to form:

\_\_\_\_\_  
 City Attorney



## City of San Clemente Human Resources

Heather Lowe, Human Resources Manager  
Phone: (949) 361-8313 Fax: (949) 361-8300  
loweh@san-clemente.org

August 6, 2019

California Public Employees' Retirement System  
Customer Account Services Division  
P.O. Box 942709  
Sacramento, CA 94229-2709

To Whom It May Concern:

The City of San Clemente would like to formally request two new exclusions to our existing contract with CalPERS. Per Government Code (G.C.) Section 20502, the City would like to request the exclusion of the following classifications:

- Park Rangers – a newly adopted classification
- Water Safety Instructor – an updated classification title

The Park Rangers classification was recently updated in October, 2018 to add the job duty of writing citations relative to code violations within our Parks. The City would like to exclude this classification from CalPERS based on the new public safety component of the positions. This new duty meets the public safety component described within G.C. Section 20502.

The Water Safety Instructor was previously titled as the Pool Lifeguard/Instructor, which is currently excluded in our CalPERS contract. The City would like to add this new classification title to the list of excluded classifications from CalPERS. The duties have not changed and continue to meet the public safety component described within G.C. Section 20502.

Attached you will find the classification specifications for the Park Rangers and Water Safety Instructors, as well as the City Council agenda report and meeting minutes approving the Park Ranger change.

Should you need further information or have any questions regarding this request, please do not hesitate to contact me at (949) 361-8313.

Sincerely,

A handwritten signature in blue ink that reads "Heather Lowe".

Heather Lowe

Human Resources Manager

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Human Resources  
<http://san-clemente.org>

8-18-20 / 9E-7



# AGENDA REPORT

SAN CLEMENTE CITY COUNCIL MEETING

Meeting Date: October 2, 2018

Agenda Item 6-K  
 Approvals:  
 City Manager [Signature]  
 Dept. Head [Signature]  
 Attorney [Signature]  
 Finance [Signature]

**Department:** Human Resources [Signature]  
**Prepared By:** Heather Lowe, Human Resources Manager

**Subject:** **UPDATED RECREATION CLASSIFICATIONS – PARK MONITOR TO PARK RANGER & LEAD PARK MONITOR TO LEAD PARK RANGER**  
**UPDATED & REVISED SALARY SCHEDULES EFFECTIVE OCTOBER 8, 2018**  
**INCLUDES ADDITION OF BUILDING OFFICIAL TO FULL TIME SCHEDULE AND OFFICE SPECIALIST I & II TO THE PART TIME SCHEDULE**

**Fiscal Impact:** Fiscal impact will be a 5% increase to the Park Monitor's and Lead Park Monitor's annual salary range. Any additional funding needs will be addressed at mid-year budget adjustments.

**Summary:** Staff recommends that the City Council approve the resolution changing the Park Monitor classification to Park Ranger and Lead Park Monitor to Lead Park Ranger. Staff also recommends the City Council to adopt the updated and revised salary schedules with an effective date of October 8, 2018 to adjust the salary grades of the above mentioned classifications and add the following classifications back to the salary schedules – Building Official to the full time schedule at Range 75 and Office Specialist I & II to the part time schedule at Range 29 and 35 respectively.

**Background:** Per the needs of the City and Recreation department, the positions of Park Monitor and Lead Park Monitor will be updated to reflect a new title of Park Ranger and Lead Park Ranger, respectively. Additionally with this change, these positions will have increased job responsibilities regarding enforcement and writing citations.

**Discussion:** During the September 4, 2018 Council meeting, discussions took place regarding enforcement of certain code violations within the City's parks and beach trails. This staff report and recommended actions reflect the items necessary to affect this change and allow City Staff in the discussed position take on this responsibility.

**Recommended Action:** STAFF RECOMMENDS THAT the City Council approve the resolution and adopt the attached salary schedules.

- Attachments:**
- 1 – Resolution amending the salary schedules
  - 2 – Salary schedules for all classifications effective October 8, 2018
  - 3 – Updated classification specifications for Park Ranger and Lead Park Ranger
  - 4 – Archived classification specification for Building Official

**Notification:** None



RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
SAN CLEMENTE, CALIFORNIA, ADOPTING REVISED  
SALARY SCHEDULES AND NEW CLASSIFICATIONS  
AND AMENDING RESOLUTION NO. 18-45 AND ANY  
OTHER RESOLUTIONS IN CONFLICT THEREWITH.

WHEREAS, Section 37206 of the Government Code requires the City Council to prescribe the time and method of paying salaries and wages of officers and employees of the City; and

WHEREAS, the City Council is authorized and directed under the provisions of its adopted Personnel Rules and Regulations to prepare the compensation schedules covering all classes of positions in the competitive service; and

WHEREAS, as part of the City's budget adoption process, various staffing changes have been incorporated into the proposed budget.

NOW, THEREFORE, The City Council of the City of San Clemente does hereby resolve as follows:

Section 1. Resolution No. 18-45 is hereby amended to

- (A) Approve the job descriptions for the part-time classification changes of Park Monitor at Range 18 to Park Rangers at Range 20 and Lead Park Monitor at Range 20 to Lead Park Ranger at Range 22
- (B) Add the position of Building Official at Range 75 to the full-time salary schedule and approve the job description
- (C) Add the positions of Official Specialist I and II to the part-time salary schedule at Range 29 and 35 respectively
- (D) Approve the new full-time and part-time salary schedules indicating the above changes

Section 2. The City Clerk shall certify to the passage and adoption of this resolution and enter it into book of original resolutions.

PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Resolution No.

Page 2

ATTEST:

\_\_\_\_\_  
City Clerk of the City of  
San Clemente, California

\_\_\_\_\_  
Mayor of the City of San  
Clemente, California

STATE OF CALIFORNIA    )  
COUNTY OF ORANGE     ) §  
CITY OF SAN CLEMENTE   )

I, JOANNE BAADE, City Clerk of the City of San Clemente, California, do hereby certify that Resolution No. \_\_\_\_\_ was adopted at a regular meeting of the City Council of the City of San Clemente held on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by the following vote:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Clemente, California, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
CITY CLERK of the City of  
San Clemente, California

Approved as to form:

\_\_\_\_\_  
City Attorney

10-2-18 / 6K-3

8-18-20 / 9E-10

CITY OF SAN CLEMENTE

**LEAD PARK MONITOR/RANGER**

September 2006

*Class specifications are intended to present a descriptive list of the range of duties performed by employees in the class. Specifications are not intended to reflect all duties performed within the job.*

**DEFINITION**

To perform a variety of tasks in support of park facilities and recreation programs. Responsibilities include leading the work of subordinate Park ~~Monitors~~Rangers.

**SUPERVISION RECEIVED AND LEAD DIRECTION GIVEN**

Receives immediate supervision from higher level supervisory staff. Provides lead direction to Park ~~Monitors~~Rangers.

**ESSENTIAL DUTIES:** *Essential responsibilities and duties may include, but are not limited to, the following:*

1. Schedule and lead the work of subordinate staff.
2. Monitor activities occurring at City parks and related facilities to ensure adherence to proper park usage.
3. Meet and greet park visitors.
4. Work with park visitors and the public to explain park policies and procedures.
5. Respond to and resolve concerns that arise from park visitors and address neighborhood concerns related to park usage.
6. Assist local enforcement personnel to address policy enforcement issues, as required.
7. Adhere to a regular schedule of visiting the City's parks and ensuring the parks and related facilities and being properly maintained and used.
8. Provide basic park maintenance.
9. Assist with special events and programs as needed.
10. Keep records, logs, and reports of assigned activities.
11. ~~11.~~ Perform related duties as assigned.
12. Enforce the City's municipal code and laws by writing citations to those in violation. These citations include, but are not limited to, pets, bicycles, smoking, etc.

Lead Park Monitor-Ranger (Continued)

**QUALIFICATIONS**

**Knowledge of:**

Regulations, policies, and procedures governing park activities.  
Supervisory techniques and practices.  
Customer service techniques.  
Conflict resolution techniques.  
English usage, spelling, grammar and punctuation.  
Basic park maintenance functions.  
Recreation activities and rules, policies, and procedures governing same.  
Defensive driving practices and techniques.

**Ability to:**

Respond to requests and inquiries from the general public.  
Effectively lead subordinate staff.  
Understand and follow oral and written instructions.  
Establish and maintain effective working relationships with those contacted in the course of work.  
Communicate clearly and concisely, both orally and in writing.  
Communicate in Spanish, based on assignment.  
Provide basic park maintenance.  
Maintain accurate records.  
Work independently in the absence of constant, direct supervision.  
Effectively apply rules and regulations governing recreation activities.  
Safely operate a City vehicle.

**Experience and Training**

*Any combination of experience and training that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:*

**Experience:**

Experience performing park monitoring work. Experience overseeing or supervising staff or volunteers.

**Training:**

Equivalent to the completion of the twelfth grade.

**License or Certificate**

Possession of a current, valid California Class C driver's license.

**WORKING CONDITIONS**

Position primarily works in outdoor City parks and is subject to noise, heat, cold, and inclement weather conditions. An incumbent is required to work evenings, weekends, and holidays as required.

Incumbents are required to safely operate a City vehicle.

CITY OF SAN CLEMENTE

PARK MONITOR/RANGER

October 2018

*Class specifications are intended to present a descriptive list of the range of duties performed by employees in the class. Specifications are not intended to reflect all duties performed within the job.*

**DEFINITION**

To perform a variety of tasks in support of park facilities and recreation programs. Some positions in this classification may require the ability to speak Spanish.

**SUPERVISION RECEIVED**

Receives immediate supervision from higher level supervisory staff. Receives lead direction from the Lead Park Monitor/Ranger.

**ESSENTIAL DUTIES:** *Essential responsibilities and duties may include, but are not limited to, the following:*

1. Monitor activities occurring at City parks and related facilities to ensure adherence to proper park usage.
2. Meet and greet park visitors.
3. Work with park visitors and the public to explain park policies and procedures.
4. Respond to and resolve concerns that arise from park visitors and address neighborhood concerns related to park usage.
5. Assist local enforcement personnel to address policy enforcement issues, as required.
6. Adhere to a regular schedule of visiting the City's parks and ensuring the parks and related facilities and being properly maintained and used.
7. Provide basic park maintenance.
8. Assist with special events and programs as needed.
9. Keep records, logs, and reports of assigned activities.
10. ~~10.~~—Perform related duties as assigned.
11. Enforce the City's municipal code and laws by writing citations to those in violation. These citations include, but are not limited to, pets, bicycles, smoking, etc.

**QUALIFICATIONS**

**Knowledge of:**

Regulations, policies, and procedures governing park activities.  
Customer service techniques.  
Conflict resolution techniques.

10-2-18 / 6K-19

8-18-20 / 9E-13

English usage, spelling, grammar and punctuation.  
The Spanish language (based on assignment).

**Park Monitor (Continued)**

Basic park maintenance functions.  
Recreation activities and rules, policies, and procedures governing same.  
Defensive driving practices and techniques.

**Ability to:**

Respond to requests and inquiries from the general public.  
Understand and follow oral and written instructions.  
Establish and maintain effective working relationships with those contacted in the course of work.  
Communicate clearly and concisely, both orally and in writing.  
Communicate in Spanish, based on assignment.  
Provide basic park maintenance.  
Maintain accurate records.  
Work independently in the absence of constant, direct supervision.  
Effectively apply rules and regulations governing recreation activities.  
Safely operate a City vehicle.

**Experience and Training**

*Any combination of experience and training that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:*

**Experience:**

Experience explaining and applying rules, regulations, and policies is preferred, but not required.

**Training:**

Equivalent to the completion of the twelfth grade.

**Special Language Requirement**

Based on the position, an individual will need to demonstrate an ability to effectively communicate in Spanish.

**License or Certificate**

Possession of a current, valid California Class C driver's license.

**WORKING CONDITIONS**

Positions primarily work in outdoor City parks and are subject to noise, heat, cold, and inclement weather conditions. Positions in the classification work evenings, weekends, and holidays as required.

Incumbents are required to safely operate a City vehicle.

# CITY OF SAN CLEMENTE

## City Council Minutes

### Regular City Council Meeting – October 2, 2018

*These minutes reflect the order in which items appeared on the meeting agenda and do not necessarily reflect the order in which items were actually considered.*

A Regular Meeting of the San Clemente City Council was called to order on October 2, 2018 at 5:00 p.m. in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California, by Mayor Brown.

**PRESENT** DONCHAK, SWARTZ, WARD, HAMM, MAYOR BROWN

**ABSENT** NONE

**STAFF PRESENT** James Makshanoff, City Manager; Scott Smith, City Attorney; Joanne Baade, City Clerk; Laura Campagnolo, Deputy City Clerk.

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#### **CLOSED SESSION**

City Attorney Smith requested that an additional Closed Session item be added to the agenda relating to the possibility of filing an administrative appeal against the FCC, based on the need for immediate action and the fact that the need for action came to the City's attention after the agenda was posted.

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER SWARTZ, CARRIED 5-0, to add the below item to the Closed Session agenda because there is a need for immediate action and the need for action came to the City's attention after the agenda was posted:

#### **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Initiation of litigation pursuant to Government Code section 54956.9(d)(4)

Number of potential cases: 1

MOTION BY COUNCILMEMBER WARD, SECOND BY MAYOR PRO TEM HAMM, CARRIED 5-0, to recess to Closed Session at 5:03 p.m. to discuss the following:

#### **A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Existing litigation pursuant to Government Code section 54956.9(d)(1)

Number of Cases: 8

*Closed Session items continued on next page*

Case Name: Orange County Catholic Worker v. Orange County  
Case Number: SA CV 18-0155-DOC

Case Name: City of San Clemente v. Foothill/Eastern Transportation Corridor  
Agency and County of Orange  
Case Number: OCSC 30-2017-00934703-CU-PT-CXC

Case Name: City of San Clemente v. Foothill/Eastern Transportation Corridor  
Agency  
Case Number: OCSC 30-2018-01000331-CU-WM-CJC

Case Name: MemorialCare Services, et al. v. City of San Clemente  
Case Number: USDC 8:16-cv-00852 DOC-JCG

Case Name: Anthem Sales and Management, LLC, et al. v. City of San Clemente  
Case Number: OCSC 30-2018-01008216

Case Name: Anthem Sales and Management, LLC, et al. v. City of San Clemente  
Case Number: USDC 8:18-cv-01359

Case Name: City of San Clemente, et al. v. Dual Diagnosis Treatment Center,  
Inc., et al.  
Case Number: OCSC 30-2017-00954552-CU-BC-CJC

Case Name: JL Kids, LLC v. California Department of Transportation, et al.  
Case Number: OCSC 30-2018-01014871-CU-EI-CXC

- B. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION**  
Significant exposure to litigation pursuant to Government Code section  
54956.9(d)(2)  
Number of potential cases: 1
- C. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**  
Pursuant to Government Code Section 54956.8  
Property: 415 Avenida Granada, San Clemente  
Agency Negotiator: Erik Sund, Assistant City Manager  
Negotiating Parties: City of San Clemente and Casa Romantica Cultural Center  
and Gardens  
Under Negotiation: Lease terms and related capital improvements
- D. CONFERENCE WITH LABOR NEGOTIATORS**  
Pursuant to Government Code Section 54957.6  
Agency designated representative: Assistant City Manager  
Unrepresented employee: All Employees

*Closed Session Items continued on next page*



- E. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**  
Initiation of litigation pursuant to Government Code section 54956.9(d)(4)  
Number of potential cases: 1

**REGULAR BUSINESS MEETING CONVENED**

The Regular Business Meeting of October 2, 2018 convened at 6:05 p.m., with all members present.

**INVOCATION**

Mayor Brown gave the invocation.

**PLEDGE OF ALLEGIANCE**

Councilmember Donchak led the Pledge of Allegiance.

1. **SPECIAL PRESENTATIONS**

A. **Toll Road Update**

Dan Bane, San Clemente, stated that he reviewed the Project Study Report, which indicates that the TCA is actively pursuing managed lanes; urged that the City expand its legal efforts to challenge whether the TCA has the legislative authority to engage in toll lanes; urged that the City request an agenda item for a TCA Board meeting to question its authority to pursue any managed lane option.

City Attorney Smith responded that a court hearing will be held on November 13, 2018 on the TCA's demurrer, which seeks to dismiss the City's action; pointed out that the court indicated that challenges to the TCA's legislative authority could be considered after the motion to dismiss is determined; advised that legal staff intends to amend the City's request for declaratory relief to include the issue of TCA overreach with regard to managed lanes.

**B. Proclamation Presentation - Fire Prevention Week**

Mayor Brown presented a proclamation to Captain Darren Robertson proclaiming the period of October 7-13, 2018 as Fire Prevention Week.

**C. Proclamation Presentation - Red Ribbon Week**

Mayor Brown presented a proclamation to Jan Sener, former Crime Prevention Specialist and current Recreation Leader, proclaiming the period October 15-21, 2018 as Red Ribbon Week.

**D. Boys and Girls Club Report**

Report from Terence Hughes, Chief Executive Officer of the Boys and Girls Club, regarding Boys and Girls Club activities.

**2. ORAL COMMUNICATIONS (PART 1)**

**PierPride Fundraiser**

Joel Mathison, Rancho Santa Margarita, stated that October is PierPride Month; reported on the "Cruise Into History" event to raise funds for the San Clemente pier, which will take place on October 11, 2018.

**Districting Initiative**

Michelle Schumacher, San Clemente, stated that Venture Strategic, which is a TCA firm, did work concerning the districting initiative with Bieber Communications; voiced concern that the TCA is involved in local politics; commented on the negative effects of a toll road extension and managed lanes through San Clemente.

Dan Bane, San Clemente, stated that district elections improve citizen representation and are not guided by special interests; commented on his efforts to oppose the toll road extension through San Clemente.

**Term Limits/Campaign Contributions**

Jackson Hinkle, San Clemente, spoke in support of Councilmember term limits, campaign contribution limits, and requiring Councilmembers to recuse from making land use decisions if they received campaign contributions from developers; stated that he is circulating a petition, signed thus far by 416 persons, who support his positions on the three-mentioned items.

Jake Rybczyk, San Clemente, conveyed support for Council term limits to facilitate competitive elections; spoke in support of campaign finance reform.

**San Clemente Leadership/Signage at Ole Hanson Beach Club**

Tony Rubolino, San Clemente, narrated a PowerPoint presentation entitled "Honesty and Integrity in San Clemente Leadership - Do They Exist and Are They Important Anymore", a copy of which is on file with the City Clerk; voiced concern with circumstances surrounding signage that was erected at the Ole Hanson Beach Club relative to pool hours being reduced to fund additional Police deputies.

**Homelessness/Councilmember Focus Assignments**

Anthony Lafrano, San Clemente, referred to the cover story in the San Clemente Times entitled "The Humane Condition" and urged that newspapers not glamorize homeless individuals; urged that homeless persons in North Beach be provided with jobs; suggested that each Councilmember be assigned oversight responsibility with regard to various issues facing the City, such as nuclear waste, North Beach/Pico, TCA, public relations, trails, etc.

**Golf Course/Traffic Signal Synchronization/Districting Measure Defects**

Bob Baker, San Clemente, complimented the condition of the golf course and the effectiveness of the traffic signal synchronization project; opined that the districting measure has legal defects that fail to comply with State law.

**Deployment Packages to the 2nd Battalion, 4th Marines**

Wayne Eggleston, San Clemente, noted that deployment packages were sent to the 2nd Battalion, 4th Marines and read a sampling of thank-you notes received from members of the unit; reported that a Welcome Home Parade for the City's adopted unit will take place on November 9, 2018 on Avenida Del Mar.

3. MOTION BY COUNCILMEMBER DONCHAK, SECOND BY MAYOR PRO TEM HAMM, CARRIED 5-0, to waive reading in full of all Resolutions and Ordinances.

4. **CONSIDERATION OF AGENDIZING ITEMS REQUIRING IMMEDIATE ACTION**

None.

5. **CLOSED SESSION REPORT - CITY ATTORNEY**

None.

6. **CONSENT CALENDAR**

MOTION BY COUNCILMEMBER SWARTZ, SECOND BY MAYOR PRO TEM HAMM, CARRIED 5-0, to approve the Consent Calendar.

A. **City Council Minutes**

(1) MOTION BY COUNCILMEMBER SWARTZ, SECOND BY MAYOR PRO TEM HAMM, CARRIED 5-0, to approve the City Council Regular Meeting minutes of September 18, 2018.

B. MOTION BY COUNCILMEMBER SWARTZ, SECOND BY MAYOR PRO TEM HAMM, CARRIED 5-0, to receive and file the following:

(1) Design Review Subcommittee Regular Meeting minutes of August 29, 2018:

(2) Planning Commission Adjourned Regular Meeting minutes of September 19, 2018.

C. **Warrant Register**

MOTION BY COUNCILMEMBER SWARTZ, SECOND BY MAYOR PRO TEM HAMM, CARRIED 5-0, to approve the following:

Wire Transfers Nos. 1901 through 1905 and Warrant Nos. 553164 through 553284, paid on 9-14-18, in the amount of.....\$2,073,718.64

Wire Transfers Nos. 1906 through 1907 and Warrant Nos. 553285 through 553472, paid on 9-21-18.....\$ 779,867.02

TOTAL WARRANT REGISTER..\$ 2,853,585.66

**Payroll Register**

MOTION BY COUNCILMEMBER SWARTZ, SECOND BY MAYOR PRO TEM HAMM, CARRIED 5-0, to approve the following:

Warrant Nos. 692 and Automatic Deposit Advises 51015 through 51336, for the period 8-27-18 through 9-9-18, paid on 9-14-18, in the amount of.....\$ 479,647.93

TOTAL PAYROLL REGISTER...\$ 479,647.93

D. **Contract Amendment - Short-Term Wastewater Services Agreement**

MOTION BY COUNCILMEMBER SWARTZ, SECOND BY MAYOR PRO TEM HAMM, CARRIED 5-0, to approve, and authorize the City Manager to execute, Amendment No. 3 to Contract C17-55, by and between the City of San Clemente and the Santa Margarita Water District, relating to the conveyance and treatment of Talega wastewater. This Amendment extends the term of the contract for 90 days.

E. **South Orange County Water Storage Coalition Letter of Interest**

MOTION BY COUNCILMEMBER SWARTZ, SECOND BY MAYOR PRO TEM HAMM, CARRIED 5-0, to authorize the Utilities Director to execute a non-binding letter of interest to the Santa Margarita Water District for the formation of a South Orange County Water Storage Coalition.

F. **Contract Award - Downtown Sidewalk Cleaning**

MOTION BY COUNCILMEMBER SWARTZ, SECOND BY MAYOR PRO TEM HAMM, CARRIED 5-0, to:

1. Approve, and authorize the City Manager to execute, Contract C18-55, by and between the City of San Clemente and SoCal Property Services, providing for FY 2019 downtown sidewalk cleaning, in an amount not to exceed \$26,000.
2. Approve a transfer of \$26,000 from Account 001-203-44900 (City Council Contingency) to Account 001-634-43893 (Sidewalk Pressure Washing).

G. **Contract Amendment - Temporary Contract Services in the Planning Division**

MOTION BY COUNCILMEMBER SWARTZ, SECOND BY MAYOR PRO TEM HAMM, CARRIED 5-0, to approve, and authorize the Mayor to execute, Amendment No. 5 to Contract C17-17, by and between the City of San Clemente and Sagecrest Planning + Environmental, providing for temporary contract services in the Planning Division. This Amendment extends the terms of the contract through February 28, 2019, or until services are no longer needed, and increases the contract amount from \$379,000 to \$415,150, an increase of \$36,150 (to be paid with developer deposit funds).

**H. Construction Contingency, Design and Inspection Cost Increases for the Prima Deshecha Canada Channel - Flood Control Facility No. MO1/Avenida Vaquero Culvert Rehabilitation**

MOTION BY COUNCILMEMBER SWARTZ, SECOND BY MAYOR PRO TEM HAMM, CARRIED 5-0, to:

1. Approve a supplemental appropriation in the amount of \$357,850 from the Storm Drain Fund Depreciation Reserve to Account 059-553-45300-000-15006.
2. Approve a \$300,000 increase in construction contingency for the Prima Deshecha Canada Channel (Facility No. MO1/Avenida Vaquero Culvert Rehabilitation) from the Storm Drain Fund Depreciation Reserve to Account 059-553-45300-000-15006.
3. Approve, and authorize the Mayor to execute, Amendment No. 2 to Contract C16-72, by and between the City of San Clemente and South Coast Engineering Services, providing for additional engineering services. This Amendment increases the contract amount from \$91,230 to \$149,080, an increase of \$57,850.

**I. Declaration of Surplus Property - Retired Office Furniture, Equipment, Legal Library Books and Cubicles**

MOTION BY COUNCILMEMBER SWARTZ, SECOND BY MAYOR PRO TEM HAMM, CARRIED 5-0, to declare the retired office furniture, equipment, legal library books, and cubicles to be surplus and approve and authorize GovDeals.com and Ken Porter Auctions to conduct the public auction for the City of San Clemente surplus office furniture, equipment and cubicles.

**J. Welcome Home Parade for City's Adopted Marine Unit**

MOTION BY COUNCILMEMBER SWARTZ, SECOND BY MAYOR PRO TEM HAMM, CARRIED 5-0, to:

1. Approve the parade route, temporary street and parking lot closures and surrounding metered parking spaces along Avenida Del Mar.
2. Approve a supplemental appropriation of \$1,507 to Account 001-629-44420-000-00000 for the additional costs of materials and equipment.

*Action continued on next page*

3. Approve a supplemental appropriation up to \$8,170 to Account 001-629-44420-000-00000 for OCSD staff support, contingent upon the response from OCSD regarding a fee waiver request.

**K. Position Classification and Salary Schedule Modifications**

**MOTION BY COUNCILMEMBER SWARTZ, SECOND BY MAYOR PRO TEM HAMM, CARRIED 5-0, to:**

1. Adopt Resolution No. 18-52 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ADOPTING REVISED SALARY SCHEDULES AND NEW CLASSIFICATIONS AND AMENDING RESOLUTION NO. AND ANY OTHER RESOLUTIONS IN CONFLICT THEREWITH. This Resolution changes the Park Monitor classification to Park Ranger and the Lead Park Monitor classification to Lead Park Ranger.
2. Adopt the revised Salary Schedules, effective October 8, 2018. The revised Salary Schedules include the addition of the Building Official position to the full-time schedule and Office Specialist I and II positions to the part-time schedule.

**L. Cooperative Purchase of Telecommunications Services Through State of California Telecommunications Contract (CALNET 3)**

**MOTION BY COUNCILMEMBER SWARTZ, SECOND BY MAYOR PRO TEM HAMM, CARRIED 5-0, to:**

1. Approve, and authorize the Mayor to execute, Authorization To Order (ATO) for Statewide Contract C3-B-16-07-TS-43 with Cox Business for purchase of Telecommunications Services, including Metropolitan Area Network Ethernet (Category 3) and Managed Internet (Category 5) Services.
2. Authorize the Mayor to execute the proposed Telecommunications Service Request agreements with Cox at a cost within the Fiscal Year 2018-19 Adopted Budget (estimated at \$97,234 per year) for the remaining life of the CALNET 3 Contract, currently due to expire no later than June 30, 2020.

**7. PUBLIC HEARINGS**

None.

8. **UNFINISHED BUSINESS**

A. **Code Amendment - Modifying the Definition of "Smoking" to Include Vaping and Electronic Devices**

Report from the City Attorney concerning the possibility of amending the Code of the City of San Clemente to define "smoking" to include vaping and electronic devices.

City Attorney Smith reviewed the contents of the Administrative Report.

Following discussion, MOTION BY COUNCILMEMBER WARD, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 4-1 (COUNCILMEMBER SWARTZ DISSENTING), to introduce Ordinance No. 1659 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA AMENDING THE SAN CLEMENTE MUNICIPAL CODE, CHAPTER 8.64 TO DEFINE SMOKING TO INCLUDE VAPING AND ELECTRONIC SMOKING DEVICES.

9. **NEW BUSINESS**

None.

10. **ORAL COMMUNICATIONS (PART 2)**

**Districing Measure**

Anthony Lafrano, San Clemente, opined that passage of the districing measure will lead to a toll road in San Clemente; stated that Councilmembers should insist that no toll road extension occur through San Clemente and not compromise.

**Downtown Sidewalk Cleaning**

Antoine Price, San Clemente, opined that the \$26,000 bid from SoCal Property Services that Council approved earlier in this meeting (under Agenda Item 6-F) was high; stated that he turned in a bid for the project yesterday.



11. **REPORTS**

A. **Commissions and Committees**

None.

B. **City Manager**

None.

C. **City Attorney**

None.

D. **Council Members**

**San Clemente High School Football**

Council wished the San Clemente High School Tritons well as they embark on South Coast League play.

**Toll Road - Importance of Community Unity**

Councilmember Donchak spoke on the importance of the community remaining united to fight the toll road; opined that all Council candidates oppose the toll road and do not have nefarious motives.

**San Clemente High School Homecoming Parade**

Mayor Brown advised that the San Clemente High School homecoming parade will take place on October 5, 2018 along Avenida Del Mar.

**Toll Road Community Meeting**

Mayor Brown announced that a Toll Road community meeting will take place on October 24, 2018 at 6:00 p.m. at the Community Center.

12. **RESOLUTIONS/ORDINANCES**

None.

13. ADJOURNMENT

MOTION BY MAYOR BROWN, SECOND BY COUNCILMEMBER WARD, CARRIED 5-0, to adjourn at 7:15 p.m.

The next Regular Council Meeting will be held on October 16, 2018 in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California. Closed Session items will be considered at 5:00 p.m. The Regular Business Meeting will commence at 6:00 p.m.

A subsequent Adjourned Regular Meeting will be held on November 7, 2018 in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California. Closed Session items will be considered at 5:00 p.m. The Regular Business Meeting will commence at 6:00 p.m. Please note that the November 7, 2018 Adjourned Regular Council Meeting replaces the Regular Council Meeting that would normally have been held on November 6, 2018. The November 6, 2018 meeting was rescheduled to November 7, 2018 to enable the Council Chambers to be used as a polling site for the November 6, 2018 election.



MAYOR of the City of  
San Clemente, California

  
CITY CLERK of the City of  
San Clemente, California



# Water Safety Instructor

Class Code:  
1303

Bargaining Unit: Part-time - no benefits

CITY OF SAN CLEMENTE  
Revision Date: Jul 25, 2017

## SALARY RANGE

\$12.64 - \$15.37 Hourly

### DESCRIPTION:

*Class specifications are intended to present a descriptive list of the range of duties performed by employees in the class. Specifications are **not** intended to reflect all duties performed within the job.*

### DEFINITION

To instruct swim and water safety lessons and water exercise classes; supervise the use of swimming pools and facilities; to plan and prepare session plans; to look out for accidents and perform swim rescues and/or provide emergency medical treatment; and assist in the maintenance of facilities and equipment.

### SUPERVISION RECEIVED AND EXERCISED

Receives general supervision from the assigned supervisory staff.  
Exercises functional and technical supervision over pool lifeguards.

### ESSENTIAL FUNCTIONS:

*Essential and other important responsibilities and duties may include, but are not limited to, the following:*

#### Essential Functions:

1. Instruct classes; prepare lesson plans; ensure compliance with American Red Cross and Aquatic Exercise Association guidelines.
2. Provide safe and enjoyable program activities to participants; communicate progress and assessments to participants and/or parents.
3. Review swimming techniques of pool lifeguards; provide additional training, as necessary; ensure adherence to proper safety precautions.
4. Observe swimmers in the pool and the surrounding area; provide emergency response, as necessary; and remove hazards from pool area to maintain a safe environment.
5. Perform emergency rescues; perform first-aid measures, including mouth-to-mask resuscitation.
6. Perform preventative maintenance and repairs on facilities and equipment, including monitoring chemical balance in pools, assisting with the cleaning and repair of the pool and facilities, and related functions.
7. Compile daily, weekly and monthly attendance sheets; maintain records.
8. Maintain records on pool activities and operations; document information in log books.

9. Perform a variety of custodial functions around the pool area; vacuum pool, scrub tiles and hose down deck; maintain washrooms and showers.
10. Assists in conducting aquatics events, programs, and facility rentals; sets up and takes down tables, chairs, and equipment for classes, activities, events, and meetings.
11. Provide basic facility maintenance.
12. Provide customer service and general information to the public, in person and over the phone.
13. Perform related duties and responsibilities as required.

## **TYPICAL QUALIFICATIONS:**

### **Knowledge of:**

- Lifeguard teaching techniques.
- Swim and water exercise instruction.
- Pool lifeguarding principles and practices.
- Principles and practices of basic first aid.
- Materials and equipment used to maintain the pool, including pumps, chlorinators and related equipment.
- Basic principles of mathematics.
- Record keeping methods and techniques.
- Occupational hazards and standard safety precautions.

### **Ability to:**

- Teach lifeguarding techniques.
- Teach swim lessons and water exercise classes.
- Interpret and explain City policies and procedures.
- Swim with endurance and proficiency at a level necessary to perform assigned duties.
- Prepare clear and concise reports.
- Communicate clearly and concisely, both orally and in writing.
- Establish and maintain effective working relationships with those contacted in the course of work.
- Maintain effective audio/visual discrimination and perception to the degree necessary for the successful performance of assigned duties.
- Maintain mental capacity which allows the capability of making sound decisions and demonstrating intellectual capabilities.

## **EXPERIENCE AND TRAINING GUIDELINES:**

*Any combination of experience and training that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:*

### **Experience:**

One year of responsible experience as a lifeguard.

### **Training:**

Equivalent to completion of the twelfth grade supplemented by specialized lifeguard training.

Aquatic exercise certification preferred.

## **SPECIAL REQUIREMENTS:**

### **License or Certificate**

Possession of a current Lifeguard Training Certificate issued by the American Red Cross.

Possession of a C.P.R. for the Professional Rescuer Certificate issued by the American Red Cross or the American Heart Association.

Possession of Water Safety Instructor Certificate issued by the American Red Cross.

Possession of First Aid Certificate that meets State of California Title 22 requirements or incumbent must take the first class offered by the City of San Clemente.

Possession of Aquatic Exercise Certification preferred.

## **WORKING CONDITIONS:**

### **Environmental Conditions:**

Pool environment.

### **Physical Conditions:**

Essential functions require maintaining physical condition necessary for swimming, running, walking, crouching or crawling; walking, standing or sitting for extended periods of time.

Aquatic physical fitness: the ability to swim 300 yards, tread water for a minimum of five minutes, lift and/or move over 50 pounds and retrieve/lift heavy swimmers.



P.O. Box 972709 Sacramento, CA 94229-2709  
888 CalPERS (or 888-225-7377)  
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[www.calpers.ca.gov](http://www.calpers.ca.gov)

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California Public Employees' Retirement System

April 23, 2020

Heather Lowe  
City of San Clemente  
910 CALLE NEGOCIO  
SAN CLEMENTE, CA 92673

Dear Ms. Lowe,

This letter is regarding the request by the City of San Clemente (City) to add contract exclusions to its CalPERS retirement contract for the positions of Water Safety Instructor, Park Ranger and Lead Park Ranger.

After reviewing the job duty statements for these classifications, we have approved the exclusion of the requested positions. The positions of Water Safety Instructor, Park Ranger and Lead Park Ranger constitute a valid group that meets the criteria of Government Code 20502 of the California Public Employees Retirement Law (PERL) for exclusion.

If you would like to initiate the contract amendment process to add these exclusions, then please contact our office for further assistance from Pension Contracts Team.

CalPERS remains committed to assisting our members and business partners in all matters related to their CalPERS retirement within the statutory authority available to us. Should you have any further questions regarding this matter please do not hesitate to contact me at (916) 795-0451 or at [Andrew.Harris@CalPERS.ca.gov](mailto:Andrew.Harris@CalPERS.ca.gov).

Sincerely,

*Andrew Harris*

ANDREW HARRIS  
Membership and Post Retirement Employment Determinations Team  
Employer Account Management Division



**EXHIBIT**

California  
Public Employees' Retirement System

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**AMENDMENT TO CONTRACT**

Between the  
Board of Administration  
California Public Employees' Retirement System  
and the  
City Council  
City of San Clemente

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The Board of Administration, California Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of the above public agency, hereinafter referred to as Public Agency, having entered into a contract effective March 13, 1972, and witnessed February 22, 1972, and as amended effective September 6, 1984, July 14, 1986, May 4, 1987, July 9, 1990, June 30, 1991, December 21, 1991, July 1, 1992, January 1, 1993, November 8, 2004 and June 9, 2014 which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 16 are hereby stricken from said contract as executed effective June 9, 2014, and hereby replaced by the following paragraphs numbered 1 through 18 inclusive:
1. All words and terms used herein which are defined in the Public Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 55 for classic local miscellaneous members, age 62 for new local miscellaneous members, age 50 for classic local fire members and classic local police members, age 55 for classic ocean beach lifeguards and age 57 for new local safety members.

PLEASE DO NOT SIGN "EXHIBIT ONLY"

2. Public Agency shall participate in the Public Employees' Retirement System from and after March 13, 1972 making its employees as hereinafter provided, members of said System subject to all provisions of the Public Employees' Retirement Law except such as apply only on election of a contracting agency and are not provided for herein and to all amendments to said Law hereafter enacted except those, which by express provisions thereof, apply only on the election of a contracting agency.
3. Public Agency agrees to indemnify, defend and hold harmless the California Public Employees' Retirement System (CalPERS) and its trustees, agents and employees, the CalPERS Board of Administration, and the California Public Employees' Retirement Fund from any claims, demands, actions, losses, liabilities, damages, judgments, expenses and costs, including but not limited to interest, penalties and attorney fees that may arise as a result of any of the following:
  - (a) Public Agency's election to provide retirement benefits, provisions or formulas under this Contract that are different than the retirement benefits, provisions or formulas provided under the Public Agency's prior non-CalPERS retirement program.
  - (b) Any dispute, disagreement, claim, or proceeding (including without limitation arbitration, administrative hearing, or litigation) between Public Agency and its employees (or their representatives) which relates to Public Agency's election to amend this Contract to provide retirement benefits, provisions or formulas that are different than such employees' existing retirement benefits, provisions or formulas.
  - (c) Public Agency's agreement with a third party other than CalPERS to provide retirement benefits, provisions, or formulas that are different than the retirement benefits, provisions or formulas provided under this Contract and provided for under the California Public Employees' Retirement Law.
4. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:
  - a. Local Fire Fighters (herein referred to as local safety members);
  - b. Local Police Officers (herein referred to as local safety members);
  - c. Ocean Beach Lifeguards (included as local safety members);
  - d. Employees other than local safety members (herein referred to as local miscellaneous members).



PLEASE DO NOT SIGN "EXHIBIT ONLY"

5. In addition to the classes of employees excluded from membership by said Retirement Law, the following classes of employees shall not become members of said Retirement System:
  - a. **MEMBERS OF THE GOVERNING BODY;**
  - b. **OCEAN LIFEGUARDS, OCEAN LIFEGUARD SUPERVISORS, LIFEGUARD SUPERVISORS, POOL LIFEGUARDS AND POOL LIFEGUARD/INSTRUCTORS; AND**
  - c. **PARK RANGER, LEAD PARK RANGER AND WATER SAFETY INSTRUCTOR PROSPECTIVELY FROM THE EFFECTIVE DATE OF THIS AMENDMENT TO CONTRACT.**
6. Assets heretofore accumulated with respect to members in the local retirement system have been transferred to the Public Employees' Retirement System and applied against the liability for prior service incurred thereunder. That portion of the assets so transferred which represent the accumulated contributions (plus interest thereof) required of the employees under said local system has been credited to the individual membership account of each such employee under the Public Employees' Retirement System.
7. Benefits paid to pensioners and annuitants under the local system on March 13, 1972 were recalculated as of such date pursuant to Section 20520 of the Government Code to conform to the benefits applicable to persons retiring after March 13, 1972, however, no benefit which would have been payable under the continuation of the local system shall be reduced.
8. Section 21367.51 (Mandated \$500 Retired Death Benefit) shall also apply to persons retired under the City of San Clemente Pension Trust.
9. The percentage of final compensation to be provided for each year of credited prior and current service as a classic local miscellaneous member shall be determined in accordance with Section 21354 of said Retirement Law subject to the reduction provided therein for Federal Social Security (2% at age 55 Modified).
10. The percentage of final compensation to be provided for each year of credited prior and current service as a new local miscellaneous member shall be determined in accordance with Section 7522.20 of said Retirement Law (2% at age 62 Supplemental to Federal Social Security).
11. The percentage of final compensation to be provided for each year of credited prior and current service as a classic local police member and classic local fire member shall be determined in accordance with Section 21362 of said Retirement Law subject to the reduction provided therein for Federal Social Security (2% at age 50 Modified).

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12. The percentage of final compensation to be provided for each year of credited prior and current service as a classic ocean beach lifeguard shall be determined in accordance with Section 21363.1 of said Retirement Law subject to the reduction provided therein for Federal Social Security (3% at age 55 Modified).
13. The percentage of final compensation to be provided for each year of credited prior and current service as a new local safety member shall be determined in accordance with Section 7522.25(d) of said Retirement Law (2.7% at age 57 Supplemental to Federal Social Security).
14. Public Agency elected and elects to be subject to the following optional provisions:
  - a. Section 21536 (Local System Service Credit Included in Basic Death Benefit).
  - b. Sections 21624, 21626 and 21628 (Post-Retirement Survivor Allowance) for local safety members only.
  - c. Section 20042 (One-Year Final Compensation) for classic members only.
  - d. Section 21024 (Military Service Credit as Public Service) for local miscellaneous members only.
  - e. Section 20938 (Limit Prior Service to Members Employed on Contract Date) for local miscellaneous members.
  - f. Section 21622 (\$600 Retired Death Benefit) for local miscellaneous members only.
15. Public Agency shall contribute to said Retirement System the contributions determined by actuarial valuations of prior and future service liability with respect to local miscellaneous members and local safety members of said Retirement System.
16. Public Agency shall also contribute to said Retirement System as follows:
  - a. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.
  - b. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.

17. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement Law, and on account of the experience under the Retirement System as determined by the periodic investigation and valuation required by said Retirement Law.
18. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within fifteen days after the end of the period to which said contributions refer or as may be prescribed by Board regulation. If more or less than the correct amount of contributions is paid for any period, proper adjustment shall be made in connection with subsequent remittances. Adjustments on account of errors in contributions required of any employee may be made by direct payments between the employee and the Board.

B. This amendment shall be effective on the \_\_\_\_\_ day of \_\_\_\_\_.

BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL  
CITY OF SAN CLEMENTE

BY \_\_\_\_\_  
ARNITA PAIGE, CHIEF  
PENSION CONTRACTS AND PREFUNDING  
PROGRAMS DIVISION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY \_\_\_\_\_  
PRESIDING OFFICER

\_\_\_\_\_  
Witness Date

Attest: \_\_\_\_\_

\_\_\_\_\_  
Clerk