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**Board of Directors**

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October 26, 2020

Board of Directors  
Triunfo Water & Sanitation District  
Ventura County, California

**TWSD TRANSITION: SECTION 218 (SOCIAL SECURITY) RESOLUTION**

**Summary**


In order for the Triunfo Water & Sanitation District (District) to participate in the Federal Social Security Plan, the District is required to establish a Section 218 agreement through the State of California's State Social Security Administrator (SSSA). The SSSA requests that the District approve a Resolution with the State which establishes the framework for District participation in Social Security. This Resolution grants permission for the District to conduct an election of its eligible members of the retirement system. If the majority of these members approve joining the Social Security System, then the State will coordinate with the District to move this process forward to completion. Staff is requesting the Board authorize the Chair to sign the Resolution with the State Social Security Administrator of California, which subsequently authorizes the District's General Manager to conduct the election and report the results to the State.

**Fiscal Impact**

The cost of this process is \$650 and is included in the transitional cost analysis.

**Recommendation**

It is recommended that the Board review and approve the Resolution with the State of California and authorize the Chair to sign it and thereby authorizing the District's General Manager to conduct an election amongst eligible District retirement system members.

REVIEWED AND APPROVED:   
Mark Norris - General Manager

Attachment: Resolution with State of California

RESOLUTION

WHEREAS, Triunfo Water & Sanitation District hereinafter designated as "Public Agency", desires to include services performed by its employees in positions covered by Triunfo Water & Sanitation District (TWSD) 401a Plan 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 October 4, 2020; 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: Elected Officials

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 Mark Norris, General Manager, 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

\_\_\_\_\_  
Official Name of Public Agency

\_\_\_\_\_  
Date

CERTIFICATION

I, Mark Norris, General Manager of the Triunfo Water & Sanitation District, State of California, do hereby certify the foregoing to be a full, true, and correct copy of Resolution No. \_\_\_\_\_ adopted by the Triunfo Water & Sanitation District Board of the Triunfo Water & Sanitation District at the regular/special meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, as the same appears of record in my office.

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

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