

VANDENBERG VILLAGE COMMUNITY SERVICES DISTRICT

3757 Constellation Road • Vandenberg Village • Lompoc, CA 93436
Telephone: (805) 733-2475 • Fax: (805) 733-2109



RESOLUTION NO. 185-10

April 6, 2010

RESOLUTION FOR EMPLOYER PICK-UP – IRC 414(H)(2)

WHEREAS, the governing body of the Vandenberg Village Community Services District has the authority to implement the provisions of section 414(h)(2) of the Internal Revenue Code (IRC); and

WHEREAS, the Board of Administration of the Public Employees' Retirement System adopted its resolution regarding section 414(h)(2) IRC on September 18, 1985; and

WHEREAS, the Internal Revenue Service has stated in December 1985, that the implementation of the provisions of section 414(h)(2) IRC pursuant to the Resolution of the Board of Administration would satisfy the legal requirements of section 414(h)(2) IRC; and

WHEREAS, the Vandenberg Village Community Services District 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 its employees who are members of the Public Employees' Retirement System:

NOW, THEREFORE, BE IT RESOLVED:

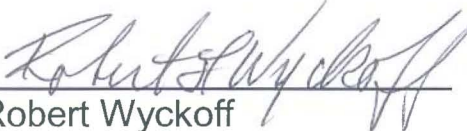
- I. That the Vandenberg Village Community Services District will implement the provisions of section 414(h)(2) Internal Revenue Code by making employee contributions pursuant to California Government Code section 20691 to the Public Employees' Retirement System on behalf of its employees who are members of the 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.

This provision will apply to all employees employed by Vandenberg Village Community Services District who are members of the California Public Employees' Retirement System.

- II. That the contributions made by the Vandenberg Village Community Services District to the Public Employees' Retirement System, although designated as employee contributions, are being paid by the Vandenberg Village Community Services District in lieu of contributions by the employees who are members of the Public Employees' Retirement System.
- III. That employees shall not have the option of choosing to receive the contributed amounts directly instead of having them paid by the Vandenberg Village Community Services District to the Public Employees' Retirement System.
- IV. That the Vandenberg Village Community Services District shall pay to the Public Employees' Retirement System the contributions designated as employee contributions from the same source of funds as used in paying salary.
- V. That the amount of the contributions designated as employee contributions and paid by the Vandenberg Village Community Services District to the Public Employees' Retirement System on behalf of an employee shall be the entire contribution required of the employee by the Public Employees' Retirement Law (California Government Code sections 20000, et seq.).
- VI. That the contributions designated as employee contributions made by Vandenberg Village Community Services District to the Public Employees' Retirement System shall be treated for all purposes, other than taxation, in the same way that member contributions are treated by the Public Employees' Retirement System.

PASSED AND ADOPTED by the Board of Directors of the Vandenberg Village Community Services District this 6th Day of April 2010 upon motion by Director Redmon, seconded by Director Blair and as approved by the following roll call vote, to wit:

AYES: Directors Blair, Brooks, Fox, Redmon and Wyckoff
NOES: None
ABSTAIN: None
ABSENT: None



Robert Wyckoff
President, Board of Directors

ATTEST:



Stephanie Vlahos
Secretary, Board of Directors

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RESOLUTION TO TAX DEFER MEMBER PAID CONTRIBUTIONS – IRC 414(H)(2)

Approved by: _____

Title: _____