

**STATE OF NEW MEXICO
CITY OF RIO COMMUNITIES
RESOLUTION 2020 - 172**

**A RESOLUTION APPROVING AFFILIATION WITH THE
PUBLIC EMPLOYEES RETIREMENT ASSOCIATION AND PARTICIPATION IN MUNICIPAL GENERAL
MEMBER COVERAGE PLAN 1, MUNICIPAL POLICE PLAN 1
AND MUNICIPAL FIRE PLAN 1**

- WHEREAS,** the Public Employees Retirement Act, NMSA 1978, Sections 10-11-1, et seq. (1995), establishes the Public Employees Retirement Association and provides for retirement benefits for employees of affiliated public employers; and,
- WHEREAS,** Rio Communities is not presently an affiliated public employer; and
- WHEREAS,** the governing board of Rio Communities has determined that the interests of Rio Communities and its employees will best be served by affiliation with the Public Employees Retirement Association for purposes of providing Rio Communities employees with the benefits of a retirement program; and
- WHEREAS,** the governing board of Rio Communities understands that affiliation with the Public Employees Retirement Association is irrevocable; and
- WHEREAS,** the Public Employees Retirement Act authorizes Municipal General Member Coverage Plan 1 (NMSA 1978, Section 10-11-45 through Section 10-11-49, (2003) which provides a plan for retirement of two percent (2%) of final average salary per year of service with a maximum of ninety percent (90%) of final average salary after 45 years of service, under which the municipal employer contributes seven and sixty-five hundredths percent (7.65%) of the member's salary to the state retirement fund and the general member employee contributes eight and one-half percent (8.5%) of salary; and
- WHEREAS,** the Public Employees Retirement Act authorizes Municipal Police Member Coverage Plan 1 (NMSA 1978, Section 10-11-56 through Section 10-11-61, (2003) which provides a plan for retirement of two percent (2%) of final average salary per year of service which would then provide a maximum of ninety percent (90%) of final average salary after 45 years of service, under which the municipal employer contributes ten and sixty-five hundredths percent (10.65%) of the member's salary to the state retirement fund and the police member employee contributes eight and one-half percent (8.5%) of salary; and
- WHEREAS,** the Public Employees Retirement Act authorizes Municipal Fire Member Coverage Plan 1 (NMSA 1978, Section 10-11-86 through Section 10-11-91, (2003) which provides a plan for retirement of two percent (2.0%) of final average salary per year of service which would then provide for a maximum of ninety percent (90%) of final average salary after 45 years of service, under which the municipal employer contributes eleven and sixty-fifth hundredth percent (11.65%) of the member's salary and the fire member employee contributes nine and one-half percent (9.5%) of salary to the state retirement fund and the; and

WHEREAS, the governing board of Rio Communities has determined that the adoption of PERA Municipal General Member Coverage Plan 1, Municipal Police Plan 1, and Municipal Fire Plan 1 is in the best interest of Rio Communities and of its eligible member employees; and

WHEREAS, the governing board of Rio Communities has made and will make necessary budgetary provisions to comply with the Public Employees Retirement Act; and

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF RIO COMMUNITIES:

That Rio Communities shall be an affiliated public employer as provided for in the Public Employees Retirement Act, as amended, or any successor act or acts, such affiliation to be effective the 1st day of July 2020; and,

That the Public Employees Retirement Association Municipal General Coverage Plan 1, Municipal Police Plan 1, and Municipal Fire Plan 1 be, and the same hereby are, irrevocably adopted as the retirement plans for employees of Rio Communities.

PASSED, APPROVED AND ADOPTED THIS 28th DAY OF APRIL 2020 BY THE GOVERNING BODY OF THE CITY OF RIO COMMUNITIES, NEW MEXICO.

City of Rio Communities Governing Body

Mark Gwinn,
Mayor

Margaret (Peggy) Gutjahr,
Councilor Mayor Pro-tem

Bill Brown,
Councilor

Joshua Ramsell,
Councilor

Jim Winters,
Councilor

ATTEST:

Elizabeth (Lisa) Adair,
Municipal Clerk