

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, the Joint Exercise of Powers Act authorizes two or more public agencies to jointly exercise any common power through a Joint Powers Agreement (JPA); and

WHEREAS, if the agency, formed pursuant to the JPA, is a public entity, commission, or board, the debts, liabilities, and obligations of the agency are the debts, liabilities and obligations of the parties to the agreement, unless otherwise specified under the JPA; and

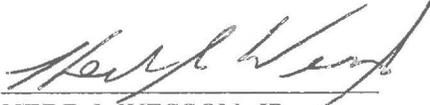
WHEREAS, AB 1912 (Rodriguez) would eliminate parties to a JPA's authorization to separately contract for, or assume responsibilities for, specific debts, liabilities, or obligations of the agency, and would specify that if an agency to a JPA participates in a public retirement system, all parties, both current and former to the agreement, would be jointly and severally liable for all obligations to the retirement system, and would eliminate the authority of those parties to agree otherwise with respect to the retirement liabilities of the agency; and

WHEREAS, AB 1912 would prohibit the California Public Employees' Retirement System (CalPERS) Board of Administration from contracting with any public agency formed under the Joint Exercise of Powers Act for benefits provisions unless all the parties to the JPA are jointly and severally liable for all of the public agency's obligations to the public retirement system; and

WHEREAS, AB 1912 would require that if the governing bodies of a terminating agency formed under a JPA or the governing bodies of its member agencies do not enter into an agreement with CalPERS to terminate its membership in the Public Employees' Retirement System, the member agencies would assume the retirement obligations for their retirement systems.

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2017-18 State Legislative Program OPPOSITION to AB 1912 (Rodriguez) which would hold all current and former parties of a public agency formed under a Joint Powers Agreement jointly and severally liable for all obligations to the public retirement system.

PRESENTED BY:

  
HERB J. WESSON, JR.  
Councilmember, 10<sup>th</sup> District

SECONDED BY:



MAY 01 2018



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