

ORDINANCE NO.94-O-508

AN ORDINANCE EXCLUDING THE EMPLOYEE CONTRIBUTION TO PERS FROM THE EMPLOYEE'S TAXABLE INCOME AS ALLOWED BY THE INTERNAL REVENUE CODE SECTION 414(h)(2); AND DECLARING AN EMERGENCY.

Sections:

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| | Introduction. |
| Section 1. | Oregon PERS Employee Contribution. |
| Section 2. | Emergency clause. |

The City of Brookings ordains as follows:

WHEREAS, the passage of Ballot Measure 8, on November 8, 1994 requires public employees to pay the required 6% employee contribution after December 8, 1994; and

WHEREAS, employees currently employed by the City of Brookings have entered into a contractual arrangement regarding payment of the 6% employee contribution effective through June 30, 1995; and

WHEREAS, the City employees will be required to have the 6% contribution deducted from their pay; and

WHEREAS, the City desires to exclude the payment of the 6% employee contribution from the employee's taxable income.

Section 1. Oregon PERS Employee Contribution. The required Oregon PERS employee contribution of 6% of salary is deemed to be "picked up" for purposes of Internal Revenue Code Section 414(h)(2) as the City will make the actual payment to PERS out of the employee's pay; the employee not having the option of receiving his or her full salary and then making the PERS contribution themselves directly. In addition, the employees shall have their reported salary on the W-2 form be reduced by the amount of the employee contributions.

Section 2. Emergency clause. It is hereby determined that it is the interest of public health, safety and welfare that immediate action be taken. Therefore, an emergency is declared to exist and this ordinance shall be in full force and effect immediately upon its passage by the city council and signing by the mayor.

First Reading: December 12, 1994
Second Reading: December 12, 1994
Passage: December 12, 1994
Effective Date: December 12, 1994

Signed by me in authentication of its passage this 12th day of December, 1994.



Tom Davis, Mayor

ATTEST:



Beverly S. Shields, City Recorder