

## RESOLUTION NO. 592

### A RESOLUTION RESCINDING RESOLUTION NO. 575 AND RE-ESTABLISHING THE CITY OF CANBY PICK-UP OF PERS MEMBER CONTRIBUTIONS

WHEREAS, the Canby City Council at its regular meeting of December 21, 1994 passed Resolution No. 575 rescinding the City pick-up of PERS member contributions due to the adoption of Ballot Measure 8 passed by voters on November 8, 1994; and

WHEREAS, on June 9, 1995, Marion County Circuit Court Judge Barber issued two separate Judgment Orders declaring Measure 8 unconstitutional and on June 13, 1994, Lane County Circuit Court Judge Burke issued a Judgment Order likewise declaring Measure 8 unconstitutional, and on July 28, 1995, Washington County Circuit Court Judge Nachtigal likewise issued a Judgment Order declaring Measure 8 unconstitutional; and


WHEREAS, on August 9, 1995, Clackamas County Circuit Court Judge Gilroy issued a Judgment Order granting a preliminary injunction enjoining the City from complying with Measure 8 and ordering the City to pay the six percent (6%) pick-up pending a final decision by the Oregon Supreme Court.

THEREFORE BE IT RESOLVED that Resolution No. 575 is rescinded and the City of Canby shall continue to pay its employees contribution to the Public Employers' Retirement System on behalf of said employees as it has in the past until such further time as the Oregon Supreme Court directs otherwise.

ADOPTED this 4th day of October, 1995.

ATTEST:

  
Marilyn K. Perkett, City Recorder

  
Scott Taylor, Mayor