

MESILLA VALLEY METROPOLITAN PLANNING ORGANIZATION

RESOLUTION NO. 25-11

A RESOLUTION APPROVING AFFILIATION WITH THE PUBLIC EMPLOYEES RETIREMENT ASSOCIATION AND PARTICIPATION IN MUNICIPAL GENERAL MEMBER COVERAGE PLAN 3 AND AUTHORIZING PICK UP OF MEMBER CONTRIBUTIONS

The Mesilla Valley Metropolitan Planning Organization (“MPO”) Governing Board is informed that:

WHEREAS, the Public Employees Retirement Act, NMSA 1978, Sections 10-11-1, et seq. (2003), establishes the Public Employees Retirement Association (“PERA”) and provides for retirement benefits for employees of affiliated public employers; and

WHEREAS, prior to affiliation, the Mesilla Valley Metropolitan Planning Organization operated under a Joint Powers Agreement entered into between the City of Las Cruces, Doña Ana County, and the Town of Mesilla; and

WHEREAS, the Governing Board of the Mesilla Valley Metropolitan Planning Organization has determined that the interests of the MPO and its employees will be best served by affiliation with PERA for the purposes of providing MPO employees with the benefits of a retirement program; and

WHEREAS, the Governing Board of the Mesilla Valley Metropolitan Planning Organization understand that affiliation with PERA is irrevocable; and

WHEREAS, the Public Employees Retirement Act authorizes Municipal General Member Coverage Plan 3 (NMSA 1978, Section 10-11-55.1 through Section 10-11-55.6, (1995) which provides a plan for retirement of three percent (3.0%) of final average salary per year of service for TIER 1 members and two and one-half percent (2.5%) of final average salary per year of service credit, with a maximum of one hundred percent (100%) of final average salary after the required number of years to reach plan maximum, under which starting July 1, 2024 through June 30, 2025 the municipal employee who earns twenty-five thousand dollars or more in annual salary

contribute sixteen and fifteen one-hundredths (16.15%) of the member's salary to the state retirement fund and the employer contributes eleven and three-tenths' percent (11.30%) of salary to the employer accumulation fund; and

WHEREAS, the Public Employees Retirement Act (NMSA 1978, Section 10-11-122 (D) (2005), provides that a public employer created by one of the methods specified in law shall be an affiliated employer with the coverage plan that provides the highest pension applicable to any of the groups of members brought under its employment; and

WHEREAS, the highest pension applicable to any of the employees of the City of Las Cruces is afforded by the Municipal General Member Coverage Plan 3; and

WHEREAS, as the City of Las Cruces serves as the fiscal agent for the MPO the Governing Board of the Mesilla Valley Metropolitan Planning Organization wishes to provide the same level of coverage to MPO employees as is provided for employees of the City of Las Cruces; and

WHEREAS, the Governing Board of the Mesilla Valley Metropolitan Planning Organization has determined that the adoption of PERA Municipal General Member Coverage Plan 3 is in the best interest of the MPO and of its employees; and

WHEREAS, the Governing Board of the Mesilla Valley Metropolitan Planning Organization has made and will make necessary budgetary provisions to comply with the Public Employees Retirement Act; and

WHEREAS, the Governing Board has determined that it is in the best interest of the MPO that this resolution be APPROVED.

NOW, THEREFORE, be it resolved by the Governing Board of the Mesilla Valley Metropolitan Planning Organization:

(I)

THAT the Mesilla Valley Metropolitan Planning Organization shall be an affiliated public employer as provided for in the Public Employees Retirement Act, as amended, or any successor act or acts.

(II)

THAT the affiliation shall be effective the 1st day of June 2025.

(III)

THAT the Public Employees Retirement Association Municipal General Coverage Plan 3 be, and the same hereby is, irrevocably adopted as the retirement plan for employees of the Mesilla Valley Metropolitan Planning Organization.

(IV)

THAT pursuant to NMSA 1978, Section 10-11-5, the Mesilla Valley Metropolitan Planning Organization hereby elects to be responsible for making contributions of seventeen and three tenth's percent (17.30%) of its employees' contributions in Municipal General Member Coverage Plan 3 for the remainder of City Fiscal Year 2025, as does the MPO's fiscal agent, the City of Las Cruces.

(V)

THAT pursuant to NMSA 1978, Section 10-11-5, the Mesilla Valley Metropolitan Planning Organization hereby elects to be responsible for making contributions of seventeen and eight tenth's percent (17.80%) of its employees' contributions in Municipal General Member Coverage Plan 3 for City Fiscal Year 2026, as planned by the MPO's fiscal agent, the City of Las Cruces.

(VI)

THAT MPO Staff is directed to take appropriate and legal actions to implement this Resolution.

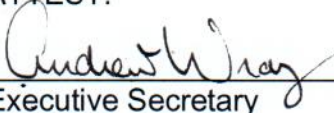
DONE and APPROVED this 14th day of May, 2025.

APPROVED:



Chair

ATTEST:



Executive Secretary

Motion By:	Councilor Corran
Second By:	Trustee Johnson-Burick
VOTE:	
Chair Sanchez	Yes
Vice-Chair Hernandez	Yes
Commissioner Chaparro	Absent
Harold Love (Proxy)	Yes
Councilor Corran	Yes
Mayor Enriquez	Yes
Commissioner Gameros	Absent
Trustee Johnson-Burick	Yes
Councilor McClure	Yes
Trustee Merrick	Yes