

INTRODUCED BY COUNCILMEMBER _____

FILED *Gracey Chris*
OFFICE OF THE CITY CLERK
OAKLAND City Attorney

2005 APR 28 PM 1:19

ORDINANCE No. 12664 C.M.S.

AN ORDINANCE OF THE COUNCIL OF THE CITY OF OAKLAND AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY OF OAKLAND AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA EMPLOYEES' RETIREMENT SYSTEM (CalPERS) THAT AUTHORIZES CONVERSION OF UP TO SEVENTY-FIVE PERCENT (75%) OF UNUSED ACCUMULATED SICK LEAVE TO ADDITIONAL SERVICE CREDIT FOR MEMBERS OF THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, LOCAL 55

WHEREAS, on June 26, 2001, the City Council approved a Memorandum of Understanding between the City of Oakland and the International Association of Firefighters, Local 55 pursuant to Resolution No. 76546 C.M.S; and

WHEREAS, Article 6, Section 6.1.4 of said Memorandum of Understanding provides that pursuant to California Government Code section 20965, effective July 1, 2005, a bargaining unit member who retires on a regular, non-disability retirement may elect to convert up to seventy-five percent (75%) of the unit member's unused accumulated sick leave to additional service credit at the rate of 0.004 years of service credit for each day of unused sick leave; and

WHEREAS, implementation of Article 6, Section 6.1.4 requires an amendment to the contract between the City of Oakland and the Board of Administration of the California Public Employees' Retirement System; now, therefore

THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

Section 1. That an amendment to the contract between the City of Oakland and the Board of Administration of the California Public Employees' Retirement System is hereby authorized, a copy of said amendment being attached hereto as Exhibit 1, and by such reference made part hereof as though herein set out in full.

Section 2. The President of the Council is hereby authorized, empowered and directed to execute said amendment for and on behalf of the City of Oakland.

Section 3. The effective date of this Ordinance shall be immediate if at least six Council Members vote in favor of the Ordinance, otherwise, it will take effect on the seventh day after final adoption.

JUN 07 2005

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, REID, QUAN, ~~and~~ PRESIDENT DE LA FUENTE, AND KERNIGHAN-8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST: *LaTonda Simmons*
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

DRAFT
RESOLUTION OF INTENTION
OFFICE OF THE CITY CLERK
OAKLAND
2005 APR 28 PM 1:19

**TO APPROVE AN AMENDMENT TO CONTRACT,
BETWEEN THE
BOARD OF ADMINISTRATION
CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM
AND THE
CITY COUNCIL
CITY OF OAKLAND**

WHEREAS, the Public Employees' Retirement Law permits the participation of public agencies and their employees in the Public Employees' Retirement System by the execution of a contract, and sets forth the procedure by which said public agencies may elect to subject themselves and their employees to amendments to said Law; and

WHEREAS, one of the steps in the procedures to amend this contract is the adoption by the governing body of the public agency of a resolution giving notice of its intention to approve an amendment to said contract, which resolution shall contain a summary of the change proposed in said contract; and

WHEREAS, the following is a statement of the proposed change:

To provide Section 20965 (Credit for Unused Sick Leave)
for local fire members only.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the above agency does hereby give notice of intention to approve an amendment to the contract between said public agency and the Board of Administration of the Public Employees' Retirement System, a copy of said amendment being attached hereto, as an "Exhibit" and by this reference made a part hereof.

By: _____
Presiding Officer

Title

Date adopted and approved

RESOLUTION NO. _____ C.M.S.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, REID, QUAN and PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

LaTonda Simmons
Interim City Clerk and Clerk of the

of the City of Oakland, California

Council