

INTRODUCED BY COUNCILMEMBER _____

2004 APR 8 PM 12:03

City Attorney

ORDINANCE No. 12600 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 PUBLIC EMPLOYEES' RETIREMENT SYSTEM (PERS") THAT AUTHORIZES (1) 2.7% AT AGE 55 RETIREMENT BENEFITS FOR ALL CITY OFFICERS AND CIVILIAN (NON-SWORN) EMPLOYEES WHO ARE MEMBERS OF PERS; and (2) 3.0% AT AGE 50 RETIREMENT BENEFITS FOR EMPLOYEES WHO ARE MEMBERS OF THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, LOCAL 55

WHEREAS, on January 28, 2003, the City Council passed Resolution No. 77626 C.M.S., which approved a Memorandum of Understanding ("MOU") between the City and Service Employees International Union, Local 790, and Article 6.1.2. of the MOU provides 2.7% @ 55 retirement benefits for Local 790's members; and

WHEREAS, on January 28, 2003, the City Council passed Resolution No. 77626 C.M.S., which approved a Memorandum of Understanding ("MOU") between the City and Professional and Technical Engineers, Local 21 and Article 7.1.2 of the MOU provides 2.7% @ 55 retirement benefits for Local 21's members; and

WHEREAS, on January 28, 2003, the City Council passed Resolution No. 77627 C.M.S., which approved a Memorandum of Understanding ("MOU") between the City and International Brotherhood of Electrical Workers Local 1245 and Article 6.16 provides 2.7% @ 55 retirement benefits for Local 1245's members; and

WHEREAS, all other permanent full-time and permanent part-time employees and officers also will be provided 2.7% @ 55 retirement benefits; and

WHEREAS, on June 26, 2001, the City Council passed Resolution No. 76546 C.M.S. which approved a Memorandum of Understanding ("MOU") between the City and the International Association of Firefighter, Local 55 and Article 9.7 of the MOU provides 3.0% @ 50 retirement benefits for Local 55's members; and

WHEREAS, in order to implement 2.7% @ 55 and 3.0% @ 50 retirement benefits for the bargaining units described above, the City must amend its contract with 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, California Public Employees' Retirement System ("PERS") hereby is authorized, with an effective date of June 19, 2004, that will provide 2.7% @ 55 retirement benefits for all permanent full-time and permanent part-time miscellaneous (i.e., civilian, non-sworn) City officers and employees who are members of PERS and 3.0% @ 50 retirement benefits for Local 55's members who are members of PERS. A copy of said amendment is attached hereto as Exhibit 1. Exhibit 1 hereby is incorporated in this agreement as if set forth in full herein.

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

SECTION 3. This Ordinance shall take effect immediately if at least six Council Members vote in favor of this ordinance; otherwise this ordinance it will take effect on the seventh day after final adoption.

IN COUNCIL, OAKLAND, CALIFORNIA, MAY 18 2004, 20

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, REID, QUAN, WAN ~~AND PRESIDENT DE LA FUENTE~~ - 7

NOES- 0

ABSENT- 0

ABSTENTION- 0
Excused - DE LA FUENTE - 1

Introduction Date:
APR 20 2004

ATTEST:



CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California

NOTICE AND DIGEST

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 PUBLIC EMPLOYEES' RETIREMENT SYSTEM ("PERS") THAT AUTHORIZES (1) 2.7% AT AGE 55 RETIREMENT BENEFITS FOR ALL CITY OFFICERS AND CIVILIAN (NON-SWORN) EMPLOYEES WHO ARE MEMBERS OF PERS; AND (2) 3.0% AT AGE 50 RETIREMENT BENEFITS FOR EMPLOYEES WHO ARE MEMBERS OF THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, LOCAL 55

This Ordinance authorizes an amendment to the contract between the City of Oakland and the Board of Administration of the California Public Employees' Retirement System that will provide (1) 2.7% @ 55 retirement benefits for local miscellaneous PERS members (civilian) employees of the City of Oakland and Port of Oakland (2) a subsequent waiver period for those local miscellaneous members of the Oakland Municipal Employees' Retirement System (3) 3% @ 50 retirement benefits for local sworn employees of the Oakland Fire Department; (4) Public Service Credit for Peace Corps or AmeriCorps: Vista service for local miscellaneous and safety members.

Notice of Publication

This Ordinance was introduced at the City Council meeting, Tuesday evening, April 20, 2004, and passed to print 8 Ayes. Hearing on final adoption has been scheduled for the City Council meeting, Tuesday evening May 18, 2004, 6:00 p.m., at One Frank H. Ogawa Plaza, Council Chambers, on the third floor in Oakland, California.

Three full copies are available for use and examination by the public in the Office of the City Clerk at One Frank H. Ogawa Plaza, 1st floor, Oakland, California.

CEDA FLOYD, City Clerk

**The Oakland Tribune, #359536
May 15, 2004**