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OAKLAND

# OAKLAND CITY COUNCIL

*Gracy Chris*  
City Attorney

2009 JUL 16 PM 4: 05 RESOLUTION No. 8 2 2 3 6 C.M.S.

Introduced by Councilmember \_\_\_\_\_

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO IMPLEMENT A RESTRICTED POLICY FOR FILLING POSITIONS VACATED AS A RESULT OF RETIREMENTS UNDER THE CALIFORNIA EMPLOYEES' RETIREMENT SYSTEM (CALPERS) TWO YEARS ADDITIONAL SERVICE CREDIT PROGRAM ("GOLDEN HANDSHAKE") IN ORDER TO ACHIEVE THE LEVEL OF SAVINGS ANTICIPATED IN THE CITY OF OAKLAND ADOPTED BUDGET FOR FISCAL YEARS 2009-2011**

**WHEREAS**, the Board of Administration, California Public Employees' Retirement System (CalPERS) and the City of Oakland entered into a contract effective September 1, 1970 making its employees members of CalPERS for retirement benefits and services; and

**WHEREAS**, the City Council of the City of Oakland adopted Ordinance No. 12935 C.M.S., authorizing an amendment to the contract between the City of Oakland and the Board of Administration of the California Public Employees' Retirement System (CalPERS) that approved the Two Years Additional Service Credit for Local Miscellaneous and Local Safety members (California Government Code Section 20903) on June 30, 2009; and

**WHEREAS**, the City Council, by Resolution No. 82104 C.M.S., has elected to offer the Retirement Incentive Program to the City's miscellaneous employee groups only in 489 positions across 161 classifications City-wide; and

**WHEREAS**, the City's Fiscal Year 2009-11 budget includes savings of \$2,265,812 per year in the General Purpose Fund from the Retirement Incentive Program; and

**WHEREAS**, the City is obligated to maximize the savings from the CalPERS Retirement Incentive Program while maintaining effective Departmental operations; now, therefore be it

**RESOLVED:** That the Department of Human Resources and the Budget Office will track the vacancies and resulting savings from retirements on a monthly basis; and be it

**FURTHER RESOLVED:** That after the budgeted General Purpose Fund savings of \$2,265,812 are achieved through vacancies resulting from the CalPERS Retirement Incentive Program each year, and for positions with funding sources outside of the General Purpose Fund, the following criteria and hiring methods will be required to fill vacancies upon approval by the City Administrator, and the City Administrator may issue additional criteria regarding the methods and restrictions for filling positions consistent with this resolution:

**Criteria**

- a. The position is necessary to ensure the provision of critical City services and operations.
- b. The position is required to comply with federal and/or state legal mandates or requirements for funding.
- c. The position is supported by stimulus, other grant, or other non-city funding that fully pays for the position, and such funding could not be reallocated to another position.
- d. The position is part of a program or activity that is revenue-generating and fully cost recovering; and be it

**FURTHER RESOLVED:** The Human Resources Department will track all exemptions granted by the City Administrator based on the above criteria; and be it

**FURTHER RESOLVED:** That the Budget Office will provide analysis of the CalPERS Retirement Incentive Program in terms of savings achieved and vacancy exemptions granted to City Council as part of its quarterly revenue and expenditure analyses and any other budget update reports.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 28 2009, 20    

**PASSED BY THE FOLLOWING VOTE:**


AYES- BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT BRUNNER - 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST:

  
\_\_\_\_\_  
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California