

IN THE CITY COUNCIL OF THE CITY OF SAN LEANDRO

ORDINANCE NO. 2023-009

ORDINANCE AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL OF THE CITY OF SAN LEANDRO AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM (CALPERS)

WHEREAS, the City Council of the City of San Leandro ("City") desires to amend the contract between the City of San Leandro and the Board of Administration of the California Public Employees' Retirement System ("CalPERS"); and

WHEREAS, the City has approved an agreement with the San Leandro Unrepresented Executive Safety Employees for additional 1% employee contribution for members towards the City's CalPERS retirement costs to start on September 1, 2023; and

WHEREAS, the current City Municipal Code authorizes an amendment to the contract between the City Council of the City and CalPERS.

NOW THEREFORE, the City Council of the City of San Leandro does **ORDAIN** as follows:

SECTION 1. **RECITALS.** The above recitals are true and correct and made a part of this ordinance.

SECTION 2. AMENDMENT OF CONTRACT. An amendment to the contract between the City Council of the City of San Leandro and the Board of Administration, California Public Employees' Retirement System is hereby authorized, a copy of said amendment being attached hereto, marked Exhibit, and by such reference made a part hereof as though herein set out in full.

SECTION 3. CITY MANAGER AUTHORITY. The City Manager of the City of San Leandro is hereby authorized, empowered, and directed to execute said amendment for and on behalf of said City.

SECTION 4. SEVERABILITY. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance, or its application to any other person or circumstance. The City Council of the City of San Leandro hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof is declared invalid or unenforceable.

SECTION 5. **EFFECTIVE DATE AND PUBLICATION.** This ordinance shall be effective thirty (30) days after adoption pursuant to San Leandro Municipal Code Section 1-1-340. The City Clerk is directed to publish the title once and post a complete copy thereof on the City Council Chamber bulletin board for five (5) days prior to adoption.

Introduced at a first reading by Councilmember Ballew on the 20th day of June 2023, by the following vote:

AYES: Councilmembers Aguilar, Azevedo, Ballew, Bowen, and Mayor González (5)

NOES: None (0)

ABSENT: Councilmembers Reynes and Simon (2)

Passed and adopted the 17th day of July 2023 after publication on June 23, 2023 by the following called vote:

AYES: ()

NOES: ()

ABSENT: ()

ATTEST: _____
Kelly B. Clancy, CMC
City Clerk