<u>**ORDINANCE NO. 16-15 N.S.**</u>

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RICHMOND AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY OF RICHMOND AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

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WHEREAS, the City of Richmond (City) is a local agency contracting with the Board of Administration of the California Public Employees' Retirement System (CalPERS) to provide retirement programs to eligible employees; and

WHEREAS, CalPERS determines retirement benefit costs and divides them between employees and employers; and

WHEREAS, due to severe economic conditions and resulting fiscal impacts to the City and its ability to provide necessary services to its citizens, the Richmond City Council approved, among other necessary actions, a Memorandum of Understanding (MOU) with Richmond Police Officers' Association (RPOA) that requires RPOA members to contribute an additional 1% per year towards CalPERS pension costs for three fiscal years; and

WHEREAS, the City desires to amend the current contract with CalPERS such that RPOA members share an additional 1% of pension costs; and

WHEREAS, as required by state law, the ordinance to amend the contract cannot be adopted until at least twenty (20) days after the adoption of the resolution of intention to approve the amendment to the contract. Without this urgency ordinance, the City would be unable to recover significant cost savings to the City by the July 1, 2015 deadline, thereby exacerbating the severe fiscal impacts to the City: and

WHEREAS, in light of the economic and fiscal issues the City is facing and the urgent need to take this action, the City Council hereby declares this ordinance as an urgency measure to preserve the public health, safety and welfare.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RICHMOND does ordain as follows:

SECTION 1. The City Council finds and determines the foregoing recitals to be true and correct and hereby incorporates them into this ordinance.

SECTION 2. That an amendment to the contract between the City Council of the City of Richmond 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. This ordinance is enacted pursuant to the City of Richmond's general police powers, Article II of the Charter of the City of Richmond, Article XI of the California Constitution, and Government Code Section 65858.

SECTION 4. The Mayor of the City of Richmond is hereby authorized, empowered and directed to execute said amendment on behalf of the City of Richmond.

SECTION 5. Severability. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council declares that it would have adopted this ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more section, subsection, sentence, clause, or phrase be declared invalid.

SECTION 6. Effective Date. As an emergency ordinance, this Ordinance becomes effective immediately upon its adoption at a first reading by a four-fifths vote of the City Council.

This urgency ordinance passed and was adopted at a regular meeting held on June 2, 2015, by the following vote:

AYES:	Councilmembers Bates, Beckles, Martinez, Pimplé, Vice Mayor Myrick, and Mayor Butt.
NOES:	Councilmember McLaughlin.
ABSTENTIONS:	None.
ABSENT:	None.

<u>**PAMELA CHRISTIAN**</u>
CLERK OF THE CITY OF RICHMOND

(SEAL)

Approved:

<u>**TOM BUTT**</u>
 Mayor
Approved as to form:

<u>**BRUCE GOODMILLER**</u>
City Attorney

State of California   }
County of Contra Costa   : ss.
City of Richmond   }

I certify that the foregoing is a true copy of **Ordinance No. 16-15 N.S.**, passed and adopted by the City Council of the City of Richmond at a regular meeting held on June 2, 2015.