

RESOLUTION NO. \_\_\_\_\_

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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**RESOLUTION IMPLEMENTING GOVERNMENT CODE  
SECTION 31641.04 IN SAN MATEO COUNTY**

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**RESOLVED**, by the Board of Supervisors of the County of San Mateo, State of California, that

**WHEREAS**, Section 31641.04, as amended, was added to the Government Code as part of the County Employees' Retirement Law of 1937 in 1986, and

**WHEREAS**, the Board of Supervisors has, by ordinance, approved the application of Government Code Section 31641.04 to this County; and

**WHEREAS**, said section permits members of the County Employees' Retirement System to receive one additional year of service toward retirement if they retire under certain conditions; and

**WHEREAS**, on February 14, 2012 the Board approved not renewing the Burlingame Long-Term Care (BLTC) lease when it expires in June 2013, and the closure of BLTC will result in the elimination of approximately 200 positions; and

**WHEREAS**, to decrease the overall impact of the position eliminations, the early retirement option was extended to eligible employees in impacted classifications; and

**WHEREAS**, twenty-three employees in thirteen different classifications have elected the early retirement option; and

**WHEREAS**, the actuarial certification of the cost to provide the early retirement option was presented for the Board's review on May 22, 2012; and

**NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** as follows:

1. The classifications of Clinical Nurse, Community Worker II, Creative Arts Therapist, Clinical Services Manager I – Nursing, Custodian, Licensed Vocational Nurse, Medical Services Assistant II, Patient Services Specialist, Pharmacist, Public Services Specialist, Social Work Supervisor, Supervising Pharmacist, and Therapy Aide shall receive the benefits of Government Code Section 31641.04.
2. The option to accept additional service credit toward retirement is not available to former employees in deferred retirement status, or to former employees who have retired and are re-employed by the County under Government Code Sections 31680 through 31680.3.
3. The decision to accept additional service credit toward retirement must have been made by April 26, 2012. Any retirement, including deferred retirement, pursuant to this resolution shall occur by June 30, 2012. The amount of service credit shall be one year.
4. Except as provided in Government Code Sections 31680 through 31680.3, the benefits to the employee under Government Code Section 30641.04 shall be forfeited if the person accepting the benefits thereof reenters the service of the county.
5. The Controller is hereby authorized to transmit to the retirement fund for each

eligible employee accepting additional service credit toward retirement an amount determined by the Board of Retirement to be equal to the actuarial equivalent of the difference between the allowance the employee will receive after the receipt of service credit under Government Code Section 31641.04 and the amount he or she would have received without such service credit. The transfer to the retirement fund shall be made in a manner and at time periods acceptable to the County and the Board of Retirement.

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