

RESOLUTION NO. 039918

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

\* \* \* \* \*

RESOLUTION IMPLEMENTING GOVERNMENT CODE  
SECTION 31641.04 IN SAN MATEO COUNTY

---

**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 two additional years toward retirement if they retire under certain conditions; and

**WHEREAS**, changes in the manner of performing services in the classification of Utility Worker I/II makes it desirable to reduce staff in that classification by retirement instead of layoff; and

**WHEREAS**, this Board finds that such retirement would result in a savings to the County;

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

1. The classification of Utility Worker I/II shall receive the benefits of Government Code Section 31641.04.

039918

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 be made no later than February 19, 2009. Any retirement, including deferred retirement, pursuant to this resolution shall occur between February 26, 2009 and March 26, 2009. The amount of service credit shall be two years.
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.

\* \* \* \* \*

069518

Regularly passed and adopted this 10<sup>th</sup> day of February, 2009.

*AYES and in favor of said resolution:*

*Supervisors:*

MARK CHURCH

CAROLE GROOM

RICHARD S. GORDON

ROSE JACOBS GIBSON

ADRIENNE J. TISSIER

*NOES and against said resolution:*

*Supervisors:*

NONE

*Absent Supervisors:*

NONE



*President, Board of Supervisors  
County of San Mateo  
State of California*

*Certificate of Delivery*

*I certify that a copy of the original resolution filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.*



*Marie L. Peterson, Deputy*

*Clerk of the Board of Supervisors* 069518