

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS  
AMENDING CITY COUNCIL RESOLUTION NO. 7737 APPROVING  
EMPLOYER PAID MEMBER CONTRIBUTIONS FOR CITY COUNCIL AND  
CITY COUNCIL APPOINTED EMPLOYEES WITH TIME-IN-GRADE  
EXCEPTIONS**

**WHEREAS**, the City Council of the City of Milpitas wishes to delete the time-in-grade Employer Paid Member Contributions (EMPC) benefit Exception applicable to the current City Attorney; and

**WHEREAS**, in order to delete the time-in-grade EMPC benefit Exception applicable to the current City Attorney, City of Milpitas Resolution No. 7737 must be amended.

**NOW THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED** that City of Milpitas Resolution No. 7737 is amended to change the date of hire after which an employee must accrue five (5) years of total service before the EMPC benefit shall apply from the original date of September 30, 2007 to the new date of October 31, 2007. This action is taken so that the current City Attorney, whose date of hire is October 15, 2007, shall be immediately entitled to the EMPC benefit. This provision is not intended to apply retroactively.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ 2008, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

\_\_\_\_\_  
Mary Lavelle, City Clerk

\_\_\_\_\_  
Jose S. Esteves, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael J. Ogaz, City Attorney