

**CHAPTER IX
PENSIONS**

SECTION 9.01. PENSIONS FOR MEMBERS OF POLICE AND FIRE DEPARTMENTS.

(a) TRUSTEES WHO SHALL CONSTITUTE BOARD OF TRUSTEES OF POLICE AND FIRE RELIEF OR PENSION FUND. The Mayor of the City of Albany, the City Treasurer, the City Clerk, and one (1) Pension Plan member, active or retired, each from the Police and Fire Departments, appointed by the Mayor upon the recommendation of the Pension Plan members from their respective service, hereby constitute the Board of Trustees of the Police and Fire Relief or Pension Fund of the Police and Fire Departments of the City of Albany, County of Alameda, State of California, which Board shall be known as the "Board of Police and Fire Pension Fund Commissioners."

In the event that the regular members of the Board are unable to attend a meeting, alternates shall be permitted to attend and to vote on matters as if they were regular members. The City Council shall appoint another member of the Council to serve as an alternate for the Mayor. The City Council shall appoint alternates for the City Clerk or the City Treasurer, after recommendations from the City Clerk and the City Treasurer are submitted to the Council. Department heads or deputies from departments other than the Police or Fire Department may be appointed. All alternates may serve for a period of up to one (1) year, unless again appointed.

Alternates for the Police and Fire Departments regular members are to be appointed by the Mayor upon recommendation of the Pension Plan members.

If no Pension Plan members are able to sit on the Board as a regular member or alternate, a member from the active Civil Service Employees of the Police and Fire Departments shall be

§ 9.01 CITY OF ALBANY

appointed by the Mayor upon the recommendation of the Pension Plan members to sit on the Board as that respective department's representative. (Ratified, January 7, 1955; Amended, ratified, April 10, 1984; Amended, ratified, April 14, 1992; Amended, ratified, June 2, 1998)

(b) ORGANIZATION OF OFFICERS. They shall organize as such Board annually at the first meeting after a General Municipal Election or on the equivalent date in years when no municipal election takes place, by choosing one of their number as Chairperson. The Board shall appoint a person to serve as secretary and administrative assistant to the Pension Board. Said Board of Trustees shall have charge of and administer said fund, order payments therefrom in pursuance of the provisions of this law. They shall report annually, in the month of June, to the City Council of the City of Albany, the condition of the Police and Fire Relief and Pension Fund, and the receipts and disbursements on account of the same, with a full and complete list of the beneficiaries of said fund and the amounts paid them. (Amended, ratified, April 10, 1990)

(c) PENSIONS, TO WHOM AND AMOUNTS. Whenever any person at the taking effect of this act, or thereafter, shall have been duly elected, appointed or selected, and sworn, and have served for thirty (30) years, or more, in the aggregate as a member, in any capacity or any rank, whatever, of the regularly constituted Fire or Police Department of the said City of Albany, County of Alameda, State of California, said Board shall, upon the application of such person, order and direct that such person be retired from further service in such Police or Fire Department, shall cease, and such person so retired shall thereafter, during his lifetime, be paid from such fund a yearly pension equal to two-thirds (2/3) of the amount of the average