

ORDINANCE NO.

**AN ORDINANCE OF THE CITY OF SAN JOSE AMENDING PART 10 OF CHAPTER 3.36 OF TITLE 3 AND CHAPTER 3.44 OF TITLE 3 OF THE SAN JOSE MUNICIPAL CODE TO ADD NEW SECTIONS 3.36.1525 AND 3.44.095 TO IMPLEMENT REVISIONS IN EMPLOYEE AND EMPLOYER RETIREMENT CONTRIBUTIONS FOR THE POLICE AND FIRE DEPARTMENT RETIREMENT PLAN FOR FISCAL YEAR 2010-2011**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE:

**SECTION 1.** Part 10 of Chapter 3.36 of Title 3 of the San José Municipal Code is hereby amended by adding a new section to be numbered, entitled and to read as follows:

**3.36.1525 Additional Employee Contributions and Employer Contribution Offset for Fiscal Year 2010-2011**

- A Notwithstanding any other provisions of this Part 10, members of this plan who are not subject to the provisions of City Charter Section 1111 shall make such additional retirement contributions for fiscal years 2010-2011 as may be required by resolution adopted by the City Council or by executed agreement with a recognized bargaining unit.
  
- B. Notwithstanding any other provision of the Part 10, the City shall be entitled to offset fifty percent (50%) of the additional employee retirement contributions that are made under subsections A. and B. of this Section 3.36.1525 against the retirement contributions that the City would otherwise be required to make under this Part 10.

**SECTION 2.** Chapter 3.44 of Title 3 of the San José Municipal Code is hereby amended Code by adding a new section to be numbered, entitled and to read as follows:

**3.44.095 Additional Employee Contributions for Fiscal Year 2010-2011 – Police and Fire Plans**

- A Notwithstanding any other provisions of this Chapter 3.44, members of the Police and Fire Department Retirement Plan who are not subject to the provisions of City Charter Section 1111 shall make such additional COLA fund contributions for fiscal years 2010-2011 as may be required by resolution adopted by the City Council or by executed agreement with a recognized bargaining unit.
  
- B Notwithstanding any other provisions of this Chapter 3.44, the City shall be entitled to offset fifty percent (50%) of the additional employee COLA fund contributions that are made under subsections A. and B. of this Section 3.44.095 against the COLA fund contributions that the City would otherwise be required to make under this Chapter 3.44.

RD:MD1  
6/11/10

**DRAFT**

PASSED FOR PUBLICATION of title this \_\_\_\_\_ day of \_\_\_\_\_, 2010, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

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CHUCK REED  
Mayor

ATTEST:

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LEE PRICE, MMC  
City Clerk