



CITY OF SAN JOSÉ, CALIFORNIA

Office of the City Clerk
200 East Santa Clara Street
San José, California 95113
Telephone (408) 535-1260
FAX (408) 292-6207

City Clerk

STATE OF CALIFORNIA)
COUNTY OF SANTA CLARA)
CITY OF SAN JOSE)

I, Lee Price, City Clerk & Ex-Officio Clerk of the Council of and for the City of San Jose, in said County of Santa Clara, and State of California, do hereby certify that "**Ordinance No. 28753**", the original copy of which is attached hereto, was passed for publication of title on the **15th day of June, 2010**, was published in accordance with the provisions of the Charter of the City of San Jose, and was given final reading and adopted on the **22nd day of June, 2010**, by the following vote:

AYES: CAMPOS, CHIRCO, CHU, CONSTANT, HERRERA, KALRA,
LICCARDO, NGUYEN, OLIVERIO, PYLE; REED.

NOES: NONE.

ABSENT: NONE.

DISQUALIFIED: NONE.

VACANT: NONE.

Said ordinance is effective as of **23rd day of July, 2010**.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of San Jose, this **28th day of June, 2010**.

(SEAL)

LEE PRICE, MMC
CITY CLERK & EX-OFFICIO
CLERK OF THE CITY COUNCIL

/rmk

ORDINANCE NO. 28753

**AN ORDINANCE OF THE CITY OF SAN JOSE AMENDING
PART 10 OF CHAPTER 3.36 OF TITLE 3 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 RELATED TO EMPLOYEE AND
EMPLOYER RETIREMENT CONTRIBUTIONS**

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

- A Notwithstanding any other provisions of this Part 10 or of Chapter 3.44, members of this plan who are not subject to the provisions of City Charter Section 1111 shall make such additional retirement contributions 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 Part 10, members of this plan who are 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 executed agreement with a recognized bargaining unit or binding order of arbitration.

- C. Notwithstanding any other provision of this Part 10, the City shall be entitled to an offset of a percentage, as is determined to be appropriate by the actuary for the Police and Fire Department Retirement Plan, of the additional employee retirement contributions that are made under subsection A. 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 by adding a new section to be numbered, entitled and to read as follows:

3.44.095 Additional Employee Contributions – Police and Fire Plans

Notwithstanding any other provisions of this Chapter 3.44, the City shall be entitled to an offset of a percentage, as is determined to be appropriate, by the actuary for the Police and Fire Department Retirement Plan, of the additional employee retirement fund contributions that are made under subsections A. and B. of Section 3.36.1525, against the COLA fund contributions that the City would otherwise be required to make under this Chapter 3.44.

PASSED FOR PUBLICATION of title this 15th day of June, 2010, by the following vote:

AYES: CAMPOS, CHIRCO, CHU, CONSTANT, HERRERA,
KALRA, LICCARDO, NGUYEN, OLIVERIO, PYLE; REED.

NOES: NONE.

ABSENT: NONE.

DISQUALIFIED: NONE.



CHUCK REED
Mayor

ATTEST:



LEE PRICE, MMC
City Clerk

SAN JOSE POST-RECORD

95 S. Market St., Ste. 535, SAN JOSE, CA 95113
Telephone (408) 287-4866 / Fax (408) 287-2544

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This space for filing stamp only
San Jose City Clerk

2010 JUN 23 A 10: 17

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SUZANNE GUZZETTA
SAN JOSE CITY CLERK
200 E. SANTA CLARA ST.
SAN JOSE, CA - 95113

SJ#: 1886530

ORDINANCE NO. 28753

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 PASSED FOR PUBLICATION of title this 15th day of June, 2010, by the following vote:
AYES: CAMPOS, CHIRCO, CHU, CONSTANT, HERRERA, KALRA, LICCARDO, NGUYEN, OLIVERIO, PYLE, REED
NOES: NONE
ABSENT: NONE
DISQUALIFIED: NONE.

CHUCK REED
Mayor
ATTEST:
LEE PRICE, MMC
City Clerk
6/18/10

SJ-1886530#

PROOF OF PUBLICATION

(2015.5 C.C.P.)

State of California)
County of SANTA CLARA) ss

Notice Type: GORSJ - SAN JOSE ORDINANCE (1 PUB)

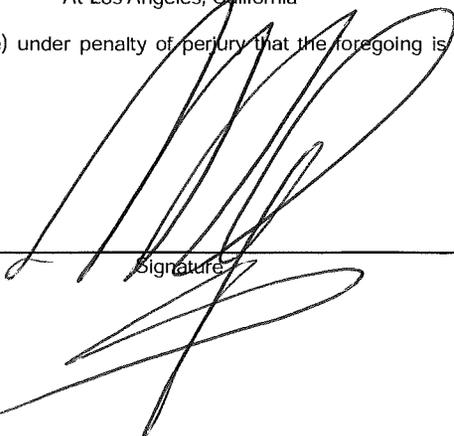
Ad Description: ORDINANCE #28753

I am a citizen of the United States and a resident of the State of California; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer and publisher of the SAN JOSE POST-RECORD, a newspaper published in the English language in the city of SAN JOSE, county of SANTA CLARA, and adjudged a newspaper of general circulation as defined by the laws of the State of California by the Superior Court of the County of SANTA CLARA, State of California, under date 02/03/1922, Case No. 27844. That the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

06/18/2010

Executed on: 06/18/2010
At Los Angeles, California

I certify (or declare) under penalty of perjury that the foregoing is true and correct.



Signature



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