



CITY OF SAN JOSÉ, CALIFORNIA

Office of the City Clerk
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City Clerk

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

I, Dennis Hawkins, 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. 28900**", the original copy of which is attached hereto, was passed for publication of title on the **22nd day of March, 2011**, 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 **5th day of April, 2011**, by the following vote:

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

NOES: NONE.

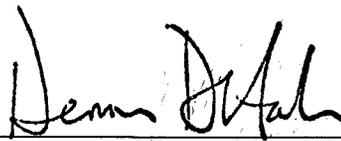
ABSENT: PYLE.

DISQUALIFIED: NONE.

VACANT: NONE.

Said ordinance is effective as of **6th day of May, 2011**.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of San Jose, this **6th day of April, 2011**.

(SEAL) 
DENNIS HAWKINS, CMC
CITY CLERK & EX-OFFICIO
CLERK OF THE CITY COUNCIL

/rmk

ORDINANCE NO. 28900

AN ORDINANCE OF THE CITY OF SAN JOSE AMENDING SECTION 2.08.1220 OF PART 12 CHAPTER 2.08 OF TITLE 2 OF THE SAN JOSE MUNICIPAL CODE TO REQUIRE PUBLIC MEMBERS OF THE BOARD OF ADMINISTRATION OF THE POLICE AND FIRE RETIREMENT PLAN WHO ARE APPOINTED ON OR AFTER APRIL 1, 2011 TO RESIDE WITHIN A FIFTY MILE RADIUS OF SAN JOSE CITY HALL

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

Section 2.08.1220 of Chapter 2.08 of Title 2 of the San José Municipal Code is amended to read as follows:

2.08.1220 Qualifications - Public Members

- A. Each public member of the Board appointed on or before March 31, 2011 shall reside or have a primary place of employment or business within a fifty (50) mile radius of San José City Hall at all times during the Board member's term of office.
- B. Each public member of the Board appointed on or after April 1, 2011 shall reside within a fifty (50) mile radius of San José City Hall at all times during the Board member's term of office.
- C. Each public member of the Board shall possess a baccalaureate degree from an accredited college or university in finance, actuarial science, law, economics, business or other relevant field of study. An advanced degree in a relevant field of study or professional certification is desirable but not required.

- D. Each public member of the Board shall possess a high level of knowledge and expertise, and at least twelve (12) years experience, relevant to the administration of a public retirement plan. Knowledge and expertise relevant to the administration of a public pension system may include but is not limited to experience in: a senior executive position in pension administration; pension actuarial practice; institutional investment management; auditing; accounting; legal; health and welfare and/or employee benefits management; investment management; banking; asset/liability management for an insurance company; college or university professor with a focus on fiduciary or trust fund law or a quantitative background in financial theory or actuarial math. Twelve (12) years combined experience in related field may meet this requirement.
- E. The following individuals shall not be eligible to serve as public members of the Board: current and former City employees; current or former elected or appointed City officials; retired members of, or persons participating in or receiving benefits from the Police and Fire Department Retirement Plan or the Federated City Employees Retirement System; a representative from any union or bargaining unit representing City employees; any immediate family member of a City employee or persons participating in or receiving benefits from the Police and Fire Department Retirement Plan or the Federated City Employees Retirement System.
- F. No person having a conflict of interest, significant potential for conflict of interest, or appearance of conflict of interest, shall be appointed as a public member of the Board. For the purpose of evaluating conflicts or interest, potential conflicts of interest and the appearance of conflict of interest of Board members, all applicants for public member Board positions shall be required to provide disclosure information, in such form and substance as may be required by the Council, to allow Council to evaluate conflicts of interest, significant potential for conflicts of interest, or appearance of conflicts of interest, including but not

limited to disclosure of information related to investments, ownership of real property, employment and business positions, income sources and loans of the prospective public member applicant and members of the applicant's immediate family. Disclosure of such conflict of interest, significant potential for conflict of interest, or appearance of conflict of interest information as may be required by Council shall be provided by the applicant at the time of submission of an application for a public member position on the Board, and annually thereafter, concurrently with such conflict of interest disclosure as Board members may otherwise be required by law to file.

G. For the purpose of this Section 2.08.1220, immediate family member means a person having any of the following relationships to a City employee or person participating in or receiving benefits from the Police and Fire Department Retirement Plan or the Federated City Employees Retirement System:

1. By Blood: Parent, child, grandparent, grandchild, brother, sister, nieces, nephews, uncles, aunts, great grandchildren, great grandparents.
2. By Marriage: Husband, wife, stepparent, stepchild, father-in-law, mother-in-law, brother-in-law, sister-in-law, daughter-in-law, son-in-law, half-sister, half-brother.
3. By Law: Guardianship relationships and adoptive parent/child relationships.
4. Domestic Partner: Individuals registered with the Human Resources Department and/or the State of California.

PASSED FOR PUBLICATION of title this 22nd day of March, 2011, by the following vote:

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

NOES: NONE.

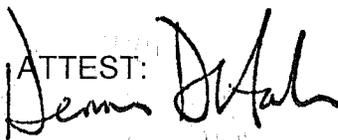
ABSENT: NONE.

DISQUALIFIED: NONE.



CHUCK REED
Mayor

ATTEST:



DENNIS D. HAWKINS, CMC
City Clerk