

NVF:SH:CER  
6/7/2021

**DRAFT**

ORDINANCE NO.

**AN ORDINANCE OF THE CITY OF SAN JOSE  
AMENDING TITLE 3 OF THE SAN JOSE MUNICIPAL  
CODE TO ADD SECTION 3.28.725 TO CHAPTER 3.28  
RELATED TO CEASING THE NORMAL CONTRIBUTIONS  
FOR TIER 1 MEMBERS AT THIRTY YEARS OF SERVICE**

**WHEREAS**, pursuant to the provisions and requirements of the California Environmental Quality Act of 1970, together with related State CEQA Guidelines and Title 21 of the San José Municipal Code (collectively, "CEQA"), the Director of Planning, Building and Code Enforcement has determined that the provisions of this Ordinance do not constitute a project, under File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment; and

**WHEREAS**, the City Council of the City of San José is the decision-making body for this Ordinance; and

**WHEREAS**, this Council has reviewed and considered the "not a project" determination under CEQA prior to taking any approval actions on this Ordinance;

**NOW, THEREFORE**, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE:

Chapter 3.28 of Title 3 of the San José Municipal Code is amended by adding a section to be numbered and entitled and to read as follows:

**3.28.725 CEASING MEMBER CONTRIBUTIONS AT THIRTY YEARS OF SERVICE**

A. Notwithstanding any other provisions of this Chapter 3.28, upon attainment of at

T-41430\ Stopping Pension Contributions at 30 Years of Service Ordinance  
Council Agenda:  
Item Number:

1

**DRAFT--Contact the Office of the City Clerk at (408)535-1260 or CityClerk@sanjoseca.gov for final document.**

least thirty (30) years of service credit by an eligible member that is not a Tier 2 member in this System, normal contributions described in Section 3.28.700 shall not be deducted from the member's monthly or bi-weekly compensation. Eligible members are those employees who are in positions assigned to an unrepresented employee unit or a represented bargaining unit that has agreed to the provisions in this Section 3.28.725 and has been approved by the City Council.

B. Members shall continue to make all other member contributions that would otherwise be required under this Chapter 3.28 without regard to this provision.

C. The City shall continue make all contributions that would otherwise be required under this Chapter 3.28 without regard to this provision.

PASSED FOR PUBLICATION of title this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

\_\_\_\_\_  
SAM LICCARDO  
Mayor

ATTEST:

\_\_\_\_\_  
TONI J. TABER, CMC  
City Clerk