

BILL NO. \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF FRESNO, CALIFORNIA,  
AMENDING SECTION 3-402 OF THE FRESNO MUNICIPAL  
CODE TO AMEND THE SECOND TIER OF THE FIRE AND  
POLICE RETIREMENT SYSTEM TO SPECIFY THE  
INCORPORATION OF CERTAIN PROVISIONS OF THE  
FIRST TIER UNDER ARTICLE 3

THE COUNCIL OF THE CITY OF FRESNO DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 3-402 of the Fresno Municipal Code is amended to read as follows:

SEC. 3-402. – CREATION OF THE SECOND TIER OF THE FIRE AND POLICE  
RETIREMENT SYSTEM.

- (a) There is hereby created a second tier of the Fire and Police Retirement System. Any person who commenced city service as a firefighter, police officer, or airport public safety officer/supervisor on or after August 27, 1990 shall be subject to the provisions of this article.
- (b) This article is intended to add a second, separate, and distinct tier to the Fire and Police Retirement System in terms of employee contributions, benefits, vesting, the definition of compensation, and other matters.

1 of 3

Date Adopted:

Date Approved

Effective Date:

City Attorney Approval:  \_\_\_\_\_

Ordinance No.

- (c) All persons who were members of the Retirement System under Section 3-301 prior to August 27, 1990, terminate service, resume service, and redeposit contributions after August 26, 1990, shall be members of the Retirement System established under Section 3-301, subject to the provisions thereof.
- (d) All persons who first become members of the Retirement System after August 26, 1990, terminate service, and resume service shall be, subject to the provisions of this article.
- (e) The second tier of the Fire and Police Retirement System is a component of the Retirement System and is accordingly to be administered, controlled, and managed by the Retirement Board created under section 3-305.
- (f) Since this article is a second tier of the Retirement System, (i) such administrative provisions of article 3 as sections [3-303,] 3-305, 3-306, 3-308, 3-309, 3-310, 3-311, 3-312, 3-313, 3-314, 3-315, 3-316, 3-317, [3-320,] 3-322, 3-323, 3-324, 3-325, 3-326, 3-334, 3-345, 3-346, 3-350, 3-351, and 3-352, and (ii) Section 3-354 are applicable to members who commenced service on or after August 27, 1990.
- (g) In the event of a conflict between the provisions of article 3 and this article, the provisions of this article shall apply to members who commenced service on or after August 27, 1990.

SECTION 2. This ordinance shall become effective and in full force and effect at 12:01 a.m. on the thirty-first day after its final passage.

\* \* \* \* \*

STATE OF CALIFORNIA )  
COUNTY OF FRESNO ) ss.  
CITY OF FRESNO )

I, TODD STERMER, City Clerk of the City of Fresno, certify that the foregoing ordinance was adopted by the Council of the City of Fresno, at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

AYES :  
NOES :  
ABSENT :  
ABSTAIN :  
Mayor Approval: \_\_\_\_\_, 2024  
Mayor Approval/No Return: \_\_\_\_\_, 2024  
Mayor Veto: \_\_\_\_\_, 2024  
Council Override Vote: \_\_\_\_\_, 2024

TODD STERMER, CMC  
City Clerk

BY: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:  
CITY ATTORNEY'S OFFICE  
ANDREW JANZ

BY: \_\_\_\_\_  
Deputy

BILL NO. \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF FRESNO, CALIFORNIA,  
AMENDING SECTION 3-402 OF THE FRESNO MUNICIPAL  
CODE TO AMEND THE SECOND TIER OF THE FIRE AND  
POLICE RETIREMENT SYSTEM TO SPECIFY THE  
INCORPORATION OF CERTAIN PROVISIONS OF THE  
FIRST TIER UNDER ARTICLE 3

THE COUNCIL OF THE CITY OF FRESNO DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 3-402 of the Fresno Municipal Code is amended to read as follows:

SEC. 3-402. – CREATION OF THE SECOND TIER OF THE FIRE AND POLICE  
RETIREMENT SYSTEM.

- (a) There is hereby created a second tier of the Fire and Police Retirement System. Any person who commenced city service as a firefighter, police officer, or airport public safety officer/supervisor on or after August 27, 1990 shall be subject to the provisions of this article.
- (b) This article is intended to add a second, separate, and distinct tier to the Fire and Police Retirement System in terms of employee contributions, benefits, vesting, the definition of compensation, and other matters.

Date Adopted:  
Date Approved  
Effective Date:  
City Attorney Approval: \_\_\_\_\_

Ordinance No.

- (c) All persons who were members of the Retirement System under Section 3-301 prior to August 27, 1990, terminate service, resume service, and redeposit contributions after August 26, 1990, shall be members of the Retirement System established under Section 3-301, subject to the provisions thereof.
- (d) All persons who first become members of the Retirement System after August 26, 1990, terminate service, and resume service shall be, subject to the provisions of this article.
- (e) The second tier of the Fire and Police Retirement System is a component of the Retirement System and is accordingly to be administered, controlled, and managed by the Retirement Board created under section 3-305.
- (f) Since this article is a second tier of the Retirement System, (i) such administrative provisions of article 3 as sections [3-303,] 3-305, 3-306, 3-308, 3-309, 3-310, 3-311, 3-312, 3-313, 3-314, 3-315, 3-316, 3-317, [3-320,] 3-322, 3-323, 3-324, 3-325, 3-326, 3-334, 3-345, 3-346, 3-350, 3-351, and 3-352, and (ii) Section 3-354 are applicable to members who commenced service on or after August 27, 1990.
- (g) In the event of a conflict between the provisions of article 3 and this article, the provisions of this article shall apply to members who commenced service on or after August 27, 1990.

SECTION 2. This ordinance shall become effective and in full force and effect at 12:01 a.m. on the thirty-first day after its final passage.

\* \* \* \* \*

STATE OF CALIFORNIA )  
COUNTY OF FRESNO ) ss.  
CITY OF FRESNO )

I, TODD STERMER, City Clerk of the City of Fresno, certify that the foregoing ordinance was adopted by the Council of the City of Fresno, at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

AYES :  
NOES :  
ABSENT :  
ABSTAIN :  
Mayor Approval: \_\_\_\_\_, 2024  
Mayor Approval/No Return: \_\_\_\_\_, 2024  
Mayor Veto: \_\_\_\_\_, 2024  
Council Override Vote: \_\_\_\_\_, 2024

TODD STERMER, CMC  
City Clerk

BY: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:  
CITY ATTORNEY'S OFFICE  
ANDREW JANZ

BY: \_\_\_\_\_  
Deputy