

Legislation Text

File #: ROGC 21-634, **Version:** 1

Terminate San Jose's Service Retirement Benefits for Convicted Felons. (Mayor)

Revise San Jose Municipal Code Section 3.36.830 to automatically terminate service retirement benefits upon conviction of a felony, barring extremely unusual circumstances meriting an extraordinary exception, such as the vacation or overturning of the conviction on appeal.

- (a) Any such extraordinary circumstances requiring an exceptional consideration of the Retirement Board must be raised in a noticed public hearing, and they require presentation of competent, credible evidence in a manner consistent with the California Rules of Evidence.
- (b) The Board retains discretion to provide benefits for spouse or minor children of the terminated retiree so long as they no longer share living expenses nor a residence with the retiree.