

ORDINANCE NO. 10479
(New Series)

JAN 12 1971

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 4 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 24.0201, 24.0202 AND 24.0203 OF DIVISION 2; SECTIONS 24.0301, 24.0302 AND 24.0303 OF DIVISION 3; SECTIONS 24.0401, 24.0402, 24.0403 AND 24.0405 OF DIVISION 4; SECTIONS 24.0502, 24.0503.1 AND 24.0509 OF DIVISION 5; AND ADDING NEW SECTIONS 24.0103(r) AND 24.0107 OF DIVISION 1, 24.0405.1 OF DIVISION 4, 24.0504.1 AND 24.0505.1 OF DIVISION 5 AND NEW SECTION 24.0521 OF NEW DIVISION 5-A, NEW SECTIONS 24.0531 AND 24.0532 OF NEW DIVISION 5-B, AND NEW SECTIONS 24.0541, 24.0542, 24.0543, 24.0544, 24.0545, 24.0546 AND 24.0547 OF NEW DIVISION 5-C; AND REPEALING SECTIONS 24.0504, 24.0505, 24.0506 AND 24.0507 OF DIVISION 5, TO IMPROVE BENEFITS OF THE RETIREMENT SYSTEM.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Chapter II, Article 4 of the San Diego Municipal Code be, and the same is hereby amended by amending Sections 24.0201, 24.0202 and 24.0203 of Division 2; Sections 24.0301, 24.0302 and 24.0303 of Division 3; Sections 24.0401, 24.0402, 24.0403 and 24.0405 of Division 4; and Sections 24.0502, 24.0503.1 and 24.0509 of Division 5, as follows:

SEC. 24.0201 CONTRIBUTION OF MEMBERS

The Board of Administration shall provide:

1. The normal rates of contribution, except for safety members, shall be based on sex and age as of July 1, 1954, or thereafter at the nearest birthday at the time of entrance into the system.

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2. Except as provided in paragraph 3 hereof, the normal rates of contribution for each member, except safety members, shall be such as will provide an average annuity at age 57 1/2 equal to 1/120th of his final compensation, according to the tables adopted by the Board of Administration for each year of service rendered after entering the system.

3. On and after the integration date, the normal rate of contribution for each member, except safety members, shall be such as will provide on the average an annuity, according to tables adopted by the Board of Administration, at age 57 1/2 equal to the sum of the following:

(a) 1/180th of his basic final compensation for each year of service rendered after entering the system, and

(b) 1/120th of his excess final compensation for each year of service rendered after entering the system.

4. No adjustment shall be included in the normal rates of contribution adopted pursuant to paragraph 2 or paragraph 3 of this section because of any time during which members have heretofore contributed at different rates.

SEC. 24.0202

The Board of Administration shall also provide:

1. Except as provided in paragraph 2 of this section and until revised by the Board of Administration, upon the advice of the Actuary, the normal rate of contribution of each member, except safety members, is that percentage of his compensation earnable shown as the B rate in paragraph 2 of this section according to age and sex at the time of entry into the retirement system.

2. On and after the integration date and until revised by the Board of Administration, upon the advice of the Actuary, the normal rate of contribution applicable to the basic compensation shall be the A rate shown in the table below and the normal rate of contribution applicable to the compensation earnable in excess of the basic compensation shall be the B rate shown in the table below.

NORMAL CONTRIBUTION RATES

<u>Age at Entry</u>	<u>Male</u>		<u>Female</u>	
	<u>"A" Rate</u>	<u>"B" Rate</u>	<u>"A" Rate</u>	<u>"B" Rate</u>
20	2.75%	4.12%	3.09%	4.64%
21	2.80	4.20	3.15	4.72
22	2.86	4.29	3.21	4.81
23	2.92	4.38	3.27	4.91
24	2.98	4.47	3.34	5.01
25	3.05	4.57	3.41	5.11
26	3.11	4.67	3.48	5.22
27	3.19	4.78	3.55	5.33
28	3.26	4.89	3.63	5.45
29	3.33	5.00	3.71	5.57

30	3.41	5.11	3.80	5.70
31	3.49	5.23	3.89	5.83
32	3.57	5.35	3.97	5.96
33	3.65	5.47	4.07	6.10
34	3.73	5.60	4.16	6.24
35	3.82	5.73	4.26	6.39
36	3.91	5.87	4.36	6.54
37	4.01	6.01	4.46	6.69
38	4.10	6.15	4.57	6.85
39	4.19	6.29	4.68	7.02
40	4.29	6.44	4.79	7.19
41	4.40	6.60	4.91	7.36
42	4.51	6.76	5.02	7.53
43	4.61	6.92	5.15	7.72
44	4.72	7.08	5.27	7.91
45	4.83	7.25	5.40	8.10
46	4.95	7.42	5.53	8.30
47	5.07	7.60	5.67	8.50
48	5.19	7.78	5.81	8.71
49	5.31	7.97	5.95	8.92
50	5.45	8.17	6.09	9.14
51	5.58	8.37	6.25	9.37
52	5.71	8.57	6.40	9.60
53	5.85	8.78	6.55	9.83
54	5.99	8.99	6.72	10.08
55	6.15	9.22	6.89	10.33
56	6.30	9.45	7.06	10.59
57	6.51	9.76	7.29	10.93

SEC. 24.0203

The normal rate of contribution established for age 57 is the rate for any member other than a safety member who has attained a greater age before entrance into the Retirement System, and that established for age 20 is the rate for any member other than a safety member who enters the Retirement System at a lesser age.

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SEC. 24.0301 CONTRIBUTIONS OF SAFETY MEMBERS

The Board of Administration shall provide:

1. The normal rates of contribution for safety members shall be based on sex and age as of July 1, 1954, or thereafter at the nearest birthday at the time of entrance into the system.

2. Except as provided in paragraph 3 hereof, the normal rates of contribution for each safety member shall be such as will provide an average annuity at age 50 equal to 1/100th of his final compensation, according to the tables adopted by the Board of Administration for each year of service rendered after entering the system.

3. On and after the integration date the normal rate of contribution for each eligible safety member shall be such as will provide on the average an annuity according to tables adopted by the Board of Administration, at age 50 equal to the sum of the following:

(a) 1/150th of his basic final compensation for each year of service rendered after entering the system, and

(b) 1/100th of his excess final compensation for each year of service rendered after entering the system.

4. No adjustment shall be included in the normal rates of contribution adopted pursuant to paragraph 2

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or paragraph 3 of this section because of any time during which members have heretofore contributed at different rates.

SEC. 24.0302

The Board of Administration shall provide:

1. Except as provided in paragraph 2 hereof and until revised by the Board of Administration upon the advice of the Actuary, the normal rate of contribution for each safety member is that percentage of his compensation earnable as shown as the B rate in paragraph 2 of this section according to age and sex at the time of entry into the Retirement System.

2. On and after the integration date and until revised by the Board of Administration, upon the advice of the Actuary, the normal rate of contribution applicable to the basic compensation shall be the A rate shown in the table below for all eligible safety members, and the normal rate of contribution applicable to the compensation earnable in excess of the basic compensation for all eligible safety members shall be the B rate in the table below.

NORMAL CONTRIBUTION RATES

<u>Age at Entry</u>	<u>Male</u>		<u>Female</u>	
	<u>"A" Rate</u>	<u>"B" Rate</u>	<u>"A" Rate</u>	<u>"B" Rate</u>
20	4.66%	6.99%	5.11%	7.67%
21	4.76	7.14	5.22	7.83
22	4.87	7.30	5.34	8.01
23	4.97	7.46	5.45	8.18
24	5.08	7.62	5.57	8.36

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25	5.19	7.79	5.70	8.55
26	5.31	7.97	5.83	8.74
27	5.43	8.15	5.96	8.94
28	5.56	8.34	6.10	9.15
29	5.69	8.53	6.24	9.36
30	5.82	8.73	6.39	9.58
31	5.96	8.94	6.54	9.81
32	6.10	9.15	6.69	10.04
33	6.24	9.36	6.85	10.27
34	6.39	9.58	7.01	10.51
35	6.53	9.80	7.17	10.75
36	6.69	10.03	7.33	11.00
37	6.84	10.26	7.51	11.26
38	6.99	10.49	7.67	11.51
39	7.15	10.73	7.85	11.77
40	7.31	10.97	8.03	12.04
41	7.47	11.21	8.20	12.30
42	7.64	11.46	8.38	12.57
43	7.81	11.71	8.57	12.85
44	7.97	11.95	8.74	13.11
45	8.13	12.19	8.91	13.37
46	8.29	12.43	9.09	13.64
47	8.45	12.67	9.27	13.90
48	8.61	12.91	9.44	14.16
49	8.77	13.15	9.62	14.43

SEC. 24.0303

The normal rate of contribution established for age 49 is the rate for any safety member who has attained a greater age before entrance into the Retirement System, and that established for age 20 is the rate for any safety member who enters the Retirement System at a lesser age.

SEC. 24.0401

The management and control of the Retirement System is vested in the Board of Administration, who shall have authority to adopt such rules and regulations as it may

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deem proper for the administration of the system.
Such Board of Administration is hereby vested with the power and authority to provide a normal retirement allowance for members as provided in Section 24.0402.

The Board is also authorized to provide a normal retirement allowance for safety members as provided in Section 24.0403.

SEC. 24.0402

(a) The Board of Administration shall provide that upon retirement for service, a member, other than a safety member, is entitled to receive a retirement allowance which shall consist of:

- (1) A service retirement annuity.
- (2) A current service pension.
- (3) A prior service pension.

The service retirement annuity is an annuity which is the actuarial equivalent of the member's accumulated normal contributions at the time of his retirement.

The current service pension is the pension derived from the contributions of the City, sufficient, when added to the service retirement annuity that is derived from the accumulated normal contributions of the member at the date of his retirement, to equal the fraction set forth in the following table opposite his age at retirement, taken to the preceding completed quarter year, in the column applicable to his sex multiplied by the sum of:

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(i) 1/60th of final compensation multiplied by the number of years, and fractions thereof, of current service prior to the integration date plus

(ii) 1/90th of final basic compensation, multiplied by the number of years, and fractions thereof, of current service subsequent to the integration date plus

(iii) 1/60th of final excess compensation multiplied by the number of years, and fractions thereof, of current service subsequent to the integration date.

(b) The prior service pension for a member is a pension derived from the contributions of the City equal to the following: A fraction of 1/60th of his final compensation set forth opposite his age at retirement taken to the preceding completed quarter year, in the following table in the column applicable to his sex multiplied by the number of years of prior service with which he is entitled to be credited at retirement:

<u>Age of Retirement</u>	<u>Fraction</u>	
	<u>Men</u>	<u>Women</u>
50	.6852	.7091
50 1/4	.6945	.7183
50 1/2	.7037	.7274
50 3/4	.7130	.7366
51	.7222	.7457
51 1/4	.7314	.7547
51 1/2	.7406	.7637
51 3/4	.7498	.7726
52	.7590	.7816
52 1/4	.7684	.7907

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52 1/2	.7779	.7999
52 3/4	.7873	.8090
53	.7967	.8181
53 1/4	.8065	.8275
53 1/2	.8164	.8369
53 3/4	.8262	.8462
54	.8360	.8556
54 1/4	.8465	.8656
54 1/2	.8570	.8755
54 3/4	.8674	.8855
55	.8779	.8954
55 1/4	.8893	.9061
55 1/2	.9006	.9168
55 3/4	.9119	.9275
56	.9232	.9382
56 1/4	.9355	.9498
56 1/2	.9478	.9614
56 3/4	.9602	.9730
57	.9725	.9846
57 1/4	.9860	.9972
57 1/2	.9994	1.0098
57 3/4	1.0129	1.0224
58	1.0264	1.0350
58 1/4	1.0411	1.0487
58 1/2	1.0559	1.0625
58 3/4	1.0706	1.0762
59	1.0853	1.0899
59 1/4	1.1015	1.1049
59 1/2	1.1176	1.1199
59 3/4	1.1338	1.1349
60	1.1500	1.1500
60 1/4	1.1610	1.1611
60 1/2	1.1721	1.1723
60 3/4	1.1832	1.1835
61	1.1943	1.1947
61 1/4	1.2091	1.2097
61 1/2	1.2239	1.2247
61 3/4	1.2387	1.2398
62	1.2535	1.2548
62 1/4	1.2691	1.2707
62 1/2	1.2848	1.2867
62 3/4	1.3004	1.3026
63	1.3160	1.3186
63 1/4	1.3326	1.3355
63 1/2	1.3491	1.3525
63 3/4	1.3657	1.3695
64	1.3822	1.3865
64 1/4	1.3998	1.4047
64 1/2	1.4173	1.4229
64 3/4	1.4349	1.4411
65 and over	1.4525	1.4593

SEC. 24.0403

The Board of Administration shall provide that upon retirement for service a safety member or an eligible safety member is entitled to receive a retirement allowance which shall consist of:

(1) A service retirement annuity.

(2) A pension.

The service retirement annuity is an annuity which is the actuarial equivalent of the safety member's accumulated normal contributions or the eligible safety member's accumulated normal contributions at the time of his retirement.

The pension for safety members who are not eligible for Social Security benefits is a pension derived from the contributions of the City, sufficient, when added to the service retirement annuity that is derived from the accumulated normal contributions of the member, to equal the fraction set forth in the following table opposite his age at retirement, taken to the preceding completed quarter year, in the column applicable to his sex multiplied by the sum of 1/50th of his final compensation for each year, and fractions thereof, to which he is entitled to be credited at retirement.

The pension for eligible safety members is a pension derived from the contributions of the City, sufficient; when added to the service retirement annuity that is

derived from the accumulated normal contributions of the member at the date of his retirement, to equal the fraction set forth in the following table opposite his age at retirement, taken to the preceding completed quarter year, in the column applicable to his sex multiplied by the sum of:

(i) 1/50th of final compensation, multiplied by the number of years, and fractions thereof, of service prior to the integration date, plus

(ii) 1/75th of final basic compensation, multiplied by the number of years, and fractions thereof, of service subsequent to the integration date, plus

(iii) 1/50th of final excess compensation multiplied by the number of years, and fractions thereof, of service subsequent to the integration date:

<u>Age of Retirement</u>	<u>Fraction</u>
50	1.0000
50 1/4	1.0130
50 1/2	1.0259
50 3/4	1.0387
51	1.0516
51 1/4	1.0656
51 1/2	1.0796
51 3/4	1.0937
52	1.1078
52 1/4	1.1231
52 1/2	1.1384
52 3/4	1.1538
53	1.1692
53 1/4	1.1859

53 1/2	1.2028
53 3/4	1.2195
54	1.2336
54 1/4	1.2547
54 1/2	1.2730
54 3/4	1.2915
55	1.3099

SEC. 24.0405

(1) A special class safety member who at the effective date of this amendment is receiving a monthly salary of at least \$400.00 shall after completing the required number of years of service for special class safety members, as provided in the Charter, receive a minimum retirement allowance of at least \$200.00 per month.

(2) Special class safety members employed in the Police Department who entered the service of the Police Department on or prior to the 8th day of May, 1941, and who have served for 20 years or more in the aggregate as members or employees in any rank or capacity in said Police Department, regardless of age, shall have the right to retire with a normal retirement allowance, and special class safety members in the Police Department who entered the service of the department subsequent to the 8th day of May, 1941, who have completed 25 years of service in the aggregate, shall also have the right to retire with a normal retirement allowance.

(3) Special class safety members employed in the Fire Department who entered the service of the Fire

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Department on or prior to January 1, 1936, and who have served for 20 years or more in the aggregate as members or employees in any rank or capacity in said Fire Department, regardless of age, shall have the right to retire with a normal retirement allowance, and special class safety members in the Fire Department who entered the service of the department subsequent to the 1st day of January, 1936, who have completed 25 years of service in the aggregate, shall also have the right to retire with a normal retirement allowance.

(4) Each special class safety member of either the Fire or Police Department who is entitled to retire after 20 years of aggregate service with the City shall receive a pension credit of 2 1/2% of his final compensation for each year completed at the effective date of this amendment, but in no case shall such credit exceed 50% of such final compensation. For each year completed after the effective date of this amendment the member shall be credited with 1/50th of his final compensation. The 1/50th pension credits specified above will not be allowable until after such member shall have reached the age of 50 years. No member of either department who is entitled to retire after 20 years as above and who has had 20 years of service in the aggregate shall receive less than the following: \$200.00 per month as retirement allowance, together with such additional

amount per month as will represent the actuarial equivalent of that portion of the contributions of such member contributed after his 20th year of service but before his attainment of age 50.

(5) Special class safety members of the Fire and Police Departments who are not eligible for retirement until the completion of 25 years of service in the aggregate shall receive a pension credit of 2% of their final compensation for each year completed at the effective date of this amendment, provided that such credit shall not exceed 50% of such final compensation, and in addition thereto shall be entitled to credits of 1/50th of their final compensation for each year completed after the effective date of this amendment. The 1/50th pension credits specified in this paragraph will not be allowable until after such member shall have reached the age of 50 years and has completed 20 years of aggregate service in the department.

Except as to those members who are forced to retire because of disability or who die, "Final Compensation" within the meaning of paragraphs (4) and (5) hereof shall be the highest average compensation received during any three consecutive years of service, limited, however, to the following monthly maximums for members who retire: During the first year after this amendment is adopted, \$400.00; during the second year, \$500.00; during the

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third year, \$600.00; during the fourth year, \$700.00; during the fifth year, \$800.00; and after the end of the fifth year there shall be no ceiling considered in determining the amount of the final compensation.

As to those members who are compelled to retire because of disability or who die after this amendment becomes effective, "Final Compensation" shall be defined as above, but with the following monthly maximums: For death or disability occurring during the first year, \$500.00; during the second year, \$600.00; during the third year, \$700.00; during the fourth year, \$800.00; during the fifth year, \$900.00; and after the end of the fifth year, no ceiling shall be considered in determining the amount of the final compensation.

SEC. 24.0502

Upon retirement for industrial or nonindustrial disability, a member, including a safety member, who has attained the minimum age at which he may retire for service, shall receive his service retirement allowance, if greater.

SEC. 24.0503.1

Upon retirement of a safety member for nonindustrial disability, he shall receive a nonindustrial disability retirement allowance which shall consist of:

(a) An annuity which is the actuarial equivalent of his accumulated normal contributions at the time of retirement.

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(b) If in the opinion of the Board his nonindustrial disability is not due to intemperance, wilful misconduct, or violation of law on his part, a disability retirement pension derived from the contributions of the City. The disability retirement pension shall be such an amount as, with that portion of his annuity provided by his accumulated normal contributions, will make his disability retirement allowance equal to 90% of one 1/50th of his final compensation multiplied by the number of years of service credited to him or 1/3 of his final compensation, whichever is greater.

SEC. 24.0509

If, prior to attaining the minimum age for voluntary retirement for service applicable to members of his class, a recipient of a disability retirement allowance engages in a gainful occupation not in City service, the Board shall reduce his monthly disability retirement allowance by 1/2 the amount that the total of the compensation earned monthly by him and his disability retirement allowance exceeds the amount of the maximum compensation earnable by a person holding the position which he held at the time of his retirement, or, if that position has been abolished, the maximum compensation earnable by a person holding it immediately prior to its abolition, but in no event shall the disability retirement allowance be reduced by more than 50%.

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When he reaches the minimum age for voluntary retirement for service applicable to members of his class, his retirement allowance shall be made equal to the amount it would be if not reduced under this section, and shall not again be modified for any cause.

Section 2. That Chapter II, Article 4 of the San Diego Municipal Code be, and the same is hereby amended by adding new Sections 24.0103(r) and 24.0107 of Division 1, 24.0405.1 of Division 4, 24.0504.1 and 24.0505.1 of Division 5, new Section 24.0521 of new Division 5-A, new Sections 24.0531 and 24.0532 of new Division 5-B, and new Sections 24.0541, 24.0542, 24.0543, 24.0544, 24.0545, 24.0546 and 24.0547 of new Division 5-C as follows:

SEC. 24.0103(r)

"Legislative Officers" means the Mayor and/or members of the City Council.

SEC. 24.0107 SEVERABILITY

If any section or part of this article be, for any reason, held unconstitutional or invalid by a court of competent jurisdiction, that holding shall not affect the validity of the remaining portions of this division, but such remaining portions shall be and remain in full force and effect.

SEC. 24.0405.1

Special class safety officers employed in the San Diego Police Department or San Diego Fire Department at

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the effective date of this ordinance who are not entitled to all of the benefits and privileges of safety members in the City Employees' Retirement System shall be so entitled provided they file an election in writing with the Retirement Board giving up all other retirement rights in favor of those safety member benefits, and provided further that they either 1) deposit in the Retirement Fund before their retirement an amount which, when added to their retirement contributions, is sufficient to make their accumulated retirement contributions equal 8% of their earnable compensation from the beginning of their employment to the earliest possible date of their retirement; or 2) that they continue their employment with the City beyond the earliest possible date of retirement long enough so that the amount of pension that would have been received had they retired as a special class safety member at the earliest possible date equals the amount required in 1) above.

SEC. 24.0504.1

Upon retirement of a general member for industrial disability he shall receive in equal monthly installments a disability retirement allowance of 33 1/3% of his final compensation plus an annuity purchased with his accumulated additional contributions, if any, or if qualified for service retirement, he shall receive his service retirement allowance if such allowance, after deducting such

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additional annuity, is greater. The disability retirement allowance for a general member retired because of industrial disability shall be derived from his accumulated normal contributions and the contributions of the City.

SEC. 24.0505.1

Upon retirement of a general member for nonindustrial disability, he shall receive a nonindustrial disability retirement allowance which shall consist of:

(a) An annuity which is the actuarial equivalent of his accumulated normal contributions at the time of retirement.

(b) If in the opinion of the Board his nonindustrial disability is not due to intemperance, wilful misconduct, or violation of law on his part, a disability retirement pension derived from the contributions of the City. The disability retirement pension shall be such an amount as, with that portion of his annuity provided by his accumulated normal contributions, will make his disability retirement allowance equal to 90% of 1/60th of his final compensation multiplied by the number of years of service credited to him, or 1/3 of his final compensation, whichever is greater.

DIVISION 5-A

CONTINUANCE TO SURVIVING SPOUSE

SEC. 24.0521

1973

From and after July 1, ~~1972~~, every member, including a safety member, shall, in addition to his normal contributions, make survivor contributions in an amount equal to a percentage of his normal contributions as set forth below for his sex and membership classification:

<u>Membership Classification</u>	<u>Sex</u>	<u>Survivor Contributions as Percentage of Normal Contributions</u>
General Members	Male	15.67%
General Members	Female	4.29%
Safety Members	Male	11.76%
Safety Members	Female	3.30%

Such survivor contributions, together with interest thereon, shall be paid to the member or his beneficiary in the event the normal contributions are so paid under Sections 24.0206, 24.0308, and 24.0703.

Upon the death of any general member or safety member who retires for service or disability after the effective date of this section, his surviving spouse shall receive, on July 1, ¹⁹⁷³~~1972~~ and thereafter, a monthly allowance equal to 50% of the decedent's monthly retirement allowance if:

(1) such spouse is designated as beneficiary,
and

(2) such spouse was married to the deceased
member at least one year prior to the date of his
retirement, and

(3) the monthly retirement allowance of the
deceased member was not modified in accordance
with Optional Settlement 1, 2, 3 or 4 provided by
this system.

No benefits will be paid under this section if there is
a surviving spouse who qualifies for and receives the
special death benefit or modified special death benefit
provided by this system.

Upon the retirement of a general or safety member
for service or disability having no spouse at the time
of retirement who is eligible for benefits under this
section, he shall have the option of having refunded to
him in lump sum the accumulated contributions including
interest made pursuant to this section, or of having
these contributions treated as voluntary additional
contributions made to provide a larger annuity benefit.

DIVISION 5-B

COST OF LIVING ADJUSTMENT

SEC. 24.0531

The Board shall before July 1, 1971 and before each
July 1 thereafter determine whether there has been an

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increase or decrease in the cost of living as provided in this section. Excepting those special class safety members whose retirement allowances are based upon 1/2 the amount of the current salary of their retired rank, every person receiving a monthly retirement allowance from this system on June 30, 1971 and each June 30 thereafter shall, on and/or effective July 1, 1971 and each July 1 thereafter, have his (or her) monthly retirement allowance then being received increased or decreased by that percentage determined by the Board to approximate the nearest 1/10th of one percent the percentage of annual increase or decrease in the cost of living which has occurred between the two previous January firsts as shown by the Bureau of Labor Statistics Consumer Price Index, United States - All items. Such change, however, shall not exceed 1.5% per year and no decrease shall reduce the monthly retirement allowance below the amount being received by any person on the effective date of his retirement or the effective date of the application of this section, whichever is later. The amount of any cost of living increase or decrease in any year which is not met by the maximum annual change of 1.5% in allowances shall be accumulated to be met by increases or decreases in allowances in future years.

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SEC. 24.0532

The cost of any anticipated cost of living increase in allowances which is based upon services rendered after the applicable date of this Division 5-B shall be shared equally between the employer and the contributing member or safety member, with the individual member's contributions based upon his sex and age at his nearest birthday at time of entrance into the Retirement System.

Commencing July 1, 1971 and until adjusted by the Board upon the recommendation of the Actuary, the contribution requirements of members and safety members as contained in Sections 24.0202 and 24.0302, respectively, shall be increased by 15%. These "cost of living contributions" will be separately totaled upon the retirement of members and safety members after July 1, 1971, and based upon the lifetime annuity value of that total as determined by the Actuary, a fixed sum will be added to the normal monthly retirement allowance of the retired member or safety member as provided for in this chapter. The cost of living adjustment provided for in Section 24.0531 will not be applied until the amounts required exceed the additional fixed sum the retired member is receiving from the annuity value of his cost of living contributions.

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DIVISION 5-C

LEGISLATIVE OFFICERS RETIREMENT PLAN

SEC. 24.0541

From and after the effective date of this section there is established within this Retirement System a separate retirement plan for those present and future legislative officers who become members of this system and who are not otherwise entitled to benefits from this system for the period of service under consideration. Legislative officers who become members of this system shall be entitled to all of the privileges and benefits of other members of this system except as specifically provided to the contrary in this Division 5-C.

SEC. 24.0542

Every legislative officer in office at the time this section becomes effective may become a member of this system if he files with the Board a written election to become a member within 90 days after the effective date of this section. Every legislative officer elected after the effective date of this section may become a member of this system if he files with the Board a written election to become a member within 90 days after the commencement of the first term of office for which he is elected.

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SEC. 24.0543

Every legislative officer in office at the time - - this section becomes effective who elects to become a member may also elect within 90 days of becoming a member to receive credit for the service rendered as an elected official prior to his becoming a member if he makes contributions to the system equal to the contributions he would have made had he been a member during the period of prior service for which he is electing to receive credit.

SEC. 24.0544

The City Auditor and Comptroller shall withhold from the wages or salary of a legislative officer who becomes a member of this system 8% of his earnable compensation for deposit in the Retirement Fund and placed to the credit of the individual member's account. The contribution rate shall also be 8% of earnable compensation for the period of time for which a member is electing to receive prior service credits.

SEC. 24.0545

Upon his written application to the Board of Administration, a legislative officer who is a member of this system shall be retired and thereafter shall receive for life the service retirement allowance provided in Section 24.0546 if the member a) is 60 or more years of age and has 4 or more years of creditable service at retirement, or b) has 20 or more years of

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creditable service at retirement, regardless of his age, or c) has 15 or more years of creditable service at an age less than 60 with the retirement allowance reduced by 2% for each year and fractional year under 60.

SEC. 24.0546

The service retirement allowance payable to eligible members shall be an amount sufficient, when added to the annuity that is derived from the accumulated normal contributions of the member, to equal 5% of his final compensation not in excess of \$500.00 per month for each year of creditable service and 3% of his final compensation in excess of \$500.00 per month for each year of creditable service.

SEC. 24.0547

Any legislative officer who is a member of this system and who becomes permanently incapacitated from the performance of duty shall be retired for disability with a retirement allowance determined in accordance with the provisions of Section 24.0546.

Section 3. That Chapter II, Article 4 of the San Diego Municipal Code be, and the same is hereby amended by repealing, effective July 1, 1971, Sections 24.0504, 24.0505, 24.0506 and 24.0507 of Division 5.

Section 4. The provisions of this ordinance establishing new benefits and adopting new contribution rates shall commence

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in application on July 1, 1971, with the following exceptions:

(a) Sections 24.0201, 24.0202, 24.0203, 24.0301, 24.0302, 24.0303, 24.0401, 24.0402, 24.0403 and 24.0405 shall commence in application on July 1, 1972; and

(b) Division 5-A (Section 24.0521) pertaining to survivor benefits shall commence in application on July 1, 1973.

Section 5. With the exception of the provisions of Division 5-B, the benefits and provisions of this ordinance are provided solely for those who are active or inactive members on the effective date of said ordinance. All employees who have retired prior to the effective date of this ordinance and are presently receiving a retirement allowance are specifically excluded from this ordinance's application except as provided in Division 5-B.

Section 6. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By Jack Katz
Jack Katz, Deputy

RECEIVED
CITY CLERK'S OFFICE

1970 DEC 22 PM 4:24

SAN DIEGO, CALIF.

JK:K
12-15-70
(B)

-28-

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Passed and adopted by the Council of The City of San Diego on JAN 12 1971,
by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN

Mayor of The City of San Diego, California.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By Elfa D. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

DEC 30 1970

JAN 12 1971

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By Elfa D. Hamel, Deputy.

RECEIVED
CITY CLERK'S OFFICE
1970 DEC 22 PM 4:23
SAN DIEGO, CALIF.

FORM CC-1255-A (1-70)

Office of the City Clerk, San Diego, California

Ordinance
Number

10479

Adopted

JAN 12 1971

MICROFILMED

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SEC. 24.0201 CONTRIBUTION OF MEMBERS

The Board of Administration shall provide:

1. The normal rates of contribution, except for safety members, shall be based on sex and age as of July 1, 1954, or thereafter at the nearest birthday at the time of entrance into the system.

2. Except as provided in paragraph 3 hereof, the normal rates of contribution for each member, except safety members, shall be such as will provide an average annuity at age 60 57 1/2 equal to 1/120th of his final compensation, according to the tables adopted by the Board of Administration for each year of service rendered after entering the system.

3. On and after the integration date, the normal rate of contribution for each member, except safety members, shall be such as will provide on the average an annuity, according to tables adopted by the Board of Administration, at age 60 57 1/2 equal to the sum of the following:

(a) 1/180th of his basic final compensation for each year of service rendered after entering the system and

(b) 1/120th of his excess final compensation for each year of service rendered after entering the system.

4. No adjustment shall be included in the normal rates of contribution adopted pursuant to paragraph 2 or paragraph 3 of this section because of any time during which members have heretofore contributed at different rates.

SEC. 24.0202

The Board of Administration shall also provide:
 1. Except as provided in paragraph 2 of this section and until revised by the Board of Administration, upon the advice of the Actuary, the normal rate of contribution of each member, except safety members, is that percentage of his compensation earnable shown as the B rate in paragraph 2 of this section according to age and sex at the time of entry into the retirement system.
 2. On and after the integration date and until revised by the Board of Administration, upon the advice of the Actuary, the normal rate of contribution applicable to the basic compensation shall be the A rate shown in the table below and the normal rate of contribution applicable to the compensation earnable in excess of the basic compensation shall be the B rate shown in the table below.

NORMAL CONTRIBUTION RATES

Age at Entry	A RATE		B RATE	
	Male	Female	Male	Female
20	3.01%	3.43%	4.52%	5.15%
21	3.06	3.49	4.59	5.23
22	3.11	3.54	4.67	5.31
23	3.17	3.59	4.75	5.39
24	3.22	3.65	4.83	5.48
25	3.27	3.71	4.91	5.57
26	3.33	3.77	5.00	5.66
27	3.39	3.84	5.09	5.76
28	3.45	3.91	5.18	5.86
29	3.51	3.97	5.27	5.96
30	3.58	4.05	5.37	6.07
31	3.65	4.12	5.47	6.18
32	3.71	4.20	5.57	6.30
33	3.79	4.28	5.68	6.42
34	3.86	4.36	5.79	6.54
35	3.93	4.45	5.90	6.67
36	4.01	4.53	6.01	6.80
37	4.09	4.62	6.13	6.93
38	4.17	4.71	6.25	7.07
39	4.25	4.81	6.37	7.21
40	4.33	4.90	6.50	7.35
41	4.42	5.00	6.63	7.50
42	4.51	5.10	6.76	7.65
43	4.60	5.21	6.90	7.81
44	4.69	5.31	7.04	7.97
45	4.79	5.42	7.18	8.13
46	4.88	5.53	7.32	8.30
47	4.99	5.65	7.47	8.47
48	5.08	5.77	7.62	8.65
49	5.19	5.89	7.78	8.83
50	5.29	6.01	7.94	9.01
51	5.40	6.13	8.10	9.20
52	5.51	6.26	8.27	9.39
53	5.63	6.39	8.44	9.58
54	5.75	6.52	8.62	9.78
55	5.87	6.65	8.80	9.98
56	5.99	6.79	8.98	10.19
57	6.11	6.93	9.17	10.40
58	6.24	7.08	9.36	10.62
59	6.37	7.23	9.56	10.84

NORMAL CONTRIBUTION RATES

Age at Entry	Male		Female	
	"A" Rate	"B" Rate	"A" Rate	"B" Rate
20	2.75%	4.12%	3.09%	4.64%
21	2.80	4.20	3.15	4.72
22	2.86	4.29	3.21	4.81
23	2.92	4.38	3.27	4.91
24	2.98	4.47	3.34	5.01
25	3.05	4.57	3.41	5.11
26	3.11	4.67	3.48	5.22
27	3.19	4.78	3.55	5.33
28	3.26	4.89	3.63	5.45
29	3.33	5.00	3.71	5.57
30	3.41	5.11	3.80	5.70
31	3.49	5.23	3.89	5.83
32	3.57	5.35	3.97	5.96
33	3.65	5.47	4.07	6.10
34	3.73	5.60	4.16	6.24
35	3.82	5.73	4.26	6.39
36	3.91	5.87	4.36	6.54
37	4.01	6.01	4.46	6.69
38	4.10	6.15	4.57	6.85
39	4.19	6.29	4.68	7.02

[Continued on following page.]

NEW TABLE

NEW TABLE

Age at Entry	Male		Female	
	"A" Rate	"B" Rate	"A" Rate	"B" Rate
40	4.29	6.44	4.79	7.19
41	4.40	6.60	4.91	7.36
42	4.51	6.76	5.02	7.53
43	4.61	6.92	5.15	7.72
44	4.72	7.08	5.27	7.91
45	4.83	7.25	5.40	8.10
46	4.95	7.42	5.53	8.30
47	5.07	7.60	5.67	8.50
48	5.19	7.78	5.81	8.71
49	5.31	7.97	5.95	8.92
50	5.45	8.17	6.09	9.14
51	5.58	8.37	6.25	9.37
52	5.71	8.57	6.40	9.60
53	5.85	8.78	6.55	9.83
54	5.99	8.99	6.72	10.08
55	6.15	9.22	6.89	10.33
56	6.30	9.45	7.06	10.59
57	6.51	9.76	7.29	10.93

SEC. 24.0203

The normal rate of contribution established for age 59 57 is the rate for any member, other than a safety member, who has attained a greater age before entrance into the Retirement System, and that established for age 20 is the rate for any member, other than a safety member, who enters the Retirement System at a lesser age.

SEC. 24.0301 CONTRIBUTIONS OF SAFETY MEMBERS

The Board of Administration shall provide:

1. The normal rates of contribution for safety members shall be based on sex and age as of July 1, 1954, or thereafter at the nearest birthday at the time of entrance into the system.

2. Except as provided in paragraph 3 hereof, the normal rates of contribution for each safety member shall be such as will provide an average annuity at age 55 50 equal to 1/100th of his final compensation, according to the tables adopted by the Board of Administration for each year of service rendered after entering the system.

3. On and after the integration date the normal rate of contribution for each eligible safety member shall be such as will provide on the

average an annuity according to tables adopted by the Board of Administration, at age 55 50 equal to the sum of the following:

- (a) 1/150th of his basic final compensation for each year of service rendered after entering the system, and
- (b) 1/100th of his excess final compensation for each year of service rendered after entering the system.

4. No adjustment shall be included in the normal rates of contribution adopted pursuant to paragraph 2 or paragraph 3 of this section because of any time during which members have heretofore contributed at different rates.

SEC. 24.0302

The Board of Administration shall provide:

1. Except as provided in paragraph 2 hereof and until revised by the Board of Administration, upon the advice of the Actuary, the normal rate of contribution for each safety member is that percentage of his compensation earnable as shown as the B rate in paragraph 2 of this section according to age and sex at the time of entry into the retirement system.

2. On and after the integration date and until revised by the Board of Administration, upon the advice of the Actuary, the normal rate of contribution applicable to the basic compensation shall be the A rate shown in the table below for all eligible safety members, and the normal rate of contribution applicable to the compensation earnable in excess of the basic compensation for all eligible safety members shall be the B rate shown in the table below.

NORMAL CONTRIBUTION RATES

Age at Entry	A RATE		B RATE	
	Male	Female	Male	Female
20	4.72%	5.29%	7.08%	7.94%
21	4.81	5.39	7.21	8.08
22	4.89	5.48	7.34	8.22
23	4.98	5.58	7.47	8.37
24	5.07	5.68	7.60	8.52
25	5.16	5.79	7.74	8.68
26	5.25	5.89	7.88	8.84
27	5.35	6.00	8.03	9.00
28	5.45	6.11	8.18	9.17
29	5.56	6.23	8.34	9.36
30	5.67	6.35	8.50	9.53
31	5.77	6.47	8.66	9.71
32	5.88	6.60	8.82	9.90
33	5.99	6.73	8.99	10.09
34	6.11	6.85	9.16	10.28
35	6.23	6.99	9.34	10.48
36	6.35	7.12	9.52	10.68
37	6.47	7.25	9.70	10.88
38	6.59	7.39	9.88	11.08
39	6.71	7.52	10.06	11.28
40	6.83	7.65	10.24	11.48
41	6.95	7.79	10.42	11.68
42	7.07	7.93	10.60	11.89
43	7.19	8.06	10.78	12.09
44	7.31	8.19	10.96	12.29
45	7.43	8.33	11.14	12.49
46	7.55	8.46	11.32	12.69
47	7.67	8.59	11.50	12.89
48	7.78	8.73	11.67	13.09
49	7.89	8.86	11.84	13.29
50	8.01	8.99	12.01	13.48
51	8.12	9.11	12.18	13.67
52	8.24	9.25	12.36	13.87
53	8.36	9.38	12.54	14.07
54	8.48	9.51	12.72	14.26

NORMAL CONTRIBUTION RATES

NEW TABLE

Age at Entry	Male		Female	
	"A" Rate	"B" Rate	"A" Rate	"B" Rate
20	4.66%	6.99%	5.11%	7.67%
21	4.76	7.14	5.22	7.83
22	4.87	7.30	5.34	8.01
23	4.97	7.46	5.45	8.18
24	5.08	7.62	5.57	8.36
25	5.19	7.79	5.70	8.55
26	5.31	7.97	5.83	8.74
27	5.43	8.15	5.96	8.94
28	5.56	8.34	6.10	9.15
29	5.69	8.53	6.24	9.36
30	5.82	8.73	6.39	9.58
31	5.96	8.94	6.54	9.81
32	6.10	9.15	6.69	10.04
33	6.24	9.36	6.85	10.27
34	6.39	9.58	7.01	10.51
35	6.53	9.80	7.17	10.75
36	6.69	10.03	7.33	11.00
37	6.84	10.26	7.51	11.26
38	6.99	10.49	7.67	11.51
39	7.15	10.73	7.85	11.77
40	7.31	10.97	8.03	12.04
41	7.47	11.21	8.20	12.30
42	7.64	11.46	8.38	12.57
43	7.81	11.71	8.57	12.85
44	7.97	11.95	8.74	13.11
45	8.13	12.19	8.91	13.37
46	8.29	12.43	9.09	13.64
47	8.45	12.67	9.27	13.90
48	8.61	12.91	9.44	14.16
49	8.77	13.15	9.62	14.43

SEC. 24.0303

The normal rate of contribution established for age 54 50 is the rate for any safety member who has attained a greater age before entrance into the Retirement System, and that established for age 20 is the rate for any safety member who enters the Retirement System at a lesser age.

SEC. 24.0401

The management and control of the Retirement System is vested in the Board of Administration, who shall have authority to adopt such rules and regulations as it may deem proper for the administration of the system. Such Board of Administration is hereby vested with the power and authority to provide a normal retirement allowance for members

as provided in Section 31 24.0402, provided, however, that the Board may permit employees to retire at the age of 55 years after 20 years of continuous service with a reduced allowance.

The Board is also authorized to provide a normal retirement allowance for safety members as provided in Section 31, 24.0403, provided, however, that the Board may permit such safety members to retire at the age of 50 years after 20 years of continuous service with a reduced allowance.

For the purpose of this Article IV service subsequent to January, 1927, shall include only that continuous service rendered by a member and for which contributions have been made by him based upon his compensation earnable.

SEC. 24.0402

(a) The Board of Administration shall provide that upon retirement for service, a member, other than a safety member, is entitled to receive a retirement allowance which shall consist of:

- (1) A service retirement annuity.
- (2) A current service pension.
- (3) A prior service pension.

The service retirement annuity is an annuity which is the actuarial equivalent of the member's accumulated normal contributions at the time of his retirement.

The current service pension is the pension derived from the contributions of the City, sufficient, when added to the service retirement annuity that is derived from the accumulated normal contributions of the member at the date of his retirement, to equal the fraction set forth in the following table opposite his age at retirement, taken to the preceding completed quarter year, in the column applicable to his sex multiplied by the sum of:

- (i) $\frac{1}{60}$ th of final compensation multiplied by the number of years, and fractions thereof, of current service prior to the integration date plus

(ii) 1/90th of final basic compensation, multiplied by the number of years, and fractions thereof, of current service subsequent to the integration date plus

(iii) 1/60th of final excess compensation multiplied by the number of years, and fractions thereof, of current service subsequent to the integration date.

(b) The prior service pension for a member is a pension derived from the contributions of the City equal to the following: A fraction of 1/60th of his final compensation set forth opposite his age at retirement taken to the preceding completed quarter year, in the following table in the column applicable to his sex multiplied by the number of years of prior service with which he is entitled to be credited at retirement:

AGE OF RETIREMENT	FRACTION	
	Men	Women
55	.692532	.712529
55 1/4	.705176	.724515
55 1/2	.717819	.736502
55 3/4	.730462	.748488
56	.743106	.760474
56 1/4	.756934	.773524
56 1/2	.770761	.786574
56 3/4	.784588	.799624
57	.798416	.812674
57 1/4	.813602	.826909
57 1/2	.828788	.841144
57 3/4	.843974	.855379
58	.859160	.869614
58 1/4	.875882	.885185
58 1/2	.892604	.900756
58 3/4	.909327	.916326
59	.926049	.931897
59 1/4	.944537	.948923
59 1/2	.962024	.965948
59 3/4	.981512	.982974
60	1.000000	1.000000
60 1/4	1.018330	1.017649
60 1/2	1.036660	1.035298
60 3/4	1.054990	1.052948
61	1.073320	1.070597
61 1/4	1.093346	1.089811
61 1/2	1.113371	1.109025
61 3/4	1.133396	1.128239
62	1.153422	1.147453
62 1/4	1.175379	1.168390
62 1/2	1.197336	1.189328
62 3/4	1.219294	1.210265
63	1.241251	1.231202
63 1/4	1.265260	1.254108
63 1/2	1.289270	1.277014
63 3/4	1.313279	1.299921
64	1.337288	1.322827
64 1/4	1.363656	1.347888
64 1/2	1.390024	1.372948
64 3/4	1.416391	1.398009
65	1.442759	1.423070

~~The above rates shall be maintained until adjusted by the Board upon recommendation of the Actuary.~~

[NEW TABLE]

Age of Retirement	Fraction	
	Men	Women
50	.6852	.7091
50 1/4	.6945	.7183
50 1/2	.7037	.7274
50 3/4	.7130	.7366
51	.7222	.7457
51 1/4	.7314	.7547
51 1/2	.7406	.7637
51 3/4	.7498	.7726
52	.7590	.7816
52 1/4	.7684	.7907
52 1/2	.7779	.7999
52 3/4	.7873	.8090
53	.7967	.8181
53 1/4	.8065	.8275
53 1/2	.8164	.8369
53 3/4	.8262	.8462
54	.8360	.8556
54 1/4	.8465	.8656
54 1/2	.8570	.8755
54 3/4	.8674	.8855
55	.8779	.8954
55 1/4	.8893	.9061
55 1/2	.9006	.9168
55 3/4	.9119	.9275
56	.9232	.9382
56 1/4	.9355	.9498
56 1/2	.9478	.9614
56 3/4	.9602	.9730
57	.9725	.9846
57 1/4	.9860	.9972
57 1/2	.9994	1.0098
57 3/4	1.0129	1.0224
58	1.0264	1.0350
58 1/4	1.0411	1.0487
58 1/2	1.0559	1.0625
58 3/4	1.0706	1.0762
59	1.0853	1.0899
59 1/4	1.1015	1.1049
59 1/2	1.1176	1.1199
59 3/4	1.1338	1.1349
60	1.1500	1.1500
60 1/4	1.1610	1.1611
60 1/2	1.1721	1.1723
60 3/4	1.1832	1.1835
61	1.1943	1.1947
61 1/4	1.2091	1.2097
61 1/2	1.2239	1.2247
61 3/4	1.2387	1.2398
62	1.2535	1.2548
62 1/4	1.2691	1.2707
62 1/2	1.2848	1.2867
62 3/4	1.3004	1.3026
63	1.3160	1.3186
63 1/4	1.3326	1.3355
63 1/2	1.3491	1.3525
63 3/4	1.3657	1.3695
64	1.3822	1.3865
64 1/4	1.3998	1.4047
64 1/2	1.4173	1.4229
64 3/4	1.4349	1.4411
65 and over	1.4525	1.4593

SEC. 24.0403

The Board of Administration shall provide that upon retirement for service a safety member or an eligible safety member is entitled to receive a retirement allowance which shall consist of:

- (1) A service retirement annuity.
- (2) A pension.

The service retirement annuity is an annuity which is the actuarial equivalent of the safety member's accumulated normal contributions or the eligible safety member's accumulated normal contributions at the time of his retirement.

The pension for safety members who are not eligible for Social Security benefits is a pension derived from the contributions of the City, which, sufficient, when added to the service retirement annuity that is derived from the accumulated normal contributions of the member, shall equal 1/50th of his final compensation, regardless of his age at retirement, for each year of service, upon retirement for service at age 55 with at least twenty years of service, or upon completion of twenty years of service at an age higher than 55, or upon retirement with less than twenty years of service at age 65 to equal the fraction set forth in the following table opposite his age at retirement, taken to the preceding completed quarter year, in the column applicable to his sex multiplied by the sum of 1/50th of his final compensation for each year, and fractions thereof, to which he is entitled to be credited at retirement.

A safety member who is permitted to retire between the ages of 50 and 55 shall receive a reduced pension which is the actuarial equivalent of the value of his pension, based upon his actual years of service, otherwise payable at age 55.

The pension for eligible safety members is a pension derived from the contributions of the City, which, when added to the service retirement annuity that is derived from the accumulated normal contributions of the member, shall equal

The pension for eligible safety members is a pension derived from the contributions of the City, sufficient, when added to the service retirement annuity that is derived from the accumulated normal contributions of the member at the date of his retirement, to equal the fraction set forth in the following table opposite his age at retirement, taken to the preceding completed quarter year, in the column applicable to his sex multiplied by the sum of:

(i) 1/50th of final compensation, multiplied by the number of years, and fractions thereof, of current service prior to the integration date, plus

(ii) 1/75th of final basic compensation, multiplied by the number of years, and fractions thereof, of current service subsequent to the integration date, plus

(iii) 1/50th of final excess compensation multiplied by the number of years, and fractions thereof, of current service subsequent to the integration date:
~~regardless of his age at retirement for each year of service, upon retirement for service at age 55 with at least twenty years of service, or upon completion of twenty years of service at an age higher than 55, or upon retirement with less than twenty years of service at age 65.~~

~~An eligible safety member who is permitted to retire between the ages of 50 and 55 shall receive a reduced pension which is the actuarial equivalent of the value of his pension, based upon his actual years of service, otherwise payable at age 55.~~

<u>Age of Retirement</u>	<u>Fraction</u>
50	1.0000
50 1/4	1.0130
50 1/2	1.0259
50 3/4	1.0387
51	1.0516
51 1/4	1.0656
51 1/2	1.0796
51 3/4	1.0937
52	1.1078
52 1/4	1.1231

Age of RetirementFraction

52 1/2	1.1384
52 3/4	1.1538
53	1.1692
53 1/4	1.1859
53 1/2	1.2028
53 3/4	1.2195
54	1.2336
54 1/4	1.2547
54 1/2	1.2730
54 3/4	1.2915
55	1.3099

SEC. 24.0405

(1) A special class safety member who at the effective date of this amendment is receiving a monthly salary of at least \$400.00 shall after completing the required number of years of service for special class safety members, as provided in the Charter, receive a minimum retirement allowance of at least \$200.00 per month.

(2) Special class safety members employed in the Police Department who entered the service of the Police Department on or prior to the 8th day of May, 1941, and who have served for 20 years or more in the aggregate as a members or employees in any rank or capacity in said Police Department, regardless of age, shall have the right to retire with a normal retirement allowance, and special class safety members in the Police Department who entered the service of the department subsequent to the 8th day of May, 1941, who have completed 25 years of service in the aggregate shall also have the right to retire with a normal retirement allowance.

(3) Special class safety members employed in the Fire Department who entered the service of the Fire Department on or prior to January 1, 1936, and who have served for 20 years or more in the aggregate as a members or employees in any rank or capacity in said Fire Department, regardless of age, shall have the right to retire

with a normal retirement allowance, and special class safety members in the Fire Department who entered the service of the Department subsequent to the 1st day of January, 1936, who have completed 25 years of service in the aggregate shall also have the right to retire with a normal retirement allowance.

(4) Each special class safety member of either the Fire or Police Department who is entitled to retire after 20 years of aggregate service with the City shall receive a pension credit of 2 1/2% of his final compensation for each year completed at the effective date of this amendment, but in no case shall such credit exceed 50% of such final compensation. For each year completed after the effective date of this amendment the member shall be credited with 1/50th of his final compensation. The 1/50th pension credits specified above will not be allowable until after such member shall have reached the age of 50 years. No member of either department who is entitled to retire after 20 years as above and who has had 20 years of service in the aggregate shall receive less than the following: \$200.00 per month as retirement allowance, together with such additional amount per month as will represent the actuarial equivalent of that portion of the contributions of such member contributed after his 20th year of service but before his attainment of age 50.

(5) Special class safety members of the Fire and Police Departments who are not eligible for retirement until the completion of 25 years of service in the aggregate shall receive a pension credit of 2% of their final compensation for each year completed at the effective date of this amendment, provided that such credit shall not exceed 50% of such final compensation, and in addition thereto shall be entitled to credits of 1/50th of their final compensation for each year completed after the effective date of this amendment. The 1/50th pension credits specified in this paragraph will not be allowable until after such member shall have reached the age of 55 50 years and has completed 20 years of aggregate service in the department;--provided;

however, that such member may be permitted to retire at the age of 50 years after 20 years of aggregate service in the department with a reduced allowance, as provided in Article IX of the Charter and the ordinance passed pursuant thereto.

Except as to those members who are forced to retire because of disability or who die, "Final Compensation Compensation" within the meaning of paragraphs (4) and (5) hereof shall be the highest average compensation received during any three consecutive years of service, limited, however, to the following monthly maximums for members who retire: During the first year after this amendment is adopted, \$400.00; during the second year, \$500.00; during the third year, \$600.00; during the fourth year, \$700.00; during the fifth year, \$800.00; and after the end of the fifth year there shall be no ceiling considered in determining the amount of the final compensation.

As to those members who are compelled to retire because of disability or who die after this amendment becomes effective, "Final Compensation" shall be defined as above, but with the following monthly maximums: For death or disability occurring during the first year, \$500.00; during the second year, \$600.00; during the third year, \$700.00; during the fourth year, \$800.00; during the fifth year, \$900.00; and after the end of the fifth year no ceiling shall be considered in determining the amount of the final compensation.

SEC. 24.0502

Upon retirement for industrial or nonindustrial disability a member, including a safety member, who has attained the minimum age at which he may retire for service, shall receive his service retirement allowance, if greater. Upon retirement for non-industrial disability, that is, disability arising from sickness or injuries not arising out of or in the course of his employment, a member, including a safety member, who has attained the minimum age at which he may retire for service, shall receive his reduced service retirement allowance, if greater.

SEC. 24.0503.1

Upon retirement of a safety member for nonindustrial disability, he shall receive a nonindustrial disability retirement allowance which shall consist of:

(a) An annuity which is the actuarial equivalent of his accumulated normal contributions at the time of retirement.

(b) If in the opinion of the Board his nonindustrial disability is not due to intemperance, wilful misconduct, or violation of law on his part, a disability retirement pension derived from the contributions of the City. The disability retirement pension shall be such an amount as, with that portion of his annuity provided by his accumulated normal contributions, will make his disability retirement allowance equal to

~~{1}~~ 90% of one 1/50th of his final compensation multiplied by the number of years of service credited to him, ~~or~~

~~{2}--If-the-disability-retirement-allowance-computed under-subdivision-{1}-does-not-exceed-one-fourth-of his-final-compensation, 90%-of-one-1/50th-of-his-final compensation-multiplied-by-the-number-of-years-of-service which-would-be-creditable-to-him-were-his-service-to-continue to-attainment-by-him-of-the-age-of-55, but-in-such-case-the-retirement-allowance-shall-not-exceed-one-fourth-of-such final-compensation or 1/3 of his final compensation, whichever is greater.~~

SEC. 24.0509

If, prior to attaining the minimum age for voluntary retirement for service applicable to members of his class, a recipient of a disability retirement allowance engages in a gainful occupation not in ~~city~~ City service, the Board shall reduce his monthly disability retirement allowance ~~to an amount which, when added to~~ by one-half the amount that the total of the compensation earned monthly by him shall not exceed and his disability retirement allowance exceeds the amount of the maximum compensation earnable by a person holding the position which he held at the time of his retirement, or, if that position has been abolished, the maximum compensation earnable by a person holding it immediately prior to its abolition, but in no event shall the disability retirement allowance be reduced by more than 50%. ~~if his earnings are further altered the Board may further alter his disability retirement pension to the lower of the following amounts:~~

~~(a) -- The amount of the disability retirement pension upon which he was originally retired;~~

~~(b) -- An amount which, when added to the compensation earned by him, shall equal the amount of the maximum compensation earnable by a person holding the position which he held at the time of his retirement, or, if that position has been abolished the maximum compensation earnable by a person holding it immediately prior to its abolition.~~

When he reaches the minimum age for voluntary retirement for service, applicable to members of his class, his retirement allowance shall be made equal to the amount it would be if not reduced under this section, and shall not again be modified for any cause.

SEC. 24.0504

General Members retired for disability, industrial or nonindustrial, shall receive a disability retirement allowance which shall consist of:

(a) An annuity which is the actuarial equivalent of his accumulated contributions at the time of retirement.

(b) If in the opinion of the Board his disability is not due to intemperance, willful misconduct or violation of law on his part, a disability retirement pension derived from the contributions of the City.

SEC. 24.0505

The disability retirement pension shall be such an amount as, with that portion of his annuity provided by his accumulated normal contributions, will make his disability retirement allowance equal to:

(a) 90% of one-sixtieth of his final compensation multiplied by the number of years of service credited to him; or

(b) If the disability retirement allowance computed under subdivision (a) does not exceed one-fourth of his final compensation, 90% of one-sixtieth of his final compensation multiplied by the number of years of service which would be creditable to him were his service to continue to attainment by him of the age for normal retirement, but in such case the retirement allowance shall not exceed one-fourth of such final compensation. This subdivision (b) is not applicable to members who are not entitled at the time of retirement to be credited with at least 10 years of city service.

SEC. 24.0506

In no event shall the industrial or nonindustrial disability retirement pension for general members or the nonindustrial disability retirement for safety members be more than sufficient to make the disability retirement allowance, exclusive of any annuity provided by accumulated additional contributions, exceed the service retirement allowance receivable by the member should he retire at age 60 or a safety member should he retire at age 55.

SEC. 24.0507

The disability retirement pension shall be derived from the contributions of the City.

(Repealed 10-25-62 by Ord. 8711 N.S.)

ATTORNEY (S)

• CITY OF SAN DIEGO
202 C Street
Community Concourse
San Diego, California

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 4,
OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING
SECTIONS 24.0201, 24.0202 AND 24.0203 ETC.

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I, Patricia M. Applestill hereby certify
that The Daily Transcript is a daily newspaper of general
circulation within the provisions of the Government Code of
the State of California, printed and published in the City of
San Diego, County of San Diego, State of California; that
I am the principal clerk of said newspaper; that the

ORDINANCE NO. 10479 (NEW SERIES)

to a true and correct copy of which this certificate is annexed
was published in said newspaper on

January 21, 1971

I certify under penalty of perjury that the foregoing is
true and correct, at San Diego, California, on

January 21, 1971

Patricia M. Applestill
(Signature)

10479

117 1/2" - \$493.50

ORDINANCE NO. 10479 (NEW SERIES)

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 4 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 24.0201, 24.0202 AND 24.0203 OF DIVISION 2; SECTIONS 24.0301, 24.0302 AND 24.0303 OF DIVISION 3; SECTIONS 24.0401, 24.0402, 24.0403 AND 24.0405 OF DIVISION 4; SECTIONS 24.0502, 24.0503.1 AND 24.0509 OF DIVISION 5; AND ADDING NEW SECTIONS 24.0103(r) AND 24.0107 OF DIVISION 1; 24.0405.1 OF DIVISION 4; 24.0504.1 AND 24.0505.1 OF DIVISION 5 AND NEW SECTION 24.0321 OF NEW DIVISION 3-A; NEW SECTIONS 24.0331 AND 24.0332 OF NEW DIVISION 3-B; AND NEW SECTIONS 24.0341, 24.0342, 24.0343, 24.0344, 24.0345, 24.0346 AND 24.0347 OF NEW DIVISION 3-C; AND REPEALING SECTIONS 24.0304, 24.0305, 24.0306 AND 24.0307 OF DIVISION 3, TO IMPROVE BENEFITS OF THE RETIREMENT SYSTEM.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:
Section 1. That Chapter II, Article 4 of the San Diego Municipal Code be, and the same is hereby amended by amending Sections 24.0201, 24.0202 and 24.0203 of Division 2; Sections 24.0301, 24.0302 and 24.0303 of Division 3; Sections 24.0401, 24.0402, 24.0403 and 24.0405 of Division 4; and Sections 24.0502, 24.0503.1 and 24.0509 of Division 5, as follows:

SEC. 24.0201 CONTRIBUTION OF MEMBERS

The Board of Administration shall provide:

1. The normal rates of contribution, except for safety members, shall be based on sex and age as of July 1, 1954, or thereafter at the nearest birthday at the time of entrance into the system.

2. Except as provided in paragraph 3 hereof, the normal rates of contribution for each member, except safety members, shall be such as will provide an average annuity at age 57½ equal to 1/120th of his final compensation, according to the tables adopted by the Board of Administration for each year of service rendered after entering the system.

3. On and after the integration date, the normal rate of contribution for each member, except safety members, shall be such as will provide on the average an annuity according to tables adopted by the Board of Administration, at age 57½ equal to the sum of the following:

- (a) 1/160th of his basic final compensation for each year of service rendered after entering the system, and
- (b) 1/120th of his excess final compensation for each year of service rendered after entering the system.

4. No adjustment shall be included in the normal rates of contribution adopted pursuant to paragraph 2 or paragraph 3 of this section because of any time during which members have heretofore contributed at different rates.

SEC. 24.0202

The Board of Administration shall also provide:

1. Except as provided in paragraph 2 of this section and until revised by the Board of Administration, upon the advice of the Actuary, the normal rate of contribution of each member, except safety members, is that percentage of his compensation earnable shown as the B rate in paragraph 2 of this section according to age and sex at the time of entry into the retirement system.

2. On and after the integration date and until revised by the Board of Administration, upon the advice of the Actuary, the normal rate of contribution applicable to the basic compensation shall be the A rate shown in the table below and the normal rate of contribution applicable to the compensation earnable in excess of the basic compensation shall be the B rate shown in the table below:

NORMAL CONTRIBUTION RATES

Age at Entry	Male		Female	
	"A" Rate	"B" Rate	"A" Rate	"B" Rate
20	2.75%	4.12%	3.00%	4.64%
21	2.80	4.20	3.15	4.72
22	2.86	4.29	3.21	4.81
23	2.92	4.38	3.27	4.91
24	2.98	4.47	3.34	5.01
25	3.05	4.57	3.41	5.11
26	3.11	4.67	3.48	5.22
27	3.19	4.78	3.55	5.33
28	3.26	4.89	3.61	5.45
29	3.33	5.00	3.71	5.57
30	3.41	5.11	3.80	5.70
31	3.49	5.23	3.89	5.83
32	3.57	5.35	3.97	5.96
33	3.65	5.47	4.07	6.10
34	3.73	5.60	4.16	6.24
35	3.82	5.73	4.26	6.39
36	3.91	5.87	4.36	6.54
37	4.01	6.01	4.46	6.69
38	4.10	6.15	4.57	6.85
39	4.19	6.29	4.68	7.02
40	4.29	6.44	4.79	7.19
41	4.40	6.60	4.91	7.36
42	4.51	6.76	5.02	7.53
43	4.61	6.92	5.15	7.72
44	4.72	7.08	5.27	7.91
45	4.83	7.25	5.40	8.10
46	4.95	7.42	5.53	8.30
47	5.07	7.60	5.67	8.50
48	5.19	7.78	5.81	8.71
49	5.31	7.97	5.95	8.92
50	5.45	8.17	6.09	9.14
51	5.58	8.37	6.25	9.37
52	5.71	8.57	6.40	9.60
53	5.85	8.78	6.55	9.83
54	5.99	8.99	6.72	10.08
55	6.13	9.20	6.89	10.33
56	6.28	9.42	7.07	10.59
57	6.43	9.64	7.25	10.85
58	6.58	9.87	7.44	11.12
59	6.73	10.10	7.63	11.40
60	6.89	10.34	7.83	11.68
61	7.05	10.58	8.03	11.97
62	7.21	10.83	8.24	12.27
63	7.37	11.08	8.45	12.58
64	7.54	11.34	8.67	12.89
65	7.71	11.60	8.89	13.21
66	7.88	11.87	9.12	13.54
67	8.06	12.14	9.36	13.88
68	8.24	12.42	9.61	14.23
69	8.42	12.70	9.86	14.59
70	8.61	12.99	10.12	14.96
71	8.80	13.28	10.39	15.34
72	8.99	13.58	10.67	15.73
73	9.19	13.88	10.96	16.13
74	9.39	14.19	11.26	16.54
75	9.59	14.50	11.57	16.96
76	9.80	14.82	11.89	17.39
77	10.01	15.14	12.22	17.83
78	10.22	15.47	12.56	18.28
79	10.44	15.80	12.91	18.74
80	10.66	16.14	13.27	19.21
81	10.88	16.48	13.64	19.69
82	11.11	16.83	14.02	20.18
83	11.34	17.18	14.41	20.68
84	11.57	17.54	14.81	21.19
85	11.81	17.90	15.22	21.71
86	12.05	18.27	15.64	22.24
87	12.29	18.64	16.07	22.78
88	12.54	19.02	16.51	23.33
89	12.79	19.41	16.96	23.89
90	13.04	19.80	17.42	24.46
91	13.29	20.20	17.89	25.04
92	13.55	20.61	18.37	25.63
93	13.81	21.02	18.86	26.23
94	14.07	21.44	19.36	26.84
95	14.34	21.87	19.87	27.46
96	14.61	22.30	20.39	28.09
97	14.88	22.74	20.92	28.73
98	15.16	23.18	21.46	29.38
99	15.44	23.63	22.01	30.04
100	15.72	24.08	22.57	30.71

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SEC. 24.0301

The normal rate of contribution established for age 57 is the rate for any member other than a safety member who has attained a greater age before entrance into the Retirement System, and that established for age 20 is the rate for any member other than a safety member who enters the Retirement System at a lesser age.

SEC. 24.0301 CONTRIBUTIONS OF SAFETY MEMBERS

The Board of Administration shall provide:

1. The normal rates of contribution for safety members shall be based on sex and age as of July 1, 1954, or thereafter at the nearest birthday at the time of entrance into the system.

2. Except as provided in paragraph 3 hereof, the normal rates of contribution for each safety member shall be such as will provide an average annuity at age 50 equal to 1/100th of his final compensation, according to the tables adopted by the Board of Administration for each year of service rendered after entering the system.

3. On and after the integration date the normal rate of contribution for each eligible safety member shall be such as will provide on the average an annuity according to tables adopted by the Board of Administration, at age 50 equal to the sum of the following:

- (a) 1/150th of his basic final compensation for each year of service rendered after entering the system, and

- (b) 1/100th of his excess final compensation for each year of service rendered after entering the system.

4. No adjustment shall be included in the normal rates of contribution adopted pursuant to paragraph 2 or paragraph 3 of this section because of any time during which members have heretofore contributed at different rates.

SEC. 24.0302

The Board of Administration shall provide:

1. Except as provided in paragraph 2 hereof and until revised by the Board of Administration upon the advice of the Actuary, the normal rate of contribution for each safety member is that percentage of his compensation earnable as shown as the B rate in paragraph 2 of this section according to age and sex at the time of entry into the Retirement System.

2. On and after the integration date and until revised by the Board of Administration, upon the advice of the Actuary, the normal rate of contribution applicable to the basic compensation shall be the A rate shown in the table below for all eligible safety members, and the normal rate of contribution applicable to the compensation earnable in excess of the basic compensation for all eligible safety members shall be the B rate in the table below.

NORMAL CONTRIBUTION RATES

Age at Entry	Male		Female	
	"A" Rate	"B" Rate	"A" Rate	"B" Rate
20	4.60%	6.09%	5.11%	7.07%
21	4.70	7.14	5.22	7.83
22	4.87	7.30	5.34	8.01
23	4.97	7.46	5.45	8.18
24	5.08	7.62	5.57	8.36
25	5.10	7.79	5.70	8.55
26	5.21	7.97	5.83	8.74
27	5.43	8.15	5.96	8.94
28	5.56	8.34	6.10	9.15
29	5.69	8.53	6.24	9.36
30	5.82	8.73	6.39	9.58
31	5.90	8.94	6.54	9.81
32	6.10	9.15	6.69	10.04
33	6.24	9.36	6.85	10.27
34	6.39	9.58	7.01	10.51
35	6.53	9.80	7.17	10.75
36	6.69	10.03	7.33	11.00
37	6.84	10.26	7.51	11.26
38	6.99	10.49	7.67	11.51
39	7.15	10.73	7.85	11.77
40	7.31	10.97	8.03	12.04
41	7.47	11.21	8.20	12.30
42	7.64	11.46	8.38	12.57
43	7.81	11.71	8.57	12.85
44	7.97	11.95	8.74	13.11
45	8.13	12.19	8.91	13.37
46	8.29	12.43	9.09	13.64
47	8.45	12.67	9.27	13.90
48	8.61	12.91	9.44	14.16
49	8.77	13.15	9.62	14.43

SEC. 24.0303

The normal rate of contribution established for age 40 is the rate for any safety member who has attained a greater age before entrance into the Retirement System, and that established for age 20 is the rate for any safety member who enters the Retirement System at a lesser age.

SEC. 24.0401

The management and control of the Retirement System is vested in the Board of Administration, who shall have authority to adopt such rules and regulations as it may deem proper for the administration of the system. Such Board of Administration is hereby vested with the power and authority to provide a normal retirement allowance for members as provided in Section 24.0402.

The Board is also authorized to provide a normal retirement allowance for safety members as provided in Section 24.0403.

SEC. 24.0402

(a) The Board of Administration shall provide that upon retirement for service, a member, other than a safety member, is entitled to receive a retirement allowance which shall consist of:

- (1) A service retirement annuity.
- (2) A current service pension.
- (3) A prior service pension.

The service retirement annuity is an annuity which is the actuarial equivalent of the member's accumulated normal contributions at the date of his retirement.

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The current service pension is the pension derived from the contributions of the City, sufficient, when added to the service retirement annuity that is derived from the accumulated normal contributions of the member at the date of his retirement, to equal the fraction set forth in the following table opposite his age at retirement, taken to the preceding completed quarter year, in the column applicable to his sex multiplied by the sum of:

(i) 1/60th of final compensation multiplied by the number of years, and fractions thereof, of current service prior to the integration date plus

(ii) 1/90th of final basic compensation, multiplied by the number of years, and fractions thereof, of current service subsequent to the integration date plus

(iii) 1/60th of final excess compensation multiplied by the number of years, and fractions thereof, of current service subsequent to the integration date.

(b) The prior service pension for a member is a pension derived from the contributions of the City equal to the following: A fraction of 1/60th of his final compensation set forth opposite his age at retirement taken to the preceding completed quarter year, in the following table in the column applicable to his sex multiplied by the number of years of prior service with which he is entitled to be credited at retirement:

Age of Retirement	Men	Fraction	Women
50	.8232		.7881
50 1/4	.8245		.7183
50 1/2	.7037		.7274
50 3/4	.7130		.7360
51	.7222		.7457
51 1/4	.7314		.7547
51 1/2	.7406		.7637
51 3/4	.7498		.7726
52	.7590		.7816
52 1/4	.7684		.7907
52 1/2	.7779		.7999
52 3/4	.7873		.8090
53	.7967		.8181
53 1/4	.8065		.8275
53 1/2	.8164		.8369
53 3/4	.8262		.8462
54	.8360		.8556
54 1/4	.8465		.8650
54 1/2	.8570		.8755
54 3/4	.8674		.8855
55	.8779		.8954
55 1/4	.8893		.9061
55 1/2	.9006		.9168
55 3/4	.9119		.9275
56	.9232		.9382
56 1/4	.9355		.9498
56 1/2	.9478		.9614
56 3/4	.9602		.9730
57	.9725		.9846
57 1/4	.9860		.9972
57 1/2	.9994		1.0098
57 3/4	1.0129		1.0224
58	1.0264		1.0350
58 1/4	1.0411		1.0487
58 1/2	1.0559		1.0625
58 3/4	1.0706		1.0762
59	1.0853		1.0899
59 1/4	1.1015		1.1049
59 1/2	1.1176		1.1199
59 3/4	1.1338		1.1349
60	1.1500		1.1500
60 1/4	1.1610		1.1611
60 1/2	1.1721		1.1723
60 3/4	1.1832		1.1835
61	1.1943		1.1947
61 1/4	1.2091		1.2097
61 1/2	1.2239		1.2247
61 3/4	1.2387		1.2398
62	1.2535		1.2548
62 1/4	1.2691		1.2707
62 1/2	1.2848		1.2867
62 3/4	1.3004		1.3026
63	1.3160		1.3186
63 1/4	1.3326		1.3355
63 1/2	1.3491		1.3525
63 3/4	1.3657		1.3693
64	1.3822		1.3863
64 1/4	1.3998		1.4047
64 1/2	1.4173		1.4229
64 3/4	1.4349		1.4411
65 and over	1.4523		1.4593

SEC. 24.0403

The Board of Administration shall provide that upon retirement for service a safety member or an eligible safety member is entitled to receive a retirement allowance which shall consist of:

- (1) A service retirement annuity.
- (2) A pension.

The service retirement annuity is an annuity which is the actuarial equivalent of the safety member's accumulated normal contributions or the eligible safety member's accumulated normal contributions at the time of his retirement.

The pension for safety members who are not eligible for Social Security benefits is a pension derived from the contributions of the City, sufficient, when added to the service retirement annuity that is derived from the accumulated normal contributions of the member, to equal the fraction set forth in the following table opposite his age at retirement, taken to the preceding completed quarter year, in the column applicable to his sex multiplied by the sum of 1/60th of his final compensation for each year, and fractions thereof, to which he is entitled to be credited at retirement.

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The pension for eligible safety members is a pension derived from the contributions of the City, sufficient, when added to the service retirement annuity that is derived from the accumulated normal contributions of the member at the date of his retirement, to equal the fraction set forth in the following table opposite his age at retirement, taken to the preceding completed quarter year, in the column applicable to his sex multiplied by the sum of:

(I) 1/50th of final compensation, multiplied by the number of years, and fractions thereof, of service prior to the integration date, plus

(II) 1/75th of final basic compensation, multiplied by the number of years, and fractions thereof, of service subsequent to the integration date, plus

(III) 1/50th of final excess compensation multiplied by the number of years, and fractions thereof, of service subsequent to the integration date:

Age of Retirement	Fraction
50	1.0000
50 1/4	1.0130
50 1/2	1.0259
50 3/4	1.0387
51	1.0516
51 1/4	1.0650
51 1/2	1.0788
51 3/4	1.0937
52	1.1078
52 1/4	1.1231
52 1/2	1.1384
52 3/4	1.1538
53	1.1692
53 1/4	1.1850
53 1/2	1.2028
53 3/4	1.2195
54	1.2336
54 1/4	1.2547
54 1/2	1.2730
54 3/4	1.2915
55	1.3099

SEC. 24.0405

(1) A special class safety member who at the effective date of this amendment is receiving a monthly salary of at least \$400.00 shall after completing the required number of years of service for special class safety members, as provided in the Charter, receive a minimum retirement allowance of at least \$200.00 per month.

(2) Special class safety members employed in the Police Department who entered the service of the Police Department on or prior to the 8th day of May, 1941, and who have served for 20 years or more in the aggregate as members or employees in any rank or capacity in said Police Department, regardless of age, shall have the right to retire with a normal retirement allowance, and special class safety members in the Police Department who entered the service of the department subsequent to the 8th day of May, 1941, who have completed 25 years of service in the aggregate, shall also have the right to retire with a normal retirement allowance.

(3) Special class safety members employed in the Fire Department who entered the service of the Fire Department on or prior to January 1, 1936, and who have served for 20 years or more in the aggregate as members or employees in any rank or capacity in said Fire Department, regardless of age, shall have the right to retire with a normal retirement allowance, and special class safety members in the Fire Department who entered the service of the department subsequent to the 1st day of January, 1936, who have completed 25 years of service in the aggregate, shall also have the right to retire with a normal retirement allowance.

(4) Each special class safety member of either the Fire or Police Department who is entitled to retire after 20 years of aggregate service with the City shall receive a pension credit of 2 1/2% of his final compensation for each year completed at the effective date of this amendment, but in no case shall such credit exceed 50% of such final compensation. For each year completed after the effective date of this amendment the member shall be credited with 1/50th of his final compensation. The 1/50th pension credits specified above will not be allowable until after such member shall have reached the age of 50 years. No member of either department who is entitled to retire after 20 years as above and who has had 20 years of service in the aggregate shall receive less than the following: \$200.00 per month as retirement allowance, together with such additional amount per month as will represent the actuarial equivalent of that portion of the contributions of such member contributed after his 20th year of service but before his attainment of age 50.

(5) Special class safety members of the Fire and Police Departments who are not eligible for retirement until the completion of 25 years of service in the aggregate shall receive a pension credit of 2% of their final compensation for each year completed at the effective date of this amendment, provided that such credit shall not exceed 50% of such final compensation, and in addition thereto shall be entitled to credits of 1/50th of their final compensation for each year completed after the effective date of this amendment. The 1/50th pension credits specified in this paragraph will not be allowable until after such member shall have reached the age of 50 years and has completed 20 years of aggregate service in the department.

Except as to those members who are forced to retire because of disability or who die, "Final Compensation" within the meaning of paragraphs (4) and (5) hereof shall be the highest average compensation received during any three consecutive years of service, limited, however, to the following monthly maximums for members who retire: During the first year after this amendment is adopted, \$400.00; during the second year, \$500.00; during the third year, \$600.00; during the fourth year, \$700.00; during the fifth year, \$800.00; and after the end of the fifth year there shall be no ceiling considered in determining the amount of the final compensation.

As to those members who are compelled to retire because of disability or who die after this amendment becomes effective, "Final Compensation" shall be defined as above, but with the following monthly maximums: For death or disability occurring during the first year, \$300.00; during the second year, \$400.00; during the third year, \$500.00; during the fourth year, \$600.00; during the fifth year, \$700.00; and after the end of the fifth year, no ceiling shall be considered in determining the amount of the final compensation.

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SEC. 24.0502

Upon retirement for industrial or nonindustrial disability, a member, including a safety member, who has attained the minimum age at which he may retire for service, shall receive his service retirement allowance, if greater.

SEC. 24.0503.1

Upon retirement of a safety member for nonindustrial disability, he shall receive a nonindustrial disability retirement allowance which shall consist of:

(a) An annuity which is the actuarial equivalent of his accumulated normal contributions at the time of retirement.

(b) If in the opinion of the Board his nonindustrial disability is not due to intemperance, wilful misconduct, or violation of law on his part, a disability retirement pension derived from the contributions of the City. The disability retirement pension shall be such an amount as, with that portion of his annuity provided by his accumulated normal contributions, will make his disability retirement allowance equal to 90% of one 1/50th of his final compensation multiplied by the number of years of service credited to him or 1/3 of his final compensation, whichever is greater.

SEC. 24.0509

If, prior to attaining the minimum age for voluntary retirement for service applicable to members of his class, a recipient of a disability retirement allowance engages in a gainful occupation not in City service, the Board shall reduce his monthly disability retirement allowance by 1/2 the amount that the total of the compensation earned monthly by him and his disability retirement allowance exceeds the amount of the maximum compensation earnable by a person holding the position which he held at the time of his retirement, or, if that position has been abolished, the maximum compensation earnable by a person holding it immediately prior to its abolition, but in no event shall the disability retirement allowance be reduced by more than 50%.

When he reaches the minimum age for voluntary retirement for service applicable to members of his class, his retirement allowance shall be made equal to the amount it would be if not reduced under this section, and shall not again be modified for any cause.

Section 2. That Chapter II, Article 4 of the San Diego Municipal Code be, and the same is hereby amended by adding new Sections 24.0103(r) and 24.0107 of Division 1, 24.0405.1 of Division 4, 24.0504.1 and 24.0505.1 of Division 5, new Section 24.0521 of new Division 5-A, new Sections 24.0531 and 24.0532 of new Division 5-B, and new Sections 24.0541, 24.0542, 24.0543, 24.0544, 24.0545, 24.0546 and 24.0547 of new Division 5-C as follows:

SEC. 24.0103(r)

"Legislative Officers" means the Mayor and/or members of the City Council.

SEC. 24.0107. SEVERABILITY

If any section or part of this article be, for any reason, held unconstitutional or invalid by a court of competent jurisdiction, that holding shall not affect the validity of the remaining portions of this division, and such remaining portions shall be and remain in full force and effect.

SEC. 24.0405.1

Special class safety officers employed in the San Diego Police Department or San Diego Fire Department at the effective date of this ordinance who are not entitled to all of the benefits and privileges of safety members in the City Employees' Retirement System shall be so entitled provided they file an election in writing with the Retirement Board giving up all other retirement rights in favor of those safety member benefits, and provided further than they either 1) deposit in the Retirement Fund before their retirement an amount which, when added to their retirement contributions, is sufficient to make their accumulated retirement contributions equal 8% of their earnable compensation from the beginning of their employment to the earliest possible date of their retirement; or 2) that they continue their employment with the City beyond the earliest possible date of retirement long enough so that the amount of pension that would have been received had they retired as a special class safety member at the earliest possible date equals the amount required in 1) above.

SEC. 24.0504.1

Upon retirement of a general member for industrial disability he shall receive in equal monthly installments a disability retirement allowance of 33 1/3% of his final compensation plus an annuity purchased with his accumulated additional contributions, if any, or if qualified for service retirement, he shall receive his service retirement allowance if such allowance, after deducting such additional annuity, is greater. The disability retirement allowance for a general member retired because of industrial disability shall be derived from his accumulated normal contributions and the contributions of the City.

SEC. 24.0505.1

Upon retirement of a general member for nonindustrial disability, he shall receive a nonindustrial disability retirement allowance which shall consist of:

(a) An annuity which is the actuarial equivalent of his accumulated normal contributions at the time of retirement.

(b) If in the opinion of the Board his nonindustrial disability is not due to intemperance, wilful misconduct, or violation of law on his part, a disability retirement pension derived from the contributions of the City. The disability retirement pension shall be such an amount as, with that portion of his annuity provided by his accumulated normal contributions, will make his disability retirement allowance equal to 90% of 1/50th of his final compensation multiplied by the number of years of service credited to him, or 1/3 of his final compensation, whichever is greater.

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DIVISION 5-A CONTINUANCE TO SURVIVING SPOUSE

SEC. 24.0531

From and after July 1, 1973, every member, including a safety member, shall, in addition to his normal contributions, make survivor contributions in an amount equal to a percentage of his normal contributions as set forth below for his sex and membership classification:

Membership Classification	Sex	Survivor Contributions as Percentage of Normal Contributions
General Members	Male	15.67%
General Members	Female	4.29%
Safety Members	Male	11.78%
Safety Members	Female	3.30%

Such survivor contributions, together with interest thereon, shall be paid to the member or his beneficiary in the event the normal contributions are so paid under Sections 24.0206, 24.0308, and 24.0703.

Upon the death of any general member or safety member who retires for service or disability after the effective date of this section, his surviving spouse shall receive, on July 1, 1973 and thereafter, a monthly allowance equal to 50% of the decedent's monthly retirement allowance if:

- (1) such spouse is designated as beneficiary, and
- (2) such spouse was married to the deceased member at least one year prior to the date of his retirement, and

- (3) the monthly retirement allowance of the deceased member was not modified in accordance with Optional Settlement 1, 2, 3 or 4 provided by this system.

No benefits will be paid under this section if there is a surviving spouse who qualifies for and receives the special death benefit or modified special death benefit provided by this system.

Upon the retirement of a general or safety member for service or disability having no spouse at the time of retirement who is eligible for benefits under this section, he shall have the option of having refunded to him in lump sum the accumulated contributions including interest made pursuant to this section, or of having these contributions treated as voluntary additional contributions made to provide a larger annuity benefit.

DIVISION 5-B COST OF LIVING ADJUSTMENT

SEC. 24.0531

The Board shall before July 1, 1971 and before each July 1 thereafter determine whether there has been an increase or decrease in the cost of living as provided in this section. Excepting those special class safety members whose retirement allowances are based upon $\frac{1}{2}$ the amount of the current salary of their retired rank, every person receiving a monthly retirement allowance from this system on June 30, 1971 and each June 30 thereafter shall, on and/or effective July 1, 1971 and each July 1 thereafter, have his (or her) monthly retirement allowance then being received increased or decreased by that percentage determined by the Board to approximate the nearest $\frac{1}{10}$ th of one percent the percentage of annual increase or decrease in the cost of living which has occurred between the two previous January firsts as shown by the Bureau of Labor Statistics Consumer Price Index, United States - All Items. Such change, however, shall not exceed 1.5% per year and no decrease shall reduce the monthly retirement allowance below the amount being received by any person on the effective date of his retirement or the effective date of the application of this section, whichever is later. The amount of any cost of living increase or decrease in any year which is not met by the maximum annual change of 1.5% in allowances shall be accumulated or be met by increases or decreases in allowances in future years.

SEC. 24.0532

The cost of any anticipated cost of living increase in allowances which is based upon services rendered after the applicable date of this Division 5-B shall be shared equally between the employer and the contributing member or safety member, with the individual member's contributions based upon his sex and age at his nearest birthday at time of entrance into the Retirement System.

Commencing July 1, 1971 and until adjusted by the Board upon the recommendation of the Actuary, the contribution requirements of members and safety members as contained in Sections 24.0202 and 24.0302, respectively, shall be increased by 15%. These "cost of living contributions" will be separately totaled upon the retirement of members and safety members after July 1, 1971, and based upon the lifetime annuity value of that total as determined by the Actuary, a fixed sum will be added to the normal monthly retirement allowance of the retired member or safety member as provided for in this chapter. The cost of living adjustments provided for in Section 24.0531 will not be applied until the amounts required exceed the additional fixed sum the retired member is receiving from the annuity value of his cost of living contributions.

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**DIVISION 5-C
LEGISLATIVE OFFICERS RETIREMENT PLAN**

SEC. 24.0541

From and after the effective date of this section there is established within this Retirement System a separate retirement plan for those present and future legislative officers who become members of this system and who are not otherwise entitled to benefits from this system for the period of service under consideration. Legislative officers who become members of this system shall be entitled to all of the privileges and benefits of other members of this system except as specifically provided to the contrary in this Division 5-C.

SEC. 24.0542

Every legislative officer in office at the time this section becomes effective may become a member of this system if he files with the Board a written election to become a member within 90 days after the effective date of this section. Every legislative officer elected after the effective date of this section may become a member of this system if he files with the Board a written election to become a member within 90 days after the commencement of the first term of office for which he is elected.

SEC. 24.0543

Every legislative officer in office at the time this section becomes effective who elects to become a member may also elect within 90 days of becoming a member to receive credit for the service rendered as an elected official prior to his becoming a member if he makes contributions to the system equal to the contributions he would have made had he been a member during the period of prior service for which he is electing to receive credit.

SEC. 24.0544

The City Auditor and Comptroller shall withhold from the wages or salary of a legislative officer who becomes a member of this system 8% of his earnable compensation for deposit in the Retirement Fund and placed to the credit of the individual member's account. The contribution rate shall also be 8% of earnable compensation for the period of time for which a member is electing to receive prior service credits.

SEC. 24.0545

Upon his written application to the Board of Administration, a legislative officer who is a member of this system shall be retired and thereafter shall receive for life the service retirement allowance provided in Section 24.0546 if the member a) is 60 or more years of age and has 4 or more years of creditable service at retirement, or b) has 20 or more years of creditable service at retirement, regardless of his age, or c) has 15 or more years of creditable service at an age less than 60 with the retirement allowance reduced by 2% for each year and fractional year under 60.

SEC. 24.0546

The service retirement allowance payable to eligible members shall be an amount sufficient, when added to the annuity that is derived from the accumulated normal contributions of the member, to equal 5% of his final compensation not in excess of \$500.00 per month for each year of creditable service and 3% of his final compensation in excess of \$500.00 per month for each year of creditable service.

SEC. 24.0547

Any legislative officer who is a member of this system and who becomes permanently incapacitated from the performance of duty shall be retired for disability with a retirement allowance determined in accordance with the provisions of Section 24.0546.

Section 3. That Chapter II, Article 4 of the San Diego Municipal Code be, and the same is hereby amended by repealing, effective July 1, 1971, Sections 24.0504, 24.0505, 24.0506 and 24.0507 of Division 5.

Section 4. The provisions of this ordinance establishing new benefits and adopting new contribution rates shall commence in application of July 1, 1971, with the following exceptions:

(a) Sections 24.0201, 24.0202, 24.0203, 24.0301, 24.0302, 24.0303, 24.0401, 24.0402, 24.0403 and 24.0405 shall commence in application on July 1, 1972; and

(b) Division 5-A (Section 24.0521) pertaining to survivor benefits shall commence in application on July 1, 1973.

Section 5. With the exception of the provisions of Division 5-B, the benefits and provisions of this ordinance are provided solely for those who are active or inactive members on the effective date of said ordinance. All employees who have retired prior to the effective date of this ordinance and are presently receiving a retirement allowance are specifically excluded from this ordinance's application except as provided in Division 5-B.

Section 6. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

Passed and adopted by the Council of The City of San Diego on January 12, 1971, by the following vote:

YEAS: Cobb, Williams, Morrow, Martinet, Hitch, Curran.

NAYS: Loftin, Landt.

ABSENT: Schaefer.

AUTHENTICATED BY:

FRANK CURRAN,

Mayor of The City of San Diego, California.

JOHN LOCKWOOD,

City Clerk of The City of San Diego, California.

By ELFA F. HAMEL, Deputy.

(Seal)

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on December 30, 1970, and on January 12, 1971.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD,

City Clerk of The City of San Diego, California.

By ELFA F. HAMEL, Deputy.

(Seal)

Published January 21, 1971

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