

ORDINANCE NO. 11339
(New Series)

JUN 27 1974

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 4,
DIVISION 3 OF THE SAN DIEGO MUNICIPAL CODE
BY AMENDING SECTION 24.0312 RELATING TO
MEMBERSHIP IN THE RETIREMENT SYSTEM.

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

Section 1. That Chapter II, Article 4, Division 3 of
the San Diego Municipal Code be and the same is hereby amended
by amending Section 24.0312 to read as follows:

SEC. 24.0312

a. A member who, after July 1, 1954, contributes at
the current rate, and who prior to his entrance in this
Retirement System held a position in the city service,
and at that time and during that tenure, was not a member
of any retirement system, shall have the right to receive
credit in this Retirement System for all or any part of
the city service he rendered, whether interrupted or not
during the time he was in city service before becoming a
member if within one year after becoming a member, or
prior to July 1, 1955, whichever is later, he elects to
pay and thereafter pays, in accordance with such election
and prior to retirement, into the Retirement Fund an
amount equal to the contributions he would have made to
any retirement fund if he had been a member during all

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of the time for which he has elected to receive credit, computed by paying the accumulated contributions that would have been in his account if he had been a member of the superseded system during his period of employment subsequent to 1926. Such payment may be made by a lump sum or by installment payments over a period of three (3) years, or in such manner and at such time as the Board of Administration may by rule prescribe. No member shall receive credit under this section for any service for which he has not completed payment pursuant to this section before the effective date of his retirement. A member who has elected to make such payment in installments may complete payment thereof by lump sum at any time prior to the expiration of said three (3) years. Any sums paid by a member pursuant to this section shall be considered to be and administered as normal contributions by the member. If any member does not elect to make up his back contributions, as hereinabove provided, he shall receive credit only for current service during the time which he actually made contributions.

If any member under this section dies or is disabled after he has elected to pay into the system the accumulated contributions that would have been in his account if he had been a member of the superseded system during his period of employment subsequent to 1926, but before

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completing such payment, then and in that event the Board is authorized to pay to the beneficiary of said deceased member or to said disabled member the death benefit or disability allowance herein provided for, after having first deducted or caused to be deducted from the amount of death benefit or disability allowance a sum equal to that amount which the deceased employee or the disabled employee had failed to pay into the system at the date of death or injury or sickness causing disability.

b. Any member who, after January 1, 1974, contributes at the current rate, and was not a member of the Retirement System for any period of City service during the initial six-month probationary period of employment with the city, shall have the right to receive credit in this Retirement System for said period of service if prior to January 1, 1975, he elects to pay and thereafter pays, in accordance with such election and prior to January 1, 1976, into the Retirement Fund an amount equal to the contribution he would have made to the Retirement Fund if he had been a member during that portion of the six-month probationary period. The amount payable shall be computed by multiplying the rate of contribution first applicable to him upon commencement of his membership in the System times the total compensation received by him during that portion of the probationary period concerned plus an

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average interest of four percent (4%) per year from the date of entrance into the System until the completion of the required payment. The payment may be made in a lump sum or by installment payments over a period not to exceed one year.

Section 2. 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
Chief Deputy City Attorney

JK:K
5-29-74

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JUN 27 1974

Passed and adopted by the Council of The City of San Diego on _____
by the following vote:

| Councilmen | Yeas | Nays | Excused | Absent |
|---------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| Gil Johnson | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Maureen F. O'Connor | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Lee Hubbard | <input checked="" type="checkbox"/> | <input 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"/> |
| Jim Ellis | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Jim Bates | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mayor Pete Wilson | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

AUTHENTICATED BY:

PETE WILSON
Mayor of The City of San Diego, California.

EDWARD NIELSEN
City Clerk of The City of San Diego, California.

(Seal)

By Laverne E. Miller, 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

JUN 13 1974

JUN 27 1974

_____, and on _____

~~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.

EDWARD NIELSEN
City Clerk of The City of San Diego, California.

(Seal)

By Laverne E. Miller, Deputy.

RECEIVED
CITY CLERK'S OFFICE
1974 JUN -7 PM 1:23
SAN DIEGO, CALIF.

MICROFILMED MAY 2 1978

Office of the City Clerk, San Diego, California

Ordinance Number 11339 Adopted JUN 27 1974

OLD LANGUAGE--Crossed out.
NEW LANGUAGE--Underlined.

SEC. 24.0312

a. A member who, after July 1, 1954, contributes at the current rate, and who prior to his entrance in this Retirement System held a position in the city service, and at that time and during that tenure, was not a member of any retirement system, shall have the right to receive credit in this Retirement System for all or any part of the city service he rendered, whether interrupted or not during the time he was in city service before becoming a member if within one year after becoming a member, or prior to July 1, 1955, whichever is later, he elects to pay and thereafter pays, in accordance with such election and prior to retirement, into the Retirement Fund an amount equal to the contributions he would have made to any retirement fund if he had been a member during all of the time for which he has elected to receive credit, computed by paying the accumulated contributions that would have been in his account if he had been a member of the superseded system during his period of employment subsequent to 1926. Such payment may be made by a lump sum or by installment payments over a period of three (3) years, or in such manner and at such time as the Board of Administration may by rule prescribe. No member shall receive credit under this section for any service for which he has not completed payment pursuant to this section before the effective date of his retirement. A member who has elected to make such payment in installments may complete payment thereof by lump sum at any time prior to the expiration of said three (3) years.

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Any sums paid by a member pursuant to this section shall be considered to be and administered as normal contributions by the member. If any member does not elect to make up his back contributions, as hereinabove provided, he shall receive credit only for current service during the time which he actually made contributions.

If any member under this section dies or is disabled after he has elected to pay into the system the accumulated contributions that would have been in his account if he had been a member of the superseded system during his period of employment subsequent to 1926, but before completing such payment, then and in that event the Board is authorized to pay to the beneficiary of said deceased member or to said disabled member the death benefit or disability allowance herein provided for, after having first deducted or caused to be deducted from the amount of death benefit or disability allowance a sum equal to that amount which the deceased employee or the disabled employee had failed to pay into the system at the date of death or injury or sickness causing disability.

b. Any member who, after January 1, 1974, contributes at the current rate, and was not a member of the Retirement System for any period of City service during the initial six-month probationary period of employment with the city, shall have the right to receive credit in this Retirement System for said period of service if prior to January 1, 1975, he elects to pay and thereafter pays, in accordance with such election and prior to January 1, 1976, into the Retirement Fund an amount equal to the

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contribution he would have made to the Retirement Fund if
he had been a member during that portion of the six-month
probationary period. The amount payable shall be computed
by multiplying the rate of contribution first applicable
to him upon commencement of his membership in the System
times the total compensation received by him during that
portion of the probationary period concerned plus an
average interest of four percent (4%) per year from the
date of entrance into the System until the completion of
the required payment. The payment may be made in a lump
sum or by installment payments over a period not to
exceed one year.

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1974 JUL 31 AM 8:06

SAN DIEGO, CALIF.

ATTORNEY (S)

City of San Diego
• 12th Floor 202 C St.
San Diego, Ca 92101

~~IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN DIEGO~~

CERTIFICATE OF PUBLICATION

No. 11339

IN THE MATTER OF

RELATING TO MEMBERSHIP IN THE RETIREMENT SYSTEM

I, Patricia M. Applestill hereby certify that San Diego 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. 11339

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

July 5, 1974

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

July 22, 1974

Patricia M. Applestill
(Signature)

13 1/2" @ 4.42 = #59.67

ORDINANCE NO. 11339

(Class. Service)

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 4, DIVISION 3 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 24.0312 RELATING TO MEMBERSHIP IN THE RETIREMENT SYSTEM.

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paid by a member pursuant to this section shall be considered to be and administered as normal contributions by the member. If any member does not elect to make up his back contributions, as hereinabove provided, he shall receive credit only for current service during the time which he actually made contributions.

If any member under this section dies or is disabled after he has elected to pay into the system the accumulated contributions that would have been in his account if he had been a member of the superseded system during his period of employment subsequent to 1926, but before completing such payment, then and in that event the Board is authorized to pay to the beneficiary of said deceased member or to said disabled member the death benefit or disability allowance herein provided for, after having first deducted or caused to be deducted from the amount of death benefit or disability allowance a sum equal to that amount which the deceased employee or the disabled member had failed to pay into the system at the date of death or disability, as determined by the Board.

Any member who, after January 1, 1974, contributes at the current rate and was not a member of the Retirement System for any period of City service during the initial six-month probationary period of employment with the city, shall have the right to receive credit in this Retirement System for said period of service. If prior to January 1, 1975, he elects to pay and thereafter pays, in accordance with such election and prior to January 1, 1976, into the Retirement Fund an amount equal to the contribution he would have made to the Retirement Fund if he had been a member during that portion of the six-month probationary period. The amount payable shall be computed by multiplying the rate of contribution first applicable to him upon commencement of his membership in the System times the total compensation received by him during that portion of the probationary period concerned plus an average interest of four percent (4%) per year from the date of entrance into the System until the completion of the required payment. The payment may be made in a lump sum or by installment payments over a period not to exceed one year.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

Introduced on June 13, 1974.

Passed and adopted by the Council of The City of San Diego on June 27, 1974.

AUTHENTICATED BY:

PETE WILSON,

Mayor of The City of

San Diego, California.

EDWARD NIELSEN,

City Clerk of The City of

San Diego, California.

By **LA VERNE E. MILLER,**

Deputy

(SEAL) Published July 5, 1974

LS 1048