

ORDINANCE NO. 11488
(New Series)

FEB 13 1975

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 4, DIVISION 1 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 24.0105 AND ADDING SECTION 24.0105.1 RELATING TO ELIGIBILITY FOR MEMBERSHIP IN THE RETIREMENT SYSTEM OF THE CITY OF SAN DIEGO.

WHEREAS, The City of San Diego (herein called "City") will be participating in a federally funded Public Service Career Training Program (herein called "Program") under Title VI of the Comprehensive Employment Training Act (CETA) in order to provide work and income to unemployed persons, and

WHEREAS, City will be hiring several hundred persons as trainees under said federally funded Program through the Classified Service of said City; and

WHEREAS, this Program is of limited duration and does not require nor intend transition of said employees into the permanent ranks of the Classified Service of City; and

WHEREAS, Section 24.0105 of the San Diego Municipal Code provides, with certain exceptions, that membership in the Retirement System of The City of San Diego (herein called "System") shall be compulsory and a condition of employment for all members of the Classified Service; and

WHEREAS, it is not feasible to require these trainees to join the System when it is anticipated that they will be

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terminated six months after the date they are required to become members; and

WHEREAS, unless provision is made to the contrary, such required membership would reduce said trainees' salaries between five and ten percent, in contravention to the intention of the Program to provide maximum take-home salaries permitted by the Program; and

WHEREAS, unless provision is made to the contrary, significant additional workload and financial obligation would be incurred by the City and System in order to process terminations and separation from the System; and

WHEREAS, the Board of Administration of said System has considered such facts recited hereinabove and recommends to the City Council that the San Diego Municipal Code sections governing said System be amended appropriately to permit exclusion from membership in the System of all trainees hired under the Program; NOW, THEREFORE,

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

Section 1. That Chapter II, Article 4, Division 1 of the San Diego Municipal Code be amended by amending Section 24.0105 to read as follows:

SEC. 24.0105 MEMBERSHIP

Except such members of the Police and Fire Departments who were employed by The City of San Diego prior to July 1,

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1946, and except such employees as have not heretofore been members of the Retirement System which is superseded in part hereby, and except as provided in Section 24.0105.1, membership in the Retirement System shall be compulsory and a condition of employment for all members of the Classified Service. Those employees who are not members of the Retirement System which is superseded in part hereby at the date of the taking effect of this ordinance, except policemen and firemen who were employed by the City on or before July 1, 1946, shall be given the option of becoming members, as hereinafter provided.

Employees in the Classified Service shall not be compelled to join the Retirement System until the expiration of six months from the date of their employment, except that such employees may at their option join said system immediately upon employment without waiting for the expiration of six months.

Employees in the Classified Service who are employed on a part-time basis may become members of the Retirement System, provided that their employment is regular for at least six months of any one fiscal year, and provided, further, that for such part-time employees they shall be entitled to full benefits hereunder only if they have contributed to the fund such contributions as they would have contributed through a fiscal year if employed for

MICROFILMED MAY 4 1978

the full year. In all other cases, such part-time employees who are entitled to membership shall receive such retirement allowances as may be determined by the Board of Administration based upon their contributions and compensation, subject to all of the provisions of this ordinance.

Section 2. That Chapter II, Article 4, Division 1 of the San Diego Municipal Code be and the same is hereby amended by adding Section 24.0105.1 to read as follows:


SEC. 24.0105.1 SAME--EXCLUSION FROM

Notwithstanding the provisions of Section 24.0105, all persons hired by The City of San Diego after January 3, 1975, pursuant to provisions of federally funded programs of limited duration not requiring as a condition of such program transition to permanent positions in the Classified Service of the City, shall be ineligible for membership in the Retirement System.

Section 3. 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
Chief Deputy City Attorney

JK:K:352
1-13-75
Corrected 1-28-75

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MAY 4 1978

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Passed and adopted by the Council of The City of San Diego on FEB 13 1975
 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
Jess D. Haro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 Patricia Polen, 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

JAN 30 1975

FEB 13 1975

~~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 Patricia Polen, Deputy.

1975 JAN 24 PM 1:25

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MAY 4 1978

Office of the City Clerk, San Diego, California

Ordinance Number 11488

Adopted FEB 13 1975

RECEIVED
CITY CLERK'S OFFICE

1975 FEB 25 AM 9:07 *g*

SAN DIEGO, CALIF.

ATTORNEY(S)

San Diego, City of
12th Floor City Admin. Bldg.
San Diego, Ca. 92101

CERTIFICATE OF PUBLICATION

No. _____

IN THE MATTER OF

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 4, DIVISION 1, etc.

FEB 25 1975 *g*

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. 11488 (New Series)

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

February 21, 1975

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

February 24, 1975

Patricia M. Applestill

(Signature)

ORDINANCE NO. 1144

(New Series)

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 4, DIVISION 1 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 24.0105 AND ADDING SECTION 24.0105.1 RELATING TO ELIGIBILITY FOR MEMBERSHIP IN THE RETIREMENT SYSTEM OF THE CITY OF SAN DIEGO.

WHEREAS, The City of San Diego (herein called "City") will be participating in a federally funded Public Service Career Training Program (herein called "Program") under Title VI of the Comprehensive Employment Training Act (CETA) in order to provide work and income to unemployed persons; and

WHEREAS, City will be hiring several hundred persons as trainees under said federally funded Program through the Classified Service of said City; and

WHEREAS, this Program is of limited duration and does not require nor intend transition of said employees into the permanent ranks of the Classified Service of City; and

WHEREAS, Section 24.0105 of the San Diego Municipal Code provides, with certain exceptions, that membership in the Retirement System of The City of San Diego (herein called "System") shall be compulsory and a condition of employment for all members of the Classified Service; and

WHEREAS, it is not feasible to require these trainees to join the System when it is anticipated that they will be terminated six months after the date they are required to become members; and

WHEREAS, unless provision is made to the contrary, such required membership would reduce said trainees' salaries between five and ten percent, in contravention to the intention of the Program to provide maximum take-home salaries permitted by the Program; and

WHEREAS, unless provision is made to the contrary, significant additional workload and financial obligation would be incurred by the City and System in order to process terminations and separation from the System; and

WHEREAS, the Board of Administration of said System has considered such facts recited hereinabove and recommends to the City Council that the San Diego Municipal Code sections governing said System be amended appropriately to permit exclusion from membership in the System of all trainees hired under the Program; NOW, THEREFORE,

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

Section 1. That Chapter II, Article 4, Division 1 of the San Diego Municipal Code be amended by amending Section 24.0105 to read as follows:

SEC. 24.0105 MEMBERSHIP

Except such members of the Police and Fire Departments who were employed by The City of San Diego prior to July 1, 1948, and except such employees as has not heretofore been members of the Retirement System which is superseded in part hereby, and except as provided in Section 24.0105.1, membership in the Retirement System shall be compulsory and a condition of employment for all members of the Classified Service. Those employees who are not members of the Retirement System which is superseded in part hereby at the date of the taking effect of this ordinance, except policemen and firemen who were employed by the City on or before July 1, 1948, shall be given the option of becoming members, as hereinafter provided.

Employees in the Classified Service shall not be compelled to join the Retirement System until the expiration of six months from the date of their employment, except that such employees may at their option join said system immediately upon employment without waiting for the expiration of six months.

Employees in the Classified Service who are employed on a part-time basis may become members of the Retirement System, provided that their employment is regular for at least six months of any one fiscal year, and provided, further, that for such part-time employees they shall be entitled to full benefits hereunder only if they have contributed to the fund such contributions as they would have contributed through a fiscal year if employed for the full year. In all other cases, such part-time employees who are entitled to membership shall receive such retirement allowances as may be determined by the Board of Administration based upon their contributions and compensation, subject to all of the provisions of this ordinance.

Section 2. That Chapter II, Article 4, Division 1 of the San Diego Municipal Code be and the same is hereby amended by adding Section 24.0105.1 to read as follows:

SEC. 24.0105.1 SAME -- EXCLUSION FROM

Notwithstanding the provisions of Section 24.0105, all persons hired by The City of San Diego after January 3, 1975, pursuant to provisions of federally funded programs of limited duration not requiring as a condition of such program transition to permanent positions in the Classified Service of the City, shall be ineligible for membership in the Retirement System.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

Introduced on January 30, 1975.

Passed and adopted by the Council of The City of San Diego on February 12, 1975.

AUTHENTICATED BY:

PETE WILSON,

Mayor of The City of San Diego, California.

EDWARD NIELSEN,

City Clerk of The City of San Diego, California.

By PATRICIA FOLEY, Deputy

ATTORNEY(S)

City of San Diego,
12th Floor City Admin. Bldg.
San Diego, Ca. 92101
Attn: Polen

RECEIVED
CITY CLERK'S OFFICE

1975 MAR -3 PM 2:54 *ag*
SAN DIEGO, CALIF.

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF

Council Rule 7, etc.

MAR 3 1975 *fw*

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. 11489

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

February 28, 1975

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

February 28, 1975

Patricia M. Applestill
(Signature)

ORDINANCE NO. 11489

(New Ordinance)

AN ORDINANCE AMENDING COUNCIL RULES 7 AND 30 IN CHAPTER II, ARTICLE 2, DIVISION 1, SECTION 22.0101 OF THE SAN DIEGO MUNICIPAL CODE.

WHEREAS, the City Council desires to make certain changes in the Rules of the Council; NOW, THEREFORE,

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

Section 1. Rule 7 of the Rules of the Council, Section 22.0101, Division 1, Article 2, Chapter II of the San Diego Municipal Code be and the same is hereby amended to read as follows:

Rule 7. Referral Agenda

The Referral Agenda shall consist of resolutions and ordinances which are deemed by the Rules Committee to need further study or consideration by a standing committee or the Committee of the Whole before a vote for adoption by the full City Council is taken, and which have been assigned by the Rules Committee to the appropriate standing committee or to the Committee of the Whole.

Except as otherwise provided in these rules, the Rules Committee shall have the authority to assign a resolution or an ordinance to a standing committee, or to the Committee of the Whole, or to direct the City Clerk to place the resolution or ordinance directly on the Council docket for adoption.

The Referral Agenda shall be for the purpose of providing public notice only, and no action shall be taken by the Council on items listed on the Referral Agenda; provided, however, that by majority vote of the membership of the Council any matter on the Referral Agenda may be removed and scheduled for the Adoption or Consent agenda of the Council at its next succeeding meeting.

Section 2. Rule 30 of the Rules of the Council, Section 22.0101, Division 1, Article 2, Chapter II of the San Diego Municipal Code be and the same is hereby amended to read as follows:

Rule 30. Preparation of the Council Docket

The Rules Committee Chairman, or in his absence a person designated by him, shall meet each Friday morning with the City Clerk, City Manager and the City Attorney, or their designated representatives, for the purpose of the preparation of the docket for the next regular meeting of the City Council to be held the following Thursday.

Only those resolutions or ordinances that have been prepared and delivered to it in accordance with Rules 28 and 29 shall be listed on the docket.

Each resolution or ordinance so prepared and so delivered shall be reviewed and shall be assigned to one of the categories enumerated below:

1. Adoption Agenda
 - a. Consent Items
 - b. Noticed Hearings
 - c. Other Ordinances and Resolutions
2. Referral Agenda

Each item on a noticed hearing must be assigned to the Noticed Hearing portion of the Adoption Agenda and cannot be referred to a committee.

Each ordinance or resolution that is reported out of committee in accordance with Rule 17 must be assigned to the Adoption Agenda and cannot be referred to a committee.

In assigning every other ordinance or resolution to one of these categories, preference should be given to listing purchasing items and routine business resolutions on the Adoption Agenda, and usually as Consent Items on the Adoption Agenda.

In assigning every other ordinance or resolution to one of these categories, preference should be given to referring the item to a standing committee or the Committee of the Whole and listing the item on the Referral Agenda when it would do any of the following: (1) support or oppose State or Federal legislation; (2) result in a substantial expenditure of City money; (3) result in a substantial loss of revenue to the City; (4) result in a substantial reduction of expenditures of City money by reducing, transferring or eliminating any existing responsibilities of the City; (5) appropriate money; or (6) add to, modify or abolish existing City policy.

For each resolution or ordinance assigned to the Referral Agenda, the committee to which it has been referred shall be indicated and the City Clerk shall cause this committee assignment to be listed on the docket with the date of the initial committee hearing.

The docket prepared as above and any items under Special Order of Business, together with all resolutions and ordinances prepared in accordance with Rule 28 and delivered in accordance with Rule 29, shall be delivered to the City Clerk by 12:00 noon each Friday for listing on the docket of the next regular meeting of the City Council, and the Clerk shall so list the items. Additionally, any item may be set for a time certain hearing.

The City Clerk shall arrange the docket in proper printed format and cause the docket to be published and distributed for public notice by each Tuesday preceding the regular Thursday meeting of the full City Council.

Notwithstanding the above provisions, there may be listed on the Adoption Agenda of the Council docket an ordinance or resolution that has been initiated in accordance with Rules 25, 26 and 27, but which has not been prepared and delivered in accordance with Rules 28 and 29, if the City Attorney certifies in writing to the Rules Committee that an ordinance or resolution will be prepared and delivered by the City Attorney to the Council prior to the time the item is considered on the Adoption Agenda of the Council docket.

Notwithstanding the above provisions, a majority of the Council members may direct the City Clerk to list a resolution or ordinance on a supplemental docket for a regular Council meeting if the City Attorney certifies to the City Clerk that an ordinance or resolution has been prepared or will be prepared and delivered to the City Council prior to the time the item is considered at the regular Council meeting.

All docket preparation functions in these rules assigned to the Rules Committee shall be construed to be assigned to the Rules Committee Chairman.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

Introduced on February 6, 1975.

Passed and adopted by the Council of The City of San Diego on February 20, 1975.

AUTHENTICATED BY:

PETE WILSON,
Mayor of The City of San Diego, California.
EDWARD NIELSEN,
City Clerk of The City of San Diego, California.
By PATRICIA POLEN, Deputy.