

ORDINANCE NO. **12633**
(New Series)

APR 30 1979

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 4, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 24.0201, 24.0202, 24.0301, 24.0302, 24.0402 AND 24.0521, RELATING TO RETIREMENT SYSTEM CONTRIBUTION RATES.

WHEREAS, the existing Retirement System, in part, bases the contribution rates for General and Safety Members and benefits for General Members on the sex of the member; and

WHEREAS, the United States Supreme Court in City of Los Angeles, Department of Water and Power, et al. v. Marie Manhart, et al., United States Supreme Court No. 76-1810, ruled that such a practice violated the United States Constitution and applicable federal law; and

WHEREAS, the Retirement Board of Administration requested and received a study from their actuary which would eliminate any consideration of the sex of the member in determining benefits or contributions within the Retirement System; NOW, THEREFORE,

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, 24.0301, 24.0302, 24.0402 and 24.0521, to read as follows:

SEC. 24.0201 CONTRIBUTION OF General Members

The Board of Administration shall provide:

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

(Paragraphs 2, 3 and 4 - NO CHANGE.)

SEC. 24.0202 GENERAL MEMBERS' CONTRIBUTIONS

1. The Board of Administration, based upon the advice of the Actuary, shall periodically adopt the normal B rate of contribution of each general member according to age at the time of entry into the Retirement System.

(Paragraph 2 - NO CHANGE.)

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 age as of July 1, 1954, or thereafter at the nearest birthday at the time of entrance into the system.

(Paragraphs 2, 3 and 4 - NO CHANGE.)

SEC. 24.0302 SAFETY MEMBER CONTRIBUTION RATES

1. The Board of Administration, based upon the advice of the Actuary, shall periodically adopt the normal B rate on contribution of each safety member according to age at the time of entry into the Retirement System.

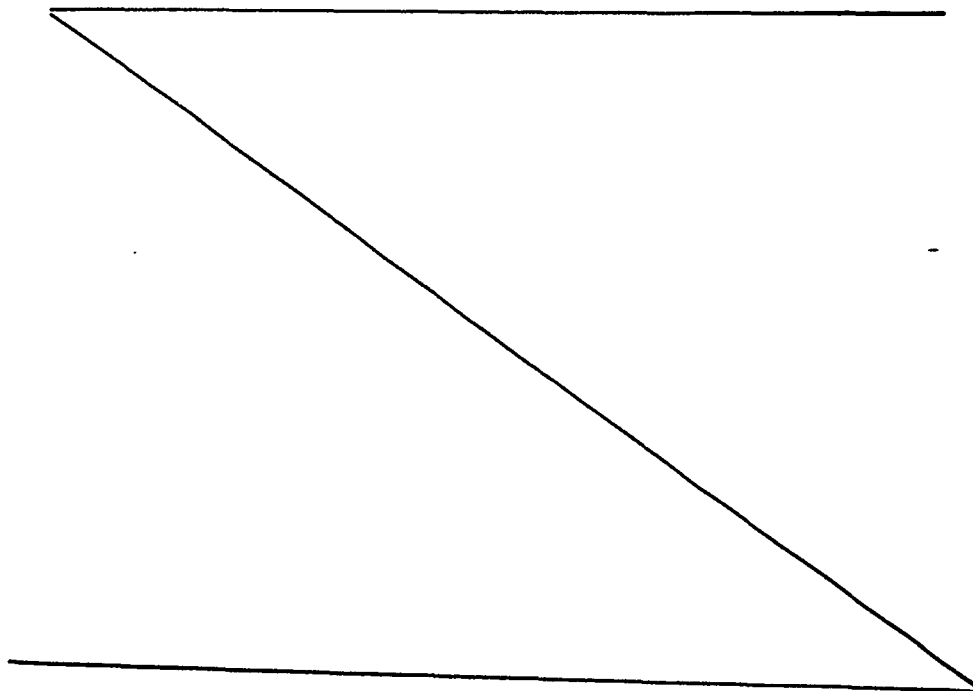
(Paragraph 2 - NO CHANGE.)

SEC. 24.0402 RETIREMENT ALLOWANCE--GENERAL MEMBER

(First and second paragraphs - NO CHANGE.)

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 retirement, to equal the fraction set forth in the following table opposite the member's age at retirement, taken to the preceding completed quarter year, multiplied by the sum of:

(Paragraphs (i), (ii) and (iii) - NO CHANGE.)



T A B L E

SAN DIEGO CITY EMPLOYEES' RETIREMENT SYSTEM

<u>Age of Retirement</u>	<u>Factor</u>	<u>Age of Retirement</u>	<u>Factor</u>
55	.8867	60	1.1500
55-1/4	.8977	60-1/4	1.1611
55-1/2	.9087	60-1/2	1.1722
55-3/4	.9197	60-3/4	1.1834
56	.9307	61	1.1945
56-1/4	.9427	61-1/4	1.2094
56-1/2	.9546	61-1/2	1.2243
56-3/4	.9666	61-3/4	1.2393
57	.9786	62	1.2542
57-1/4	.9916	62-1/4	1.2699
57-1/2	1.0046	62-1/2	1.2858
57-3/4	1.0177	62-3/4	1.3015
58	1.0307	63	1.3173
58-1/4	1.0449	63-1/4	1.3341
58-1/2	1.0592	63-1/2	1.3508
58-3/4	1.0734	63-3/4	1.3676
59	1.0876	64	1.3844
59-1/4	1.1032	64-1/4	1.4023
59-1/2	1.1188	64-1/2	1.4201
59-3/4	1.1344	64-3/4	1.4380
		65	1.4559

(50% M - 50% F)

SEC. 24.0521 SURVIVING SPOUSE--CONTRIBUTION
RATES AND BENEFITS

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

<u>Membership Classification</u>	<u>Survivor Contributions as Percentage of Normal Contributions</u>
General Members	9.98%
Safety Members	11.76%

Such survivor contributions, together with interest thereon, shall be paid to the member or his or her 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 or her surviving spouse shall receive, on July 1, 1973 and thereafter, a monthly allowance equal to 50% of the decedent's monthly retirement allowance if:

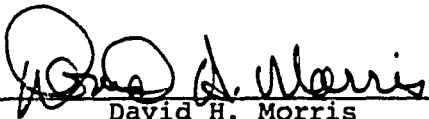
(Paragraphs (1), (2) and (3) - NO CHANGE.)

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 or she shall have the option of having refunded to him or her 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.

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 
David H. Morris
Deputy City Attorney

DHM:rc:352
3/12/79
Or. Dept.: Retirement

OLD LANGUAGE--Crossed Out
NEW LANGUAGE--Underlined

SEC. 24.0201 CONTRIBUTION OF GENERAL 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.

(Paragraphs 2, 3 and 4 - NO CHANGE.)

SEC. 24.0202 GENERAL MEMBERS' CONTRIBUTIONS

1. The Board of Administration, based upon the advice of the Actuary, shall periodically adopt the normal B rate of contribution of each general member according to age ~~and-sex~~ at the time of entry into the Retirement System.

(Paragraph 2 - NO CHANGE.)

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.

(Paragraphs 2, 3 and 4 - NO CHANGE.)

SEC. 24.0302 SAFETY MEMBER CONTRIBUTION RATES

1. The Board of Administration, based upon the advice of the Actuary, shall periodically adopt the normal B rate on contribution of each safety member

according to age and sex at the time of entry into the Retirement System.

(Paragraph 2 - NO CHANGE.)

SEC. 24.0402 RETIREMENT ALLOWANCE--GENERAL MEMBER

(First and second paragraphs - NO CHANGE.)

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 retirement, to equal the fraction set forth in the following table (TABLE ATTACHED) opposite ~~his-or-her~~ the member's age at retirement, taken to the preceding completed quarter year, ~~in-the column-applicable-to-the-member's-sex~~ multiplied by the sum of:

(Paragraphs (i), (ii) and (iii) - NO CHANGE.)

SEC. 24.0521 SURVIVING SPOUSE--CONTRIBUTION RATES AND BENEFITS

From and after July 1, 1973, every member, including a safety member, shall, in addition to his or her normal contributions, make survivor contributions in an amount equal to a percentage of his or her 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%	<u>9.98%</u>
General-Members-	Female	4.29%	
Safety Members	Male-	11.76%	<u>11.76%</u>
Safety-Members	Female	3.30%	

Such survivor contributions, together with interest thereon, shall be paid to the member or his or her 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 or her surviving spouse shall receive, on July 1, 1973 and thereafter, a monthly allowance equal to 50% of the decedent's monthly retirement allowance if:

(Paragraphs (1), (2) and (3) - NO CHANGE.)

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 or she shall have the option of having refunded to him or her 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.

T A B L E

SAN-DIEGO CITY EMPLOYEES' RETIREMENT SYSTEM

<u>Age of Retirement</u>	<u>Factor</u>	<u>Age of Retirement</u>	<u>Factor</u>
<u>55</u>	<u>.8867</u>	<u>60</u>	<u>1.1500</u>
<u>55-1/4</u>	<u>.8977</u>	<u>60-1/4</u>	<u>1.1611</u>
<u>55-1/2</u>	<u>.9087</u>	<u>60-1/2</u>	<u>1.1722</u>
<u>55-3/4</u>	<u>.9197</u>	<u>60-3/4</u>	<u>1.1834</u>
<u>56</u>	<u>.9307</u>	<u>61</u>	<u>1.1945</u>
<u>56-1/4</u>	<u>.9427</u>	<u>61-1/4</u>	<u>1.2094</u>
<u>56-1/2</u>	<u>.9546</u>	<u>61-1/2</u>	<u>1.2243</u>
<u>56-3/4</u>	<u>.9666</u>	<u>61-3/4</u>	<u>1.2393</u>
<u>57</u>	<u>.9786</u>	<u>62</u>	<u>1.2542</u>
<u>57-1/4</u>	<u>.9916</u>	<u>62-1/4</u>	<u>1.2699</u>
<u>57-1/2</u>	<u>1.0046</u>	<u>62-1/2</u>	<u>1.2858</u>
<u>57-3/4</u>	<u>1.0177</u>	<u>62-3/4</u>	<u>1.3015</u>
<u>58</u>	<u>1.0307</u>	<u>63</u>	<u>1.3173</u>
<u>58-1/4</u>	<u>1.0449</u>	<u>63-1/4</u>	<u>1.3341</u>
<u>58-1/2</u>	<u>1.0592</u>	<u>63-1/2</u>	<u>1.3508</u>
<u>58-3/4</u>	<u>1.0734</u>	<u>63-3/4</u>	<u>1.3676</u>
<u>59</u>	<u>1.0876</u>	<u>64</u>	<u>1.3844</u>
<u>59-1/4</u>	<u>1.1032</u>	<u>64-1/4</u>	<u>1.4023</u>
<u>59-1/2</u>	<u>1.1188</u>	<u>64-1/2</u>	<u>1.4201</u>
<u>59-3/4</u>	<u>1.1344</u>	<u>64-3/4</u>	<u>1.4380</u>
		<u>65</u>	<u>1.4559</u>

(50% M - 50% F)

OLD TABLE

AGE OF RETIREMENT	FRACTIONS	
	Men	Women
50	0.820	0.811
51	0.817	0.808
52	0.813	0.804
53	0.809	0.800
54	0.805	0.796
55	0.801	0.792
56	0.797	0.788
57	0.793	0.784
58	0.789	0.780
59	0.785	0.776
60	0.781	0.772
61	0.777	0.768
62	0.773	0.764
63	0.769	0.760
64	0.765	0.756
65	0.761	0.752
66	0.757	0.748
67	0.753	0.744
68	0.749	0.740
69	0.745	0.736
70	0.741	0.732
71	0.737	0.728
72	0.733	0.724
73	0.729	0.720
74	0.725	0.716
75	0.721	0.712
76	0.717	0.708
77	0.713	0.704
78	0.709	0.700
79	0.705	0.696
80	0.701	0.692
81	0.697	0.688
82	0.693	0.684
83	0.689	0.680
84	0.685	0.676
85	0.681	0.672
86	0.677	0.668
87	0.673	0.664
88	0.669	0.660
89	0.665	0.656
90	0.661	0.652
91	0.657	0.648
92	0.653	0.644
93	0.649	0.640
94	0.645	0.636
95	0.641	0.632
96	0.637	0.628
97	0.633	0.624
98	0.629	0.620
99	0.625	0.616
100	0.621	0.612
101	0.617	0.608
102	0.613	0.604
103	0.609	0.600
104	0.605	0.596
105	0.601	0.592
106	0.597	0.588
107	0.593	0.584
108	0.589	0.580
109	0.585	0.576
110	0.581	0.572
111	0.577	0.568
112	0.573	0.564
113	0.569	0.560
114	0.565	0.556
115	0.561	0.552
116	0.557	0.548
117	0.553	0.544
118	0.549	0.540
119	0.545	0.536
120	0.541	0.532
121	0.537	0.528
122	0.533	0.524
123	0.529	0.520
124	0.525	0.516
125	0.521	0.512
126	0.517	0.508
127	0.513	0.504
128	0.509	0.500
129	0.505	0.496
130	0.501	0.492
131	0.497	0.488
132	0.493	0.484
133	0.489	0.480
134	0.485	0.476
135	0.481	0.472
136	0.477	0.468
137	0.473	0.464
138	0.469	0.460
139	0.465	0.456
140	0.461	0.452
141	0.457	0.448
142	0.453	0.444
143	0.449	0.440
144	0.445	0.436
145	0.441	0.432
146	0.437	0.428
147	0.433	0.424
148	0.429	0.420
149	0.425	0.416
150	0.421	0.412
151	0.417	0.408
152	0.413	0.404
153	0.409	0.400
154	0.405	0.396
155	0.401	0.392
156	0.397	0.388
157	0.393	0.384
158	0.389	0.380
159	0.385	0.376
160	0.381	0.372
161	0.377	0.368
162	0.373	0.364
163	0.369	0.360
164	0.365	0.356
165	0.361	0.352
166	0.357	0.348
167	0.353	0.344
168	0.349	0.340
169	0.345	0.336
170	0.341	0.332
171	0.337	0.328
172	0.333	0.324
173	0.329	0.320
174	0.325	0.316
175	0.321	0.312
176	0.317	0.308
177	0.313	0.304
178	0.309	0.300
179	0.305	0.296
180	0.301	0.292
181	0.297	0.288
182	0.293	0.284
183	0.289	0.280
184	0.285	0.276
185	0.281	0.272
186	0.277	0.268
187	0.273	0.264
188	0.269	0.260
189	0.265	0.256
190	0.261	0.252
191	0.257	0.248
192	0.253	0.244
193	0.249	0.240
194	0.245	0.236
195	0.241	0.232
196	0.237	0.228
197	0.233	0.224
198	0.229	0.220
199	0.225	0.216
200	0.221	0.212
201	0.217	0.208
202	0.213	0.204
203	0.209	0.200
204	0.205	0.196
205	0.201	0.192
206	0.197	0.188
207	0.193	0.184
208	0.189	0.180
209	0.185	0.176
210	0.181	0.172
211	0.177	0.168
212	0.173	0.164
213	0.169	0.160
214	0.165	0.156
215	0.161	0.152
216	0.157	0.148
217	0.153	0.144
218	0.149	0.140
219	0.145	0.136
220	0.141	0.132
221	0.137	0.128
222	0.133	0.124
223	0.129	0.120
224	0.125	0.116
225	0.121	0.112
226	0.117	0.108
227	0.113	0.104
228	0.109	0.100
229	0.105	0.096
230	0.101	0.092
231	0.097	0.088
232	0.093	0.084
233	0.089	0.080
234	0.085	0.076
235	0.081	0.072
236	0.077	0.068
237	0.073	0.064
238	0.069	0.060
239	0.065	0.056
240	0.061	0.052
241	0.057	0.048
242	0.053	0.044
243	0.049	0.040
244	0.045	0.036
245	0.041	0.032
246	0.037	0.028
247	0.033	0.024
248	0.029	0.020
249	0.025	0.016
250	0.021	0.012
251	0.017	0.008
252	0.013	0.004
253	0.009	0.000
254	0.005	0.000
255	0.001	0.000
256	0.000	0.000
257	0.000	0.000
258	0.000	0.000
259	0.000	0.000
260	0.000	0.000
261	0.000	0.000
262	0.000	0.000
263	0.000	0.000
264	0.000	0.000
265	0.000	0.000
266	0.000	0.000
267	0.000	0.000
268	0.000	0.000
269	0.000	0.000
270	0.000	0.000
271	0.000	0.000
272	0.000	0.000
273	0.000	0.000
274	0.000	0.000
275	0.000	0.000
276	0.000	0.000
277	0.000	0.000
278	0.000	0.000
279	0.000	0.000
280	0.000	0.000
281	0.000	0.000
282	0.000	0.000
283	0.000	0.000
284	0.000	0.000
285	0.000	0.000
286	0.000	0.000
287	0.000	0.000
288	0.000	0.000
289	0.000	0.000
290	0.000	0.000
291	0.000	0.000
292	0.000	0.000
293	0.000	0.000
294	0.000	0.000
295	0.000	0.000
296	0.000	0.000
297	0.000	0.000
298	0.000	0.000
299	0.000	0.000
300	0.000	0.000

Passed and adopted by the Council of The City of San Diego on APR 30 1979
by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Lowery	<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"/>
Fred Schnaubelt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Stirling	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<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.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Ellen Boverd, 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

APR 16 1979

, and on

APR 30 1979

~~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.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Ellen Boverd, Deputy.

Office of the City Clerk, San Diego, California

Ordinance
Number

12633

Adopted

APR 30 1979

ATTORNEY(S)

San Diego, City of
12th floor, City Admin. Bldg.
202 C St.
San Diego, CA 92101

Attn: Ellen Bovard

RECEIVED
1979 MAY 18 PM 4:21
SAN DIEGO, CALIF.

CERTIFICATE OF PUBLICATION

No. _____

IN THE MATTER OF

RELATING TO RETIREMENT SYSTEM CONTRIBUTION RATES

I Patricia M. Spaulding, am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1909, Decree No. 14894; and the

ORDINANCE NO. 12633

(New Series)

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 4, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 24.0201, 24.0202, 24.0301, 24.0302, 24.0402 AND 24.0821, RELATING TO RETIREMENT SYSTEM CONTRIBUTION RATES.

Presently, contributions and benefits for General Members in the City's Retirement System are computed on an actuarial basis by sex and age of the member. These revisions would result in a single table with computations limited to age of the member.

A complete copy of the ordinance is available for inspection in the office of the City Clerk of the City of San Diego, 12th Floor, City Administration Building, 202 "C" St., San Diego, CA 92101.

Introduced on April 16, 1979.

Passed and adopted by the Council of The City of San Diego on April 30, 1979.

AUTHENTICATED BY:

PETE WILSON,

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California

SEALS

By ELLEN BOVARD, Deputy.

Published May 14, 1979

ORDINANCE NO. 12633

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to-wit:

May 14, 1979

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 16th day of May, 1979.

Patricia M. Spaulding
(Signature)

4 1/4 " x 25.80