

(O-82-196)

ORDINANCE NUMBER O- 15686 (New Series)

Adopted on APR 5 1982

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 4, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 24.0104, 24.0301, 24.0302 AND 24.0403 RELATING TO CHANGES REGARDING ELIGIBLE SAFETY MEMBERS AS A RESULT OF THE CITY'S WITHDRAWAL FROM SOCIAL SECURITY PARTICIPATION.

WHEREAS, the City Council of The City of San Diego had directed that the City withdraw from participation in the Social Security System effective January 1, 1982; and

WHEREAS, such Council action was taken only after a vote of the affected members in the retirement system; and

WHEREAS, the City has declared that certain benefits be provided to employees in lieu of social security participation; and

WHEREAS, included in the benefits indicated are programs for City-sponsored group health insurance for retirees and a savings plan for all affected employees, to be effective after withdrawal from Social Security; and

WHEREAS, the City Council promulgated those benefits by separate legislative action and reflected those benefits by amendment to the retirement ordinances of the City; and

WHEREAS, changes to the retirement ordinances were required to reflect the withdrawal from Social Security and concomitant provisions relating thereto; and

WHEREAS, in the above process and vote by the membership, the

lifeguard classification which is in the system as "eligible safety member" was not voted upon; and

WHEREAS, it was determined that the provisions of the retirement system related to "eligible safety member," as affected by Social Security participation, should also be amended to reflect withdrawal from Social Security; and

WHEREAS, such action required a further vote of the members of the safety system to determine if such changes should be promulgated; and

WHEREAS, said election was conducted and the votes were tallied on February 1, 1982, with a result of 486 in favor and 30 against, with 26 ballots void; and

WHEREAS, as a result of the affirmative vote, changes to the retirement ordinances are now in order to reflect those changes as may apply to "eligible safety members" to reflect the City's withdrawal from Social Security participation; 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 24.0104, 24.0301, 24.0302 and 24.0403 to read as follows:

Section 24.0104 SOCIAL SECURITY INTEGRATION
AND DEFINITIONS

Unless the context otherwise requires, the definitions and general provisions contained in this section govern the construction of this ordinance.

a. "Integration Date" shall be the first day of the calendar month following or coincident with the effective date of the agreement with the appropriate State Agency to extend Social Security coverage to eligible members of this system.

b. "Social Security Compensation" means:

During the period between January 1, 1956 and June 30, 1967, the member's monthly compensation earnable not in excess of 1/12th the statutory maximum limit of annual remuneration subject to tax (for Social Security benefits) under the terms of the Federal Insurance Contributions Act or statutes amending or superseding such Act; and

Subsequent to July 1, 1967, the member's monthly compensation earnable not in excess of \$400 per month.

c. "Eligible Safety Member" means a safety member eligible for Social Security coverage during the period beginning with the integration date through April 29, 1982.

d. "Basic Final Compensation" means the average of the member's Social Security Compensation after the integration date and while he was a member of this system.

e. "Excess Final Compensation" shall mean the difference between Final Compensation and Basic Final Compensation, if Final Compensation is the greater, if not, then Excess Final Compensation shall be zero.

f. "Withdrawal Date" shall mean December 31,

1981, the date that Social Security coverage was terminated for all City of San Diego officer and employee members of this system.

Section 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.

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 and through April 29, 1982, 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.

Section 24.0302 SAFETY MEMBER
 CONTRIBUTION RATES

The Board of Administration, based upon the advice of the Actuary, shall periodically adopt the normal rate of contribution of each safety member according to age at the time of entry into the Retirement System, said rates to be contained in the Operating Tables furnished to the Board of Administration by the System's Actuary.

Section 24.0403 RETIREMENT ALLOWANCES -
 SAFETY MEMBER

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 or her 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 said safety member's age at retirement, taken to the preceding completed quarter year, multiplied by the sum of 1/50th of final compensation for each year, and fractions thereof, to which the safety member 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 or her age at retirement, taken to the preceding completed quarter year 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 through April 19, 1982, plus

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

(iv) 1/50th of final compensation, multiplied by the number of years, and fractions thereof, of service commencing and subsequent to April 30, 1982.

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

<u>Age of Retirement</u>	<u>Fraction</u>
50	1.0000
50 $\frac{1}{4}$	1.0150
50 $\frac{1}{2}$	1.0259
50 $\frac{3}{4}$	1.0387
51	1.0516
51 $\frac{1}{4}$	1.0656
51 $\frac{1}{2}$	1.0796
51 $\frac{3}{4}$	1.0937
52	1.1078
52 $\frac{1}{4}$	1.1231
52 $\frac{1}{2}$	1.1384
52 $\frac{3}{4}$	1.1538
53	1.1692
53 $\frac{1}{4}$	1.1859
53 $\frac{1}{2}$	1.2028
53 $\frac{3}{4}$	1.2195
54	1.2366
54 $\frac{1}{4}$	1.2547
54 $\frac{1}{2}$	1.2730
54 $\frac{3}{4}$	1.2915
55	1.3099

APPROVED: John W. Witt, City Attorney

By Jack Katz
Jack Katz
Chief Deputy City Attorney

JK:smm
3/15/82
Or. Dept: Mgr.
o-82-196

APR 5 1982

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

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Susan Golding	<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"/>
Ed Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 *Barbara Burridge*, 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

MAR 22 1982

APR 5 1982

_____, 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.

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

(Seal)

By *Barbara Burridge*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number **O - 15686** Adopted **APR 5 1982**

CERTIFICATE OF PUBLICATION

RECEIVED
CITY CLERK'S OFFICE

1982 APR 21 PM 2:45

SAN DIEGO, CALIF. *John*

SAN DIEGO, CITY OF
202 C St., 12th Floor
San Diego, CA 92101

ATTN: BERRIDGE

IN THE MATTER OF

NO.

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(New Series)

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 4 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 24.0104, 24.0301, 24.0302 AND 24.0403 RELATIVE TO CHANGES REGARDING ELIGIBLE SAFETY MEMBERS AS A RESULT OF THE CITY'S WITHDRAWAL FROM SOCIAL SECURITY PARTICIPATION.

This ordinance amends the Retirement Ordinances of The City of San Diego to the extent that the sections amended referred to "eligible safety members" and their participation in Social Security. After the City's withdrawal from Social Security, it became necessary to conduct a vote of the Retirement System safety members to effectuate the necessary changes to the ordinances. That election was conducted and the votes counted on February 1, 1982, with an affirmative vote of 486 in favor, 30 against and 28 ballots void. These amendatory provisions, relating to eligible safety members only, shall become effective April 30, 1982.

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" Street, San Diego, CA 92101.

Introduced on March 22, 1982.
Passed and adopted by the Council of The City of San Diego on April 5, 1982.

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 BARBARA BERRIDGE, Deputy
Published April 19, 1982

I, Charlene Lance, 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. O-15686
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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:

April 19, 1982

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

Dated at San Diego, California this 19th day of Apr, 19 82.

CM Lance

(Signature)

00369

2 3/4 x 2 x 8.06 = 44.33