

RESOLUTION NUMBER R- 255609

Adopted on JAN 04 1987

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SAN DIEGO ESTABLISHING A CITY OF SAN DIEGO
SUPPLEMENTAL PENSION SAVINGS PLAN FOR ELIGIBLE
EMPLOYEES OF SAID CITY

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

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

WHEREAS, included in the benefits so indicated is a Supplemental Pension Savings Plan for all affected employees, to be effective after withdrawal from Social Security; and

WHEREAS, it is the intent of this Council to provide such Savings Plan as a permanent benefit for eligible employees, the conditions of which may only be amended by a vote of said eligible participants; NOW, THEREFORE,

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

1. That the final plan statement for the City of San Diego Supplemental Pension Savings Plan, as set forth in Attachment A hereto, which by this reference is fully incorporated herein, be and the same is hereby approved and adopted.

2. That the City Manager be, and he is hereby authorized to establish a Supplemental Pension Savings Plan (herein called "Plan") for eligible employees of The City of San Diego, with

terms and conditions of the Plan in accordance with the Plan appended as Attachment B, a copy of which is on file in the office of the City Clerk as Document No. RR-255609.

3. That the provisions of the Plan shall be effective and in full force on January 8, 1982.

APPROVED: John W. Witt, City Attorney

By Jack Katz
Jack Katz
Chief Deputy City Attorney

JK:smm
12/23/81 (Rev. 1/4/82)
Or. Dept: Mgr.
R-82-1069
Form: none

CITY OF SAN DIEGO

Outline of
Supplemental Pension Savings Plan

1. EFFECTIVE DATE

The effective date of the Plan will be January 8, 1982.

2. ELIGIBLE EMPLOYEES

The following employees are required to participate in the Plan.

- All employees eligible for the City of San Diego's General Members City Employees' Retirement System (CERS)
- Safety members covered by Social Security as of December 31, 1981.
- Legislative Members

3. ENTRY DATE

All current eligible employees will automatically participate in the Plan as of the Effective Date.

All future eligible employees will join the Plan on their date of hire.

4. PLAN COMPENSATION

The compensation basis for the purposes of determining the Employee Contribution is all compensation subject to FICA including:

- regular bi-weekly salary
- special assignment pay
- shift differentials
- paid sick leave
- paid annual leave
- payments into deferred compensation
- pay in lieu of annual leave
- paid overtime

R- 255609

Plan compensation excludes:

- industrial leave
- workers' compensation
- long-term disability pay
- bonus award/suggestion awards
- termination payoffs
- retirement and deferred compensation benefit payments
- any death benefits

5. EMPLOYEE CONTRIBUTIONS

Employee Contributions made by the plan participant consists of two parts:

- Mandatory Contribution

Upon entering the Plan, each participant is required to make a contribution of 3% of Plan Compensation.

- Voluntary Contribution

Each participant may elect to make an additional contribution of up to 3.65% of his Plan Compensation. This election is allowed at date of hire and may be changed twice during each calendar year. The change will be effective on the following January 1 or July 1.

The total Employee Contribution made under this plan may not exceed 6.65% of the participant's Plan Compensation.

6. EMPLOYER MATCHING CONTRIBUTIONS

The City of San Diego will contribute an amount equal to the Mandatory and Voluntary Contributions made by the participant.

7. ALLOCATION OF INTEREST INCOME

At the end of each calendar quarter, the plan administrator will allocate the quarterly interest earnings on a basis of pro-rata share on each participant's account balance as of the beginning of the quarter and on contributions made during the quarter.

8. PARTICIPANT ACCOUNT BALANCE

Each Participant Account Balance consists of the following:

- Mandatory Contribution Account including investment earnings
- Voluntary Contribution Account including investment earnings
- Employer Matching Contribution Account including investment earnings

At the end of each calendar quarter, the plan administrator will furnish each participant a statement which will illustrate the following information for each of the above accounts:

- Account balance as of the beginning of the quarter;
- Current contributions made for the quarter;
- Allocated interest income for the quarter; and
- Amount of withdrawal for the quarter, if any.

9. VESTING

- The Employee Mandatory, and Voluntary Contributions are always 100% vested.
- The Employer Matching Contributions are 100% vested for all participants who are on the City's payroll as of January 7, 1982, including those who are on leave without pay.
- For all other participants, their vesting percentage for the Employer Matching Contribution Account will be determined according to the following schedule:

<u>Completed Years of Service</u>	<u>Vesting Percent</u>
1	20%
2	40%
3	60%
4	80%
5	100%

At the time of Normal or Early Retirement, Death and Disability, the Employer Matching Contribution Account including investment earnings, will become 100% vested.

10. TYPE OF BENEFITS

(a) Normal Retirement Benefit

Upon attainment of age 65, the participant will become 100% vested in his Participant Account Balance.

(b) Early Retirement Benefit

Upon becoming eligible for Early Retirement under CERS, the participant will become 100% vested in his Participant Account Balance.

(c) Death or Disability Benefit

Upon death or total and permanent disability, the participant will receive 100% of their Participant Account Balance.

(d) Termination Benefit

Upon termination of employment, other than (a), (b), (c) above, the participant will receive the value of the Employee Contribution Account Balance and the vested portion of his Employer Contribution Account Balance.

11. NORMAL FORM OF BENEFIT PAYMENTS

Lump sum payment within thirty days.

12. WITHDRAWALS OF CONTRIBUTIONS WHILE IN ACTIVE EMPLOYMENT

Participants may request a withdrawal from his Account Balance once every calendar year subject to the following conditions:

(a) No withdrawal is allowed prior to completion of two years of plan participation.

(b) If the withdrawal is made after two years but prior to completion of five years of plan participation, they may only withdraw from their Voluntary Contribution Account.

- If they are less than 50% vested, they will forfeit all Employer Matching Contributions attributable to the amount withdrawn.

00151

- If they are 50% or more vested, he will forfeit the non-vested Employer Contributions attributable to the amount withdrawn.
 - Participant's 50% or more vested will also have the option of paying back the withdrawn amount within one year in order to recover the forfeited amount.
- (c) If the withdrawal is made after completion of five years of participation, the participant may withdraw all or part of their Voluntary Contribution and or equal amount of Employer Matching Contribution Account Balance without any forfeitures or penalties.

13. LOANS TO PARTICIPANT

The participants are not allowed to borrow from the trust fund of this plan or use their account balances as collateral for loans.

14. INVESTMENT OF CONTRIBUTIONS

All contributions made by participants and the City will be deposited in the City of San Diego Supplemental Pension Savings Plan Trust Fund.

15. PLAN AMENDMENT

Amendments to the Plan after the Effective Date will be adopted only by a vote of the active plan participants. A simple majority vote is required to effect an amendment.

16. PLAN ADMINISTRATION

The plan will be administered by the City of San Diego. Plan administration costs will be paid by the City.

17. TOTAL AND PERMANENT DISABILITY

Total disability means complete inability to engage in any gainful occupation or employment for which you are qualified or become reasonably fitted by reason of education, training, experience or rehabilitation as certified by a registered physician.

Passed and adopted by the Council of The City of San Diego on JAN 04 1982,
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

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

(Seal)

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

By Marjell L. Postlewaite, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-255609 Adopted JAN 04 1982