

(O-96-38)

ORDINANCE NUMBER O- 18225 (NEW SERIES)

ADOPTED ON OCT 30 1995

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 4,
DIVISION 5-C, OF THE SAN DIEGO MUNICIPAL CODE
BY AMENDING SECTION 24.0545 RELATING TO
LEGISLATIVE OFFICER AGE AND SERVICE
REQUIREMENTS FOR RETIREMENT.

WHEREAS, the Legislative Officers' Retirement Plan ("LORP") requires that a legislative officer be employed with the City and be a member of LORP for a minimum of four years to qualify for retirement benefits; and

WHEREAS, with the passage of Proposition E in the November 3, 1992 election which amended Sections 10 and 12 of the San Diego City Charter ("Charter"), Councilmembers elected for Districts 1, 3, 5 and 7 in 1993 and for Districts 2, 4, 6 and 8 in 1995 will serve three year terms so that Council district elections will synchronize with California state elections by the year 1998; and

WHEREAS, it is recommended that the vesting requirements for legislative members be amended to conform with the 1992 amendments to Charter sections 10 and 12 so that the Councilmembers elected for three years terms in 1993 or 1995 be eligible for retirement benefits; and

WHEREAS, the San Diego City Employees' Retirement System's actuary has reviewed the impact of reducing the vesting requirement for this limited group and has advised that the

result would be a de minimis increase in legislative benefits;
and

WHEREAS, it is now necessary and appropriate to amend the
Municipal Code to reflect the above-recited changes; NOW,
THEREFORE,

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

Section 1. That Chapter II, Article 4, Division 5-C, of the
San Diego Municipal Code be and the same is hereby amended by
amending Section 24.0545, to read as follows:

**SEC. 24.0545 Legislative Officer Age and Service
Requirements for Retirement**

(a) Upon written application to the Board of
Administration, a legislative officer who is a member
of this system shall be retired and thereafter shall
receive for life the service retirement allowance
provided in Section 24.0546 if the member:

(1) is 60 or more years of age and has 4 or
more years of creditable service at retirement, or

(2) has 8 or more years of creditable
service at an age less than 60 with the retirement
allowance reduced by 2% for each year and fractional
year under 60.

(b) Notwithstanding the vesting requirements set
forth in Section 24.0545(a), upon written application
to the Board of Administration, a legislative officer
who is a member of this system and who was elected for
Districts 1, 3, 5 and 7 in 1993 or Districts 2, 4, 6

and 8 in 1995, and who serves a three year term, shall be retired and thereafter shall receive for life the service retirement allowance provided in Section 24.0546 if the member:

(1) is 60 or more years of age and has 3 or more years of creditable service at retirement, or

(2) has 7 or more years of creditable service at an age less than 60 with the retirement allowance reduced by 2% for each year and fractional year under age 60.

Section 2. This increase in benefit shall take effect upon approval by the active members of the Legislative Officer's Retirement Plan pursuant to Charter Section 143.1, and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By


Jennifer K. Hooper
Deputy City Attorney

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09/14/95
Or.Dept:Retire.
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