

ORDINANCE NUMBER O- 18329 (NEW SERIES)

ADOPTED ON JUL 30 1996

AN ORDINANCE SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF SAN DIEGO AT THE SPECIAL MUNICIPAL ELECTION CONSOLIDATED WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON NOVEMBER 5, 1996, ONE PROPOSITION AMENDING SECTION 141 OF THE CITY CHARTER RELATING TO CITY EMPLOYEES' RETIREMENT SYSTEM.

WHEREAS, pursuant to Section 223 of the San Diego City Charter, Section 3(b), Article XI, of the California Constitution, and Sections 34450 and 34458 of the California Government Code, the City Council has authority to place Charter amendments on a ballot to be considered at a Special Municipal Election; and

WHEREAS, by Ordinance No. O- 18325, adopted on JUL 29 1996, the Council of The City of San Diego called a Special Municipal Election to be consolidated with the Statewide General Election on November 5, 1996, for the purpose of submitting to the qualified voters of the City one or more ballot propositions; and

WHEREAS, the City Council desires to submit to the voters at that Special Municipal Election one proposition amending the Charter of The City of San Diego by adding subsection (d) to Section 141, which will allow health insurance benefits for retired employees; NOW, THEREFORE,

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

Section 1. One proposition amending City Charter Section 141 is hereby submitted to the qualified voters of the City at the Special Municipal Election to be held November 5, 1996, the proposition to read as follows:

SEC. 141. CITY EMPLOYEES' RETIREMENT SYSTEM.

The Council of the City is hereby authorized and empowered by ordinance to establish a retirement system and to provide for death benefits for compensated public officers and employees, other than those policemen and firemen who were members of a pension system on June 30, 1946. No employee shall be retired before reaching the age of sixty-two years and before completing ten years of service for which payment has been made, except such employees may be given the option to retire at the age of fifty-five years after twenty years of service for which payment has been made with a proportionately reduced allowance. Policemen, firemen and full time lifeguards, however, who have had ten years of service for which payment has been made may be retired at the age of fifty-five years, except such policemen, firemen and full time lifeguards may be given the option to retire at the age of fifty years after twenty years of service for which

payment has been made with a proportionately reduced allowance.

The Council may also in said ordinance provide:

(a) For the retirement with benefits of an employee who has become physically or mentally disabled by reason of bodily injuries received in or by reason of sickness caused by the discharge of duty or as a result thereof to such an extent as to render necessary retirement from active service.

(b) Death benefits for dependents of employees who are killed in the line of duty or who die as a result of injuries suffered in the performance of duty.

(c) Retirement with benefits of an employee who, after ten years of service for which payment has been made, has become disabled to the extent of not being capable of performing assigned duties, or who is separated from City service without fault or delinquency.

(d) For health insurance benefits for retired employees.

Section 2. The proposition shall be presented and printed upon the ballot and submitted to the voters in the manner and form set out in Section 3 of this ordinance.

Section 3. On the ballot to be used at this Special

Municipal Election, in addition to any other matters required by law, there shall be printed substantially the following:

<p>PROPOSITION ____ . AMENDS SAN DIEGO CITY CHARTER.</p> <p>Rather than paying for health insurance benefits to retired City employees directly from the City's operating funds, as is the current practice, shall San Diego City Charter Section 141 be amended to authorize the City Council to provide these benefits through the San Diego City Retirement System?</p>	<p>YES</p>	
	<p>NO</p>	

Section. 4. An appropriate mark placed in the voting square after the word "YES" shall be counted in favor of the adoption of this proposition. An appropriate mark placed in the voting square after the word "NO" shall be counted against the adoption of the proposition.

Section 5. The City Clerk shall cause this ordinance to be published once in the official newspaper.

Section 6. Pursuant to section 17 of the San Diego City Charter, this ordinance relating to elections shall take effect on JUL 30 1996, which is the day of its introduction and passage.

APPROVED: JOHN W. WITT, City Attorney

By Cristie C McGuire
 Cristie C. McGuire
 Deputy City Attorney

CCM:jrl
 07/11/96
 07/29/96 (Cor. Copy)
 07/29/96 (Cor. Copy 2)
 Or.Dept:Manager
 O-97-4
 Aud.Cert.:9700026
 Form=o+t