

(O-2000-178)

18815

ORDINANCE NUMBER O-_____ (NEW SERIES)

JUN 19 2000

ADOPTED ON _____

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 4, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING DIVISION 17 TITLED "LEGISLATIVE OFFICERS RETIREMENT PLAN;" BY AMENDING DIVISION 1 BY AMENDING SECTION 24.0103; BY AMENDING DIVISION 5; BY REPEALING DIVISION 5-A AND SECTION 24.0521; BY AMENDING DIVISION 6 BY AMENDING THE TITLE AND BY REENACTING SECTION 24.0521 TO SECTION 24.0610; BY REPEALING DIVISION 5-C AND SECTIONS 24.0541, 24.0542, 24.0543, 24.0544, 24.0545, 24.0546 AND 24.0547 AND REENACTING IT IN NEW DIVISION 17 AS SECTIONS 24.1701, 24.1702, 24.1703, 24.1704, 24.1705, 24.1706 AND 24.1707; BY REPEALING DIVISION 7A AND SECTIONS 24.0714.1 AND 24.0714.2; BY AMENDING DIVISION 7 BY REENACTING SECTIONS 24.0714.1 AND 24.0714.2 TO SECTIONS 24.0716 AND 24.0717; BY AMENDING DIVISION 13 BY AMENDING SECTION 24.1301, ALL RELATING TO THE SAN DIEGO CITY EMPLOYEES' RETIREMENT SYSTEM.

WHEREAS, the Board of Administration ("Retirement Board") for the San Diego City Employees' Retirement System ("System") has the sole authority to manage the System, determine the rights to benefits under the System and invest the System's Trust Fund; and

WHEREAS, the City Council has the sole authority to establish the retirement benefits available under the System; and

WHEREAS, as the administrator of the System and its benefits, the Retirement Board is uniquely situated to evaluate the need for any modification or clarification of existing benefits under the System as set forth in the San Diego Municipal Code ("City"); and

WHEREAS, pursuant to direction from the Retirement Board's General Counsel, Retirement Staff notes those instances where clarification or modification of the SDMC is needed to bring an existing benefit into conformity with historical practice, changes in state or federal law or the expectations of the relevant parties who participated in the creation of a particular benefit; and

WHEREAS, each year, Retirement Staff compiles a list of recommended changes to the Municipal Code for inclusion in a yearly Housekeeping Ordinance to be submitted to the Retirement Board for approval and recommendation to the City Council for further action; and

WHEREAS, in the Spring of 1998, Retirement Staff noted and the Retirement Board recommended five non-substantive changes to the SDMC for inclusion in the 1998 Housekeeping Ordinance which was adopted by the City Council on November 10, 1998; and

WHEREAS, for 1999, Retirement Staff noted and the Retirement Board now recommends eight non-substantive amendments to the SDMC as set forth in the instant Housekeeping Ordinance; and

WHEREAS, the Retirement Board's General Counsel prepared the ordinance to amend the SDMC to make the technical amendments as needed and desired; and

WHEREAS, the proposed technical amendments will have no fiscal impact and will not affect any benefits to which present Members are entitled; and

WHEREAS, SDMC section 24.0103, must be amended to include Legislative Officers, which were inadvertently removed in the revisions to the SDMC resulting from the Manager's Proposal in 1997; and

WHEREAS, SDMC section 24.0103, must be amended to amend the number of classes of Members from two (General & Safety) to three (General, Safety and Legislative Officer); and

WHEREAS, SDMC section 24.0103, must be amended to add a definition for “Deferred Member”; and

WHEREAS, SDMC Division 5-A, section 24.0521, must be repealed, renumbered and reenacted to Division 6 section 24.0610 to conform to the preferred SDMC format; and

WHEREAS, Division 5C, Legislative Officers Retirement Plan, and Sections 24.0541 - 24.0547, must be repealed and reenacted as new Division 17 to conform to the preferred SDMC format; and

WHEREAS, SDMC section 24.0541, must be renumbered to 24.1701 to conform to historical practice and clarify that the privileges and benefits available to Legislative Officer Members of the Retirement System are as specifically provided in the SDMC sections describing the benefits available under the System; and

WHEREAS, SDMC Division 6, must be amended and retitled to read as “Optional Settlements and Survivor Benefits,” to provide a better description of the substance of this Division; and

WHEREAS, SDMC Division 7A, Retiree Death Benefit must be repealed, to conform to the preferred SDMC format; and

WHEREAS, SDMC sections 24.0714.1 and 24.0714.2 must be renumbered to Sections 24.0716 and 24.0717, to conform with the preferred SDMC format; and

WHEREAS, Municipal Code section 24.1301, must be amended to clarify that participants in the Long Term Disability plans for the City or a contracting agency may make purchases of service credits; and

WHEREAS, it is now necessary and appropriate to amend the SDMC to provide for the above-recited changes; and

WHEREAS, the sections of the SDMC reflecting the above-recited changes have been reviewed and approved by the Retirement Board; and

WHEREAS, the Retirement Board now recommends approval by the City Council of the amendments contained in this Ordinance; NOW,

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 is hereby amended by adding Division 17, to read as follows:

DIVISION 17

LEGISLATIVE OFFICERS RETIREMENT PLAN

Section 2. That Chapter II, Article 4, Division 1, of the San Diego Municipal Code is hereby amended by amending Section 24.0103, to read as follows:

SEC. 24.0103 Definitions

Unless otherwise stated, for purposes of this Article:

[No change in text of other definitions.]

“Deferred Member” means any Member who leaves his or her employee contributions on deposit with the Retirement System after terminating City or contracting agency service. When a Deferred Member applies for retirement benefits, he or she is

entitled, when eligible, for the retirement benefits in effect on the day the Deferred Member terminates City or contracting agency service and leaves his or her contributions on deposit with the Retirement System.

"Member" means any person who actively participates in and contributes to the Retirement System, and who is thereafter entitled, when eligible, to receive benefits therefrom. There are four classes of Members: General, Safety, Legislative Officer and Deferred.

Section 4. That Chapter II, Article 4, Division 5-A, of the San Diego Municipal Code is hereby amended by repealing Division 5-A and Section 24.0521.

Section 5. That Chapter II, Article 4, Division 6, of the San Diego Municipal Code is hereby amended by amending the title of Division 6 to read as follows:

DIVISION 6

Optional Settlements and Survivor Benefits

Section 6. That Chapter II, Article 4, Division 6, of the San Diego Municipal Code is hereby amended by reenacting Section 24.0521 as Section 24.0610, to read as follows:

SEC. 24.0610 Surviving Spouse--Contribution Rates and Benefits

From and after July 1, 1973, every Member shall, in addition to Normal Contributions, make survivor contributions in an amount equal to a percentage of the Normal Contributions as set forth below:

Membership Classification	Survivor Contributions as Percentage of Normal Contributions
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, 24.0306, and 24.0703.

Upon the death of any 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:

- (1) the spouse is designated as beneficiary, and
- (2) the spouse was married to the deceased Member as of the date of the Member's retirement, and
- (3) the monthly retirement allowance of the deceased Member was not modified in accordance with Optional Settlement 1, 2, 3, or 4 provided by this System.

No benefits will be paid under this section if there is a surviving spouse who qualifies for and receives the special death benefit or modified special death benefits provided by this System. Upon the retirement of a Member for service or disability having no spouse at the time of retirement who is eligible for benefits under this section, the Member shall have the option of having refunded to him or her in a 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 7. That Chapter II, Article 4, Division 5-C, of the San Diego Municipal Code be and the same is hereby amended by repealing Division 5-C and Sections 24.0541, 24.0542, 24.0543, 24.0544, 24.0545, 24.0546 and 24.0547.

Section 8. That Chapter II, Article 4, Division 17, of the San Diego Municipal Code is hereby amended by reenacting Sections 24.0541, 24.0542, 24.0543, 24.0544, 24.0545, 24.0546 and 24.0547 as Sections 24.1701, 24.1702, 24.1703, 24.1704, 24.1705, 24.1706 and 24.1707, to read as follows:

SEC. 24.1701 Legislative Officers' Retirement Plan Established

From and after the effective date of this section, there is established within this Retirement System a separate retirement plan for those present and future Legislative Officers who become Members of this System and who are not otherwise entitled to benefits from this System for the period of service under consideration. Legislative Officers who become Members of this System shall be entitled to all of the privileges and benefits of other Members of this System except as specifically provided in the section of the Municipal Code describing the benefit.

SEC. 24.1702 Membership by Legislative Officers Permissive

Every Legislative Officer in office at the time this section becomes effective, or elected after the effective date of this section, may become a Member of this System if he files with the Board a written election to become a Member.

SEC. 24.1703 Provision Authorizing Retroactive Membership

Every Legislative Officer who elects to become a Member may also elect within one year of becoming a Member to receive credit for the service rendered as a Legislative

Officer prior to his or her becoming a Member if he or she makes contributions to the System equal to the contributions he or she would have made had he or she been a Member during the period of prior service for which he or she is electing to receive credit.

SEC. 24.1704 Contribution Rate

The City Auditor and Comptroller shall withhold from the wages or salary of a Legislative Officer who becomes a Member of this System 8% of the Legislative Officer's Compensation Eamable for deposit in the Retirement Fund, to be credited to the individual Member's account. The contribution rate shall also be 8% of Compensation Eamable for the period of time for which the Member is electing to receive prior service credits. Notwithstanding the above, all participating Legislative Officer Members shall contribute an additional four-tenths ($\frac{4}{10}$) of one percent (1%) in connection with the high one-year basis for final compensation, said additional contribution to commence from and after December 30, 1988.

SEC. 24.1705 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 24.1706 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 24.1705(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 24.1706 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.

SEC. 24.1706 Legislative Officer Service Retirement--Computation of Benefits

The service retirement allowance payable to eligible Members shall be an amount sufficient, when added to the annuity that is derived from the accumulated normal contributions of the Member, to equal 5% of his Final Compensation not in excess of \$500.00 per month for each year of Creditable Service and 3% of his Final Compensation in excess of \$500.00 per month for each year of Creditable Service.

SEC. 24.1707 Legislative Officer Disability Benefits

Any legislative officer who is a Member of this Legislative Officers and who becomes permanently incapacitated from the performance of duty shall be retired for disability with a retirement allowance determined in accordance with the provisions of Section 24.1706.

Section 9. That Chapter II, Article 4, Division 7A, of the San Diego Municipal Code be and the same is hereby amended by repealing Division 7A and Sections 24.0714.1 and 24.0714.2.

Section 10. That Chapter II, Article 4, Division 7, of the San Diego Municipal Code be and the same is hereby amended by reenacting Sections 24.0714.1 and 24.0714.2 to Sections 24.0716 and 24.0717, to read as follows:

SEC. 24.0716 Retiree Death Benefit

This System is liable for a retiree's death benefit if the deceased was a retired Member of the City Employees' Retirement System and if his death occurred after the effective date of this Ordinance.

SEC. 24.0717 Retiree Death Benefit -- Amount Of

The retiree's death benefit shall consist of \$2,000.00 payable in lump sum to the designated beneficiary or the estate of the retiree. In the event that there is no designated beneficiary or the estate is not so designated, payment of the retiree's death benefit shall be made in accordance with the provisions of Sections 24.0711 through 24.0714.

Section 11. That Chapter II, Article 4, Division 13, of the San Diego Municipal Code be and the same is hereby amended by amending Section 24.1301, to read as follows:

SEC. 24.1301 Purpose and Intent

For purposes of purchasing service credit available under the Retirement System, a Member who participates in a Long Term Disability program sponsored by the City or a contracting agency shall be eligible to purchase any available service credit to which the Member would otherwise be entitled to purchase so long as the Member's contributions

remain on deposit with the Retirement System during the Member's participation in the City's or contracting agency's Long Term Disability program.

Deferred Members who have left their contributions on deposit with the Retirement System are not eligible to make purchases of service credit in the Retirement System while on a deferred status.

Subject to procedures established by the Board, a Member of the Retirement System may purchase service credit in the Retirement System for a variety of periods of City and non City service. A Member shall establish minimum age and service requirements through current Creditable Service, service credit purchased pursuant to this Division under procedures established by the Board, or a combination of the foregoing before the Member is eligible to receive retirement benefits. Except as required by Federal law, purchase of service credit for Retirement System purposes establishes eligibility for service based retirement benefits only.

Section 12. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 13. This Ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: CASEY GWINN, City Attomey

By 
Deputy City Attomey

TMC:LEC:mrh
05/18/00
O-2000-178

STRIKEOUT ORDINANCE

OLD LANGUAGE: STRUCK-OUT

NEW LANGUAGE: REDLINED

(O-2000-178)

ORDINANCE NUMBER O-_____ (NEW SERIES)

ADOPTED ON _____

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 4, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING DIVISION 17 TITLED "LEGISLATIVE OFFICERS RETIREMENT PLAN;" BY AMENDING DIVISION 1 BY AMENDING SECTION 24.0103; BY AMENDING DIVISION 5; BY REPEALING DIVISION 5-A AND SECTION 24.0521; BY AMENDING DIVISION 6 BY AMENDING THE TITLE AND BY REENACTING SECTION 24.0521 TO SECTION 24.0610; BY REPEALING DIVISION 5-C AND SECTIONS 24.0541, 24.0542, 24.0543, 24.0544, 24.0545, 24.0546 AND 24.0547 AND REENACTING IT IN NEW DIVISION 17 AS SECTIONS 24.1701, 24.1702, 24.1703, 24.1704, 24.1705, 24.1706 AND 24.1707; BY REPEALING DIVISION 7A AND SECTIONS 24.0714.1 AND 24.0714.2; BY AMENDING DIVISION 7 BY REENACTING SECTIONS 24.0714.1 AND 24.0714.2 TO SECTIONS 24.0716 AND 24.0717; BY AMENDING DIVISION 13 BY AMENDING SECTION 24.1301, ALL RELATING TO THE SAN DIEGO CITY EMPLOYEES' RETIREMENT SYSTEM.

DIVISION 17

LEGISLATIVE OFFICERS RETIREMENT PLAN

SEC. 24.0103 Definitions

Unless otherwise stated, for purposes of this Article:

[No change in text of other definitions.]

~~“Deferred Member” means any Member who leaves his or her employee contributions on deposit with the Retirement System after terminating City or contracting agency service. When a Deferred Member applies for retirement benefits, he or she is entitled, when eligible, for the retirement benefits in effect on the day the Deferred Member terminates City or contracting agency service and leaves his or her contributions on deposit with the Retirement System.~~

~~“Member” means any person who actively participates in and contributes to the Retirement System, and who is thereafter entitled, when eligible, to receive benefits therefrom. There are two four classes of Members: General, -and Safety, Legislative Officer and Deferred.~~

~~SEC. 24.0521 — Surviving Spouse—Contribution Rates and Benefits~~

~~From and after July 1, 1973, every Member, shall, in addition to Normal Contributions, make survivor contributions in an amount equal to a percentage of the Normal Contributions as set forth below:~~

	Survivor Contributions
Membership	as Percentage of
Classification	Normal Contributions
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, 24.0306, and 24.0703.~~

~~Upon the death of any 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—~~

~~_____ (1) the spouse is designated as beneficiary, and~~

~~_____ (2) the spouse was married to the deceased Member as of the date of the Member's retirement, and~~

~~_____ (3) the monthly retirement allowance of the deceased Member was not modified in accordance with Optional Settlement 1, 2, 3, or 4 provided by this System.~~

~~_____ No benefits will be paid under this section if there is a surviving spouse who qualifies for and receives the special death benefit or modified special death benefits provided by this System.~~

~~_____ Upon the retirement of a Member for service or disability having no spouse at the time of retirement who is eligible for benefits under this section the Member shall have the option of having refunded to him or her in a 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.~~

DIVISION 6

Optional Settlements for Members and Safety Members and Survivor Benefits

SEC. 24.0610 Surviving Spouse--Contribution Rates and Benefits

From and after July 1, 1973, every Member shall, in addition to Normal Contributions, make survivor contributions in an amount equal to a percentage of the Normal Contributions as set forth below:

Membership Classification	Survivor Contributions as Percentage of Normal Contributions
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, 24.0306, and 24.0703.

Upon the death of any 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:

(1) the spouse is designated as beneficiary, and

(2) the spouse was married to the deceased Member as of the date of the Member's retirement, and

(3) the monthly retirement allowance of the deceased Member was not modified in accordance with Optional Settlement 1, 2, 3, or 4 provided by this System.

No benefits will be paid under this section if there is a surviving spouse who qualifies for and receives the special death benefit or modified special death benefits provided by this System.

Upon the retirement of a Member for service or disability having no spouse at the time of retirement who is eligible for benefits under this section, the Member shall have the option of having refunded to him or her in a 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.

DIVISION 5-C

LEGISLATIVE OFFICERS RETIREMENT PLAN

SEC. 24.0541 — **Legislative Officers' Retirement Plan Established**

~~From and after the effective date of this section there is established within this Retirement System a separate retirement plan for those present and future Legislative Officers who become Members of this System and who are not otherwise entitled to benefits from this System for the period of service under consideration. Legislative Officers who become members of this System shall be entitled to all of the privileges and benefits of other Members of this System except as specifically provided to the contrary in this Division 5-C.~~

~~SEC. 24.0542 — Membership by Legislative Officers Permissive~~

~~Every Legislative Officer in office at the time this section becomes effective, or elected after the effective date of this section, may become a Member of this System if he files with the Board a written election to become a Member.~~

~~SEC. 24.0543 — Provision Authorizing Retroactive Membership~~

~~Every Legislative Officer who elects to become a Member may also elect within one year of becoming a Member to receive credit for the service rendered as a Legislative Officer prior to his becoming a Member if he makes contributions to the System equal to the contributions he would have made had he been a Member during the period of prior service for which he is electing to receive credit.~~

~~SEC. 24.0544 — Contribution Rate~~

~~The City Auditor and Comptroller shall withhold from the wages or salary of a Legislative Officer who becomes a Member of this System 8% of his earnable compensation for deposit in the Retirement Fund and placed to the credit of the individual Member's account. The contribution rate shall also be 8% of earnable compensation for the period of time for which a Member is electing to receive prior service credits. Notwithstanding the above, all participating~~

legislative Members shall contribute an additional four-tenths (4/10) of one percent (1%) in connection with the high one-year basis for final compensation, said additional contribution to commence from and after December 30, 1988.

~~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.~~

~~SEC. 24.0546~~ — ~~Legislative Officer Service Retirement--Computation of Benefits~~

~~The service retirement allowance payable to eligible Members shall be an amount sufficient, when added to the annuity that is derived from the accumulated normal contributions of the Member, to equal 5% of his final compensation not in excess of \$500.00 per month for each year of creditable service and 3% of his final compensation in excess of \$500.00 per month for each year of creditable service.~~

~~SEC. 24.0547~~ — ~~Legislative Officer Disability Benefits~~

~~Any Legislative Officer who is a Member of this System and who becomes permanently incapacitated from the performance of duty shall be retired for disability with a retirement allowance determined in accordance with the provisions of Section 24.0546.~~

~~SEC. 24.1701 Legislative Officers' Retirement Plan Established~~

~~From and after the effective date of this section, there is established within this Retirement System a separate retirement plan for those present and future Legislative Officers who become Members of this System and who are not otherwise entitled to benefits from this System for the period of service under consideration. Legislative Officers who become Members of this System shall be entitled to all of the privileges and benefits of other Members of this System except as specifically provided in the section of the Municipal Code describing the benefit.~~

~~SEC. 24.1702 Membership by Legislative Officers Permissive~~

~~Every Legislative Officer in office at the time this section becomes effective, or elected after the effective date of this section, may become a Member of this System if he files with the Board a written election to become a Member.~~

~~SEC. 24.1703 Provision Authorizing Retroactive Membership~~

Every Legislative Officer who elects to become a Member may also elect within one year of becoming a Member to receive credit for the service rendered as a Legislative Officer prior to his or her becoming a Member if he or she makes contributions to the System equal to the contributions he or she would have made had he been a Member during the period of prior service for which he or she is electing to receive credit.

SEC. 24.1704 Contribution Rate

The City Auditor and Comptroller shall withhold from the wages or salary of a Legislative Officer who becomes a Member of this System 8% of the Legislative Officer's Compensation Earnable for deposit in the Retirement Fund, to be credited to the individual Member's account. The contribution rate shall also be 8% of Compensation Earnable for the period of time for which the Member is electing to receive prior service credits. Notwithstanding the above, all participating Legislative Officer Members shall contribute an additional four-tenths (4/10) of one percent (1%) in connection with the high one-year basis for final compensation, said additional contribution to commence from and after December 30, 1988.

SEC. 24.1705 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 24.1706 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 24.1705(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 24.1706 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.

SEC. 24.1706 Legislative Officer Service Retirement--Computation of Benefits

The service retirement allowance payable to eligible Legislative Officer Members shall be an amount sufficient, when added to the annuity that is derived from the accumulated normal contributions of the Member, to equal 5% of his Final Compensation not in excess of \$500.00 per month for each year of Creditable Service and 3% of his Final Compensation in excess of \$500.00 per month for each year of Creditable Service.

SEC. 24.1707 Legislative Officer Disability Benefits

Any Legislative Officer who is a Member of this System and who becomes permanently incapacitated from the performance of duty shall be retired for disability with a retirement allowance determined in accordance with the provisions of Section 24.1706.

DIVISION 7A

Retiree Death-Benefit

SEC. 24.0714.1 Retiree Death-Benefit

—This System is liable for a retiree's death benefit if the deceased was a retired Member of the City Employees' Retirement System and if his death occurs after the effective date of this ordinance.—

SEC. 24.0714.2 — Retiree Death Benefit — Amount Of

—The retiree's death benefit shall consist of \$2,000.00 payable in lump sum to the designated beneficiary or the estate of the retiree. In the event that there is no designated beneficiary or the estate is not so designated, payment of the retiree's death benefit shall be made in accordance with the provision of Sections 24.0711 through 24.0714.

SEC. 24.0716 Retiree Death Benefit

This System is liable for a retiree's death benefit if the deceased was a retired Member of the City Employees' Retirement System and if his death occurred after the effective date of this Ordinance.

SEC. 24.0717 Retiree Death Benefit — Amount Of

The retiree's death benefit shall consist of \$2,000.00 payable in lump sum to the designated beneficiary or the estate of the retiree. In the event that there is no designated beneficiary or the estate is not so designated, payment of the retiree's death benefit shall be made in accordance with the provisions of Sections 24.0711 through 24.0714.

SEC. 24.1301 Purpose and Intent

For purposes of purchasing service credit available under the Retirement System, a Member who participates in a Long Term Disability program sponsored by the City or a contracting agency shall be eligible to purchase any available service credit to which the Member would otherwise be entitled to purchase, so long as the Member's contributions remain on

deposit with the Retirement System during the Member's participation in the City's or contracting agency's Long Term Disability program.

Deferred Members who have left their contributions on deposit with the Retirement System are not eligible to make purchases of service credit in the Retirement System while on a deferred status.

Subject to procedures established by the Board, a Member of the Retirement System may purchase service credit in the Retirement System for a variety of periods of City and non City service. A Member shall establish minimum age and service requirements through current creditable service, service credit purchased pursuant to this Division under procedures established by the Board, or a combination of the foregoing before the Member is eligible to receive retirement benefits. Except as required by Federal law, purchase of service credit for Retirement System purposes establishes eligibility for service based retirement benefits only.

TCM:LEC:mrh
05/22/00
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