

(O-2001-33)

ORDINANCE NUMBER O- 18840 (NEW SERIES)

ADOPTED ON SEP 12 2000, 2000

AN ORDINANCE AMENDING CHAPTER II,
ARTICLE 4, OF THE SAN DIEGO MUNICIPAL
CODE BY AMENDING DIVISION 5 BY
AMENDING SECTION 24.0501, PERTAINING TO
THE RETIREMENT SYSTEM

WHEREAS, pursuant to Division 5 of the Article 4 of Chapter II of the Municipal Code, the City provides for an industrial disability retirement for Retirement System Members who meet certain criteria; and

WHEREAS, the City desires to expand this benefit to certain other conditions, for a two-year period pursuant to negotiations with the employee representative unions in April and May of 2000;

WHEREAS, the City Manager, after consultation with the Retirement Administrator, recommends approval by the City Council of the amendment contained in this ordinance; and

WHEREAS, a vote of the Members will be conducted as required to make this benefit effective; 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, of the San Diego Municipal Code be amended by amending Section 24.0501, to read as follows:

SEC. 24.0501 Industrial Disability -- Safety and General Members

(a) through (b) [No change in text]

(c) Notwithstanding the provisions of subsection (b) of this Section 24.0501, for a

period of two years commencing July 1, 2000 and terminating on June 30, 2002, a Member of the Retirement System who is employed by the City as of July 1, 2000, may be retired for disability under this section if all of the following conditions are met:

(i) on or after July 1, 2000, the Member is a victim of a violent attack, involving the use of deadly force and occurring while the Member was engaged in performance of his or her duties as an employee of the City, which caused great bodily harm to the Member,

(ii) the attack resulted in a nervous or mental disorder, and

(iii) it has been medically determined that the Member has become psychologically or mentally incapable of performing his or her normal and customary duties, as a result of the violent attack.

The benefit provisions of this Section 24.0501(c) shall sunset on June 30, 2002, and no Member who has not already been determined to be eligible to receive this benefit shall be entitled to apply for any such benefit after June 30, 2002.


(d) [redesignated from (c) to (d); no change in text].

(e) [redesignated from (d) to (e); no change in text].

Section 2. 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 3. This Ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: CASEY GWINN, City Attorney

By: 
Theresa C. McAteer
Deputy City Attorney

TCM:RSP:cmg
07/25/00
Or. Dept:Manager
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