

(O-2001-97)

ORDINANCE NUMBER O- 18900 (NEW SERIES)

ADOPTED ON DEC 05 2000

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 4, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 24.1503, RELATING TO THE SAN DIEGO CITY EMPLOYEES' RETIREMENT SYSTEM.

WHEREAS, representatives of the City Manager's office, the Retirement Administrator, and representatives of the eligible retired members of the San Diego City Employees' Retirement System [SDCERS] met to consider improvements to the Supplemental COLA Program described in the San Diego Municipal Code [SDMC], section 24.1504; and

WHEREAS, as a result of those discussions, the City Manager recommended the inclusion of additional retirees as well as survivors of certain groups of retirees in the class of persons eligible to participate in the Supplemental COLA Program; and

WHEREAS, an amendment to the Supplemental COLA Program to include these additional persons was adopted by the San Diego City Council on September 12, 2000, pursuant to Ordinance No. O-18839; and

WHEREAS, two groups of persons intended to be included in Ordinance No. O-18839 — survivors of Special Class Safety Members who were receiving fluctuating monthly retirement benefits, and survivors of special death benefit recipients — were inadvertently omitted; and

WHEREAS, to correct this oversight the SDMC must be amended to expressly authorize the inclusion of these two classes of survivors in the Supplemental COLA Program; and

WHEREAS, no vote of the retirees is required because participation in the Supplemental COLA Program is not a vested defined benefit within the meaning of Section 143.1 of the San Diego City Charter; and

WHEREAS, General Counsel for the Retirement Board was asked to prepare an ordinance making this correction, and further to ensure the benefit eligibility is effective as of October 12, 2000, when Ordinance No. O-18839 became effective; and

WHEREAS, said ordinance was prepared by the Retirement Board's General Counsel and provided to the City Attorney for review and approval; and

WHEREAS, it is now necessary and proper to amend the SDMC to make the amendments described above in this Ordinance; NOW, THEREFORE,

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 amended by amending Section 24.1503, to read as follows:

SEC. 24.1503 Annual Supplemental Benefit — Qualification and Determination

The purpose and intent of this section is to provide necessary guidelines for effectuating the payment of annual supplemental benefits set forth in Section 24.1502(a)(6), by (a) identifying and defining those retirees qualified to receive such benefit, and (b) establishing a method for determining the amount of the annual supplemental benefit.

(a) No change in text.

(1) through (4) No change in text.

(5) For the sole purpose of establishing eligibility for the Supplemental COLA described in Section 24.1504, Qualified Retirees may include those retirees with

less than ten (10) years creditable service, including those who are receiving an industrial disability retirement from the System, those who have ten (10) years of continuous service with the System, survivors of Special Class Safety Members who were receiving fluctuating monthly retirement benefits, and survivors of special death benefit recipients.


(b) and (c) No change in text.

Section 2. The amendments to SDMC Section 24.1503 effected by this Ordinance shall be effective as of October 12, 2000.

Section 3. 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 4. 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

LEC:TCM:mrh
11/07/00
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