

ORDINANCE NUMBER O- 20275 (NEW SERIES)

DATE OF FINAL PASSAGE JUL 19 2013

AN ORDINANCE APPROVING AMENDMENTS TO THE INTERIM DEFINED CONTRIBUTION PROVISIONS IN THE SUPPLEMENTAL PENSION SAVINGS PLAN H (SPSP-H) AND AUTHORIZING AND DIRECTING THE MAYOR OR HIS DESIGNEE TO EXECUTE THE AMENDMENT.

WHEREAS, the City of San Diego (City) sponsors and maintains the City of San Diego Supplemental Pension Savings Plan H (SPSP-H), as amended and restated effective October 2, 2012; and

WHEREAS, San Diego Charter (Charter) section 140 states that, except for sworn police officers, all officers and employees initially hired or assuming office on or after the effective date the Charter amendment (July 20, 2012), may not participate in the City’s defined benefit plan, but may participate in defined contribution plans authorized by Charter sections 150 and 151; and

WHEREAS, Charter section 150 authorizes the San Diego City Council (Council) to establish “by ordinance” a defined contribution plan consistent with the terms of section 150, for employees excluded from the defined benefit plan by Charter section 140; and

WHEREAS, police recruits are not “sworn police officers” while they are participating in the City’s Police Academy, and are therefore ineligible to participate in the defined benefit until they complete the academy and become sworn officers if they initially assume office on or after July 1, 2013; and

WHEREAS, on October 2, 2012, the Council established an interim defined contribution plan (Interim Plan) for officers and employees initially hired or assuming office on or after July 20, 2012, who are not sworn police officers, with the exception of police recruits participating in the City's Police Academy; and

WHEREAS, the Interim Plan was created by amending the SPSP-H Plan, which amendments were approved by the Council by adoption of San Diego Ordinance O-20196 (Oct. 2, 2012); and

WHEREAS, the City now desires to amend the SPSP-H Plan to include police recruits participating in the City's Police Academy who are initially hired on or after July 1, 2013, consistent with the terms of the Tentative Agreement between the City and the San Diego Police Officers' Association for the Fiscal Year 2014 negotiations, which the City Council approved by resolution on June 10, 2013; and

WHEREAS, the City also desires to amend the Plan to clarify that Elected Officers who initially assume office on or after July 20, 2012, and therefore are not eligible to participate in the City's defined benefit plan or the City's Supplemental Pension Savings Plan, are eligible for the SPSP-H Plan; and

WHEREAS, the necessary amendments to the SPSP-H Plan are reflected in the Amendment before the Council; NOW, THEREFORE,


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

Section 1. That the Council of the City of San Diego adopts the Amendment to the SPSP-H Plan, which is on file in the Office of the City Clerk as Document Number OO- 20275 and authorizes and directs the Mayor or his designee to execute the Amendment.

Section 2. That a full reading of this ordinance is dispensed with before its passage, a written or printed copy having been available to the City Council and the public a day before its passage.

Section 3. That this ordinance will take effect and be in force on the thirtieth day from and after its final passage.

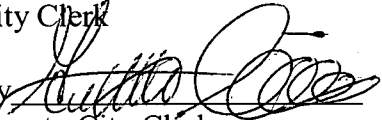
APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Roxanne Story Parks  
Deputy City Attorney

RSP:cm  
06/05/2013  
Or.Dept:Risk Management  
575222.docx

I certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JUL 09 2013.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 7/19/13  
(date)

  
BOB FILNER, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
BOB FILNER, Mayor

Passed by the Council of The City of San Diego on JUL 09 2013, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherrri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUL 19 2013

AUTHENTICATED BY:

BOB FILNER  
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.  
By *[Signature]*, Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

JUN 25 2013, and on JUL 19 2013

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

(Seal)

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.  
By *[Signature]*, Deputy

Office of the City Clerk, San Diego, California  
Ordinance Number O- 20275