

ORDINANCE NO. 91-033

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF MAY 07 1991

**AN ORDINANCE AMENDING SECTION 34.1001 OF ARTICLE X OF
CHAPTER 34 OF THE SACRAMENTO CITY CODE, RELATING TO
RETIREMENT BENEFITS UNDER THE SACRAMENTO CITY
EMPLOYEES RETIREMENT SYSTEM**

Whereas, Ordinance number 89-085 amended Chapter 34 of the Sacramento City Code in accordance with "Measure M", adopted by the voters November 14, 1989; and

Whereas, in the process of amending section 34.1001, ordinance number 89-085 omitted certain language contained in the former version of section 34.1001; and

Whereas, it is necessary to correct the error contained in ordinance number 89-085, and include the omitted language;

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

Section 1.

Chapter 34, Article X, section 34.1001 of the Sacramento City Code is hereby amended to read as follows:

**§ 34.1001 Coordination of retirement system and
federal social security.**

"Social security provisions," as used in this chapter, shall mean old age, survivors and disability insurance provisions of the Federal Social Security Act. Any miscellaneous member of the retirement system who becomes covered under the social security provisions, on account of service rendered by him or her to the city, shall have the allowance payable by the system to him or her upon retirement for disability after attaining age fifty-five (55), or for service reduced while payable to him or her and effective (1) when he or she attains the retirement age as defined from time to time in the social security provisions, such age to be analogous to the retirement age of sixty-five (65) years for men and sixty-two (62) years for women in such provisions on the date of June 10, 1959, or (2) on the effective date of his or her retirement under the system, whichever is later, by an amount which shall bear the same ratio to one-half of the old-age primary insurance amount paid to him or payable upon being applied for, or that would be payable if he had not disqualified himself to receive it, under such provisions as are in effect on June 10, 1959, or as such provisions may hereafter be amended or supplemented before the effective date of such reduction, as the compensation paid to him or her on account of service credited to him or her under the system and which was basis for contributions paid under the Federal Social Security Act, but regardless of whether such compensation was included in the calculation of such member's primary amount, bears to the total of his or her compensation from whatever source, entering into such determination; provided, however, that the amount of the reduction under this section shall not exceed the portion of the retirement allowance, prior to modification under an option provided by ordinance, which is not derived from contributions of such member.

For the purposes of this article the compensation paid to him or her in any calendar year on account of service, credited to him or her under the system, and entering into the determination of such primary amount, shall be taken as the total compensation paid to him or her in such year on account of such service, which is not in excess of his or her total compensation in such year, from whatever source, entering into such determination.


Such reduction shall be applied first to the portion of his or her retirement allowance which is based on his or her service while a member of the system, but which is not provided by his or her accumulated contributions, and if such reduction exceeds such portion, the excess shall be applied to reduce the portion of his or her retirement allowance which is based on his or her service while not a member of the system and which is not provided by his or her accumulated contributions, and if, because of his or her election of an option provided by this chapter, such excess exceeds such portion of his or her retirement allowance which is

based on his or her service while not a member of the system and which is not provided by his or her accumulated contributions, or if there is no such portion, then such excess or the balance of it shall be applied to reduce the portion of his or her allowance which is provided by his or her accumulated contributions.

DATE PASSED FOR PUBLICATION: April 30, 1991

DATE ENACTED: May 07, 1991

DATE EFFECTIVE: June 07, 1991


MAYOR

ATTEST:


CITY CLERK

FOR CITY CLERK USE ONLY

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