

AN ORDINANCE ADDING ARTICLE XIV TO CHAPTER 34
OF THE SACRAMENTO CITY CODE RELATING TO RECI-
PROCITY WITH OTHER GOVERNMENTAL RETIREMENT
SYSTEMS

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

SECTION 1.

Article XIV is hereby added to Chapter 34 of the Sacramento City Code to read as follows:

Article XIV - Reciprocity

Sec. 34.1400. Legislative Intent.

The purpose of these reciprocal provisions is to implement Section 367 of the Charter of the City of Sacramento and the Agreement pursuant to Section 20042, Government Code, entered into between the City Council and the Board of Administration, Public Employees' Retirement System (hereinafter referred to as P.E.R.S.).

Sec. 34.1401. Reciprocal Provisions.

All provisions of the city retirement system as set forth in this chapter and Article XXVIII of the city charter are hereby amended to the extent necessary to provide the following obligations, rights, and benefits with respect to members who become members of P.E.R.S. or are members of P.E.R.S. and become members of the city retirement system, provided that the termination of and entry into employment resulting in such membership change occur within a period of 90 days.

(1) A member whose movement between systems occurs as herein specified shall have the right to elect to leave his accumulated contributions on deposit irrespective of the amount of such contributions or the length of service credited to him, such election to be irrevocable while membership in P.E.R.S. continues.

(2) Age of entry for a person entering the city retirement system for purposes of fixing member contribution rates in the city retirement system shall be his age at entry into P.E.R.S. membership.

(3) The average monthly salary during any period of service as a member of P.E.R.S. shall be considered compensation earnable by a member of this system for purposes of computing final compensation for such member provided he retires concurrently under both the city retirement system and P.E.R.S. and is credited with such period of service under P.E.R.S. at the time of retirement.

(4) Service, solely for purposes of meeting minimum service qualifications for benefits and retirement allowances under the city retirement system, shall also include service rendered as an officer or employee of P.E.R.S. if the salary for such service constitutes compensation earnable by a member of the city retirement system.

(5) A member shall be retired for disability and receive a retirement allowance based on the service credited to him at the time of retirement during any period in which he received a disability retirement allowance under P.E.R.S.; provided, that such allowance shall not exceed an amount which when added to the allowance paid under P.E.R.S. equals the allowance which would be paid for a nonindustrial disability if all the member's service had been credited under P.E.R.S.; and provided, further, that such allowance shall in no event be less than an annuity which is the actuarial equivalent of the member's contributions, whether or not the disability is for industrial reasons.

(6) The death benefit for a member who dies from nonindustrial causes as a member of P.E.R.S. shall not exceed an amount which when added to the death benefit paid for such member under P.E.R.S. equals the maximum death benefit payable under that system; provided, however, that such death benefit shall be at least the amount of the accumulated contributions; and provided further, that if death is caused by industrial injury or disease while a member of P.E.R.S. the death benefit payable by this system shall be the amount of the member's accumulated contributions.

(7) The retirement board shall on the request of P.E.R.S. supply information and data necessary for administration of such system as it is affected by membership in and service credited under this system.

(8) Interpretation of these provisions shall be made with reference to interpretations that have been made relative to the Public Employees' Retirement System - 1937 Act County Employees' Retirement reciprocal provisions upon which they are based.

(9) The provisions of this article shall apply only to a member whose termination and entry into employment resulting in a change in membership from the city retirement system to such other system or from such other system to the city retirement system occurred after such acceptance by the Board of Administration of P.E.R.S. or after the effective date specified in the Agreement; provided, however, that provisions relating to computation of final compensation shall apply to any other member if such provision would have applied had the termination and entry into employment occurred after such acceptance or determination by said Board of Administration.

(10) All rights under the city retirement system are subject to modification as may be necessary to conform to amendments to the Public Employees' Retirement Law or the County Employees' Retirement Law of 1937 as provided in Section 20042, Government Code.

(11) As used herein, the references to P.E.R.S. membership shall be construed to include membership in any retirement system which has reciprocity with the city retirement system through agreement with P.E.R.S.

Sec. 34.1402. Election by Members.

The provisions of Sections 352 and 353 of the City Charter of the City of Sacramento and of Article VI of Chapter 34 of this Code shall not apply to any person who becomes a member of the city retirement system on or after the effective date of this article. Prior to becoming an employee of the County of Sacramento as the result of

any consolidation of city functions with, or transfer of city functions to, Sacramento County, any person who is a member of the city retirement system on the effective date of this article must take an irrevocable affirmative election to take advantage of the reciprocity agreement with P.E.R.S. which is contemplated by this article in lieu of the provisions of Sections 352 and 353 of the City Charter of the City of Sacramento and of Article VI of Section 34 of this Code, otherwise he shall not thereafter be entitled to the reciprocal benefits provided under said agreement.

Sec. 34.1403. Effective Date.


Section 13.1401 of this ordinance shall not become effective until acceptance of the reciprocity agreement by the Board of Administration, Public Employees' Retirement System, and as of the date specified in the Agreement herein approved.

SECTION 2.

This ordinance shall be published once within ten days of its passage in the official newspaper of the City of Sacramento.

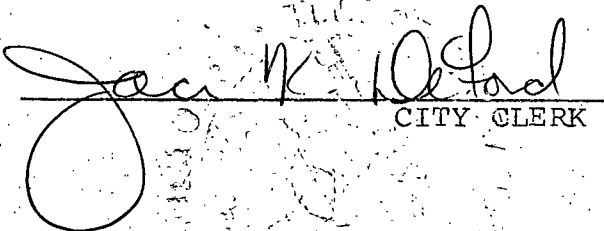
PASSED: October 24, 1974

EFFECTIVE: November 23, 1974



MAYOR

ATTEST:



CITY CLERK