

ORDINANCE NO. 2049, FOURTH SERIES.

AN ORDINANCE AMENDING SUBDIVISIONS "K" and "M" OF SECTION 1 AND SECTION 13.2 OF ORDINANCE NO. 1751, FOURTH SERIES, PASSED JUNE 25, 1953, AND ENTITLED: AN ORDINANCE CARRYING INTO EFFECT, PURSUANT TO SECTIONS 167 TO 175, BOTH INCLUSIVE, OF THE CHARTER, A RETIREMENT SYSTEM FOR OFFICERS AND EMPLOYEES OF THE CITY OF SACRAMENTO; PROVIDING FOR THE RETIREMENT OF EMPLOYEES; PAYMENT OF PENSION ALLOWANCES TO AGED AND DISABLED PERSONS; FOR THE PAYMENT OF DEATH BENEFITS; FIXING RATES OF CONTRIBUTION AND AMOUNTS OF RETIREMENT ALLOWANCES AND DEATH BENEFITS; PRESCRIBING PROCEDURE FOR HEARINGS BEFORE THE BOARD AND FOR THE ADMINISTRATION OF SAID SYSTEM IN ACCORDANCE WITH THE PROVISIONS OF THE CHARTER; REGULATION OF WORKMAN'S COMPENSATION INSURANCE BENEFITS; REPEALING ORDINANCE NO. 644, FOURTH SERIES, PASSED DECEMBER 27, 1934, ORDINANCE NO. 1155, FOURTH SERIES, PASSED MAY 10, 1946, ORDINANCE NO. 1222, FOURTH SERIES, PASSED NOVEMBER 1, 1946, ORDINANCE NO. 1336, FOURTH SERIES, PASSED JANUARY 2, 1948, AND ORDINANCE NO. 1445, FOURTH SERIES, PASSED JUNE 10, 1949.

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

SECTION 1. Subdivisions (k) and (m) of Section 1 of Ordinance No. 1751, Fourth Series, passed June 25, 1953, is hereby amended to read as follows:

(k) "Compensation", as distinguished from benefits under the Workmens' Compensation Insurance and Safety Law of the State of California, shall mean the remuneration payable in cash by the city plus the monetary value, as determined by the Retirement Board of board, lodging, fuel, laundry and other advantages as remuneration by the city, but excluding remuneration paid for overtime. For the purposes of the retirement system, overtime is the aggregate service performed by a member in all categories of employment in excess of the hours of work considered normal for employees on a full-time basis and for which monetary compensation is paid.

(m) "Final compensation" means the highest average annual compensation earnable by a member during any period of three consecutive years during his membership in the system. For the purposes of this paragraph, periods of service separated by breaks in service may be aggregated to constitute a period of three consecutive years, if the periods of service are consecutive except for such breaks. If a break in service did not exceed six months in duration, time included in the break and compensation earnable during such time

shall be included in computation of final compensation. If a break in service exceeded six months in duration, the first six months thereof and the compensation earnable during those six months shall be included in computation of final compensation, but time included in the break which is in excess of six months and the compensation earnable during such excess time shall be excluded in computation of final compensation.

SECTION 2: Section 13.2 of Ordinance No. 1751, Fourth Series, passed June 25, 1953, is hereby amended to read as follows:

Section 13.2. Upon the death after qualification for retirement for service by attaining an age of at least fifty-five years with at least twenty years of service, or after retirement for service or because of disability which resulted from injury received in, or illness caused by the performance of duty, of a member who was so qualified or so retired as a member under section 175.13, one-half of the retirement allowance which he would have been entitled to if he had retired at the time of death, or one-half his retirement allowance, as the case may be, shall be continued throughout life or until remarriage, to his surviving wife. If there be no surviving wife entitled to an allowance hereunder, or if she die or remarry before every child of such deceased member attains the age of eighteen years, then the allowance which the surviving wife would have received had she lived and not remarried shall be paid to his child or children under said age, collectively, to continue until every such child dies or attains said age, provided that no child shall receive any allowance after marrying or attaining the age of eighteen years. Should said member leave no surviving wife and no children under the age of eighteen years, but leave a parent or parents dependent upon him for support, the parents so dependent shall collectively receive a monthly allowance equal to that which a surviving wife otherwise would have received, during such dependency. The surviving wife, in the event of death of the member after qualification for but before service retirement, may elect before the first payment of the allowance, to receive regardless of the estate or designated beneficiary, the benefit provided in Section 15 in lieu of the allowance which otherwise would be continued to her under this section, or if there be no surviving wife, the guardian of the child or children under the age of eighteen, may make such election, and if there be no such children, the dependent parent or parents may make such election. No allowance, however, shall be paid under this section to a surviving wife unless she was married to the member prior to the date of the injury or onset of the illness which was incurred in performance of duty and which results in death, or if death does not result from such injury or illness, unless she was married to the member at least one year prior to retirement.

SECTION 3: This ordinance shall be published once in the official newspaper of said City of Sacramento and shall take effect 30 days from and after its passage.

PASSED: April 3, 1958

EFFECTIVE: May 3, 1958

Paul H. Manby
City Clerk.

Clarence Fitzgerald
Mayor