

— ORD-78444 —

Employees Retirement & Pen-
sion Div.

DO NOT CHECK OUT
THIS ORIGINAL (TOO
WORN)

CHECK OUT CERTIFIED
COPY IN HARD BINDER
20

- 78444 -

Ordinance No. 78144

AN ORDINANCE providing for a retirement and pension system for superannuated and disabled officers and employees of the City of Seattle; and for a system of death benefits, prescribing the conditions under which retirement allowances and death benefits shall be paid; fixing rates of contribution and death benefit assessments and providing for the adjustment thereof; providing for the financing and administration of said system, etc.

11-9-49

11-15-49

Council Bill No. 6710

INTRODUCED November 7-1949	BY Finance
REFERRED November 7-1949	TO Finance
REPORTED November 21-1949	SECOND READING November 21-1949
THIRD READING November 21-1949	SIGNED November 21-1949
PRESENTED TO MAYOR November 22-1949	APPROVED November 23-1949
VETOED BY CITY CLERK November 23-1949	PUBLISHED December 1-1949
VETOED BY MAYOR	VETO PUBLISHED
PASSED OVER VETO	VETO SUSTAINED
ENGROSSED FOR R-2 PAGE 43	BY M.C.

ORD. 69816
73913
71739
73052

Contributions
Military Leave

SEE INSIDE OF BACK COVER.

M.C.

AMENDMENTS

SEE INSIDE OF BACK COVER

Ord. 69816 Contributions
73913 Military Leave
71737
73054

- Ord. 79403 Amends Sec. 2(b1), Sec. 5-14-16-19-23
- Ord. 79747 " Sec. 4(g) (P.S.F. & L. employees)
- Ord. 79798 " Sec. 6
- 80300 " Sec. 25
- 81124 " Sec. 23
- 81521 " 2, 4, 5, 14, 16, 23
- 81727 " 4(81521)
- 82225 " (2K)
- 83534 " (2K), 9(c), 14-16(d)
- 83744 " 2(1), 5(b)
- Res. 16832 rates of contribution, etc.
- Ord. 84510 Adds Sec. 13(c) (Social Security and retirement age)
- 84566 Amends Sec. 5 & 14(Ord. 84578)
- p. 181 Re. Sec. 5 and add'l contributions.
- 84578 Same
- 85562 Amends Sec. 24-25 (Death Benefit)
- 85563 " Sec. 14
- 86133 " Sec. 14
- 7916 Adds Sec. 9-1 (Borrowing money)
- 88897 Amends Sec. 2, 5, 16, 19
- 88901 " 24, 25
- 89073 " Sec. 2 (definitions)
- 89420 Amends Sec. 5
- 90730 Amends Sec. 14(f) Bonus increase to \$50.00
- 91594 Amends by adding new section 14-i...retirement allowance increase
- Res. 18791 Approves interest rates, tables, etc...Jan. 1, 1961
- Res. 19062 Same - Jan. 1, 1962.
- Ord. 89419 Amends Section 15-limits disability retirement
- 89732 Adds Section 17-1...temporary total disability
- 89588 Amends Section 19...surviving spouses benefits
- Ord. 92193 AMENDS SECTION 5 - TO LIMIT MEMBERS VOLUNTARY CONTRIBUTIONS TO TEN PERCENT OF COMPENSA-TION.
- RES. 20411 APPROVING CERTAIN ANNUITY AND PENSION TABLES EFFECTIVE AS OF AUG. 1, 1965.
- Ord. 94954 AMENDS SECS. 2(M) AND 14(F).
- RES. 20430 APPROVING CERTAIN INTEREST RATES. (EFFECTIVE DEC. 31, 1965)
- Ord. 95183 AMENDING SECTIONS 14 (F) AND 16 (A) AND ADDING A NEW SECTION DESIGNATED SEC. 16 (E).
- RES. 20925 APPROVING CERTAIN INTEREST RATES. (EFFECTIVE DEC. 31, 1966)
- Ord. 96293 AMENDS SEC. 14 (F) AND ADDS NEW SEC. 7.1.
- RES. 21319 APPROVING A 1967 BONUS DIVIDEND FOR RETIRED MEMBERS AND BENEFICIARIES. *****
- RES. 21330 APPROVING CERTAIN INTEREST RATES FOR 1967. (C.F. 259873)
- RES. 21720 APPROVING A 1968 BONUS DIVIDEND FOR RETIRED MEMBERS AND BENEFICIARIES ..
- Ord. 97303 AMENDING SEC. 14(F) & 14(H)
- Ord. 98422 AMENDING SECTIONS 12(A), 13, SECTION (A) AND (C) AND SECTION 14(F).
- Ord. 98763 AMENDING SECTION 9(C) TO AUTHORIZE THE MAKING OF CERTAIN INVESTMENTS (LAWS OF 1969, EXTRAORDINARY SESSION, CH. 211, SEC. 1 (RCW 35.39.040).
- RES. 22289 APPROVING CERTAIN INTEREST RATES. (C.F. 265113)
- RES. 22270 APPROVING A 1969 BONUS DIVIDEND FOR RETIRED MEMBERS AND BENEFICIARIES.
- Ord. 98543 FURTHER AMENDS SEC. 14(F) TO INCREASE THE MAXIMUM "SUBSIDY" PAYABLE UNDER THE OPTIONAL "PERCENTAGE" SCALE.
- Ord. 98567 AMENDING SEC. 4 TO EXCLUDE MEMBERS OF THE WASHINGTON LAW ENFORCEMENT OFFICERS' & FIRE FIGHTERS' RETIREMENT SYSTEM FROM MEMBERSHIP IN THE CITY EMPLOYEES RETIREMENT SYSTEM.
- Ord. 98861 FURTHER AMENDS SEC. 9, TO PROVIDE FOR ELECTION OF EMPLOYEE MEMBERS TO THE BRD OF ADMN.
- Ord. 99271 GRANTING CERTAIN CITY OFFICERS & EMPLOYEES RETIRING DURING REMAINDER OF 1970 & THEIR BENEFICIARIES SUCH INCREASED BENEFITS AS MAY BE ADOPTED BY AMENDMENT TO Ord. 78444.
- RES. 22304 APPROVING A 1970 BONUS DIVIDEND.
- RES. 22305 APPROVING CERTAIN INTEREST RATES (CF-268152).
- Ord. 99666 AMENDING SECTIONS 2(M), 7, 13(C), 14(F), 14(H), 16(A) & 16(B); ADDING NEW SEC. 7.1(C); & REPEALING Ord. 91594, & SEC. 14-1; TO INCREASE CERTAIN CITY EMPLOYEES RETIREMENT BENEFITS AS OF JAN. 1, 1971.

AMENDMENTS, ETC. CONT'D ON INSERT SHEET

ORDINANCE NO. 78444

AMENDMENTS, ETC.

INSERT SHEET 1

- RES. 23354 -APPROVING A 1971 BONUS DIVIDEND FOR RETIRED MEMBERS & BENEFICIARIES.
- ORD 100792 -AMENDS SECTIONS 14(B), 14(E), 14(F) & 16 TO INCREASE MAXIMUM RETIREMENT ALLOWANCE TO 60% OF FINAL COMPENSATION.
- ORD 100877 -AMENDS SEC 9 TO EXTEND RIGHT TO VOTE FOR RETIRED MEMBERS UPON THE BRD OF ADMIN OF THE CITY EMPLOYEES' RETIREMENT SYSTEM.
- ORD 100918 -FURTHER AMENDS SEC 4 TO EXCLUDE EMPLOYEES IN POSITIONS ESTABLISHED PRIMARILY TO PROVIDE IN-SERVICE TRAINING LEADING TO QUALIFICATION FOR POSITIONS OF POLICE OFFICER OR FIREMAN.
- ORD 101024 -AMENDS SEC. 5 TO ESTABLISH A 6% RATE OF CONTRIBUTION & AMENDING SEC. 7 TO DELETE THE AUTHORITY OF THE BRD OF ADMINISTRATION TO REVISE RATES OF CONTRIBUTIONS.
- ORD 101274 -AMENDS SECTION 15 TO MODIFY REQUIREMENTS FOR ELIGIBILITY FOR DISABILITY RETIREMENT BENEFITS.
- RES. 23917 -APPROVING A 1972 BONUS DIVIDEND FOR RETIRED MEMBERS AND BENEFICIARIES.
- ORD. 101615-AMENDS (FURTHER) SEC. 6 TO PROVIDE FOR ALLOWANCE OF TIME IN ACTIVE MILITARY SERVICE AS CREDITABLE SERVICE
- ORD. 101738 -AMENDS SEC 9 TO ALLOW ANY MEMBER OF CITY EMPLOYEES' RETIREMENT SYSTEM TO VOTE FOR & BE ELECTED TO CERTAIN POSITIONS UPON THE BRD OF ADMINISTRATION OF SAID SYSTEM.
- ORD 101794 -AMENDS SECTIONS 1 & 2, ORD 101738 TO ESTABLISH EFFECTIVE DATE FOR ALLOWING ANY MEMBER OF THE CITY EMPLOYEES' RETIRE SYSTEM TO VOTE FOR & BE ELECTED TO CERTAIN POSITIONS UPON THE BRD. OF ADMIN.
- ORD 102366 -RE TO & PROVIDING ACCUMULATED & UNUSED SICK LEAVE BENEFITS FOR CERTAIN CITY OFFICERS & EMPLOYEES ACQUIRING VESTED RIGHTS TO A RETIREMENT ALLOWANCE UNDER THE CITY EMPLOYEES' RETIREMENT SYSTEM & AMENDING SECTIONS 1 & 1.1 OF ORD 90769.
- ORD 102931 -AMENDS SEC 7 TO PROVIDE THAT AN ACTUARIAL INVESTIGATION & VALUATION OF THE RETIREMENT SYSTEM BE MADE AT THE END OF EVERY 3YR PERIOD BEGINNING WITH 1974.
- RES 24433 -APPROVING A 1973 BONUS DIVIDEND FOR RETIRED MEMBERS & BENEFICIARIES.

~~ORDINANCE NO. 78444~~
ORDINANCE NO. 78444

AN ORDINANCE providing for a retirement and pension system for superannuated and disabled officers and employees of the City of Seattle, and for a system of death benefits; prescribing the conditions under which retirement allowances and death benefits shall be paid; fixing rates of contribution and death benefit assessments and providing for the adjustment thereof; providing for the financing and administration of said systems, and superseding and repealing Ordinance No. 57075 and ordinances in conflict herewith.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The purpose of this ordinance is to continue the retirement and pension system for superannuated and disabled officers and employees of the city and of the Seattle Public Library as authorized by Article XXII, Section 13 of the Charter and by State Law and established by Ordinance No. 57075 (as amended) and to establish a system of death benefits for such officers and employees.

0-79403 Section 2. Unless a different meaning is plainly required by the
0-81521 context the terms used in this ordinance shall have the following meanings:
0-82221
0-88897 (a) "Retirement System" shall include "City Employees Retirement
0-89073 System" provided for in Section 3 of this ordinance and the system of death
0-94354 benefits established therein.

(b) "Employee" means officers and employees in the classified civil service; of the Seattle Public Library; and other officers or employees of the city eligible to membership in the Retirement System pursuant to law.

(c) "Member" means any person included in the Retirement System as provided in Section 4 of this ordinance.

(d) "City" means the City of Seattle.

(e) "Board" means "Board of Administration" as provided in Section 9 of this ordinance.

(f) "Retirement Fund" means "Employees' Retirement Fund" created and established in Section 8 of this ordinance.

(g) "City Service" means service rendered to the City for compensation and for the purpose of this ordinance, a member shall be considered as being in the "City Service" only while he is receiving such compensation.

~~ORDINANCE NO. 78444~~
ORDINANCE NO. 78444

AN ORDINANCE providing for a retirement and pension system for superannuated and disabled officers and employees of the City of Seattle, and for a system of death benefits; prescribing the conditions under which retirement allowances and death benefits shall be paid; fixing rates of contribution and death benefit assessments and providing for the adjustment thereof; providing for the financing and administration of said systems, and superseding and repealing Ordinance No. 57075 and ordinances in conflict herewith.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The purpose of this ordinance is to continue the retirement and pension system for superannuated and disabled officers and employees of the city and of the Seattle Public Library as authorized by Article XXII, Section 13 of the Charter and by State Law and established by Ordinance No. 57075 (as amended) and to establish a system of death benefits for such officers and employees.

0-79403 Section 2. Unless a different meaning is plainly required by the
0-81521 context the terms used in this ordinance shall have the following meanings:
0-82221 (a) "Retirement System" shall include "City Employees Retirement
0-82297 System" provided for in Section 3 of this ordinance and the system of death
0-87023 benefits established therein.
0-88354

(b) "Employee" means officers and employees in the classified civil service; of the Seattle Public Library; and other officers or employees of the city eligible to membership in the Retirement System pursuant to law.

(c) "Member" means any person included in the Retirement System, as provided in Section 4 of this ordinance.

(d) "City" means the City of Seattle.

(e) "Board" means "Board of Administration" as provided in Section 9 of this ordinance.

(f) "Retirement Fund" means "Employees' Retirement Fund" created and established in Section 8 of this ordinance.

(g) "City Service" means service rendered to the City for compensation and for the purpose of this ordinance, a member shall be considered as being in the "City Service" only while he is receiving such compensation

for such service or is on leave of absence on account of sickness or injury subsequent to July 1, 1929, and makes contributions covering such period as provided in Section 6 (a) hereof.

(h) "Prior Service" means city service of a member prior to July 1, 1929 except as follows: In the case of officers and employees of the Seattle Public Library prior to July 1, 1937; in the case of employees entering the classified civil service under the Charter Amendments of March 12, 1940 and March 13, 1945, prior to March 16, 1940 and March 16, 1945 respectively; and in case of employees entering such service under Chapter 105, Laws of Washington, 1943, prior to September 1, 1943.

(i) "Continuous Service" shall mean uninterrupted employment by the City, except that discontinuance of City Service of a member caused by lay-off, leave of absence, suspension, or dismissal, followed by re-entrance into City Service within one year, shall not count as a break in the continuity of service; provided that for the purpose of establishing membership in the Retirement System continuous service shall mean six months service in any one year.

(j) "Beneficiary" means any person in receipt of a pension, annuity, retirement allowance, disability allowance, or any other benefit provided in this ordinance.

82225
4334
0-0 (k) "Compensation" means the salary or wage, payable in cash, exclusive of overtime, plus the monetary value, as determined by the Board of Administration, of any allowance in lieu thereof; but such "Compensation" shall not exceed Five Hundred (\$500.00) dollars per month.

83344 (l) "Compensation Earnable" by a member means the average compensation as determined by the Board of Administration upon the basis of the average period of employment of members in the same group or class of employment and at the same rate of pay, but such "Compensation Earnable" shall not exceed Five Hundred (\$500.00) Dollars per month.

0-99366 (m) "Final Compensation" means the average annual compensation earnable by a member during the ten (10) years immediately preceding his retirement.

(n) "Normal Contribution" means contribution at the rate provided for in Subdivision (a) of Section 5 of this ordinance.

(o) "Additional Contributions" means the contributions provided for in Subdivision (d), Section 5, of this ordinance.

(p) "Regular Interest" means interest compounded annually at such rate as shall have been adopted by the Board of Administration in accordance with the provisions of this ordinance.

(q) "Accumulated Normal Contributions" means the sum of all normal contributions, deducted from the compensation of a member, standing to the credit of his individual account, together with regular interest thereon.

(r) "Accumulated Additional Contributions" means the sum of all additional contributions, deducted from the compensation of a member standing to the credit of his individual account, together with regular interest thereon.

(s) "Accumulated Contributions" means accumulated normal contributions plus accumulated additional contributions but shall not include death benefit assessments.

(t) "Pension" means payments derived from the contributions made by the City as provided for in Sections 14 and 16 of this ordinance.

(u) "Annuity" means payments derived from contributions made by a member as provided in Sections 14 and 16 of this ordinance.

(v) "Retirement Allowance" means the pension plus the annuity.

(w) "Fiscal Year" means any year commencing with January 1st and ending with December 31st next following.

(x) "Creditable Service" means such City Service as is evidenced by the record of normal contributions received from the employee plus prior service if credit for same is still intact or not lost through withdrawal of accumulated normal contributions as provided in Section 12 hereof.

(y) "Persons having an Insurable Interest in His Life" shall mean and include only such persons who, because of relationship from ties of blood or marriage, have reason to expect some benefit from the continuation of the life of a member.

(z) "Death Benefit" means the payments upon proof of death of a member provided for in Section 24 of this ordinance.

(aa) "Death Benefit Assessment" means the payments required of members of the death benefit system under Sections 24 and 25 of this ordinance. *(11) - Ord 79403 - (Basic Pension)*

Section 3. The retirement system created and established effective July 1, 1929 by Ordinance No. 57075 (as amended) known as the "City Employees' Retirement System," is hereby continued in full force and effect; and there is hereby created and established in addition thereto a death benefit system to become effective January 1, 1950; provided that this Section shall not be construed as preventing the performance before January 1, 1950 of any preliminary work which the City Council or the Board of Administration shall deem necessary.

0-31727
8-1521
0-98597
100911
Section 4. Officers and employees of the City (except those excluded by sub-section (h) hereof) and of the Seattle Public Library shall become members of the retirement system as follows:

(a) Those in City Service on July 1, 1929, under the Civil Service shall become members as of that date, as authorized by the Charter Amendment of March 8th, 1927.

(b) Those in the Seattle Public Library, as of July 1, 1937, as authorized by the Charter Amendment of March 9, 1937.

(c) Those included in the Civil Service by the Charter Amendments of March 12, 1940 and March 13, 1945, as of March 16, 1940 and March 16, 1945 respectively; and those in the Judicial Department included in the Civil Service by Chapter 105, Laws of Washington 1943, as of September 1, 1943.

(d) Those former members re-entering the System under Chapter 192, Laws of Washington, 1941, as of the date fixed by the regulations of the

Board of Administration, and provided they make deposits in the retirement fund in amounts necessary to bring their record of accumulated normal contributions to proper balance as required thereby.

(e) Those authorized to be included by Chapter 52, Laws of Washington, 1945, to-wit: Those with at least five years of continuous service and acting in capacities in which they would not otherwise be entitled to participation in the system and who elect in writing, addressed to the Board of Administration, shall become members as of the date of such election, with the privilege of paying into the retirement fund on account of city service after July 1, 1929. Credit for "prior service" and for city service after July 1, 1929 shall be in proportion to the amount deposited as set forth in Section 6 of this ordinance. The rate of contribution for such members shall be that for the age of entry into "City Service," plus six months, if such entry was subsequent to July 1, 1929, otherwise as of age on July 1, 1929. No eligible under this paragraph shall become a member prior to July 1, 1945. Any such member may exercise the options in Section 18 of Ordinance No. 57075, as amended, in the manner prescribed by the Regulations of the Board of Administration.

(f) The retirement allowances of those officers and employees becoming members under paragraphs (d) and (e) and who remain in City Service beyond age 65, shall be calculated and suspended as of attainment of age 67, if, and so long as they remain in city service beyond the latter age by virtue of other laws, notwithstanding the provisions of Section 13 of this ordinance.

0-79747 (g) Civil Service officers and employees and those of the Seattle Public Library entering city service after March 16, 1945 shall become members of the Retirement System upon completion of six months of continuous service. Officers and employees electing to enter the Retirement System as provided for in paragraph (e) hereof, shall become members as of date specified in the application for membership. Officers and employees reentering city service shall become members after six months of continuous service, but if contributions were not withdrawn or redeposit starts immediately

upon reentry, such persons to become members immediately upon return to city service.

(h) The following employees shall not become members of the Retirement System:

(1) Members of the Police Department entitled to the benefits of the Police Relief and Pension Fund under State Law.

(2) Members of the Fire Department entitled to the benefits of the Firemen's Relief and Pension Fund under State law.

(i) The head of each office or department of the City shall give immediate notice in writing to the Board of Administration of the change in status of any member of his office or department, resulting from transfer, promotion, leave-of-absence, resignation, reinstatement, dismissal or death. The head of each office or department shall furnish such other information concerning any member as the Board may require.

(j) Each member shall be subject to all the provisions of this ordinance and the rules and regulations of the Board of Administration. Should any member be, in the opinion of the Board, permanently separated from the City Service or should he die he shall thereupon cease to be a member.

*Ord 9403-81521
724566-84981-85086-86897-87420-92193-101024-*
Section 5 (a) The normal rates of contributions of members shall be those adopted by the Board of Administration subject to the approval of the City Council, and for the first five-year period such rates shall be based on sex and on age of entry into the Retirement System, which age shall be the age at the birthday nearest the time of entry into the system. The rates so adopted shall remain in full force and effect until revised or changed by the Board of Administration in the manner provided in Section 7 of this ordinance. For new members entering the Retirement System, the normal rates of contributions shall be fixed as follows: For ages under thirty-two years, they shall be calculated so as to produce, as near as may be, at age sixty-two a sum sufficient to purchase one-half of a retirement allowance of 50% of final compensation. For ages thirty-two and over, they shall be calculated so as to produce, as near as may be, at age sixty-two a sum sufficient to purchase one-half of a retirement allowance of 1-2/3% of final com-

compensation, multiplied by the number of years of service of a member. Each present member shall contribute on the basis of his age at entry or re-entry into the Retirement System at the rate fixed for a new member of corresponding age: Provided that the normal rate established for age sixty-one shall be the rate for any member who has attained a greater age before entrance into the Retirement System, and the normal rate of contribution established for age twenty shall be the rate for any member who enters the Retirement System at an earlier age.

83744 (b) Subject to the provisions of this ordinance, the Board of Administration shall adopt rules and regulations governing the making of deductions from the compensation of employees and shall certify to the head of each office or department the normal rate of contribution for each member provided for in subdivision (a) of this section. The head of each department shall apply such rate of contribution to so much of the compensation exclusive of overtime of a member/as does not exceed Five Hundred (\$500.00) Dollars per month, and shall certify to the City Comptroller on each and every pay roll the amount to be contributed and shall furnish immediately to the Board a copy of each and every pay roll; and each of said amounts shall be deducted by the City Comptroller and shall be paid into the Retirement Fund, hereinafter provided for, and shall be credited by the Board together with regular interest to an individual account of the member for whom the contribution was made.

Every member shall be deemed to consent and agree to the contribution made and provided for herein, and shall receipt in full for his salary or compensation. Payment less said contributions shall be a full and complete discharge of all claims and demands whatsoever for the service rendered by such person during the period covered by such payment, except his claim to the benefits to which he may be entitled under the provisions of this ordinance.

(c) The City shall match the normal contributions of members and the Board shall determine the amount of normal contributions to be matched

each month and shall notify the proper authorities when such matching contributions are due and payable. The proper authorities shall then provide for payment of such matching contributions into the Retirement Fund at the earliest time possible.

(d) Any member may elect to contribute at rates in excess of those provided for in subdivision (a) of this Section, for the purpose of providing additional benefits, but the exercise of this privilege by a member shall not place on the City any additional financial obligation. The Board of Administration shall have authority to fix the rate of interest to be paid or allowed upon such additional contributions and to from time to time make any necessary changes in said interest rate. Said Board, upon application, shall furnish to a member information concerning the nature and amount of additional contributions.

amended
by
5-19-78
0-10-85
Section 6 (a). Subject to the following and all other provisions of this ordinance, including such rules and regulations as the Board shall adopt in pursuance thereof, the Board, subject to the approval of the City Council, shall determine and may modify allowance for service.

Time during leave on account of sickness or injury subsequent to July 1, 1929, or time served in either the Police or Fire Departments before or after July 1, 1929; or time during which a member was under temporary or provisional appointment before becoming a member; or time during which a member was on extended leave of absence while serving as an officer of a labor organization the membership of which includes City employes; may be allowed in computing creditable service, provided such member shall pay into the Retirement Fund an amount equal to the normal contributions covering the period from July 1, 1929, for which creditable service is claimed. Time during which a member is absent on leave without pay for reasons other than those specified in this Section shall not be allowed in computing service; provided, however, that any member entitled to prior service credit under this section shall be given credit for any period served by him in the National Guard, United States army, navy or marine corps upon the call

of the President during the Mexican Border Service and/or the World War if at the time of such service such member was a regularly appointed civil service or Library Department employe under leave of absence. Certificate of honorable discharge from and/or documentary evidence of such service shall be submitted to the Board in order to obtain prior service credit for such service.

Each member shall file with the Board such information affecting his status as a member of the Retirement System as the Board may require.

0-79798 (b) Credit for "prior service" as defined by this ordinance shall be granted members entering the Retirement System as of the dates specified in Section 2 (h) and to those members re-entering after such dates if re-entry is within one year after city service prior to such dates. Such credit shall be granted those becoming members pursuant to Chapter 52, Laws of Washington, 1945, in the same proportion as the amount of money deposited to cover service from July 1, 1929, to date of entry into the system, bears to the amount of money necessary to cover all service during that period, excluding, however, all service after the first of the month following attainment of age 67.

Provided, that the Board may grant credit for prior service to any eligible entering the Retirement System after the dates above mentioned if he, because of sickness or other disability, has been on leave of absence, regularly granted, since discontinuance of City Service, regardless of the length of such leave.

0-99566-101024-102931-

Section 7. The administration of the Retirement and Death Benefit Systems is hereby vested in the Board of Administration created in Section 9 of this ordinance. The Board shall exercise the powers and duties conferred upon it by said section, and in addition thereto:

(a) The Board shall keep in convenient form such data as shall be necessary for the actuarial valuation of the Retirement Fund created by this ordinance. At the end of the five-year period beginning with the year 1929,

and at the end of every five-year period thereafter, the Board shall cause to be made an actuarial investigation into the mortality, service and compensation experience of the members and beneficiaries as defined by this ordinance; and shall further cause to be made an actuarial valuation of the assets and liabilities of the Retirement Fund, and upon the basis of such investigation and valuation and subject to the approval of the City Council, shall:

- (1) Make any necessary changes in the rate of interest;
- (2) Adopt for the Retirement System such mortality, service and other tables as shall be necessary;
- (3) Revise or change the rates of contributions by members on the basis of such mortality, service and other tables.

(b) The Board shall promptly transmit to the City Council a report covering the actuarial investigation and actuarial valuation provided for in Subdivision (a) of this Section.

(c) In addition to other records and accounts, the Board shall keep such detailed records and accounts as shall be necessary to show the financial condition of the Retirement Fund at all times.

(d) The Board shall annually transmit to the City Council a report showing the financial condition of the fund established by this ordinance.

(e) Nothing in this Section shall be construed to limit the right of the Board, subject to approval of the City Council, to make changes in rates of interest, or in the rates of contributions by members whenever said Board deems it necessary or advisable, or to secure actuarial reports oftener than every five years.

Ord. 96293 - Sec. 7-1

Section 8. A fund is hereby created and established to be known as the "Employees' Retirement Fund" and shall consist of all the moneys paid into it in accordance with the provisions of this ordinance, whether such moneys shall take the form of cash, securities or other assets.

~~Section 9. -- (a) -- There is hereby created and established a Board of~~

AMENDED ORD. - 101794

100877
101738

Section 9. (a) There is hereby created and established a Board of Administration which shall, under the provisions of this ordinance and the direction of the City Council, administer the Retirement and Death Benefit Systems and the Retirement Fund created by this ordinance. Under and pursuant to the direction of the City Council the Board shall provide for the proper investment of the moneys in the said Retirement Fund. The Board of Administration shall consist of the Chairman of the Finance Committee of the City Council, the City Comptroller, and the City Treasurer, and two City employees eligible to the benefits of the system, who shall be elected by the City Council as soon as practicable after this ordinance is passed and annually thereafter at the second meeting of the City Council in June.

(b) The Chairman of the Finance Committee of the City Council shall be ex-officio chairman, the City Comptroller ex-officio Secretary, and the City Treasurer ex-officio Treasurer of the Board.

5534 (c) The investment of all or any part of the Retirement Fund shall be subject to the terms, conditions, limitations and restrictions imposed by the laws of the State of Washington upon the making of investments by savings banks; provided, however, that the Board may invest in any of the bonds or warrants issued by the City of Seattle including Local Improvement Bonds and Warrants and Utility Bonds and Warrants.

(d) Subject to such provisions as may be prescribed by law for the deposit of municipal funds in banks, cash belonging to the Retirement Fund may be deposited in any licensed National Bank or banks in this State, or in any bank, banks or corporations authorized or licensed to do a banking business and organized under the laws of the State of Washington.

(e) The City Treasurer shall be the custodian of the Retirement Fund. All payments from said fund shall be made by the City Treasurer but only upon warrant duly executed by the City Comptroller.

(f) Except as herein provided, no member and no employee of the Board of Administration shall have any interest, direct or indirect, in the making of any investments from the Retirement Fund, or in the gains or profits accruing therefrom. And no member or employee of said Board, directly or indirectly, for himself or as an agent or partner of others, shall borrow any of its funds or deposits or in any manner use the same except to make such current and necessary payments as are authorized by said Board; nor shall any member or employee of said Board become an endorser or surety or become in any manner an obligor for moneys invested by the Board.

Section 10. There shall be paid into the Retirement Fund by contributions of the City, the amounts necessary to pay all pensions and all other benefits allowable to members and their beneficiaries under the provisions of this ordinance including death benefits, except such as are provided by the accumulated contributions and death benefit assessments of members. Until the amount accumulated in the Retirement Fund becomes at least as large as the present value of all amounts thereafter payable from said Fund, the amount annually due from the City to said Fund under this Section shall be the matching contributions required by Sections 5 (c) and 25 of this ordinance, and a sum equal to the amount payable from said Fund in the ensuing fiscal year on account of prior service credits and minimum pensions for service and disability retirement not otherwise provided for.

Section 11. (a) The payments of the City due the Retirement Fund as provided for in this ordinance are hereby made obligations of the City except as provided in Subdivision (b) of this section. The Board shall annually, on or before the 10th day of July each year, prepare and submit to the City Council an estimate of the amounts necessary to meet such obligations, and the City Council shall provide for the raising of such amounts as are

necessary to make such payments.

(b) The City may at any time change, modify or repeal this ordinance or any part thereof in respect to its future obligations to any member not at that time receiving or being eligible to a pension hereunder. It is hereby specifically provided, however, and the City hereby covenants and guarantees, that the City's obligation to those members receiving or eligible to a retirement allowance prior to such change, modification or repeal shall continue in full force and effect as provided in this ordinance; and that the City's obligation to those members not receiving or being eligible to a pension at the time of such change, modification or repeal, will be a retirement allowance at pension age equal to the actuarial equivalent of the accumulated value of the member's contribution standing to his credit at date of pension, and the accumulated value of the City's contribution to the date of such change, modification or repeal, increased further by the accumulations of said amount to date of pension with interest, but without further contributions from the City.

AMENDED
9/1/52 Section 12. (a) Should the City Service of a member, not eligible for retirement under the provisions of this ordinance, be discontinued, except by death, he shall be paid six (6) months after the day of discontinuance such part of his accumulated contributions as he shall demand: Provided, however, that such member may apply to the Board and by unanimous vote the Board may grant a request for immediate withdrawal of contributions. If in the opinion of the Board such member is permanently separated from City Service by reason of such discontinuance, he shall be paid forthwith all his accumulated contributions, with interest. Should the City Service of a member eligible for retirement be discontinued, except by death, such member may, in the manner hereinabove provided, apply to the Board for withdrawal of contributions, but in such case the Board may, in its discretion, approve such request or disapprove the same and authorize the retirement of such member. Upon withdrawal of contributions the full amount deposited by the

City in the Retirement Fund for such member's benefit, plus interest, shall be available to meet the obligations of the City under this ordinance.

(b) Subject to rules and regulations established by the Board, any member or former member who re-enters City Service may redeposit in the Retirement Fund an amount equal to that which he previously withdrew therefrom at the last termination of his membership, such redeposit to be paid into the Retirement Fund. If a member upon reentering the Retirement System after a termination of his membership shall not make such a redeposit as hereinabove provided, he shall lose credit for prior service and the rate of his contributions for future years shall be the normal rate provided for in Subdivision (a), Section 5 of this ordinance at his age of re-entrance; otherwise his rate of contribution for future years shall be based on the same age as his rate prior to the termination of his membership. In the event such redeposit is made by a member, an amount equal to the accumulated normal contributions so redeposited shall again be held for the benefit of the said member, and shall no longer be included in the amounts available to meet the obligations of the City under this ordinance, and the City shall reinstate the prior service credit for such member.

AMENDED ORD.
9/1/22

Section 13. Retirement of a member for s_ervice shall be made by the Board of Administration as follows:

(a) Each member of the Retirement System shall be retired on the first day of the calendar month next succeeding the month in which the member shall have attained the age of sixty-five (65) years. Provided that upon written request of the head of the office or department in which the member is employed, certifying that continuance in employment of the member is advantageous to the public service, the Board of Administration may grant the request for extension of time for retirement for not to exceed one year and at the end of that time may grant another extension or extensions of time for retirement by similar action of the head of the office or department: Provided further that no continuance in employment shall be permitted

beyond the first day of the calendar month next succeeding the month in which the member shall have attained the age of 67 years.

Each member now in the City Service who, on January 1, 1941, shall have attained the age of 65 years or over, shall be retired on February 1, 1941: Provided, however, that such member may be granted an extension of time for retirement by the Board of Administration from year to year for not to exceed two years, upon written request of the head of the office or department in which the member is employed, filed with the Board before the date fixed for such retirement. No such member shall be continued in employment beyond the first day of the calendar month next succeeding the month in which the member shall have attained the age of 70 years.

(b) Any member in the City Service may retire by filing with the Board a written application, stating when he desires to be retired, such application to be made at least thirty (30) days prior to date of retirement: Provided, however, that said member, at the time specified for his retirement, shall have completed ten (10) years of City Service as defined in this ordinance, and shall have attained the age of fifty-seven (57) years, or shall have completed twenty (20) years of City Service and shall have attained the age of fifty-two (52) years, or shall have completed thirty (30) years of City Service as defined in this ordinance. Permanent discontinuance of City Service after the member has become eligible for a retirement allowance under the provisions of this ordinance shall entitle such member to his retirement allowance: Provided that if discontinuance of City Service is caused by intemperance, willful misconduct or violation of law on the part of the member, of which the Board shall be the judge, the Board of Administration, in its discretion, may pay to said member, in one lump sum, his accumulated contributions, in lieu of a retirement allowance, and such payment shall constitute full satisfaction of all obligations of the City to such member, and upon receipt of such payment he shall cease to be a member of the System.

and
84510 -- (c)
amended Ord.
99566

0-79403-81521-83534-84566-85163-
86133-90730-91594-94354-99566-100792

Section 14. (a) A member, upon retirement for service, shall receive Retirement Allowance subject to the provisions of paragraph (b) of this section, which shall consist of:

(1) An annuity which shall be the actuarial equivalent of his accumulated contributions at the time of his retirement; and

(2) A pension purchased by the contributions of the City, equal to the annuity purchased by the accumulated normal contributions of the member.

(3) For any member having credit for prior service, an additional pension purchased by the contributions of the City equal to one and one-third ($1\frac{1}{3}$) per cent of the final compensation multiplied by the number of years of prior service credited to said member, if total prior service credit at such rate shall amount to sixteen and two-thirds ($16\frac{2}{3}$) per cent or more of final compensation; if such total prior service credit shall not equal sixteen and two-thirds ($16\frac{2}{3}$) per cent of final compensation such additional pension shall be increased by one-third of one per cent of final compensation, multiplied by the number of years of prior service credited to said member for the period between July 1, 1919, and July 1, 1929, but such prior service credit for said member shall not exceed a total of sixteen and two-thirds ($16\frac{2}{3}$) per cent of final compensation: Provided, further, that if a member shall retire before attaining the age of sixty-two (62) years the total additional pension computed as above shall be reduced by the following percentages:

At age 61.....	6.48%
At age 60.....	12.48%
At age 59.....	18.02%
At age 58.....	23.12%
At age 57.....	27.85%
At age 56.....	32.12%
At age 55.....	36.18%
At age 54.....	39.92%

At age 53.....	43.38%
At age 52.....	46.52%
At age 51.....	49.52%
At age 50.....	52.30%

Appropriate reductions shall be made in cases of retirement, under age fifty (50) consistent with the above schedule.

AMENDED ORD
100792

(b) If at the time of retirement of a member the accumulated normal contributions of the member and equal accumulated contributions of the City, plus credit for prior service, all as provided in this ordinance, will provide a retirement allowance in excess of one-half of final compensation, then the retirement allowance of the member shall be limited to one-half of final compensation, allowing full credit for prior service as provided in this ordinance and applying accumulated normal contributions of the member and of the City in equal amounts to make up the one-half of final compensation. Any residue of the accumulated normal contributions of the member over the amount so applied shall be considered as accumulated additional contributions and shall be subject to such rules as the Board of Administration may have adopted governing the same. Any residue of the accumulated contributions of the City over the amount so applied shall remain in the Retirement Fund to apply on the City's obligations to said Fund.

0-99566 (c) Any member who at the time of his retirement shall have ten or more years of creditable service, who is retired by reason of attaining age sixty-five (65) or over, and whose retirement allowance, exclusive of any annuity provided by accumulated additional contributions would be less than Forty (\$40.00) Dollars per month, shall receive such additional pension, purchased by the contributions of the City as will make his total retirement allowance, exclusive of any annuity provided by accumulated additional contributions, equal to Forty (\$40.00) Dollars per month.

(d) Beginning January 1, 1941, any member who at the time of his

retirement shall have attained the age of sixty (60) years or over, and who shall have at least ten (10) years of creditable service, shall receive an additional pension, purchased by the contributions of the City of such amount as will make his total retirement allowance equal to the amount per month indicated on the following schedule at his age and length of service if his retirement allowance, exclusive of any annuity provided by accumulated additional contributions, would otherwise be less than such amount.

Attained Age	Length of service in years										
	10	11	12	13	14	15	16	17	18	19	20 or over
65	\$40.00	40.00	40.00	40.00	40.00	40.00	40.00	40.00	40.00	40.00	40.00
64	35.00	38.50	40.00	40.00	40.00	40.00	40.00	40.00	40.00	40.00	40.00
63	30.00	33.00	36.00	39.00	40.00	40.00	40.00	40.00	40.00	40.00	40.00
62	25.00	27.50	30.00	32.50	35.00	37.50	40.00	40.00	40.00	40.00	40.00
61	22.50	24.75	27.00	29.25	31.50	33.75	36.00	38.25	40.00	40.00	40.00
60	20.00	22.00	24.00	26.00	28.00	30.00	32.00	34.00	36.00	38.00	40.00

The amounts shown in the schedule if less than Forty (\$40.00) Dollars shall be subject to pro rata adjustments for age and/or service for a fractional part of a year after ten years.

AMENDED ORS.

108792

(e) Beginning January 1, 1941, each retired member, who has attained the age of sixty-five (65) years or over and who is receiving a retirement allowance of less than Forty (\$40.00) Dollars per month, shall receive such additional pension purchased by the contributions of the City as will make his retirement allowance equal to Forty (\$40.00) Dollars per month.

Beginning January 1, 1941, each retired member under age sixty-five (65), who at the time of his retirement had attained age sixty (60) or over, shall receive such additional pension payable from the contributions of the City as he would have received under the provisions of Subsection (d) of this section had the same been in effect at the time of his retirement: Provided that it is not the intent of this provision to reduce the retirement allowance of any member below the amount which he is now receiving, or may later

ORD. 76444

SECTION 14 (a) 79403

SECTION 14 (H) 86133, 97303, 99566

Section 14 (i) - repealed - Ord. 99566

receive under previous legislation.

0-98730
0-99354
95189
96293
97503
98123
98573
99540
100792
A-89419
101274

(f) Any retired member who has heretofore elected to receive one of the options provided for in Section 18 of this ordinance, and whose retirement allowance will be increased by the foregoing provisions, shall receive only the proper actuarial equivalent of such minimum retirement allowance.

Section 15. Any member who has not attained the age of sixty-five (65) and who has at least ten (10) years of city service, over a period of not to exceed fifteen (15) years immediately preceding retirement, may be retired for permanent and total disability, either ordinary or accidental, upon examination as hereinafter set forth; provided that city service lost while on previous disability retirement shall not be considered in determining if the applicant has city service in the limits specified.

Any member while in the City Service; or within three (3) months after the discontinuance of City Service, or while physically or mentally incapacitated for the performance of duty, if such incapacity has been continuous from discontinuance of City Service, shall be examined by a physician or surgeon, appointed by the Board of Administration, upon the application of the head of the office or department in which said member is employed, or upon application of said member, or a person acting in his behalf, stating that said member is permanently and totally incapacitated, either physically or mentally, for the performance of duty and ought to be retired. If such medical examination shows, to the satisfaction of the Board, that the said member is permanently and totally incapacitated either physically or mentally for the performance of duty and ought to be retired, the Board shall retire the said member for disability forthwith.

The Board shall secure such medical services and advice as it may deem necessary to carry out the purpose of this section and of Section 17 of this ordinance, and shall pay for such medical services and advice such compensation as the Board shall deem reasonable.

The provisions of this Section shall not be applicable to employees

pensioned for permanent and total disability, as defined in and pursuant to State law.

0-79403
81571
0-88897
95183
49566
100772

Section 16. (a) Upon retirement for disability, as hereinabove provided, provided the disability is not due to intemperance, willful misconduct or violation of law, of which the Board shall be the judge, a member shall receive a retirement allowance calculated as follows:

One and one-fourth ($1\frac{1}{4}$) per centum of final compensation multiplied by years of service, if such retirement allowance exceeds thirty (30) per centum of his final compensation and is not less than Sixty (\$60.00) Dollars per month; otherwise one and one-fourth ($1\frac{1}{4}$) per centum of final compensation multiplied by years of service which would be creditable to him were his services to continue until attainment of age sixty-two (62), but such retirement allowance shall not exceed thirty (30) per centum of such final compensation except where such thirty (30) per centum is less than Sixty (\$60.00) Dollars per month, then the member shall receive the minimum disability retirement allowance of Sixty (\$60.00) Dollars per month; provided, that no disability retirement allowance, exclusive of any annuity provided by additional contributions, shall exceed fifty (50) per centum of final compensation.

The retirement allowance as above calculated shall consist of:

- (1) An annuity which shall be the actuarial equivalent of the members accumulated normal contributions.
- (2) A pension which shall be the actuarial equivalent of the City's matching contributions.
- (3) A pension for prior service, if any, calculated at the rate of one and one-fourth ($1\frac{1}{4}$) per centum of final compensation for each year of prior service, which shall be provided by contributions of the city.
- (4) An additional pension, provided by contributions of the city, should the calculation of the allowance show that (1), (2) and (3) above are not enough to produce the retirement allowance indicated.

(5) When use of proper annuity and pension rates results in a retirement allowance amounting to more than would be realized by adherence to the formula indicated in sub-section (a) of this section the Board shall allow the higher amount.

0-99566

(b) The disability retirement allowance of all persons receiving less than Sixty (\$60.00) dollars per month on January 1, 1946, shall on that date be raised to the minimum hereby established.

(c) If disability is due to intemperance, willful misconduct or violation of law, on the part of the member, the Board of Administration, in its discretion, may pay to said member, in one lump sum his accumulated contributions, in lieu of a retirement allowance, and such payment shall constitute full satisfaction of all obligations of the City to such member, and upon receipt of such payment he shall cease to be a member of the System.

0-83534

(d) Upon the death of a member while in receipt of a disability retirement allowance, his accumulated contributions, as they were at the date of his retirement, less any annuity payments made to him, shall be paid to his estate, or to such persons having an insurable interest in his life as he shall have nominated by written designation duly executed and filed with the Board.

ord. 95103 (4)

Section 17. (a) The Board of Administration may require any disability beneficiary, under age sixty-two (62) years, to undergo medical examination by a physician or surgeon, appointed by the Board at a place to be designated by the Board. Upon the basis of such examination the Board shall determine whether such disability beneficiary is still totally and permanently incapacitated, either physically or mentally, for city service. If the Board shall determine that said beneficiary is no longer so incapacitated, he shall be returned to city service at the earliest opportunity in accordance with civil service rules and regulations and upon such return his retirement allowance shall be cancelled.

(b) Should a disability beneficiary re-enter city service his retirement allowance shall be cancelled and he shall immediately become

a member of the Retirement System, his rate of contribution for future years being that established for his age at the time of such re-entry. His individual account shall be credited with his accumulated normal contributions less the annuity payments made to him, except as provided in paragraph (c) hereof. An amount equal to the accumulated normal contributions so credited to him shall again be held for the benefit of said member and shall no longer be included in the amounts available to meet the obligations of the City on account of benefits that have been granted and on account of prior service of members. Such members shall receive credit for prior service in the same manner as if he had never been retired for disability.

(c) Should any disability beneficiary under age sixty-two (62) refuse to submit to medical examination, his pension may be suspended and should refusal continue for one year, his retirement allowance may be cancelled. Should any such disability beneficiary engage in a gainful occupation he shall immediately report his gross monthly income to the Board and upon receipt of such information the Board shall reduce the retirement allowance to an amount, which when added to the compensation earned by him in such occupation, shall not exceed the amount of the salary or wages presently attached to the regular position held by the disability beneficiary at the time of his retirement.

Should any such disability beneficiary fail to report his gainful occupation the Board shall, whenever information regarding such gainful occupation is received, cause his retirement allowance to be suspended either partially or in full, for the period of time necessary to make up for disability retirement allowance payments drawn by him during time suspension should have been in effect and should such a beneficiary die before suspended disability retirement allowance payments have equalled payments illegally drawn, the Board shall recover such payments from any benefits which would otherwise be payable to his estate or to a designated benefi-

ciary. Suspension of a disability retirement allowance under such circumstances may be made even after such a disability beneficiary has attained age sixty-two (62). Should such disability beneficiary re-enter City Service the Board may reduce the accumulated contributions which would otherwise be credited to his account, as contemplated in paragraph (b) hereof, to compensate for payments drawn during time suspension should have been in effect.

When any disability beneficiary reaches age sixty-two (62) his retirement allowance shall be established at the amount which would normally be payable to him and shall not be modified for any cause except as provided in this ordinance.

(d) Should the retirement allowance of any disability beneficiary be cancelled for any cause other than re-entrance into City Service, he shall be paid his accumulated contributions, less annuity payments made to him.

If, in the judgment of the Board, a disability beneficiary has failed to properly report his earnings from gainful occupation, the Board may cancel his disability retirement allowance.

(e) Should any disability beneficiary who was eligible to receive a service retirement allowance at the time he was retired for disability, desire to convert his disability retirement allowance into the service retirement allowance he was eligible to at time of retirement on disability, the Board may grant his petition so to do.

Sec. 17-1 Ord. 89952
Section 18. A member may elect to receive, in lieu of the retirement allowance provided for in Section 14, its actuarial equivalent in the form of a lesser retirement allowance, payable in accordance with the terms and conditions of one of the options set forth below in this section. Election of any option must be made by written application filed with the Board of Administration at least thirty (30) days in advance of retirement as provided in Section 13, and shall not be effective unless approved by the

Board prior to retirement of the member.

OPTION A. The lesser retirement allowance shall be payable to the member throughout his life, provided that if he die before he receive in annuity payments referred to in paragraph (1) of subdivision (a) of Section 14 a total amount equal to the amount of his accumulated contributions as it was at the date of his retirement, the balance of such accumulated contributions shall be paid in one sum to his estate or to such person having an insurable interest in his life, as he shall nominate by written designation duly executed and filed with the Board.

OPTION B. The lesser retirement allowance shall be payable to a member throughout his life, provided that if he die before he receive in annuity payments referred to in paragraph (1) of subdivision (a) of Section 14 a total amount equal to the amount of his accumulated contributions as it was at the date of his retirement, the said annuity payments resulting from his accumulated contributions shall be continued and paid to his estate or to such person, having an insurable interest in his life, as he shall nominate by written designation duly executed and filed with the Board, until the total amount of annuity payments shall equal the amount of his accumulated contributions as it was at the date of his retirement.

OPTION C. The member shall elect a "guaranteed period" of any number of years. If he dies before the lesser retirement allowance has been paid to him for the number of years elected by him as the "guaranteed period," the lesser retirement allowance shall be continued to the end of the "guaranteed period," and during such continuation shall be paid to his estate or to such person, having an insurable interest in his life, as he shall nominate by written designation duly executed and filed with the Board.

OPTION D. The lesser retirement allowance shall be payable to the member throughout life, and after the death of the member, one-half of

the lesser retirement allowance shall be continued throughout the life of and paid to the wife or husband of the member.

OPTION E. The lesser retirement allowance shall be payable to the member throughout life, and after death of the member it shall be continued throughout the life of and paid to the wife or husband of the member.

0-79403
0-88597
0-89588
Section 19. (a) Upon the death of any person who has not been retired, pursuant to the provisions of this ordinance, there shall be paid to his estate, or to such persons having an insurable interest in his life as herein-above defined, as he shall have nominated by written designation duly executed and filed with the Board, his accumulated contributions less any payments therefrom already made to him. Such payment may be made in one lump sum or may be paid in installments over a period of not to exceed five years, as may be designated by the member or his beneficiary, with such rate of interest as may be determined by the Board.

(b) Upon the death of any member who has not retired but who, as of the date of death, was eligible for service retirement, and who has elected the spouse as beneficiary, a retirement allowance equal to that which would have been paid under Option "E" had he selected such option and retired on the day of his death, shall be paid the spouse upon election by such spouse of this benefit in lieu of benefits under Section 19-(a). The spouse may, however, elect to receive in lieu of either the above retirement allowance or the benefits under Section 19-(a), a lesser retirement allowance to cease at her death and in addition a cash payment not to exceed one-half of the deceased member's accumulated normal contributions. However, such withdrawal shall not serve to reduce such lesser retirement allowance except by the amount of annuity which such withdrawal would have purchased.

19-c Ord. 99566
Section 20. A pension, annuity, or a retirement allowance granted under the provisions of this Ordinance, unless otherwise specified herein, shall be payable in monthly installments, and each installment shall cover

for the current calendar month.

Section 21. The right of a person to a death benefit, pension, an annuity or a retirement allowance, to the return of contributions, the death benefit, pension, annuity or retirement allowance itself, any optional benefit, any other right accrued or accruing to any person under the provisions of this ordinance, and the moneys in the Fund created under this ordinance shall not be subject to execution, garnishment, attachment, or any other process whatsoever, and shall be unassignable except as in this ordinance specifically provided.

Section 22. If it shall be impracticable for the Board of Administration to determine from the records the length of service, the compensation, or the age of any member, the said Board may estimate for the purpose of this ordinance, such length of service, compensation or age.

0-79403
81124-81571
Section 23. The payment of any retirement allowance to a member who has been retired from service shall be suspended during the time that the beneficiary is in receipt of other pension, or of other compensation received by the beneficiary for service to the State of Washington, any municipal corporation, or other public service thereof paid from, direct or indirect, State or municipal taxes or revenues, or revenues of publicly owned utilities, except as to the amount by which such retirement allowance may exceed such pension or other compensation for the same period.

85562
0-81901
Section 24. (a) Upon proof of the death subsequent to January 1, 1950 of a member of the Retirement System who has not been retired, there shall be paid to his estate or to such person as he shall have nominated by written designation duly executed and filed with the Board the sum of One Thousand (\$1000.00) Dollars as a death benefit; provided that such member shall have paid all death benefit assessments as hereinafter provided:

(b) Any member of the Retirement System who shall retire subsequent to December 31, 1949 may elect to continue in the death benefit system and

pay the death benefit assessments: Provided that such payment shall not be required of a member retiring for disability until age sixty (60) whereupon such member shall be required to pay all death benefit assessments thereafter accruing if he desires to continue in the death benefit system. Upon proof of the death of a member of the Retirement System who has retired subsequent to December 31, 1949, and who has elected to continue in the Death Benefit System and has paid all death benefit assessments hereinabove required there shall be paid to his estate, or to such persons as he shall have nominated by written designation duly executed and filed with the Board the sum of Five Hundred (\$500.00) Dollars.

0-86330
1-15-52
0-55901
Section 25. (a) All moneys paid into or out of the Retirement Fund on an account of the death benefit system shall be accounted for by double entry separately in the records of the Retirement System in such a manner as to reveal currently the amount of money held for payment of death benefits.

(b) The first death benefit assessment which shall be for the year 1950 is hereby fixed at Five (\$5.00) Dollars per member and shall become due and payable January 1, 1950 and collectible by payroll deduction or otherwise on January 25, 1950. Subsequent death benefit assessments shall become due and payable January 1st of each year and collectible by payroll deduction or otherwise on January 25 following. They shall be in such amount as shall be determined by the Board of Administration but shall not exceed the sum of Six (\$6.00) Dollars per member in any calendar year.

(c) An employee becoming a member of the system during the year shall pay the death benefit assessment fixed for that year regardless of the month in which such membership becomes effective, same to be collectible by payroll deduction when the first normal contribution is made.

(d) The City shall match all death benefit assessments collected from members and such matching payments shall become due and payable immediately following determination of the amount necessary and should the death

benefit require payment by the City of more than the amount necessary to match an assessment of Six (\$6.00) dollars the City shall be liable for the amount required beyond such match as determined by the Board on advice of its actuary or actuaries/ ^{subject to the approval of the City Council,} All payments by the City shall be due and payable annually on January 1, beginning January 1, 1950.

(e) Upon establishment of the death benefit system as of January 1, 1950, the Board shall recognize as beneficiaries thereunder all persons previously nominated to receive refund of accumulated contributions under Section 19 (a) hereof unless a different designation is filed with regard to payment of death benefits.

(f) A member leaving city service shall not be entitled to return of any death benefit assessments but shall be carried as a member of the death benefit system until the date the next annual assessment is due.

(g) The Board of Administration shall make all rules and regulations necessary to supplement the death benefit provisions of this ordinance.

Section 26. The City Council shall appropriate annually from the Retirement Fund the amount it deems necessary for the purpose of paying the expenses of administering the Retirement System. The Board of Administration shall annually submit to the City Council its estimate of the amount necessary to pay such expenses.

Section 27. If any one or more sections, subsections, subdivisions, sentences, clauses or phrases of this ordinance are for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance, but the same shall remain in full force and effect.

(a) In view of the covenants set forth in Section 11 (b) of this ordinance, any member eligible to a retirement allowance prior to the effective date of the change or modification effective January 1, 1941, shall elect whether to come under the provisions of Subsections 5 (a), 14 (a) (3)

and 14 (b), as amended January 1, 1941, or to remain under the provisions of such subsections prior to such change or modification.

Such election shall be made by written declaration upon a form specified by the Board of Administration and filed with the Board within ninety days of the effective date of such change or modification.

Section 28. That Ordinance No. 57075 entitled:

"AN ORDINANCE creating and establishing a retirement and pension system for superannuated and disabled civil service officers and employees of the City of Seattle; providing for the payment of retirement allowances; prescribing the conditions on which said allowances shall be paid; fixing rates of contributions and providing for the adjustment thereof; and providing for the administration of said system"

approved March 5, 1929 (as amended) and all other ordinances or parts thereof in conflict herewith are hereby superseded and repealed: Provided that nothing herein contained shall affect the validity of any thing done under the authority of said ordinance or ordinances.

Section 29. This ordinance shall take effect and be in force thirty (30) days from and after its passage and approval, if approved by the Mayor otherwise it shall take effect at the time it shall become a law under the provisions of the City Charter, provided however that the Death Benefit System shall become effective as of January 1, 1950 as provided in Section 3 of this ordinance.

Passed the City Council the 21 day of November 1949 and signed by me in open session in authentication of its passage this 21 day of November, 1949.

David Lewis

President of the City Council.

Approved by me this 23 day of November, 1949.

W. H. ...
Mayor.

Filed by me this 23 day of November, 1949.

ATTEST:

A. O. Thomas

City Comptroller and City Clerk.

By

John B. Sellum
Deputy Clerk.

Filed: DEC 3 - 1949

ASSISTANT CORPORATION COUNSEL
J. AMBLER NEWTON
C. C. MCCULLOUGH
GLEN K. WILSON
JOHN A. HOMER
JOHN A. LOGAN
ARTHUR SCHRAMM
GEORGE T. MCGILLIVRAY
CHARLES V. HOARD
CHARLES L. CONLEY
E. A. SWIFT, JR.

THE CITY OF SEATTLE
LAW DEPARTMENT
515 COUNTY-CITY BUILDING
A. G. VAN SOELEN, CORPORATION COUNSEL

CITY PROSECUTOR
BRUCE MACDOUGALL
LAW CLERK
G. GRANT WILCOX
SECRETARY
FAYE FORBES
CLAIM AGENT
JOHN F. COOPER

November 7, 1949

Re: Proposed Ordinance continuing present Employees' Retirement System and establishing in addition thereto a system of death benefits.

Mr. Robert H. Harlin, Chairman
Finance Committee
City Council
Seattle

Dear Sir:

Pursuant to your request we herewith transmit proposed ordinance continuing the present Employees' Retirement System, establishing in addition thereto a system of death benefits and repealing Ordinance No. 57075.

In the proposed ordinance the death benefit provisions are contained in Sections 24 and 25 which are new sections. The remainder of the ordinance is the same as Ordinance No. 57075 with the exception of changes made necessary by the establishment of the death benefit system or changes in wording suggested by the Board of Administration, the inclusion of which was authorized by you. Said changes are underlined in the proposed ordinance for ready reference.

Briefly summarized the death benefit provisions as set forth in Sections 24 and 25 are as follows:

1. The system is established as of January 1, 1950 and only those persons who are members of the Employees' Retirement System on that date or thereafter become members are covered.
2. The death benefit for active members of the system is \$1,000.00, for a retired member who has elected to remain in the system \$500.00.
3. Members retiring after December 31, 1949 may elect to remain in the system and pay the death benefit assessments provided that no such payment shall be required of a member retiring for disability until he reaches age 60 after which payment of assessments is required if the member desires to continue in the system.
4. The first assessment which shall be for the year 1950 is fixed at \$5.00, subsequent assessments to be fixed by the Board of Administration but in no event to exceed \$6.00 per annum. Said assessments are due and payable January 1 and collectible by payroll deduction.

Robert H. Harlin--p. 2
11-7-49

or otherwise on January 25 following. All assessments by members are matched by the city, the city's matching contribution being due and payable January 1st in each year.

5. An employee becoming a member of the system during the year shall pay the assessment fixed for that year regardless of the month in which he becomes a member, same to be collectible by payroll deduction when the first normal contribution is made.
6. A member leaving the city service shall not be entitled to return of death benefit assessments but shall be carried as a member until the next annual assessment is due.
7. Upon the establishment of the system the Board shall recognize as beneficiaries of the death benefit those already designated to receive return of accumulated contributions unless a different designation is filed with the Board.
8. All monies paid into or out of the Retirement Fund on account of death benefits shall be accounted for by double entry separately in the records of the Retirement System in such a manner as to reveal currently the amount of money held for payment of death benefits.

We suggest you examine carefully the provisions of the proposed ordinance in order to ascertain if it complies with the desires of the Council in the matter.

Yours very truly,

A. C. VAN SOELEN
Corporation Counsel

By *Glen E. Wilson*
GLEN E. WILSON
Assistant

GEW:EC
att.

c.c. Board of Administration
Employees' Retirement System
Att: Mr. C. T. Oliver, Ex. Secy.

Municipal League
Att: Mr. Bates

November 16, 1949

Hon. A. C. Van Soelen
Corporation Counsel
City of Seattle

Dear Sir:

The Finance Committee of the City Council had before it at its meeting this morning Council Bill No. 69755 re. death benefits, etc. The action of the Committee was that the bill be recommended for passage as amended, said amendment to be to clarify in this ordinance the meaning of compensation so that employees' contributions will be based on their regular salaries and that no contributions shall be based on any payment for overtime work.

The above mentioned bill is attached herewith with the request that you amend same in accordance with the Committee's action.

Yours very truly,

Robert H. Harlin

CTB:
ej

Att.