

File No. 230375

Committee Item No. 2

Board Item No. \_\_\_\_\_

# COMMITTEE/BOARD OF SUPERVISORS

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Committee: Rules Committee

Date May 8, 2023

Board of Supervisors Meeting

Date \_\_\_\_\_

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### OTHER (Use back side if additional space is needed)

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Completed by: Victor Young

Date May 4, 2023

Completed by: \_\_\_\_\_

Date \_\_\_\_\_

1 [Administrative Code - Including Military Service in Definition of "Public Service" for  
2 Retirement Service Credit Purchases]

3 **Ordinance amending the Administrative Code to expand the definition of "public**  
4 **service" to allow members of the San Francisco Employees' Retirement System to**  
5 **purchase service credit for time served in the military before City employment.**

6 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.  
7 **Additions to Codes** are in *single-underline italics Times New Roman font*.  
8 **Deletions to Codes** are in ~~*strikethrough italics Times New Roman font*~~.  
9 **Board amendment additions** are in double-underlined Arial font.  
10 **Board amendment deletions** are in ~~strikethrough Arial font~~.  
11 **Asterisks (\* \* \* \*)** indicate the omission of unchanged Code  
12 subsections or parts of tables.

13 Be it ordained by the People of the City and County of San Francisco:

14 Section 1. Chapter 16, Article IV, of the Administrative Code is hereby amended by  
15 revising Section 16.55-1, to read as follows:

16 **SEC. 16.55-1. DEFINITION OF "PUBLIC SERVICE."**

17 (a) As used in Sections 16.55-1 to 16.55-4, inclusive, "public service" means:

18 (1a) ~~Civilian s~~Service rendered as an employee or officer of an agency of the  
19 government of the United States, including both civilian and military service;

20 (2b) ~~Civilian s~~Service rendered as an employee or officer of the State of California;

21 and

22 (3e) Service rendered as an employee or officer of a public agency in the State of  
23 California which, with respect to such service, maintained a locally administered defined  
24 benefit plan or was entitled to participate in the Public Employees' Retirement System of the  
25 State of California under a contract between such public agency and the Public Employees'  
Retirement System.

1           **(b)** For ~~the~~ purposes of this Section 16.55-1, a person shall be considered as being in  
2 public service only while ~~he or she was~~ they were receiving compensation from the public  
3 agency of which ~~he or she was~~ they were an employee or officer.

4           **(c)** "Public service," as used ~~in this Section 16.55-1~~ herein, does not include service as  
5 defined in ~~Subdivisions subsections~~ (a)(1), (2b), or (3e) of this Section with respect to which a  
6 person became a member of any other retirement system supported wholly or in part by  
7 public funds and with respect to which ~~he or she~~ they ~~continues~~ to receive credit in such other  
8 system or with respect to which ~~he or she is~~ they are entitled to receive a retirement allowance  
9 under such other system.

10  
11           Section 2. Effective Date. This ordinance shall become effective 30 days after  
12 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
13 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
14 of Supervisors overrides the Mayor's veto of the ordinance.

15  
16           Section 3. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors  
17 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,  
18 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal  
19 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment

1 additions, and Board amendment deletions in accordance with the “Note” that appears under  
2 the official title of the ordinance.

3

4 APPROVED AS TO FORM:  
5 DAVID CHIU, City Attorney

6 By: /s/ \_\_\_\_\_  
7 KELLY COLLINS  
8 Deputy City Attorney

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## **LEGISLATIVE DIGEST**

[Administrative Code - Including Military Service in Definition of “Public Service” for Retirement Service Credit Purchases]

**Ordinance amending the Administrative Code to expand the definition of “public service” to allow members of the San Francisco Employees’ Retirement System to purchase service credit for time served in the military before City employment.**

### Existing Law

Currently, City employees may purchase San Francisco Employees’ Retirement System (SFERS) service credit for civilian service in other government agencies. City employees may only purchase service credit for military time served during City employment or while on an eligible list.

### Amendments to Current Law

The amendment to Administrative Code Section 16.55-1 will eliminate the civilian limitation, expanding eligible public service for purchase to employees who served in the military.

### Background Information

The current definition of public service in Administrative Code Section 16.55-1 limits the type of public service eligible to purchase service credit with SFERS to civilian service only. This definition excludes SFERS members with prior military service from the opportunity to purchase service credit.

This amendment expands the definition of public service to create an equal opportunity for all SFERS members with eligible public service to purchase retirement service credit.

BOARD of SUPERVISORS



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## MEMORANDUM

TO: Alison Romano, CEO/CIO, Retirement Board

FROM: Victor Young, Assistant Clerk

A handwritten signature in black ink that reads "Victor Young".

DATE: April 13, 2023

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Rules Committee received the following proposed legislation:

**File No. 230375**

**Ordinance amending the Administrative Code to expand the definition of "public service" to allow members of the San Francisco Employees' Retirement System to purchase service credit for time served in the military before City employment.**

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: [victor.young@sfgov.org](mailto:victor.young@sfgov.org).

cc: Darlene Armanino, SFERS