

1 [Annual Salary Ordinance Amendment - COVID-19 Military Service Qualifying for
2 Supplementation of Military Pay]

3 **Ordinance amending Ordinance No. 170-19, the Annual Salary Ordinance FYs 2019-**
4 **2020 and 2020-2021, to add active military service related to the COVID-19 pandemic to**
5 **the enumerated events that qualify for supplementation of military pay.**

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

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

15 Section 1. Ordinance No. 170-19, the Annual Salary Ordinance Fiscal Years 2019-20
16 and 2020-21, is hereby amended by revising Section 2.3, to read as follows. Although this is
17 an uncodified ordinance, for the purpose of clearly showing its amendment of the Annual
18 Salary Ordinance Fiscal Years 2019-20 and 2020-21, the font as described above for
19 “Additions to Codes” has been used, rather than the font for “Unchanged Code text and
20 uncodified text.”

21 Section 2.3. SUPPLEMENTATION OF MILITARY PAY.

22 A. In accordance with Charter Section A8.400 (h) and in addition to the benefits
23 provided pursuant to Section 395.01 and 395.02 of the California Military and Veterans Code
24 and the Civil Service Rules, any City officer or employee who is a member of the reserve
25 corps of the United States Armed Forces, National Guard or other uniformed service
organization of the United States and is called into active military service on or after
September 11th, 2001 in response to the September 11th, 2001 terrorist attacks, international

1 terrorism, conflict in Iraq or related extraordinary circumstances, or is called into active military
2 service related to the COVID-19 pandemic, shall have the benefits provided for in subdivision (B).

3 B. Any officer or employee to whom subdivision (A) applies, while on military leave
4 shall receive from the City, as of the effective date of this ordinance, the following supplement
5 to their military pay and benefits:

6 1. The difference between the amount of the individual's gross military pay and the
7 amount of gross pay the individual would have received as a city officer or employee, had the
8 officer or employee worked his or her normal work schedule.

9 2. Retirement service credit consistent with Section A8.520 of the Charter. The City
10 shall pay the full employee contributions required by the Charter to the extent employer paid
11 employee contributions are required under the memorandum of understanding covering the
12 employee.

13 3. All other benefits to which the individual would have been entitled had the individual
14 not been called to active duty, except as limited under state law or the Charter.

15 BC. As set forth in Charter Section A8.400 (h), this section shall be subject to the
16 following limitations and conditions:

17 1. The individual must have been called into active service for a period greater than 30
18 consecutive days.

19 2. The purpose for such call to active service shall have been to respond to the
20 September 11th, 2001 terrorist attacks, international terrorism, conflict in Iraq or related
21 extraordinary circumstances, or to respond to the COVID-19 pandemic, and shall not include
22 scheduled training, drills, unit training assemblies or similar events.

23 3. The amounts authorized pursuant to this ordinance shall be offset by amounts
24 required to be paid pursuant to any other law in order that there be no double payments.

1 4. Any individual receiving compensation pursuant to this ordinance shall execute an
2 agreement providing that if the individual does not return to City service within 60 days of
3 release from active duty (or if the individual is not fit for employment at that time, within 60
4 days of a determination that the employee is fit for employment), then that compensation
5 described in Sections (B)(1) through (B)(3) shall be treated as a loan payable with interest at a
6 rate equal to the greater of (i) the rate received for the concurrent period by the Treasurer's
7 Pooled Cash Account or (ii) the minimum amount necessary to avoid imputed income under
8 the Internal Revenue Code of 1986, as amended from time to time, and any successor
9 statute. Such loan shall be payable in equal monthly installments over a period not to exceed
10 5 years, commencing 90 days after the individual's release from active service or return to
11 fitness for employment.

12 5. This section shall not apply to any active duty served voluntarily after the time that
13 the individual is called to active service.

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15 Section 2. Effective Date. This ordinance shall become effective 30 days after
16 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
17 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
18 of Supervisors overrides the Mayor's veto of the ordinance. The pay supplement under this
19 ordinance is prospective only, from the effective date of this ordinance.

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21 Section 3. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
22 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
23 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Annual
24 Salary Ordinance Fiscal Years 2019-20 and 2020-21 that are explicitly shown in this
25 ordinance as additions, deletions, Board amendment additions, and Board amendment

1 deletions in accordance with the "Note" that appears under the official title of the ordinance, as
2 modified in the introduction to Section 1 of this ordinance..



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4 APPROVED AS TO FORM:
5 DENNIS J. HERRERA, City Attorney

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7 By: 
8 JENNIFER S. STOUGHTON
9 Deputy City Attorney

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City and County of San Francisco
Tails
Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 200401

Date Passed: May 19, 2020

Ordinance amending Ordinance No. 170-19, the Annual Salary Ordinance FYs 2019-2020 and 2020-2021, to add active military service related to the COVID-19 pandemic to the enumerated events that qualify for supplementation of military pay.

May 06, 2020 Budget and Finance Committee - RECOMMENDED

May 12, 2020 Board of Supervisors - PASSED ON FIRST READING

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton and Yee

May 19, 2020 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton and Yee

File No. 200401

I hereby certify that the foregoing
Ordinance was FINALLY PASSED on
5/19/2020 by the Board of Supervisors of
the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

London N. Breed
Mayor

Date Approved