

10-0-0909

(Do Not Write Above This Line)

**CORRECTED COPY**

AN ORDINANCE TO AMEND SECTION 6-622(c) and 6-622(d) OF THE 1978 PENSION ACT (RELATED LAWS) OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA SO AS TO PROVIDE NEW MEMBERS OF THE POLICE OFFICERS PENSION FUND A FIFTEEN (15) YEAR VESTING SCHEDULE, TWO PERCENT (2.0%) MULTIPLIER FOR ALL CREDITABLE YEARS OF SERVICE, ONE HUNDRED PERCENT (100%) CAP OF AVERAGE EARNINGS, TO REPEAL CONFLICTING ORDINANCES, AND FOR OTHER PURPOSES.

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred 5-17-2010

Referred To: Finance / Executive

Date Referred **ADOPTED BY**

Referred To: JUN 21 2010

Date Referred **COUNCIL**

Referred To:

**AS AMENDED**

First Reading

Committee Finance / Executive  
Date 5-17-10  
Chair Johnson  
Referred To Finance / Executive

Committee Fin/Exe  
Date 6/2/10  
Chair Johnson  
Action Hold (see rev. side)  
Other  
Members  
Refer To

Committee Finance / Executive  
Date 6/6/10  
Chair Johnson  
Action Hold (see rev. side)  
Other  
Members [Signature]  
Refer To

Committee  
Date  
Chair  
Action  
Fav, Adv, Hold (see rev. side)  
Other  
Members  
Refer To

Committee  
Date  
Chair  
Action  
Fav, Adv, Hold (see rev. side)  
Other  
Members  
Refer To

FINAL COUNCIL ACTION

- 2nd
- 1st & 2nd
- 3rd
- Readings
- Consent
- V Vote
- RC Vote

CERTIFIED

**CERTIFIED**  
JUN 21 2010  
ATLANTA CITY COUNCIL PRESIDENT  
[Signature]

**CERTIFIED**  
JUN 21 2010  
Florida Daughin Johnson  
MUNICIPAL CLERK

MAYOR'S ACTION

**APPROVED**  
JUN 29 2010  
[Signature]  
MAYOR



CITY COUNCIL  
ATLANTA, GEORGIA

CORRECTED COPY

10-O-0909

**AN ORDINANCE BY FINANCE EXECUTIVE COMMITTEE AND AMENDED BY  
FULL COUNCIL**

**AN ORDINANCE TO AMEND SECTION 6-222(c) and 6-222(d) OF THE 1978 PENSION ACT (RELATED LAWS) OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA SO AS TO PROVIDE NEW MEMBERS OF THE POLICE OFFICERS PENSION FUND A FIFTEEN (15) YEAR VESTING SCHEDULE, TWO PERCENT (2.0%) MULTIPLIER FOR ALL CREDITABLE YEARS OF SERVICE, ONE HUNDRED PERCENT (100%) CAP OF AVERAGE EARNINGS, TO REPEAL CONFLICTING ORDINANCES, AND FOR OTHER PURPOSES.**

**WHEREAS**, the Atlanta City Council in 2001 and 2005 passed several amendments that increased the multiplier to 3%; shortened the vesting schedule and capped benefits at 80% of average monthly earnings; and

**WHEREAS**, the escalating future liability costs of providing these benefits under these amendments are becoming financially unsustainable for the City; and

**WHEREAS**, the City desires to provide a benefit that will continue to increase over the life span of employment; and

**WHEREAS**, the City's intent is to restructure the benefits levels to those required by the general assembly.

**THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS AS FOLLOWS:**

**SECTION ONE:** That Chapter Six, Article III, Section 6-222(c) of the Related Laws Section of the Code of Ordinances of the City of Atlanta be amended by deleting subsection (c) in its entirety and the following inserted in lieu thereof:

All officers and employees who shall elect or are required to come under the terms of this amendment, may as a matter of right retire from active service and receive a monthly pension benefit hereinafter set forth and referred to hereinafter as a "normal monthly pension benefit," provided such person shall have served **15 years** in the active service of such city and shall have attained the age of 60 years prior to commencement of such benefit. Upon such officer or employee retiring as a matter of right, such person shall be paid thereafter a normal monthly pension benefit equal to **two percent (2.0%)** of such person's average monthly earnings multiplied by the number of such person's years, or fraction thereof, of creditable service and that normal pension benefit shall not exceed **one hundred percent (100%)** of such person's average monthly earnings. Average monthly earnings shall be the average of the monthly earnings of the highest three (3) consecutive years' salary or earnings during the term of employment. In computing the average monthly earnings, if the officer or employee shall have received a lump sum payment for compensation, accumulated vacation, sick leave bonus pay, or similar benefits, the amounts of such payments shall be equally distributed over the period of time in which such compensation or benefit was earned or accumulated.

# CORRECTED COPY

**SECTION TWO:** That Chapter Six, Article III, Section 6-222(d) of the Related Laws Section of the Code of Ordinances of the City of Atlanta be amended by deleting subsection (d) in its entirety and the following inserted in lieu thereof:

All officers and employees, who shall elect or be required to come under the terms of this amendment, may as a matter of right retire from active service and receive an early retirement benefit, hereinafter referred to as "early monthly retirement benefit," provided such person shall have served 15 years in the active service of such city. When such officer or employee shall elect early retirement as a matter of right, such person shall be paid thereafter an early monthly retirement benefit equal to a normal monthly pension benefit less one-half ( $\frac{1}{2}$ ) of one percent (1%) per month for each month not to exceed 60 months that the officer or employee lacks in being 55 years of age and one-fourth ( $\frac{1}{4}$ ) of one percent (1%) per month for each month in excess of 60 months that the officer or employee lacks in being 55 years of age. Provided, however, as to any officer or employee coming under the terms of this act who was in the employment of such city prior to the effective date of this amendment, such officer or employee may elect a monthly pension benefit, hereinafter referred to as a "reduced monthly pension benefit," provided such person shall have served 25 years and shall have attained the age of 50 years. Said reduced monthly pension benefit shall be equal to a normal monthly pension benefit less one-twelfth ( $\frac{1}{12}$ ) of three percent (3%) per month for each month the officer or employee lacks in being 55 years of age.

**SECTION THREE:** The Administration will provide the City Council with the Actuarial report for this fund.

**SECTION FOUR:** This ordinance shall be applicable to all employees hired after the effective date of this ordinance.

**SECTION FIVE:** All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

A true copy,

  
Municipal Clerk

ADOPTED as amended by the Council  
APPROVED by Mayor Kasim Reed

JUN 21, 2010  
JUN 29, 2010

RCS# 354  
6/21/10  
6:48 PM

Atlanta City Council

REGULAR SESSION

10-O-0909

AMEND SEC.6-222(C)(D) OF 1978 PENSION  
ACT OF THE CODE OF ORDINANCES  
ADOPT AS AMEND

YEAS: 11  
NAYS: 3  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 1  
ABSENT 0

Y Smith	Y Archibong	N Moore	Y Bond
N Hall	Y Wan	Y Martin	Y Watson
Y Young	Y Shook	Y Bottoms	E Willis
Y Winslow	Y Adrean	N Sheperd	NV Mitchell

10-O-0909

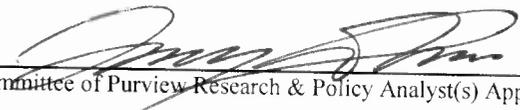


2.) Why is the change/correction necessary? (Give detailed reason; Use additional page(s) if necessary; Provide supporting attachments as needed.)

This change is necessary to effectuate change to the intended section of the code that provides for the formulas in which pension benefits are calculated.

3.) What Committee(s) has (have) purview over the legislation to be corrected?

Finance Executive

  
Committee of Purview Research & Policy Analyst(s) Approval Signature(s)

7 16 10  
Date

4.) Does request have Finance Department or financial impact? Yes  No

  
Finance/Executive Committee(s) Research & Policy Analyst(s) Approval Signature(s)

7 16 10  
Date

5.) Have copies of request been distributed to all Councilmembers? Yes  No

Submittal to Council \_\_\_\_\_ Submittal to Clerk 7 16 10  
Date Date

**FOR OFFICE OF MUNICIPAL CLERK USE ONLY**

- I.) Correction Completed: 7/21/10 Date By: FWM Signature
- a.) Images Corrected On-Line  NA Initial FWM
  - b.) Captions Corrected On-Line  NA Initial FWM
  - c.) Minutes Corrected On-Line  Initial \_\_\_\_\_
  - d.) Minutes Corrected in Notebook & File Drawer  Initial \_\_\_\_\_
  - e.) Filed in Original Legislation File  Initial \_\_\_\_\_
  - f.) Filed in Corrected Legislation File  Initial \_\_\_\_\_
- II.) Correction Reported to Council \_\_\_\_\_ Date \_\_\_\_\_ Signature \_\_\_\_\_

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- 1st ADOPT 2nd READ & REFER
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Date Referred 5-17-2010

Referred To: Finance Executive

Date Referred ADOPTED BY

Referred To: JUN 21 2010

Date Referred COUNCIL

Referred To:

AS AMENDED

First Reading

Committee Finance/Executive  
Date 5-12-10  
Chair Johnson  
Referred To Finance/Executive

Committee Fin/Exe  
Date 6/2/10  
Chair Johnson  
Action Fav, Adv, Hold (see rev. side)  
Other  
Members  
Refer To

Committee Finance/Executive  
Date 6/6/10  
Chair Johnson  
Action Fav, Adv, Hold (see rev. side)  
Other  
Members  
Refer To

Committee  
Date  
Chair  
Action Fav, Adv, Hold (see rev. side)  
Other  
Members  
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Committee  
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- Consent
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CERTIFIED

CERTIFIED  
JUN 21 2010  
ATLANTA CITY COUNCIL PRESIDENT

CERTIFIED  
JUN 21 2010  
Rhonda Daughin Johnson  
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED  
JUN 29 2010



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ABSENT 0

Y Smith	Y Archibong	N Moore	Y Bond
N Hall	Y Wan	Y Martin	Y Watson
Y Young	Y Shook	Y Bottoms	E Willis
Y Winslow	Y Adrean	N Sheperd	NV Mitchell

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Finance Executive

[Signature] 7 16 10
Committee of Purview Research & Policy Analyst(s) Approval Signature(s) Date

4.) Does request have Finance Department or financial impact? Yes [checked] No [ ]

[Signature] 7 16 10
Finance/Executive Committee(s) Research & Policy Analyst(s) Approval Signature(s) Date

5.) Have copies of request been distributed to all Councilmembers? Yes [ ] No [ ]

Submittal to Council \_\_\_\_\_ Submittal to Clerk 7 16 10
Date Date

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I.) Correction Completed: 7/21/10 By: [Signature]
a.) Images Corrected On-Line [checked]
b.) Captions Corrected On-Line [checked] NA
c.) Minutes Corrected On-Line [ ]
d.) Minutes Corrected in Notebook & File Drawer [ ]
e.) Filed in Original Legislation File [ ]
f.) Filed in Corrected Legislation File [ ]
II.) Correction Reported to Council \_\_\_\_\_
Date Signature