

# ATLANTA CITY COUNCIL

## ACTION/MINUTES

### JUNE 23, 2011

The Atlanta City Council held a Special Called Meeting on Thursday, June 23, 2011. The Meeting convened at 10:23 a.m. in the Council Chambers at City Hall. The roll was called and a quorum was declared.

**PRESIDER:** The Honorable Council President Ceasar C. Mitchell presided.

**Attendance:**

The following (15) voting members were present at the Meeting:

<b>The Honorable Carla Smith</b>	<b>The Honorable Felicia A. Moore</b>
<b>The Honorable Kwanza Hall *12:00</b>	<b>The Honorable C. T. Martin</b>
<b>The Honorable Ivory L. Young, Jr.</b>	<b>The Honorable Keisha Bottoms</b>
<b>The Honorable Cleta Winslow *10:34</b>	<b>The Honorable Joyce Sheperd</b>
<b>The Honorable Natalyn Archibong *10:27</b>	<b>The Honorable Michael Bond</b>
<b>The Honorable Alex Wan</b>	<b>The Honorable Aaron Watson</b>
<b>The Honorable Howard Shook</b>	<b>The Honorable H. Lamar Willis</b>
<b>The Honorable Yolanda Adrean</b>	

**\*Arrival Time – indicates arrival after convening roll call.**

**INVOCATION:** Councilmember Ivory Lee Young, Jr., representative of Council District 3, gave the invocation.

**PLEDGE OF ALLEGIANCE:** In unison, the Council recited the Pledge of Allegiance to the flag of the United States of America.

**THE ADOPTION OF THE AGENDA:** Councilmember Moore made a Motion to Amend the Agenda by moving the Remarks by the Public segment to after the presentation by Segal regarding Pension Reform. It was properly Seconded and the Motion **CARRIED** by a roll call vote of **11 yeas; 0 nays.**

# COMMUNICATION

**Council President Ceasar C. Mitchell Presided**

**COMMUNICATION**

11-C-0984 ( 1) A Communication by **Council President Ceasar C. Mitchell** calling for a Special Called Meeting of the Atlanta City Council on Thursday, June 23, 2011 at 10:00 a.m. to consider the following legislation: 11-O-0672; 11-O-0950; 11-O-0951 and 11-O-0952.

**FILED WITHOUT OBJECTION**

# COMMITTEE REPORT

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORT**

**FINANCE/EXECUTIVE COMMITTEE ( 1)**  
**YOLANDA ADREAN, CHAIR**

**ORDINANCES**

11-O-0672 ( 1) An Ordinance by **Councilmembers Aaron Watson, H. Lamar Willis, Keisha Lance Bottoms, Yolanda Adrean, Howard Shook, Alex Wan and Ivory Lee Young, Jr., as Substituted (#3) and Amended by Finance/Executive Committee** to create a new Section 6-2 in the City of Atlanta Charter so as to provide a Retirement Program for all eligible City employees for services rendered on and after November 1, 2011, which shall include: reducing the multiplier used to calculate all pension benefits to 1%; reducing the maximum cost of living adjustment on all pension benefits to 1%; offering all current employees the option of joining Social Security; requiring all future employees to join Social Security; clarifying that the retirement benefits accrued prior to November 1, 2011 shall remain unchanged; clarifying that the pension benefits accumulated by active employees hired prior to January 1, 1984 shall remain unchanged; clarifying that the pension benefits of employees who retired prior to November 1, 2011 shall remain unchanged; and for other purposes.

**The above ordinance was Tabled at the Regularly Scheduled meeting held June 20, 2011 by Motion of Councilmember Adrean. During this meeting, Chairperson Adrean made a Motion to remove 11-O-0672 off the Table; however, Councilmember Young was recognized and made a Motion to remove all four (4) Ordinances (11-O-0672; 11-O-0950; 11-O-0951 and 11-O-0952) off the Table. It was properly Seconded and the Motion was CARRIED by a roll call vote of 9 yeas; 0 nays. All four(4) items were removed off the Table. Chairperson Adrean then made a Motion to enter Committee of the Whole. It was Seconded by Councilmember Wan and CARRIED by a roll call vote of 10 yeas; 0 nays. Council entered Committee of the Whole.**

***COMMITTEE OF THE WHOLE***

**In Committee of the Whole, Council entertained questions to representatives of Segal: Mr. Eric J. Atwater, Consulting Actuary and Leon (Rocky) Joyner, Vice-President - Consulting Actuary. After Council concerns were responded to, a Motion was made to exit**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORT (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE ( 2)**  
**YOLANDA ADREAN, CHAIR**

**ORDINANCES (CONT'D)**

11-O-0672 ( 1)  
(Cont'd)      **Committee of the Whole. It was properly Seconded and the Motion CARRIED by a roll call vote of 12 yeas; 0 nays. Council re-entered Regular Session.**

***REGULAR SESSION***

**During Regular Session, a Motion to Table all four (4) Ordinances (11-O-0672; 11-O-0950; 11-O-0951 and 11-O-0952) was made. It was properly Seconded and the Motion CARRIED by a roll call vote of 12 yeas; 0 nays. Following a discussion and After all legislation was considered, Council then recessed. Reconvening, Councilmember Young was recognized and made a Motion to remove 11-O-0672 off the Table. It was Seconded by Councilmember Hall and the Motion CARRIED by a roll call vote of 14 yeas; 0 nays. The item was before Council. A discussion ensued, during which, Councilmember Bond offered Amendment #1/#1 summarized as follows: "modifies the pension legislation which sets forth a new Retirement Plan that modifies the current Defined Benefit Plan to increase the employee contribution by 5% for service on and after November 1, 2011 for current Defined Benefit Plan participants only. This option provides for a continued Defined Contribution Plan for employees participating in the current Defined Contribution Plan. This option also provides for a Defined Benefit Plan with a 1% multiplier and a mandatory Defined Contribution Plan for all employees hired on or after November 1, 2011." It was properly Seconded and CARRIED by a roll call vote of 14 yeas; 0 nays. Another discussion ensued. After which, Councilmember Martin made a Motion to Table 11-O-0672 as Amended. It was Seconded by Councilmember Moore and CARRIED by a roll call vote of 13 yeas; 0 nays.**

**After the vote, Councilmember Martin made a Motion to Refer 11-O-0672 to the Pension Board. It was Seconded by Councilmember Moore and the Motion CARRIED by a roll call vote of 14 yeas; 0 nays.**

**TABLED AS AMENDED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORT (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE ( 3)**  
**YOLANDA ADREAN, CHAIR**

**ORDINANCES (CONT'D)**

11-O-0950 ( 2)      An Ordinance by **Finance/ Executive Committee** to enact the 2011 Amendment to the General Employees Pension Fund Act (1927 Ga. Laws, Page 265, particularly as amended by the 1978 Pension Act (1978 Ga. Laws, Page 4546) so as to create Section 6-37.1 of the Related Laws Section of Volume I containing the Charter and Code of Ordinances of the City of Atlanta, Georgia, which amendment shall: 1) to exempt permanent, full-time, active officers and employees hired before January 1, 1984 from the provisions of this amendment; 2) provide for a temporary adjustment to the employee contribution; 3) create new pension benefits and obligations with respect to the Defined Benefit Plan for eligible employees hired on or after November 1, 2011; and 4) to afford current participants in the City's Defined Contribution Plan the right to begin participation for future service in the City's Defined Benefit Plan; to waive conflicting Laws, Ordinances and Code Sections; and for other purposes.

At the Regularly Scheduled meeting held June 20, 2011, Councilmember Moore made a Motion to Table Ordinances 11-O-0950, 11-O-0951 and 11-O-0952 for discussion at this meeting. The Motion CARRIED by a roll call vote of 11 yeas; 2 nays. During this meeting, Councilmember Young was recognized and made a Motion to remove all four (4) ordinances (11-O-0672; 11-O-0950; 11-O-0951 and 11-O-0952) off the Table. It was properly Seconded and the Motion was CARRIED by a roll call vote of 9 yeas; 0 nays. All four (4) items were removed off the Table. Chairperson Adrean then made a Motion to enter Committee of the Whole. It was Seconded by Councilmember Wan and CARRIED by a roll call vote of 10 yeas; 0 nays. Council entered Committee of the Whole.

***COMMITTEE OF THE WHOLE***

In Committee of the Whole, Council entertained questions to representatives of Segal: Mr. Eric J. Atwater, Consulting Actuary and Leon (Rocky) Joyner, Vice-President - Consulting Actuary. After Council concerns were responded to, a Motion was made to exit

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORT (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE ( 4)**  
**YOLANDA ADREAN, CHAIR**

**ORDINANCES (CONT'D)**

11-O-0950 (2) **Committee of the Whole. It was properly Seconded and (Cont'd) the Motion CARRIED by a roll call vote of 12 years; 0 nays. Council re-entered Regular Session.**

***REGULAR SESSION***

**During Regular Session, a Motion to Table all four (4) Ordinances (11-O-0672; 11-O-0950; 11-O-0951 and 11-O-0952) was made. It was properly Seconded and the Motion CARRIED by a roll call vote of 12 years; 0 nays. Following, A discussion ensued, during which, Councilmember Moore clarified procedural issues. Subsequently, Ms. Moore made a Motion to Refer Ordinances (11-O-0950; 11-O-0951 and 11-O-0952) to the Finance/Executive Committee. It was properly Seconded, however, the Motion to remove the items off the Table was CARRIED prior to the Motion to Refer by a roll call vote of 11 years; 1 nay. The three (3) ordinances were before Council. After a brief discussion, the Motion to Refer all three (3) Ordinances (11-O-0950; 11-O-0951 and 11-O-0952) to the Finance/Executive Committee was CARRIED by a roll call vote of 13 years; 0 nays.**

**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

11-O-0951 (3) An Ordinance by Finance/ Executive Committee to enact the 2011 Amendment to the Firefighters Pension Fund Act (1924 Ga. Laws, Page 167, particularly as amended by the 1978 Pension Act (1978 Ga. Laws, Page 4508) so as to create Section 6-367.1 of the Related Laws Section of Volume I containing the Charter and Code of Ordinances of the City of Atlanta, Georgia, which amendment shall: 1) to exempt permanent, full-time, active officers and employees hired before January 1, 1984 from provisions of this amendment; 2) provide for a temporary adjustment to the employee contribution; 3) create new pension benefits and obligations with respect to the Defined Benefit Plan for eligible employees hired on or after November 1, 2011; and 4) to afford current participants in the City's Defined

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORT (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE ( 5)**  
**YOLANDA ADREAN, CHAIR**

**ORDINANCES (CONT'D)**

11-O-0951 (3)  
(Cont'd) Contribution Plan the right to begin participation for future service in the City's Defined Benefit Plan; to waive conflicting Laws, Ordinances and Code Sections; and for other purposes.

At the Regularly Scheduled meeting held June 20, 2011, Councilmember Moore made a Motion to Table Ordinances 11-O-0950, 11-O-0951 and 11-O-0952 for discussion at this meeting. The Motion CARRIED by a roll call vote of 11 yeas; 2 nays. During this meeting, Councilmember Young was recognized and made a Motion to remove all four (4) Ordinances (11-O-0672; 11-O-0950; 11-O-0951 and 11-O-0952) off the Table. It was properly Seconded and the Motion was CARRIED by a roll call vote of 9 yeas; 0 nays. All four (4) items were removed off the Table. Chairperson Adrean then made a Motion to enter Committee of the Whole. It was Seconded by Councilmember Wan and CARRIED by a roll call vote of 10 yeas; 0 nays. Council entered Committee of the Whole.

***COMMITTEE OF THE WHOLE***

In Committee of the Whole, Council entertained questions to representatives of Segal: Mr. Eric J. Atwater, Consulting Actuary and Leon (Rocky) Joyner, Vice-President - Consulting Actuary. After Council concerns were responded to, a Motion was made to exit Committee of the Whole. It was properly Seconded and the Motion CARRIED by a roll call vote of 12 yeas; 0 nays. Council re-entered Regular Session.

***REGULAR SESSION***

During Regular Session, a Motion to Table all four (4) Ordinances (11-O-0672; 11-O-0950; 11-O-0951 and 11-O-0952) was made. It was properly Seconded and the Motion CARRIED by a roll call vote of 12 yeas; 0 nays. Following, A discussion ensued, during which, Councilmember Moore clarified procedural issues. Subsequently, Ms. Moore made a Motion to Refer Ordinances (11-O-0950; 11-O-0951 and 11-O-0952) to the Finance/Executive Committee. It was properly

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORT (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE ( 6)**  
**YOLANDA ADREAN, CHAIR**

**ORDINANCES (CONT'D)**

11-O-0951 ( 3)  
(Cont'd)      **Seconded, however, the Motion to remove the items off the Table was CARRIED prior to the Motion to Refer by a roll call vote of 11 yeas; 1 nay. The three (3) ordinances were then before Council. After a brief discussion, the Motion to Refer all three (3) Ordinances (11-O-0950; 11-O-0951 and 11-O-0952) to the Finance/Executive Committee was CARRIED by a roll call vote of 13 yeas; 0 nays.**

**REFERRED TO FINANCE/ EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

11-O-0952 ( 4)      An Ordinance by **Finance/ Executive Committee** to enact the 2011 Amendment to the Police Officers Pension Fund Act (1933 Ga. Laws, Page 213, particularly as amended by the 1978 Pension Act (1978 Ga. Laws, Page 4527) so as to create Section 6-222.1 of the Related Laws Section of Volume I containing the Charter and Code of Ordinances of the City of Atlanta, Georgia, which amendment shall: 1) to exempt permanent, full-time, active officers and employees hired before January 1, 1984 from provisions of this amendment; 2) provide for a temporary adjustment to the employee contribution; 3) create new pension benefits and obligations with respect to the Defined Benefit Plan for eligible employees hired on or after November 1, 2011; and 4) to afford current participants in the City's Defined Contribution Plan the right to begin participation for future service in the City's Defined Benefit Plan; to waive conflicting Laws, Ordinances and Code Sections; and for other purposes.

**At the Regularly Scheduled meeting held June 20, 2011, Councilmember Moore made a Motion to Table Ordinances 11-O-0950, 11-O-0951 and 11-O-0952 for discussion at this meeting. The Motion CARRIED by a roll call vote of 11 yeas; 2 nays. During this meeting, Councilmember Young was recognized and made a Motion to remove all four (4) Ordinances (11-O-0672; 11-O-0950; 11-O-0951 and 11-O-0952) off the Table. It was properly Seconded and the Motion was CARRIED by a roll call vote of 9 yeas; 0 nays. All four (4) items were removed off the Table. Chairperson Adrean then made**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORT (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE ( 7)**  
**YOLANDA ADREAN, CHAIR**

**ORDINANCES (CONT'D)**

11-O-0952 ( 4)  
(Cont'd)            a Motion to enter Committee of the Whole. It was  
Seconded by Councilmember Wan and CARRIED by a  
roll call vote of 10 yeas; 0 nays. Council entered  
Committee of the Whole.

***COMMITTEE OF THE WHOLE***

In Committee of the Whole, Council entertained questions to representatives of Segal: Mr. Eric J. Atwater, Consulting Actuary and Leon (Rocky) Joyner, Vice-President - Consulting Actuary. After Council concerns were responded to, a Motion was made to exit Committee of the Whole. It was properly Seconded and the Motion CARRIED by a roll call vote of 12 yeas; 0 nays. Council re-entered Regular Session.

***REGULAR SESSION***

During Regular Session, a Motion to Table all four (4) Ordinances (11-O-0672; 11-O-0950; 11-O-0951 and 11-O-0952) was made. It was properly Seconded and the Motion CARRIED by a roll call vote of 12 yeas; 0 nays. Following, A discussion ensued, during which, Councilmember Moore clarified procedural issues. Subsequently, Ms. Moore made a Motion to Refer Ordinances (11-O-0950; 11-O-0951 and 11-O-0952) to the Finance/Executive Committee. It was properly Seconded, however, the Motion to remove the items off the Table was CARRIED prior to the Motion to Refer by a roll call vote of 11 yeas; 1 nay. The three (3) ordinances were then before Council. After a brief discussion, the Motion to Refer all three (3) Ordinances (11-O-0950; 11-O-0951 and 11-O-0952) to the Finance/Executive Committee was CARRIED by a roll call vote of 13 yeas; 0 nays.

**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY  
A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

After all legislation was considered, an extensive discussion ensued, in which, Councilmember Martin made a Motion to Recess until 3p.m. today. It was properly Seconded and another discussion ensued. After which, the Motion to Recess CARRIED by a roll call vote of 13 yeas; 1 nay.

# ADJOURNMENT

**Council President Ceasar C. Mitchell Presided**

**ADJOURNMENT**

There being no further business to discuss, the June 23, 2011 Special Called Meeting of the Atlanta City Council was adjourned at 4:08 p.m. by Motion of Councilmember Martin. Properly Seconded, the Motion CARRIED by a roll call vote of 12 yeas; 0 nays.

**ADJOURNMENT ROLL CALL: Council President Ceasar C. Mitchell (1); Councilmembers Smith, Hall, Young, Wan, Adrean, Moore, Martin, Bottoms, Sheperd, Bond, Watson and Willis (12); the attendance of Councilmembers Winslow, Archibong and Shook were not signified upon the adjourning roll call (3).**