

#8

11-0-1505

(Do Not Write Above This Line)

AN ORDINANCE  
BY COUNCILMEMBERS H. LAMAR WILLIS,  
KEISHA LANCE BOTTOMS AND AARON  
WATSON

AN ORDINANCE ALLOWING

EMPLOYEES PARTICIPATING IN THE DEFINED  
BENEFIT PENSION PLAN PRIOR TO  
SEPTEMBER 1, 2011, WHOSE PERSONALIZED  
PENSION STATEMENT CONTAINED A  
MATERIAL ERROR, AN OPPORTUNITY TO  
CHANGE THEIR CHOICE OF WHETHER TO  
REMAIN IN THE CURRENT DEFINED BENEFIT  
PLAN OR SWITCH TO THE DEFINED BENEFIT  
HYBRID PLAN; AND FOR OTHER PURPOSES.

substitute

ADOPTED BY

NOV 07 2011

COUNCIL

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

Date Referred

10/17/11

Referred To:

Fin/Exec

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Referred To \_\_\_\_\_

Committee  
*Finance/Exec*

Date  
11-2-11

Chair  
*J. Willis*

Action  
 Fav, Adv, Hold (see rev. side)

Other  
*on substitute*

Members  
*A. Watson*

*H. Willis*

*K. Bottoms*

*J. Willis*

Refer To  
*None*

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

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

NOV 07 2011

ATLANTA CITY COUNCIL PRESIDENT

*[Signature]*

CERTIFIED

NOV 07 2011

*Ronda Doughton Johnson*  
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

NOV 16 2011

WITHOUT SIGNATURE  
BY OPERATION OF LAW



**AN ORDINANCE**

**11-O-1505**

**BY: COUNCILMEMBERS H. LAMAR WILLIS,  
KEISHA LANCE BOTTOMS, AARON WATSON,  
C.T. MARTIN, FELICIA A. MOORE AND YOLANDA ADREAN**

**AS SUBSTITUTED  
BY: FINANCE/EXECUTIVE COMMITTEE**

**AN ORDINANCE ALLOWING EMPLOYEES PARTICIPATING IN THE DEFINED BENEFIT PENSION PLAN PRIOR TO SEPTEMBER 1, 2011, WHOSE PERSONALIZED PENSION STATEMENT CONTAINED A MATERIAL ERROR, AN OPPORTUNITY TO CHANGE THEIR CHOICE OF WHETHER TO REMAIN IN THE CURRENT DEFINED BENEFIT PLAN OR SWITCH TO THE DEFINED BENEFIT HYBRID OPTION PLAN; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta enacted pension reform on June 29, 2011; and

**WHEREAS**, as part of that pension reform, employees participating in the City's Defined Benefit Plan prior to September 1, 2011 may continue their participation in that plan ("Current DB Plan") with no change other than an increase in employee contributions of 5% of salary; and

**WHEREAS**, also as part of that pension reform, employees participating in the Current DB Plan are given a one time, irrevocable option (the "Choice") to switch from the Current DB Plan to a new Defined Benefit Hybrid Plan ("DB Hybrid Plan") for service on and after November 1, 2011; and

**WHEREAS**, where an Employee's Choice is to participate in the DB Hybrid Plan, s/he must complete a DB Hybrid Plan election form and return it to the Department of Human Resources by October 31, 2011. If an Employee's Choice is to remain in the Current DB Plan, s/he does not need to complete an election form or take any other action; and

**WHEREAS**, the City of Atlanta has provided personalized pension statements to all employees in the Current DB Plan ("Personalized Pension Statement"), providing information about pension benefits accumulated to date and anticipated pension amount at retirement age; and



**WHEREAS**, the purpose of providing the Personalized Pension Statements was to assist employees with making an educated Choice about whether to remain in the Current DB Plan or switch to the DB Hybrid Plan; and

**WHEREAS**, a small percentage of the Personalized Pension Statements contain inaccuracies that impact the pension calculations; and

**WHEREAS**, the City of Atlanta wishes to ensure that employees make this important Choice with correct information.

**NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA AS FOLLOWS:**

**Section One:** After November 1, 2011, if any DB Plan Participant hired prior to September 1, 2011 believes that her/his Choice to remain in the Current DB Plan or switch to the DB Hybrid Plan was based upon inaccurate information received in the Personalized Pension Statement, such DB Plan Participant shall have the option to change her/his Choice as follows:

- (A) The DB Plan Participant must complete a form provided by the City of Atlanta Pension Office that indicates the error located in the Personalized Pension Statement ("Personalized Statement Correction Form").
- (B) The employee must submit the completed Personalized Statement Correction Form to the City of Atlanta Pension Office prior to January 10, 2012.
- (C) Once a completed Personalized Statement Correction Form is submitted to the City of Atlanta Pension Office, the Pension Office will make the appropriate correction(s) to the employee's Personalized Pension Statement. The corrected Personalized Pension Statement shall be returned to the employee within five (5) business days. The corrected Personalized Pension Statement shall indicate whether the error had impacted the employee's pension calculation on the initial Personalized Pension Statement ("Material Error") or whether the error had no such impact, such as an address error. In addition, where the City determines that no error existed, the City shall issue a corrected Personalized Pension Statement indicating that no error occurred and no changes to the Personalized Pension Statement were made.
- (D) Where the City finds that an employee's Personalized Pension Statement contained a Material Error or the Employee believes that their Personalized Pension Statement contained a Material Error, the employee may modify the Choice s/he made prior to November 1, 2011. To modify the Choice, the employee must complete a Revised Pension Election Form that will be provided by the Pension Office, and return the completed Revised Pension Election Form to the Pension Office prior to February 1, 2012.



(E) Where the Employee does not submit a Revised Pension Election Form to the Pension Office before February 1, 2012, the Choice made by the Employee prior to November 1, 2011 shall be deemed final. Where the Employee does submit a Revised Pension Election Form to the Pension Office before February 1, 2012, the revised Choice shall be made retroactive to November 1, 2011. The decision made prior to February 1, 2012 shall be irrevocable.

A true copy,

A handwritten signature in black ink, appearing to be "S. [unclear]", is written over the text "A true copy,".

Deputy Municipal Clerk

**ADOPTED by the Atlanta City Council  
APPROVED as per City Charter Section 2-403**

**Nov. 07, 2011  
Nov. 16, 2011**

RCS# 1513  
11/07/11  
3:15 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

CONSENT AGENDA SECTION I  
NOVEMBER 7, 2011  
ADOPT

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 2

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

CONSENT I