

1 Introduced by Council Member Boyer:
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3

4 **ORDINANCE 2015-258**

5 AN ORDINANCE PERTAINING TO CHAPTER 121 (POLICE
6 AND FIREFIGHTERS PENSION PLAN), ORDINANCE
7 CODE; AMENDING SECTION 121.102(E); AMENDING
8 SECTION 121.113; TO CREATE NEW SECTIONS
9 121.211 THROUGH 121.214 FOR "GROUP II
10 MEMBERS"; ATTACHING THE REQUIRED ACTUARIAL
11 IMPACT STATEMENT; PROVIDING AN EFFECTIVE DATE.
12

13 **WHEREAS**, in Rick Scott, et al., Appellants, v. George
14 Williams, et al., Appellees, 107 So.3d 379, Supreme Court of
15 Florida, the Florida Supreme Court ruled that the action by the
16 Legislature in amending statutory provisions of the Florida
17 Retirement System ("FRS") did not violate public employees
18 constitutional rights to collectively bargain pension benefits; and

19 **WHEREAS**, the recent decision in the case styled Curtis Lee, et
20 al, v. City of Jacksonville, et al, Case No. 16-2011-CA-4348, 4th
21 Judicial Circuit, Duval County, Florida, determined that the 2001
22 Agreement ("Agreement"), with the Police and Fire Pension Fund was
23 *void ab initio*, and that current levels of public employee benefits
24 cannot be changed until either they are collectively bargained
25 differently, or the public employer determines the new future
26 benefits with the acquiescence of the bargaining agents; and

27 **WHEREAS**, in 2013, the International Association of Fire
28 Fighters ("IAFF") refused the City of Jacksonville's demand to
29 enter into collective bargaining and filed a ULP with PERC arguing
30 that the Agreement invalidated in Curtis Lee, et al, v. City of
31 Jacksonville, et al, Case No. 16-2011-CA-4348, 4th Judicial

1 Circuit, Duval County, Florida, precluded the opportunity to demand
2 collective bargaining; and

3 **WHEREAS**, the proposed legislation incorporates the provisions
4 for retirement benefits for new employees hired after October 1,
5 2015; and

6 **WHEREAS**, the proposed legislation simply restates what was
7 proposed for new employees in Ordinance 2015-54-D and debated at
8 Council; and

9 **WHEREAS**, these terms can be negotiated in the future as
10 allowed by the provisions of Chapter 447, Part II, Florida
11 Statutes; and

12 **WHEREAS**, the effective date of this Ordinance, as of the first
13 day of the next fiscal year, is designed to allow time for
14 collective bargaining to occur and this Ordinance to be amended
15 prior to its effective date, however, in the absence thereof it
16 provides the City with the ability to adopt a budget for the
17 upcoming fiscal year; and

18 **WHEREAS**, the terms of the benefits for employees hired October
19 1 are the same terms that had been represented to the City Council
20 and which the unions had no objection to and by express waiver
21 indicted they would not file any unfair labor practice charges,
22 lawsuits or other legal challenges; now therefore

23 **BE IT ORDAINED** by the Council of the City of Jacksonville:

24 **Section 1. Part 1, Chapter 121, Ordinance Code Amended.** Part
25 1, Chapter 121, *Ordinance Code*, is hereby amended; Section
26 121.102(e), *Ordinance Code*, is hereby amended; Section 121.113,
27 *Ordinance Code*, is hereby amended, to read as follows:

28 **Chapter 121. POLICE AND FIREFIGHTERS PENSION PLAN**

29 **PART 1. POLICE AND FIRE PENSION FUND ADMINISTRATION**

30 **Sec. 121.102. Police and Fire Pension Plans.**

31 * * *

1 (e) Definitions of Membership Classes:

2 (1) Members: Are employees of the City of Jacksonville
3 who have enrolled in the Police and Fire Pension Plan and are
4 contributing to the Plan through payroll deduction and were hired
5 before October 1, 2015.

6 * * *

7
8 (4) Group II Members: Are employees of the City of
9 Jacksonville who have enrolled in the Police and Fire Pension Plan
10 and are contributing to the Plan through payroll deductions and
11 were hired on or after October 1, 2015.

12 (5) Group II Beneficiary: former active Group II Members
13 who have completed ten or more years of credited service as active
14 Group II Members and have either (1) vested their service for
15 retirement or (2) have met time and service requirements for
16 retirement or are retired as totally and permanently disabled while
17 an active member, or (3) anyone receiving benefits as a Group II
18 surviving spouse or minor child of a Group II Member.

19 * * *

20 **Sec. 121.113 Calculation of pension contributions for Police**
21 **and Fire Pension Fund.**

22 * * *

23 (g) Notwithstanding the above, for Group II Members, as
24 defined in Section 121.102(e)(4), a deduction of ten percent per
25 annum from all salaries (base salary, longevity, City college
26 incentive, enhanced certification pay, emergency operation and
27 hazardous duty pay; shift differential(provided that, the shift pay
28 included in the calculation may not exceed 125 percent of the shift
29 pay earned during the five years prior to the beginning of the
30 130th pay period immediately preceding retirement, adjusted for
31 promotion), and upgrade pay; and excluding all overtime, state

1 incentive pay, reimbursed expenses and allowances such as
2 cleaning/clothes allowances, and payments for unused accrued time),
3 of all Group II Members, to be deducted in installments from each
4 periodical paycheck of each Group II Member. The foregoing ten
5 percent per annum salary deduction shall also apply during the
6 BACKDROP period described in Section 121.214 for all eligible Group
7 II Members who elect the BACKDROP.

8 **Section 2. Part 2, Chapter 121 Amended; Sections 121.211**
9 **through 121.214 Created.** Sections 121.211 through 121.214,
10 *Ordinance Code*, is hereby created to read as follows:

11 **Chapter 121. POLICE AND FIREFIGHTERS PENSION PLAN**

12 * * *

13 **PART 2. PENSION BENEFITS**

14 * * *

15 **Sec. 121.211 Retirement Benefits for Group II Members.**

16 This Section 121.211 sets forth the pension benefits that are
17 applicable solely to Group II Members as defined in Section
18 121.102(e)(4).

19 (a) Time service retirement. Upon reaching 30 years of
20 credited service, Group II Members shall be entitled to a time
21 service retirement with a benefit equal to 2.5 percent of average
22 salary multiplied by the number of years of credited service, but
23 not exceeding a maximum of 75 percent of average salary. The term
24 "average salary" as used in the foregoing sentence means the
25 average "salaries" (as defined in Section 121.113(g)) received by
26 the Group II Member during the 130 bi-weekly pay periods
27 immediately preceding the date of retirement. Notwithstanding the
28 foregoing, the annual retirement benefit shall not exceed
29 \$99,999.99, which amount shall be adjusted January 1 of each year
30 beginning with the first January after October 1, 2015, by the most
31 recent cost of living adjustment applicable to recipients of Social

1 Security retirement benefits, as determined by the U.S. Social
2 Security Administration each calendar year, but not exceeding 1.5
3 percent.

4 (b) Disability retirement.

5 (1) A Group II Member who, prior to reaching the minimum normal
6 retirement eligibility of 30 years of credited service, becomes
7 permanently and totally disabled from useful and efficient service
8 as a police officer or firefighter, as established by competent
9 medical evidence, shall be entitled to a disability retirement.

10 The disability retirement benefit shall be equal to 50 percent of
11 the average "salaries" (as defined in Section 121.113(g)) received
12 by the Group II Member for the 130 pay periods immediately
13 preceding the time of disability retirement. The Board shall
14 establish the effective date on which the disability benefit shall
15 commence. The Board shall, by rule, establish procedures for the
16 examination of applicants for disability retirement, for the
17 conduct of disability retirement hearings, for review of said
18 hearings by a court of competent jurisdiction, and reexamination of
19 retirees on disability pension. In the event the application for a
20 disability pension is denied by the Board, then a new application
21 for the same disability cannot be filed by the Group II Member
22 within six months of the denial.

23 (2) A Group II Member who has been in the service of the City for a
24 period of time at least equal to the minimum time necessary for
25 time service retirement and who becomes permanently and totally
26 disabled from useful and efficient service, shall be entitled to
27 the same pension calculation as a Group II Member who retires
28 pursuant to a time service retirement as described in Section
29 121.211(a). Any Group II Member who elects to retire under a
30 disability pension as provided in this Section shall be required to
31 meet the same requirements for a disability pension as are required

1 for any other Group II Member of the Fund requesting a disability
2 retirement.

3 (c) Vested retirement benefits.

4 (1) Group II Members who terminate employment with at least 10 but
5 less than 25 years of credited service are eligible to receive a
6 deferred retirement benefit of 2.0 percent of the average
7 "salaries" (as defined in Section 121.113(g)) received by the
8 member during the 130 pay periods immediately preceding the date of
9 separation, for each year of credited service. The benefit shall
10 commence at age 62. In the alternative, and in lieu of any other
11 benefit from the Fund, a vested Group II Member may elect to be
12 paid a refund of 100 percent of Group II Member contributions to
13 the Plan without interest. Within 30 days of a Group II Member
14 leaving the payroll prior to normal service retirement, the vested
15 Group II Member must elect in writing to vest or else the refund
16 will be issued automatically after the end of such 30-day period.
17 Acceptance of the refund of Group II Member contributions
18 constitutes an irrevocable waiver of all rights to benefits from
19 the Plan.

20 (2) In the event that a former Group II Member who separates from
21 service and is entitled to vested retirement benefits dies prior to
22 the scheduled date for the commencement of the payment of
23 retirement benefits, the surviving spouse and/or children of such
24 Group II Member shall not be entitled to a refund of contributions
25 nor shall they be entitled to the payment of survivors benefits
26 otherwise extended to Members who complete the required number of
27 years of service to become eligible for minimum time service
28 benefits.

29 (3) Former Group II Members who separate from service and are
30 entitled to receive vested retirement benefits are not eligible to
31 qualify for potential enhancements pursuant to the minimum monthly

1 pension provisions of Section 121.301.

2 (4) Group II Members with at least 25 but less than 30 years of
3 credited service shall be eligible for early retirement, provided
4 that for each year or partial year prior to reaching 30 years of
5 credited service, the Group II Member who retires early shall incur
6 a 2.5% accrual rate penalty for any year or part thereof short of
7 30 years. Notwithstanding this provision, the minimum pension a
8 Group II Member taking early retirement under this section will not
9 be less than 52.5% of employee's final average compensation. Early
10 retirement benefits pursuant to this section will be calculated as
11 follows:

Number of Years of	Retirement Benefit as a Percentage
Credited Service:	of Final Average Salary as defined
in 121.113(a)(2):	
25, but less than 26	52.50%
26, but less than 27	55.00%
27, but less than 28	60.00%
28, but less than 29	65.00%
29, but less than 30	70.00%

21
22 (d) Cost of Living Adjustments. (1) A Cost of Living
23 Adjustment (COLA) based on each prior annual benefit amount
24 actually received (exclusive of one-time bonuses or adjustments)
25 shall be provided for retired Group II Members and their eligible
26 survivors, on the first bi-weekly pay period in each January
27 beginning in the third January following commencement of benefit.
28 Retired Group II Members and their eligible survivors shall be
29 granted a COLA in the amount of COLA applicable to recipients of
30 Social Security retirement benefits, as determined by the U.S.
31 Social Security Administration each calendar year, but not

1 exceeding 1.5 percent.

2 (2) In addition to the COLA, a minimum adjustment supplement
3 of five (5) dollars per month for each year of actual credited
4 service of the Group II Member used to compute the pension benefit
5 shall be provided for current and future retirees and their
6 survivors, and it shall be paid beginning with the first full
7 biweekly pay period after October 1, 2003, and continuously
8 thereafter; provided however, that such supplement shall be no less
9 than twenty-five (25) dollars nor more than one hundred and fifty
10 (150) dollars per month. The adjustment supplement described herein
11 shall be based upon the Group II Member's actual years of service
12 rather than imputed years of service, which is used for purposes of
13 calculating pension benefits under the disability retirement
14 provisions of Subsection (b) of this section and the surviving
15 spouse provision of Section 121.212, and becomes operative in the
16 event of the disability or death of a Group II Member,
17 respectively. The Mayor shall annually, each January, evaluate the
18 annual cost of the foregoing adjustment supplement by comparing it
19 to the City's annual cost to provide single employee group health
20 insurance. In the event that the City's cost to provide such
21 health insurance per employee is less than the amount of such
22 supplement per retired Group II Member, then the supplement shall
23 be reduced to the amount of the insurance cost.

24 (e) Limitations on benefits. Notwithstanding any benefit granted
25 hereunder or under any other provision relating to benefits under
26 the Police and Fire Pension Plan, benefit payments for any Group II
27 Member shall not exceed the maximum amount permitted under Section
28 415 of the Internal Revenue Code of 1986, as amended.

29 (f) Annual Compensation Limit. Section 401(a)(17) of the Internal
30 Revenue Code establishes an annual compensation limit for each
31 employee under a qualified plan. The provisions of Code Section

1 401(a)(17) are further described pursuant to Treasury Regulations
2 Section 1.401(a)(17)-1. The Police and Fire Pension Plan
3 incorporates by reference the annual compensation limit described
4 under Section 401 (a)(17) and Treasury Regulations Section
5 1.401(a)(17)-1. Accordingly, the Plan acknowledges that the
6 compensation taken into account for any Group II Member of the Plan
7 in determining plan allocations or benefit accruals for the plan is
8 limited to the annual compensation limit as described in Internal
9 Revenue Code Section 401(a)(17) and the Treasury Regulations
10 related thereto. The Plan additionally elects to avail itself of
11 the transition rule for governmental plans as described in Treasury
12 Regulation Section 1.401(a)(17)-1(d)(4)(ii) which provides that
13 'eligible participants', as such term is used in the regulations,
14 will not be affected by the revised limit per the 1993 OBRA and
15 accordingly such 'eligible participants' may have their
16 contributions and benefits computed by using compensation of more
17 than \$150,000.00 (as adjusted), so long as it does not exceed the
18 limit in effect on July 1, 1993. All other plan Participants ('non-
19 eligible participants') shall be subject to the revised limits for
20 plan years beginning after December 31, 1995.

21 (g) Requirements that Actuarial Assumptions be specified. Section
22 401(a)(25) of the Internal Revenue Code provides that whenever the
23 amount of any benefit is to be determined on the basis of actuarial
24 assumptions, such assumptions are specified in the plan in a way
25 which precludes employer discretion. The provisions of Code
26 Section 401(a)(25) and the linkage between the proper use of
27 actuarial assumptions and the conclusion that the plan is
28 established and maintained primarily to provide systematically for
29 the payment of 'definitely determinable benefits' to employees, is
30 further described pursuant to Treasury Regulations Section 1.401-
31 1(b)(1)(i). The Police and Fire Pension Plan incorporates by

1 reference the requirements that actuarial assumptions be specified
2 as described under Code Section 401(a)(25) and Treasury Regulations
3 Section 1.401-1(b)(1)(i).

4 (h) Required distributions. Distributions from the Plan will be
5 made in accordance with the requirements of the regulations under
6 Internal Revenue Code Section 401(a)(9) and any provisions in the
7 Plan that are contradictory to the distribution requirements shall
8 be overridden. In accordance therewith, distributions to Group II
9 Members must commence by the later of April 1 of the calendar year
10 following the calendar year in which the Group II Member attains
11 the age of 70 ½, or April 1 of the calendar year following the
12 calendar year in which the employee retires. In addition to
13 meeting the minimum distribution amount, the distribution must also
14 meet the incidental benefit requirements of Internal Revenue Code
15 Section 401(a)(9)(g) and Proposed Regulations Sections 1.401(a)(9)-
16 1 and 1.401(a)(9)-2.

17 * * *

18 **Sec. 121.212 Surviving Spouse Benefits for Group II Members.**

19 Notwithstanding the provisions of Laws of Fla. Ch. 18615
20 (1937), as amended; or Laws of Fla. Ch. 23259 (1945), as amended,
21 and to increase the benefits thereby provided:

22 (a) Benefits under this section will apply only to the
23 surviving spouses of Group II Members and no other provisions with
24 regard to surviving spouses shall apply to Group II Members.

25 (b) A Group II Member of the fund hereafter who shall be
26 killed or die from effects of an injury or of any illness or
27 disease and any such Group II Member so killed or dying shall have
28 a spouse living with such Group II Member at time of death, the
29 Board shall direct the payment from the fund of the following sum
30 to the surviving spouse, 75 percent of the pension benefit the
31 deceased Group II Member would be entitled to receive, had the

1 Group II Member completed 30 years of credited service, as defined
2 in 121.211(c)(4), and survived to receive such pension. If a
3 deceased Group II Member served in excess of 30 years, the 75
4 percent of the pension benefit shall be based upon the actual years
5 of service. The pension benefit as used herein shall be comprised
6 of the base pension benefit as adjusted for the COLA, but exclusive
7 of the adjustment supplement described in 121.211(d)(2). In
8 addition thereto, the surviving spouse of a Group II Member shall
9 be entitled to the receipt of the minimum adjustment supplement
10 provided in Section 121.211(d)(2).

11 (c) If any beneficiary under this Section 121.212, shall
12 hereafter be killed or die and any such beneficiary so killed or
13 dying shall have a spouse living with such beneficiary at time of
14 death, the Board shall direct the payment from the fund of the
15 following sum to the surviving spouse of the beneficiary, 75
16 percent of the pension benefit the beneficiary was receiving. The
17 pension benefit as used herein shall be comprised of the base
18 pension benefit as adjusted for the COLA's previously credited to
19 the record of the former member, but exclusive of the adjustment
20 supplement described in 121.211(d)(2). In addition thereto, the
21 surviving spouse of a beneficiary under this Section 121.212 shall
22 be entitled to the receipt of the minimum adjustment supplement
23 provided in Section 121.211(d)(2).

24 * * *

25 **Sec. 121.213 Children's Benefits for Group II Members.**

26
27 (a) Benefits under this section will apply only to the
28 children of Group II Members and no other provisions with regard to
29 children's benefits shall apply.

30 (b) If there is a surviving spouse, each child's benefit shall
31 be \$200 per month until (i) each child reaches age 18 years,

1 whether or not the child is a qualified student, or (ii) each child
2 reaches age 22, provided the child is a qualified student, or (iii)
3 each child becomes married, whereupon the children's benefits
4 described herein shall cease, provided that the total of the
5 surviving spouse and children's benefits do not exceed the total of
6 the deceased Group II Member's projected benefit. In addition
7 thereto, each child of a surviving spouse of a Group II Member
8 shall be entitled to the receipt of the minimum adjustment
9 supplement provided in Section 121.211(d)(2).

10 (c) If there is no surviving spouse, each child under the age of
11 18 shall receive the greater of either; (a) \$200 per month plus,
12 for each child of a former Group II Member, the minimum adjustment
13 supplement provided in Section 121.211(d)(2), or (b) a
14 proportionate share of the surviving spouse's benefit (including
15 the supplement where applicable) until (i) each child reaches age
16 18 years, whether or not the child is a qualified student, or (ii)
17 each child becomes married, whereupon the children's benefits
18 described herein shall cease. If there is no surviving spouse, each
19 child who is age 18 or over and who is a qualified student shall be
20 entitled to the payment of a child's benefit of \$200 per month
21 until (i) each child reaches age 22, or (ii) each child becomes
22 married, whereupon the child's benefit described herein shall
23 cease. In the event of multiple children causing the payment of a
24 prorated benefit as each child no longer becomes eligible for the
25 payment of children's benefits the remaining eligible children
26 shall receive the greater of the benefits provided for in this
27 Section up to the limits provided.

28 * * *

29 **Sec. 121.214 BACKDROP for Group II Members.**

30 (a) There is hereby created a BACKDROP retirement option (the
31 "BACKDROP") to the Retirement Plan, which shall allow any Group II

1 Member who has 30 or more years of credited service, to elect to
2 enter the BACKDROP plan. By electing to participate in the
3 BACKDROP, that Member's retirement benefits are calculated as if
4 the member had actually retired at an earlier date, provided
5 however the BACKDROP period shall not exceed five years. No
6 provisions relating to the DROP program, as outlined in Section
7 121.209, are applicable to Group II Members.

8 (b) (1) An eligible Group II Member may elect to participate in
9 the BACKDROP by submitting the following to the Fund:

10 (i) One copy of a signed and submitted letter of resignation dated
11 effective as of the date of election to participate in the
12 BACKDROP.

13 (ii) A properly completed BACKDROP application on forms provided by
14 the Fund, which, once submitted, shall be irrevocable by the
15 member.

16 (iii) Subject to Section 121.214(d), the selection of the dates
17 that begin and end the period of participation in the BACKDROP (the
18 "BACKDROP Period"). The BACKDROP period shall not exceed five
19 years.

20 (iv) An agreement to replace the retirement benefits otherwise
21 applicable with BACKDROP benefits and a reduced time service
22 benefit calculated as of the beginning of the BACKDROP Period as if
23 the BACKDROP Participant had retired as of that date, but payable
24 starting as of actual retirement at the end of the BACKDROP Period.

25 (v) Any other documents or information as may be reasonably
26 required by the Fund.

27 (2) For purposes of this Section, each eligible Group II Member
28 who elects to participate in the BACKDROP and satisfies all of the
29 requirements of this Section shall be referred to as a "BACKDROP
30 Participant".

31 (c) A BACKDROP Participant must resign and retire from the City as

1 of the date of election to participate in the BACKDROP. No
2 benefits shall be paid under this Section unless and until the
3 BACKDROP Participant has resigned and retired from the City.

4 (d) (1) Provided the BACKDROP Participant has satisfied all
5 requirements set forth in this Section, the BACKDROP Participant
6 shall be entitled to receive a BACKDROP amount equal to:

7 (i) The time service retirement benefits pursuant to Section
8 121.211 the BACKDROP Participant Member would have received had the
9 BACKDROP Participant actually retired at the commencement of the
10 BACKDROP Period, and

11 (ii) Interest on benefits credited pursuant to Section 121.214(a).
12 The amount of interest to be credited shall be determined pursuant
13 to Section 121.214(e).

14 (2) Upon retirement, the BACKDROP Participant thereafter shall be
15 eligible to receive a reduced time service benefit determined as of
16 the beginning of the BACKDROP period, as defined in Section
17 121.214(b)(1)(iii). Should the Member elect to use any year or
18 partial year of service which occurred prior to reaching 30 years
19 of credited service in their BACKDROP period, the retirement
20 benefit otherwise calculated for those years will be reduced by two
21 percent of average salary as defined in Section 121.113(g). The
22 reduced time service benefit will be calculated as follows:

<u>Number of years of</u> <u>Credited Service at</u> <u>Commencement of BACKDROP:</u>	<u>Retirement Benefit as a of</u> <u>Percentage of Average</u> <u>Salary as defined in Sec.</u> <u>121.113(a)(2):</u>
25 but less than 26	52.50%
26 but less than 27	57.00%
27 but less than 28	61.50%
28 but less than 29	66.00%

1 29 but less than 30

70.50%

2
3 (e) Interest shall be credited starting from the hypothetical date
4 the payment would have been made had the BACKDROP Participant
5 retired as of the beginning of the BACKDROP period to the end of
6 the BACKDROP period at an annual rate of return, compounded
7 annually, equivalent to the actual rate of return on the Fund
8 assets during the BACKDROP period, provided that such rate of
9 return shall not be less than zero nor more than ten percent.

10 (f) A BACKDROP Participant shall not be entitled to receive any
11 cost-of-living increase during the BACKDROP Period. The waiting
12 period to receive cost-of-living increases, as set forth in Section
13 121.211(d), shall commence upon retirement.

14 (g) Provided the BACKDROP Participant has satisfied all
15 requirements set forth in this Section, within 30 days from the
16 date of expiration of the BACKDROP Period or as soon as practical
17 thereafter, the Retirement Plan shall disburse the amount of the
18 BACKDROP Participant's BACKDROP benefits to the BACKDROP
19 Participant.

20 (h) All disbursements made pursuant to Section 121.211(g) shall be
21 made subject to and in accordance with all applicable provisions of
22 the Internal Revenue Code.

23 **Section 3. Actuarial Impact Statement.** The actuarial
24 impact statement required by Section 112.63(3), Florida Statutes,
25 as a condition to any proposed change in retirement benefits, is
26 **attached as Exhibit 1.**

27 **Section 4. Interpretation.** Any Ordinance or part of any
28 Ordinance in conflict with the provisions hereof is repealed to the
29 extent of the conflict. Should any part of this Ordinance be held
30 invalid by a court of competent jurisdiction, the remainder of this
31 Ordinance shall continue in full force and effect and it shall be

1 presumed that this Ordinance was adopted without the invalid
2 provision.

3 **Section 5. Authorizing the Council Auditor's and General**
4 **Counsel's Office to make "Technical Amendments"**. The Council
5 Auditors and the General Counsel's Offices are authorized to take
6 all necessary action in connection with this legislation, to
7 execute the finalization and codification of the legislation to
8 effectuate the purposes of this Ordinance as recommended by the
9 Council Committees and enacted by Council, without further Council
10 action, provided such changes and amendments are limited to
11 "technical amendments" including updating division, and
12 departmental name changes throughout the code, and do not change
13 the fiscal impact or substantive provisions and, further provided,
14 that all such amendments shall be subject to appropriate legal
15 review and approval by the General Counsel, or designee, and all
16 other appropriate official action required by law.

17 **Section 6. Effective Date.** This Ordinance shall become
18 effective upon signature by the Mayor or upon becoming effective
19 without the Mayor's signature.

20
21 Form Approved:

22
23 /s/ *Margaret M. Sidman*

24 Office of General Counsel

25 Legislation Prepared By: Margaret M. Sidman

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