



## REQUEST FOR COUNCIL ACTION

### City of Greenville, South Carolina

**TO:** Honorable Mayor and Members of City Council  
**FROM:** Nancy P. Whitworth, Interim City Manager

Agenda Item No.

15e

Ordinance/First Reading    Ordinance/Second & Final Reading    Resolution/First & Final Reading    Information Only

**AGENDA DATE REQUESTED:** June 24, 2019

**ORDINANCE/RESOLUTION CAPTION:**

APPROVING AMENDMENTS TO THE CITY OF GREENVILLE FIREFIGHTERS' PENSION FUND PLAN

**SUMMARY BACKGROUND:**

This Ordinance amends the Firefighters' Pension Fund Plan in three respects: (1) allows for the purchase of service credit in certain limited circumstances; (2) increases the death in the line of duty benefit to 100% percent of the firefighters' monthly compensation; and (3) gives City Council the flexibility to grant periodic cost of living adjustments.

**IMPACT IF DENIED:**

The Plan will not be amended.

**FINANCIAL IMPACT**

Increased costs associated with a higher level of death in the line of duty benefit should such a tragic event occur along with any increased costs for future COLAs should City Council authorize them. There will be no increased costs for service credit purchases as they must be actuarially-neutral per the Plan amendment.

#### REQUIRED SIGNATURES

Department Director Stephen Kovalcik  
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OMB Director \_\_\_\_\_

City Attorney Michael S. Pitts  
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City Manager Nancy Whitworth  
DocuSigned by:  
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## A N O R D I N A N C E

APPROVING AMENDMENTS TO THE CITY OF GREENVILLE  
FIREFIGHTERS' PENSION FUND PLAN

WHEREAS, the city of Greenville sponsors the Firefighters' Pension Fund Plan which was amended and restated effective July 1, 2015, (the "Plan") and approved by City Council by way of Ordinance No. 2016-04; and

WHEREAS, pursuant to Article IX of the Plan, the City reserves the right to amend the Plan from time to time; and

WHEREAS, the Fire Chief requested that the following changes to the Plan be considered: (a) that participants be allowed to purchase years of service under certain circumstances; (b) that the benefit payable upon death in the line of duty be increased to 100% of the deceased Participant's monthly compensation; and (c) that periodic cost-of-living adjustments be permitted so long as they are approved by City Council; and

WHEREAS, the Firefighters' Pension Fund Board of Trustees met on June 3, 2019, and unanimously recommended approval of the aforementioned plan amendments; and

WHEREAS, City Council desires to formally adopt the aforementioned amendments by way of this Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, the Firefighters' Pension Fund Plan is hereby amended as follows:

**1. Section 2.33 shall be amended to add the following language at the end of the definition:**

"Year of Service" shall also include certain types of service credit purchased by a Participant within: (a) ninety (90) days of the Participant's date of hire or rehire; (b) ninety (90) days of the effective date of the Second Amendment to the Plan; or (c) a time period that is no longer than three (3) years prior to the Participant's Normal Retirement Date, provided that the Participant in this latter circumstance may only purchase so much service credit as is needed to bridge the time period from the date of purchase to the Participant's Normal Retirement Date. The following types of employment service are eligible for purchase under the Plan: (a) service previously credited under the Plan for a Participant who received a refund of Participant Contributions upon Termination of Employment; (b) service with the government of the United States or any agency or instrumentality thereof; or (c) service with any state of the United States or agency or instrumentality thereof. Notwithstanding the preceding, a Participant may not purchase service credit for a period of service for which the Participant also may receive a retirement benefit from another qualified retirement plan. The cost of purchased service credit shall be actuarially neutral and shall be calculated by the Plan's actuary under the same actuarial assumptions used in the valuation of the Plan's assets and liabilities and in the determination of benefit payments under the Plan, taking into account the impact of the purchase of service credit on a Participant's Accrued Benefit and Benefit Commencement Date. A Participant may purchase service credit under the Plan by a rollover contribution from

a qualified retirement plan or a lump sum payment. A Participant may not purchase service credit to the extent such purchase would violate Code Section 415 or any other provision of the Code.

- 2. **Sections 4.4(a)(2) and 4.4(b)(2) shall be amended by striking the references therein to “fifty percent (50%)” and replacing same with “one hundred percent (100%)”.**
- 3. **A new Section 4.11 shall be added as follows:**

4.11 **Cost of Living Adjustments.** In the sole discretion of the Employer and as established by the City Council, benefits payable under the Plan may be adjusted from time to time due to changes in the cost of living; provided, however, that any such adjustment shall be by an annual percentage increase that does not exceed the annual percentage increase in a cost-of-living index based on prices of all items and issued by the Bureau of Labor Statistics.

DONE, RATIFIED AND PASSED THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

REVIEWED:

\_\_\_\_\_  
CITY MANAGER