



January 6, 2023

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TRANSMITTED VIA E-MAIL
(csicard@smyrnaga.gov)

Ms. Carol Sicard
Human Resource Director
City of Smyrna
P.O. Box 1226
Smyrna, GA 30081-1226

RE: City of Smyrna Georgia Municipal Employees Benefit System (GMEBS) Defined Benefit Retirement Plan; Revised Amendments to Simplify Plan

Dear Ms. Sicard:

Attached please find a draft amended Adoption Agreement and General Addendum for the City of Smyrna's Georgia Municipal Employees Benefit System ("GMEBS") Defined Benefit Retirement Plan ("Plan"). The amendment simplifies the Plan by providing more commonality among participant classes with respect to normal retirement qualifications, the benefit formula, vesting and employee contributions. Importantly, the amendment creates a definition of "Identified Senior Staff" (see paragraph 16(a)(vii) of the General Addendum) to indicate that certain provisions are only available to a specific group of Class 3, Class 4 and Class 5 participants who were employed in one or more listed positions during the period of December 1, 2015 – January 17, 2023.

Regarding normal retirement qualifications, the amendment provides that the normal retirement qualification for Class 4 and Class 5 Participants who are in service on or after January 17, 2023, and who are not "Identified Senior Staff" is age 65 with seven (7) years of total credited service (see Adoption Agreement, pp. 16, 18 and 19). It also provides that the normal retirement qualification for Class 1 participants who are in service on or after January 17, 2023, will be the "Rule of 85" with a minimum age of 55 (see Adoption Agreement, p. 17). Since this is the same as the current early retirement qualification for Class 1 participants, we have removed the early retirement qualification for Class 1 participants (see Adoption Agreement, pp. 15-16 for revisions relating to elimination of early retirement qualifications for Class 1 participants), as well as the early retirement reduction table that currently applies to Class 1 participants, from the Adoption Agreement. Consequently, we were able to relocate the early retirement reduction factors for Class 3, Class 4 and Class 5 participants as well as certain elected officials and municipal legal officers from subsection 15(c) of the current General Addendum to the alternative early retirement reduction table on p. 29 of the draft Adoption Agreement.

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The amendment also provides that Class 4 and Class 5 participants must have at least seven (7) years of total credited service (down from 10) and meet minimum age requirements, as applicable, to qualify for the "Rule of 80" alternative normal retirement. Additionally, it provides that certain participants on the management pay scale who are in service on or after January 17, 2023, are exempt from the minimum age requirement for the Rule of 80 (see Adoption Agreement, pp. 20-21). These participants are listed on p. 21 of the Adoption Agreement.

To simplify the Plan with respect to benefit calculations, the amendment provides that monthly normal retirement benefits for all Class 1, Class 3, Class 4 and Class 5 participants in service on or after January 17, 2023, will be calculated using the 2% Flat Percentage Formula (see Adoption Agreement, p. 25 and General Addendum, paragraph 16(b)(ii)). It also provides for 7-year cliff vesting for all Class 1, Class 3, Class 4 and Class 5 participants, other than Identified Senior Staff, who are in service on or after January 17, 2023, who have a 5-year cliff vesting schedule. Note that the current 10-year cliff vesting schedule will still apply to Class 2 participants (see Adoption Agreement, pp. 33-35). Finally, the amendment provides that Class 1, Class 3, Class 4 and Class 5 participants, as well as elected officials and municipal legal officers governed by the July 1, 1999 Plan, will make employee contributions in the amount of 3.25% of earnings starting January 17, 2023 (see Adoption Agreement, p. 38).

The Adoption Agreement provides that the amendment will become effective January 17, 2023. **Please note that per O.C.G.A § 47-5-40, the Adoption Agreement has been drafted in the form of an ordinance.**

Please review the draft amended Adoption Agreement and General Addendum carefully. If the city would like for us to make any changes to the draft documents, please let us know before approving them. Otherwise, if the draft Adoption Agreement and General Addendum are acceptable, please have the designated representatives sign and date *both* documents and return them by email to Ms. Gina Gresham at rgresham@gacities.com. We will then countersign both documents and email the fully executed Adoption Agreement and General Addendum to you.

Please contact me at 678-686-6212 or gHall@gacities.com with any questions.

Sincerely,



Gwin C. Hall
Senior Associate General Counsel

Attachments

- C: Mr. Scott Cochran, City Attorney, City of Smyrna (w/ encl.)
- Mr. Joe Bennett, City Administrator, City of Smyrna (w/ encl.)
- Ms. Michelle Warner, Director, Retirement Field Services & DC Program (w/o encl.)
- Ms. Marinetty Bienvenu, Director, Employee Benefit Services (w/o encl.)
- Mr. Kevin Jeselnik, Assistant General Counsel (w/o encl.)