



DeKalb County Government

Manuel J. Maloof Center
1300 Commerce Drive
Decatur, Georgia 30030

Agenda Item

September 24, 2024

File ID: FileID

Substitute

Public Hearing: YES NO Department: Finance

SUBJECT:

Commission District(s): all

Home Rule Ordinance to amend the Pension Code of DeKalb County, Georgia, 1962 Ga. Laws 3088, as amended, to provide for an increase in monthly pension benefit amount to specified eligible retirees, joint annuitants and beneficiaries.

Information Contact: Larry Jacobs, Assistant Director of Finance

Phone Number: 404 371-2050

PURPOSE:

To consider adopting a home rule ordinance amending the Pension Code of DeKalb County, Georgia, to provide for an increase in monthly pension benefit amount to specified eligible retirees, joint annuitants, and beneficiaries.

NEED/IMPACT:

A cost of living increase for certain retirees, joint annuitants and beneficiaries is needed and considered appropriate due to inflation.

FISCAL IMPACT:

The 2024 estimated cost for the proposed COLA is \$2.96 million.

RECOMMENDATION:

Adopt the attached home rule ordinance for the second time to amend the DeKalb County Pension Code (1962 Ga. Laws 3088, codified in Appendix B of the Code of DeKalb County, Georgia, as amended), to provide for an increase in monthly pension benefit amount of 2%, but with a minimum monthly increase of \$75 and a maximum monthly increase of \$150, under terms and conditions described in the ordinance, to specified eligible retirees, beneficiaries, and joint annuitants who began receiving monthly pension benefits on or before January 1, 2018 and who continue to receive monthly pension benefits as of July 1, 2024, and to specified eligible joint annuitants who began receiving monthly pension benefits between January 1, 2018 and July 1, 2024.



DeKalb County Government

Manuel J. Maloof Center
1300 Commerce Drive
Decatur, Georgia 30030

Agenda Item

September 10, 2024

File ID: 2024-0506

Substitute

Public Hearing: YES NO Department: Finance

SUBJECT:

Commission District(s): all

Home Rule Ordinance to amend the Pension Code of DeKalb County, Georgia, 1962 Ga. Laws 3088, as amended, to provide for an increase in monthly pension benefit amount to specified eligible retirees, joint annuitants and beneficiaries.

Information Contact: Larry Jacobs, Assistant Director of Finance

Phone Number: 404 371-2050

PURPOSE:

To consider adopting a home rule ordinance amending the Pension Code of DeKalb County, Georgia, to provide for an increase in monthly pension benefit amount to specified eligible retirees, joint annuitants, and beneficiaries.

NEED/IMPACT:

A cost of living increase for certain retirees, joint annuitants and beneficiaries is needed and considered appropriate due to inflation.

FISCAL IMPACT:

The 2024 estimated cost for the proposed COLA is \$2.96 million

RECOMMENDATION:

Adopt the attached home rule ordinance for the first time to amend the DeKalb County Pension Code (1962 Ga. Laws 3088, codified in Appendix B of the Code of DeKalb County, Georgia, as amended), to provide for an increase in monthly pension benefit amount of 2%, but with a minimum monthly increase of \$75 and a maximum monthly increase of \$150, under terms and conditions described in the ordinance, to specified eligible retirees, beneficiaries, and joint annuitants who began receiving monthly pension benefits on or before January 1, 2018 and who continue to receive monthly pension benefits as of July 1, 2024, and to specified eligible joint annuitants who began receiving monthly pension benefits between January 1, 2018 and July 1, 2024. Schedule a second vote on this home rule ordinance for the Board of Commissioners' next regular meeting.

**A HOME RULE ORDINANCE
A HOME RULE ORDINANCE BY THE GOVERNING AUTHORITY OF DEKALB
COUNTY UNDER THE HOME RULE PROVISIONS FOR COUNTIES OF THE
CONSTITUTION OF THE STATE OF GEORGIA, TO AMEND AN ACT OF THE
GENERAL ASSEMBLY OF 1962, FOUND IN GEORGIA LAWS 1962, PAGE 3088, *ET
SEQ.*, AS AMENDED, CREATING THE DEKALB COUNTY PENSION BOARD, SO AS
TO PROVIDE FOR A COST OF LIVING INCREASE FOR CERTAIN RETIREES,
BENEFICIARIES, AND JOINT ANNUITANTS.**

WHEREAS, the Governing Authority of DeKalb County seeks to grant a cost of living increase to certain retirees, beneficiaries, and joint annuitants who receive monthly pension benefits under the DeKalb County Pension Code;

NOW THEREFORE, BE IT ORDAINED by the Governing Authority of DeKalb County, Georgia, and it is hereby ordained by the authority of same, pursuant to the home rule provisions for counties of the Constitution of the State of Georgia, that the state law creating the DeKalb County Pension Board, known as 1962 Ga. Laws p. 3088, *et seq.*, as amended, be and the same is hereby further amended as follows:

PART I.

By amending section 908.1 of the Act (codified in the Code of DeKalb County, Georgia, Appendix B, as Section 908.1) to add the following language as subsection 908.1(a)(6):

(6) 2024 benefit adjustment.

A. Definitions. For purposes of this subsection, a “2024 Eligible Retiree” is a participant in this plan who retired and began receiving monthly pension benefits under section 908 or section 913 of this plan on or before January 1, 2018, and who remains in retired status receiving such monthly pension benefits as of July 1, 2024. For purposes of this subsection, a “2024 Eligible Beneficiary or Joint Annuitant” is an individual who began receiving monthly pension benefits as a beneficiary or joint annuitant of a deceased participant under this plan on or before January 1, 2018 and who is still receiving such monthly pension benefits as of July 1, 2024; or an individual who began receiving monthly pension benefits as a joint annuitant of a deceased participant under this plan between January 1, 2018 and July 1, 2024, and who is still receiving such monthly pension benefits as

of July 1, 2024, provided that such deceased participant began receiving monthly pension benefits under this plan on or before January 1, 2018.

B. Calculation of 2024 benefit adjustment. Each “2024 Eligible Retiree” and each “2024 Eligible Beneficiary or Joint Annuitant” as defined above shall receive an increase in his or her monthly pension benefit amount, applicable to monthly pension benefit amounts payable to that 2024 Eligible Retiree or that 2024 Eligible Beneficiary or Joint Annuitant on and after July 1, 2024, equal to 2% of the monthly pension benefit amount otherwise payable to such 2024 Eligible Retiree or such 2024 Eligible Beneficiary or Joint Annuitant for the month of July 2024, except that the increase in such monthly pension benefit amount shall be no less than \$75 (seventy five dollars) and no more than \$150 (one hundred fifty dollars). Such increased monthly pension benefit amounts payable pursuant to this subsection shall commence with the first monthly pension benefit payable after the effective date of this amendment, and the increase amounts applicable to any months prior to the effective date of this amendment shall be accumulated and paid at the time of the first monthly pension benefit payable after the effective date of this amendment.

PART II. REPEALER.

All laws or parts of laws in conflict with this Ordinance are hereby repealed.

PART III. SEVERABILITY.

Should any part, portion, or paragraph of this ordinance be declared unconstitutional or void by a court of competent jurisdiction, such declaration shall not affect the remaining portions of this ordinance not so declared to be invalid, but the same shall remain in full force and effect as if separately adopted.

PART IV. ADOPTION PROCESS.

This Ordinance shall be presented to the Board of Commissioners of DeKalb County, Georgia for adoption at two regular, consecutive meetings of the County Commissioners, held not less than seven (7) nor more than sixty (60) days apart after notice containing a synopsis of

the proposed amendment shall have been published in the official organ of DeKalb County once a week for three (3) weeks within a period of sixty (60) days immediately preceding its final adoption, such notice stating that a copy of the proposed amendment is on file in the office of the Clerk of Superior Court of DeKalb County for the purpose of examination and inspection by the public.

PART V. DATES OF ADOPTION.

This Ordinance shall be first presented to the Board of Commissioners of DeKalb County, Georgia on the _____ day of _____, 2024, and again on the _____ day of _____, 2024, at the designated time and place of the meeting of the Board of Commissioners of DeKalb County, Georgia.

PART VI. FILING.

A copy of this Ordinance shall be filed with the Clerk of the DeKalb County Superior Court for the purpose of making it available for examination and inspection by the public.

PART VII. EFFECTIVE DATE.

The provisions of this ordinance shall become effective when a copy of this ordinance, a copy of the required notice of publication, and an affidavit of a duly authorized representative of the newspaper in which such notice was published are filed with the Secretary of State.

ADOPTED by the DeKalb County Board of Commissioners this day of _____, 2024.

MEREDA DAVIS JOHNSON
Presiding Officer
Board of Commissioners
DeKalb County, Georgia

APPROVED by the Chief Executive Officer of DeKalb County, Georgia this _____ day
of _____, 2024.

MICHAEL L. THURMOND
Chief Executive Officer
DeKalb County, Georgia

ATTEST:

BARBARA H. SANDERS-NORWOOD
Clerk to Board of Commissioners and Chief
Executive Officer
DeKalb County, Georgia

APPROVED AS TO SUBSTANCE:

APPROVED AS TO FORM:

Dianne McNabb
Director, Finance Department
DeKalb County, Georgia

Viviane H. Ernstes
County Attorney
DeKalb County, Georgia