

RESOLUTION NO.

WHEREAS, on September 25, 2008 City Council ratified the Meet and Confer Agreement (Agreement) between the City of Austin and the Austin Police Association that provides for the consolidation of PSEM law enforcement officers into APD, and

WHEREAS, on December 6, 2007 Council approved a resolution supporting consolidation of the law enforcement functions of the Public Safety and Emergency Management Department (PSEM) into the Austin Police Department (APD) through the Meet and Confer process and expressing its goal of protecting the retirement benefits of the PSEM officers by arranging for the Austin Police Retirement System (APRS) to join the Proportionate Retirement Program (PRP) created by state law; and

WHEREAS, state law requires that City Council must approve an election by APRS to join the PRP and that the City's contribution rate to APRS must be adjusted to include funding for additional liabilities incurred by APRS as a result of participating in the PRP; and

WHEREAS, the Meet and Confer Agreement provides that if the adjustment to the City's contribution rate results in a rate higher than 18.25%, City Council must specifically accept the higher rate; and

WHEREAS, the actuary for APRS established the City's contribution rate at 18.61% in order to fund anticipated additional liabilities incurred by APRS as a result of joining the PRP; and

WHEREAS, APRS expressed its willingness to phase in the increase in the City's contribution rate by increasing the rate from 18.00% to 18.25% for the period from January 4, 2009 to September 30, 2009 and increasing the rate from 18.25% to 18.63% effective October 1, 2009; and

WHEREAS, on November 19, 2008 the APRS Board of Trustees passed a resolution indicating their intent to participate in the PRP if City Council supports legislation in the 2009 Legislature to amend the APRS pension statute to appropriately increase the City's contribution rate and provide for experience studies every five (5) years to determine whether the City's contribution rate should be adjusted based on actual utilization of the PRP; **NOW, THEREFORE,**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. Council hereby waives the enforcement of the condition set out in Article 25, Section 10(c) of the Meet and Confer Agreement between the City of Austin and the Austin Police Association and accepts the following increases to the City's contribution rate to APRS: an increase from 18.00% to 18.25% from January 4, 2009 through September 30, 2009 and an increase from 18.25% to 18.63% effective October 1, 2009.

2. Council hereby grants approval for the Austin Police Retirement System to elect to participate in the Proportionate Retirement Program.

3. Council supports legislation that would increase the City's contribution rate to APRS to 18.63%, provided, however, that APRS agree that the City's contribution rate will be 18.25% from January 4, 2009 to the end of Fiscal Year 2009 and increase to 18.63% beginning with Fiscal Year 2010.

4. Council supports legislation that would require the APRS actuary to conduct experience studies every five (5) years to determine whether the City's contribution rate should be adjusted based on utilization of the Proportionate Retirement Program.

5. If the APRS passes a final resolution to elect to participate in PRP at a December 2008 meeting, Council declares Article 25 of the Meet and Confer Agreement for Austin Police Officers to be effective beginning on January 4, 2009.

ADOPTED: _____, 2008

ATTEST: _____

Shirley A. Gentry
City Clerk