

AN ORDINANCE

AMENDING the retirement plans of the City of Marietta (Section 4-12-4-010 et seq. and Section 4-12-6-010 et seq.) by changing how the council representatives on the pension board are determined.

NOW THEREFORE, THE MAYOR AND COUNCIL OF THE CITY OF MARIETTA, GEORGIA, HEREBY ORDAINS:

Section 1. To amend Section 4-12-4-010 in Exhibit A to Chapter 4-12 and Section 4-12-6-010 in Exhibit B to Chapter 4-12 by changing the paragraph titled "Council representative" in Article X, Section 5 so that it shall read as follows:

"Selection of council, police, fire and general employee members:

Council representative. Two members of the council shall serve on the pension board. Effective October 1, 2016, the two members representing council shall be the Chairman of the Personnel/Insurance Committee and the Chairman of the Finance/Investments Committee as provided in Section 1-4-040 V of City Code. If either of the Chairmen or Vice Chairman is unable or declines to serve for any reason, then a member of the applicable committee shall serve in their stead. If a vacancy still exists, then the Mayor with consent of council shall appoint an alternate."

Section 2. It is hereby declared to be the intention of this Ordinance that its sections, paragraphs, sentences, clauses and phrases are severable, and if any section, paragraph, sentence, clause or phrase of this Ordinance is declared to be unconstitutional or invalid, it shall not affect any of the remaining sections, paragraphs, sentences, clauses or phrases of this Ordinance.

Section 3. All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

Section 4. This Ordinance shall become effective upon the signature or without the signature of the Mayor, subject to Georgia laws 1983, page 4119.

DATE: June 8, 2016

APPROVED: R. Steve Tumlin

R. Steve Tumlin, Mayor

ATTEST: Stephanie Guy

Stephanie Guy, City Clerk

Approved as to form: Douglas R. Haynie

Douglas R. Haynie, City Attorney