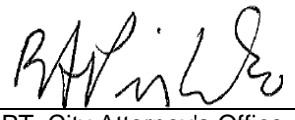


Form and Correctness Approved: *BAP*

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Contents Approved:

By:   
Office of the City Attorney

By:   
DEPT. City Attorney's Office

NORFOLK, VIRGINIA

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## **R-7                      ORDINANCE NO. 48,436**

AN ORDINANCE TO REPEAL SECTION 2.1-19 AND TO AMEND AND REORDAIN SECTIONS 37-2, 37-21, 37-26.1, 37-41, 37-45, 37-46, 37-61 AND 37-96 CONCERNING THE NORFOLK EMPLOYEE RETIREMENT SYSTEM.

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BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That Section 2.1-19 of the Norfolk City Code, 1979, regarding membership in the Retirement System is hereby repealed.

Section 2:- That Section 37-2 of the Norfolk City Code, 1979, is hereby amended and reordained to read as follows:

Sec. 37-2. - Definitions.

Generally. As used in this chapter, certain words and phrases shall have the meanings ascribed to them by this section, unless a different meaning is plainly required by the context, the provisions of this chapter, or other applicable law. These terms are defined as follows:

- (1) Accidental disability retirement means the retirement of a member pursuant to Section 37-65 and other applicable law due to the total and permanent mental or physical incapacitation of the member from performing the duties of his job which is the natural and proximate result of an accident compensable under the Virginia Worker's Compensation Act and which occurred in the actual performance of his duties at a definite time and place and without willful negligence on his part, as determined by the medical board.

- (2) Accumulated contributions means the sum of all the amounts credited to a member's individual account in the annuity savings account, together with regular interest thereon, as provided in subsections (a) and (b) of section 37-103.
- (3) Actuarial equivalent means a benefit of equal value when computed at regular interest on the basis of the tables last adopted by the board.
- (4) Annuity means annual retirement payments derived from the accumulated contributions of a member and payable to him for life, with the proviso that if he dies before he has received, in payments of annuity, the amount of his accumulated contributions at retirement, the balance of such amount shall be paid to such person, if any, as he shall have nominated by written designation duly acknowledged and filed with the board, otherwise to his estate.
- (5) Annuity reserve means the present value of all payments to be made on account of annuity or benefit in lieu of an annuity, computed at regular interest on the basis of the tables last adopted by the board.
- (6) Average final compensation means the average annual earnable compensation of a member for the three (3) years of creditable service during which his earnable compensation was highest or, if he has had less than three (3) years of creditable service, then his average annual earnable compensation during his total years of creditable service for persons who became members of the system on or before June 30, 2018.

Average final compensation means the average earnable compensation of a member for the sixty (60) consecutive months of creditable service during which his earnable compensation was highest or, if he has had less than sixty (60) months of creditable service, then his average earnable compensation during his total creditable service, for persons who became members of the system on or after July 1, 2018.

- (7) Beneficiary means any person in receipt of a pension, an annuity, a retirement allowance or other benefits as provided by the system.
- (8) Board means the board of trustees of the system provided for in this chapter to administer the system.
- (9) Council Member means any member of the Norfolk City Council including the Norfolk City Mayor as set forth in Section 5.1 of the Norfolk City Charter.
- (10) Creditable service means membership service, plus prior service or service purchased pursuant to Section 37-43 or 37-47.
- (11) Deferred Retirement Option Program (DROP) means a voluntary retirement incentive program whereby sworn public safety members who have reached their normal service retirement age may, pursuant to Section 37-84, elect to receive a deferred and reduced retirement allowance for a period of up to four (4) years while remaining employed as a public safety officer, and upon termination of the DROP period, receive the deferred allowance as a lump sum in addition to their normal service retirement allowance.
- (12) Disability retirement means ordinary disability retirement pursuant to Section 37-64 or accidental disability retirement pursuant to Section 37-65 wherein the member's retirement eligibility and allowance are based on a member's permanent and total disability to perform his job duties as determined by the medical board.
- (13) Early Service Retirement Age means the age at which a member in service who has not reached his normal service retirement age, but who is within five (5) years of reaching such age; or who has not completed the years of creditable service for normal service retirement, but is within five (5) years of completing such service; may apply to be retired by the board on an early service retirement allowance and receive a deferred or reduced pension allowance in accordance with Section 37-62.
- (14) Earnable compensation means all usual compensation, pay or salary, including compensation, pay or salary for temporary acting

service performed within six (6) years preceding retirement in any certain position for at least thirty (30) consecutive work days, in whatsoever manner paid; without regard for any deduction required by virtue of any employee participating in any voluntary benefit plan authorized by the city for participation by employees. Notwithstanding the foregoing, effective for any fiscal year of the system beginning on or after July 1, 1996, the earnable compensation taken into account by the system shall not exceed the compensation limit under section 401(a)(17) of the Internal Revenue Code of the United States of America and as adjusted by the United States Commissioner of Internal Revenue for increases in the cost of living. If compensation for any prior period is used in determining benefits accrued in any fiscal year, the applicable annual limit (as adjusted) on earnable compensation for such prior period shall be applied. However, the aforementioned limit shall not apply to any employee who became a member of the system prior to July 1, 1996. In no event shall application of the aforementioned annual limit on earnable compensation reduce the accrued benefit of a member of the system below the amount of the member's accrued benefit as of June 30, 1996.

- (15) Effective date of the social security agreement means the effective date the agreement with the secretary of health, education and welfare is signed extending coverage under the Social Security Act to members of the system who are eligible for coverage thereunder.
- (16) Employee means any regular full-time and permanent and permanent part-time officer or employee of the city whose entire compensation is fully paid by the city and shall include policemen and firemen and appointed officials, but shall not include officials elected by the people or the General Assembly of Virginia, unless specifically provided for by the city council, any employee or officers on a periodic or casual part-time, seasonal or temporary employment status or any person providing services to the city pursuant to an agreement, a contract or a lease unless specifically provided for by the city council. For the purpose of this chapter, permanent part-time employees shall be those appointed to positions requiring twenty (20) or more regularly scheduled hours of work

per week, with such length of service during at least thirty-six (36) calendar weeks in a calendar year in order to qualify as a permanent part-time employee for any particular calendar year. Employee shall also include such persons identified in article II of this chapter.

- (17) Former police and fire pension fund means the pension fund for members of the division of police or fire of the former department of public safety of the city, established by an ordinance adopted by the city council on January 8, 1924, as amended, as such fund existed immediately prior to January 1, 1942.
- (18) Funded pension means that portion of a member's service retirement pension payable on account of his creditable membership service on June 30, 1958, plus that percentage of his pension payable on account of his creditable prior service as shall be determined by actuarial valuation as fully funded on such date. There shall be no funded pension in the case of an employee who last became a member after June 30, 1958, unless such member is a beneficiary reinstated in service with credit for service prior to June 30, 1958.
- (19) General member means any member who is not a sworn public safety officer or a City Council member.
- (20) Mandatory Retirement Age means the age at which vested sworn public safety officers, with the exception of the Chief of Police and the Chief of Fire Rescue, shall be retired by the Board pursuant to Section 37-61(b).
- (21) Medical board means the board of physicians provided for in this chapter.
- (22) Member means any person included in the membership of the system.
- (23) Membership service means service as a member for which credit is allowable as provided in section 37-42.
- (24) Normal Service Retirement Age means (i) for persons who became members of the system on or before June 30, 2018, sixty (60) years with at least five (5) years of creditable service or the

age at which thirty (30) years of creditable service have been completed, whichever occurs first, for general employees, and fifty-five (55) years with at least five (5) years of creditable service or the age at which twenty-five (25) years of creditable service have been completed, whichever occurs first, for policemen and firemen; (ii) for persons who became members of the system on or after July 1, 2018, the retirement age as defined under the Social Security Act (42 U.S.C § 416 et seq. and as amended) with at least five (5) years of creditable service or the age at which the sum of creditable service years and age equals ninety (90) for general employees, and (60) years with at least five (5) years of creditable service or age fifty (50) years with twenty-five (25) years of creditable service having been completed, whichever occurs first, for policemen and firemen.

- (25) Ordinary Disability Retirement means the retirement of a member with five (5) or more years of creditable service pursuant to Section 37-64 based on the member's permanent and total mental or physical incapacitation from performing the duties of his job as determined by the medical board.
- (26) Pension means annual payments for life derived from money provided by the city.
- (27) Pension reserve means the present value of all payments to be made on account of a pension, or benefits in lieu of a pension, computed at regular interest on the basis of the tables last adopted by the board.
- (28) Prior service means service rendered prior to January 1, 1942, for which credit is allowable as provided in section 37-43.
- (29) Public Safety Member means any member who is a sworn police officer, sworn firefighter, or Deputy City Manager for Public Safety pursuant to Section 37-85.
- (30) Regular interest means interest at the rates established from time to time by the board as provided in subsection (b) of section 37-105.

- (31) Retirement allowance means the sum of the annuity and pension for policemen and firemen retired prior to January 12, 1971, and general employees retired prior to July 1, 1972; otherwise, the pension. All retirement allowances shall be payable in monthly installments continuing to the last payment after death [and], unless a balance is payable in accordance with subsection (d) of this section, no beneficiary or his estate shall be entitled to any payment unless such beneficiary is alive on the first day of the month, in which case the beneficiary or his estate will be entitled to the retirement allowance for the entire month. When directed by the board, the secretary shall mail all retirement allowance checks on the last working day of each month.
- (32) Service means service as an employee paid for by the city.
- (33) System means the employees' retirement system of the city, as defined in section 37-I.
- (34) Social security benefit means the primary insurance amount, payable as an old age insurance benefit or a disability insurance benefit under Title II of the Social Security Act as in effect at the date of retirement, to which the member shall or would become entitled, irrespective of his failing to make proper application therefor or thereafter engaging in covered employment.
- (35) Trustee means a member of the board of trustees of the system.
- (36) Vested member means a member who will be due a retirement benefit at a future point in time based on his accrual of five (5) or more years of membership service at some time on or after January 1, 1997 or ten (10) or more years of creditable service prior to January 1, 1997, so long as he has not converted his creditable service to another qualifying retirement system.
- (37) Virginia Retirement System or VRS means the public employee retirement system authorized and administered pursuant to Title 51.1 of the Code of Virginia and administered by the Board of Trustees of the Virginia Retirement System for the benefit of qualifying and participating

public employees of the Commonwealth of Virginia and its political subdivisions.

Section 3:- That Section 37-21 of the Norfolk City Code, 1979, is hereby amended to read as follows:

Sec. 37-21. - Generally.

- (a) Any person who becomes an employee eligible to participate in the system on or after January 1, 1942; and prior to January 1, 2022; shall become member of the system as a condition of his employment.
- (b) Any person who is an employee on January 1, 1942, shall become a member of the system as of such date, unless prior thereto he shall file with the board, on form prescribed by the board, a notice, of his election not to be covered in the membership of the system and a duly executed waiver of all present and prospective benefits which would otherwise inure to him as a member.
- (c) Any employee whose membership in the system is contingent on his own election and who elects not to become a member may thereafter apply for and be admitted to membership, but no such employee shall receive prior service credit, unless he becomes a member on or before January 1, 1943.
- (d) The board shall maintain in its records the name, title, compensation, duties, date of birth and length of service of each member, and such information regarding other employees as the board may require, and on the basis thereof the board shall classify each member, either as a "general employee" or as a "policeman" or "fireman."
- (e) Should any member, except one who elects to have his interest vested pursuant to subsection (c) of section 37-74, if he meets the service requirement for such vesting, be absent from service more than five (5) years in any period of six (6) consecutive years, or should any member withdraw his accumulated contributions or die or retire under the provisions of this chapter, he shall thereupon cease to be a member.
- (f) In the event any member of the retirement system, who is appointed by a board, commission or other body or person, other than the city manager,



shall fail or refuse to retire from the service of the city at the time and as now or hereafter provided by the system, or after his retirement accept appointment or employment to a position covered by the system, such member shall ipso facto cease to be a member of the system, and thereafter shall not be entitled to any of the benefits prescribed by the system, but shall be entitled to have his accumulated contributions refunded to him.

- (g) The provisions of this Chapter shall not apply to employees hired or rehired on or after January 1, 2022 or to members who on or after January 1, 2022 elect to become members of the Virginia Retirement System pursuant to Section 37-46.

Section 4:- That Section 37-26.1 of the Norfolk City Code, 1979, is hereby amended to read as follows:

Sec. 37-26.1. - Special project employees.

- (a) Notwithstanding any other provisions of this chapter, on and after January 1, 1982, special project employees, as defined in section 2.1-10 of this Code, who have completed two (2) consecutive years of service with the city on said date, and special project employees after said date when they complete either two (2) consecutive years of service prior to January 1, 2022; or a shorter period if authorized by council or the city manager pursuant to section 114.1 of the Charter or chapter 2.1 of the City Code, as amended, shall become members of the employees' retirement system of the city. No prior service credits shall be allowed for special project employment.
- (b) The director of the department of human resources shall certify to the executive secretary of the retirement system every special project employee who on January 1, 1982, is eligible to become a member of the system pursuant to the provisions of this section and shall thereafter notify the executive secretary of the employees' retirement system as each special project employee becomes eligible for membership. The director's notice shall include a copy of the ordinance or city manager's writing that created the employment.

Section 5:- That Section 37-41 of the Norfolk City Code, 1979, is hereby amended and reordained to read as follows:

Sec. 37-41. - What constitutes.

Creditable service at retirement on which the retirement allowance of a member shall be based shall consist of their membership service credit, and also, if the member has a prior service certificate which is in full force and effect, the amount of the service certified on their prior service certificate. In addition to the foregoing, and notwithstanding any applicable cap on the creditable service or retirement allowance of the member set forth in Section 37-61(c) or (d), each member shall receive as creditable service one hundred (100) percent of the accumulated unused sick leave at the time of their retirement; provided, however, that in the case of firefighters, each shall receive, as creditable service, one hundred (100) percent of forty-six (46) percent of the unused sick leave accumulated prior to July 1, 1985, and one hundred (100) percent of unused sick leave accumulated on and after July 1, 1985, at the time of retirement. Except for firefighters the foregoing percentages shall be computed on a twenty-two (22) work-day month.

Section 6:- That Section 37-45 of the Norfolk City Code, 1979, is hereby amended and reordained to read as follows:

Sec. 37-45. Restoration of creditable service upon re-enrollment after service terminated.

- (a) Subject to the following requirements, a member whose service with the city was terminated for any reason other than retirement under the provisions of this chapter shall be re-enrolled as a member upon their re-enrollment as an employee. After being credited with five (5) years of creditable service in the system or upon attaining his normal service retirement age as defined in subsection 37-61(a), the creditable service of such member, as of the date of his last termination of service, shall be restored to him; provided, that if he did not have five (5) or more years of creditable service at the time of said termination, only the creditable service rendered during his continuous employment with the city immediately prior to such termination shall be restored to him; and further provided that, if he elected to withdraw his contributions with interest thereon, no creditable service shall be restored to him unless he repays, in a lump sum not later than the date of his retirement, subject to such conditions as the board may prescribe, the amount withdrawn as

contributions. If such contributions are repaid no later than the last day of the calendar month coincident with or next following the expiration of three (3) months from September 30, 1975, or the date of his re-enrollment, whichever is later, such contributions shall be paid to the member in accordance with the provisions of this chapter.

- (b) The provisions of this section shall not apply to former members hired or rehired on or after January 1, 2022.

Section 7:- That Section 37-46 of the Norfolk City Code, 1979, is hereby amended and reordained to read as follows:

Sec. 37-46. Portability of service between the system, certain political subdivisions of the commonwealth and the Virginia Retirement System.

- (a) The system shall endeavor to enter into agreements (portability agreements) with the Virginia Retirement System and any political subdivisions of the commonwealth which has a defined benefit plan that is not supplemental to the Virginia Retirement System ("independent plan") permitting vested members to purchase service credit in each other's systems (portability).
- (b) The portability agreements shall be in accordance with Code of Virginia sections 51.1-801.1 and 51.1-143.1, and before the system enters into any such portability agreements, it shall be approved as to form and correctness by the city attorney, be approved for contents by the city manager, and approved by city council.
- (c) In the implementation of this section, the city manager shall have the authority and responsibility to render such assistance as the system requires.
- (d) During the period of January 1, 2022 through December 31, 2022, members may elect to become members of the Virginia Retirement System. Members who elect to join VRS during this period may elect to convert one hundred (100) percent of their creditable service to service credit in the Virginia Retirement System on such terms and conditions as the Virginia Retirement System may prescribe.

Section 8:- That Section 37-61 of the Norfolk City Code, 1979, is hereby amended and reordained to read as follows:

Sec. 37-61. Normal service retirement age and allowance.

- (a) For persons who became members of the system on or before June 30, 2018, the normal service retirement age shall be sixty (60) years with at least five (5) years of creditable service or the age at which thirty (30) years of creditable service have been completed, whichever occurs first, for general employees, and the normal service retirement age shall be fifty-five (55) years with at least five (5) years of creditable service or the age at which twenty-five (25) years of creditable service have been completed, whichever occurs first, for policemen and firemen and paramedic employees (for the purpose of this section 37-61, paramedic employee shall mean any member of the division of paramedical services of the department of fire and paramedical services whose primary and usual duties routinely involve the rendering of emergency medical care).

For persons who became members of the system on or after July 1, 2018, the normal service retirement age shall be the retirement age as defined under the Social Security Act (42 U.S.C § 416 et seq. and as amended) with at least five (5) years of creditable service or the age at which the sum of creditable service years and age equals ninety (90) for general employees and the normal service retirement age shall be sixty (60) years with at least five (5) years of creditable service or age fifty (50) years with twenty-five (25) years of creditable service having been completed, whichever occurs first, for policemen, firemen and paramedic employees (for the purpose of this section 37-61, paramedic employee shall mean any member of the division of paramedical services of the department of fire and paramedical services whose primary and usual duties routinely involve the rendering of emergency medical care).

Any member in service who has attained his normal service retirement age shall be retired by the board on a normal service retirement allowance, upon his written application setting forth at what time, not less than thirty (30) nor more than ninety (90) days next following the

execution and filing thereof, he desires to be retired, notwithstanding that during such period of notification he may have separated from service.

- (b) Any member in service who has attained age sixty-five (65), if he is a policeman or fireman, shall be retired forthwith by the board on a service retirement allowance. The provisions of this section shall not apply to the chief of police as defined at Charter section 60 and City Code section 33-22 or to the chief of fire rescue as defined at Charter section 62 and City Code section 17.1-2.
- (c) The normal service retirement allowance of a general employee who became a member of the system on or before June 30, 1980, shall consist of a pension equal to two (2) percent of his average final compensation multiplied by the number of years of creditable service up to a maximum of thirty-five (35) years of creditable service (i.e., thirty-five (35) years serves as a cap on the amount of normal service retirement allowance).  
The normal service retirement allowance of a general employee who became a member of the system subsequent to June 30, 1980, shall consist of a pension equal to 1.75 percent of his average final compensation, multiplied by the number of years of creditable service up to a maximum of thirty-five (35) years of creditable service (i.e., thirty-five (35) years serves as a cap on the amount of normal service retirement allowance).
- (d) The normal service retirement allowance of a policeman, fireman or paramedic employee shall consist of a pension equal to 2.5 percent of his average final compensation multiplied by the number of years of creditable service up to a maximum of sixty-five (65) percent of average final compensation.
- (e) Reserved.
- (f) The board may, on its own motion, pay a retirement benefit to a former member not in service, if such member was otherwise entitled to a retirement benefit at the time he separated from service and was not in a disciplinary status or under suspension at that time. Such benefit to be effective on the first of the month following the member's removal from the payroll.
- (g)-(k) Reserved.
- (l) On or after January 1, 1997, permanent part-time employees shall be members of the system. Upon

the completion of five (5) years of creditable service as defined by this paragraph, such members shall be entitled to benefits of the system based on creditable service earned and compensation in proportion to which their annual hours bear to the compensation of full-time employees.

- (1) Creditable service for permanent part-time employees shall be a fraction of one year of service, the numerator of which is the number of hours scheduled for the permanent part-time employees for the year and the denominator of which is the number of hours scheduled for a full-time employee for the year. Creditable service earned by permanent part-time employees shall be calculated in this manner on an annual basis or at the time they cease to be a member of the system to determine whether the employee has earned five (5) years of creditable service necessary to receive a benefit upon retirement.  
Earnable compensation for each full calendar year of permanent part-time employment shall be the annualized base compensation of the permanent part-time employee determined by multiplying such employee's rate of pay by the number of hours scheduled for a full-time employee for the year. Average final compensation for permanent part-time employees shall be determined in the manner set forth in Section 37-2.
  - (2) Any employee who transfers from full-time to permanent part-time status; transfers from permanent part-time to full-time status; or retires while in permanent part-time status, shall receive membership service as determined in paragraph (1) for any period of permanent part-time employment.
  - (3) All other provisions of this chapter applicable to general employees who became members on or after January 1, 1997, and not inconsistent with this subparagraph (1), shall apply to permanent part-time employees who became members of the system on or after January 1, 1997.
- (m) Any member serving on the council of the City of Norfolk on July 1, 1995, but not serving on July 1, 2001, shall maintain the normal service retirement allowance for their creditable service which was in effect at the time of their

retirement from the council of the City of Norfolk.

- (n) For persons serving on the council of the City of Norfolk who became members of the system on or before June 30, 2018, the normal service retirement age shall be fifty-five (55) years with at least five (5) years of creditable service or the age at which twenty-five (25) years of creditable service has been completed, whichever occurs first. For persons serving on the council of the City of Norfolk who became members of the system on or after July 1, 2018, the normal service retirement age shall be sixty (60) years with at least five (5) years of creditable service or age fifty (50) years with twenty-five (25) years of creditable service having been completed, whichever occurs first. Any member serving on the council of the City of Norfolk on or after July 1, 2001, shall have a normal service retirement allowance of 2.5 percent of his average final compensation multiplied by the number of his years of creditable service up to a number of years of creditable service which would allow his normal retirement allowance to equal up to sixty-five (65) percent of his average final compensation.

- (o) Members of the employees' retirement system of the city who have fifteen (15) years of creditable service with the city are eligible upon retirement to elect to participate in the health care insurance benefit plans available to employees of the City until such time as the member reaches the age defined as the normal age of eligibility for Medicare pursuant to 42 U.S. Code § 1395c, as amended. In addition, and notwithstanding the above, the following members shall also be eligible for the benefit regardless of the length of their creditable service: (1) council members serving on or after April 30, 2010; (2) city officers appointed to their positions pursuant to the charter; (3) employees in the department of law who are city attorneys; and (4) city employees identified as executive in the annual compensation plan ordinance and its attachments.

Within thirty days of the member's retirement; or, within thirty days of a qualifying event whereby the member is no longer enrolled as a dependent beneficiary of a health care insurance benefit available to employees of the city or an affiliated agency who participates in the city's health care insurance plan; the member shall

elect to enroll in the health care insurance benefit plan by communicating their election to the department of human resources. The member shall be responsible for payment of the full premium cost of the plan less any supplement authorized by the city council in its annual budget or other ordinance. Once enrolled, the member shall remain eligible to participate in the health care insurance plan until such time as the member disenrolls or reaches the age defined as the normal age of eligibility for Medicare pursuant to 42 U.S. Code § 1395c.

Section 9:- That Section 37-96 of the Norfolk City Code, 1979, is hereby amended and reordained to read as follows:

Sec. 37-96. Board of trustees generally.

- (a) The general administration and management and the responsibility for the proper operation of the system and for making effective the provision[s] of this chapter are hereby vested in the board of trustees of the system. The board of trustees of the system shall have discretionary authority to determine eligibility for benefits and to construe the terms of this plan (for judicial review, an abuse of discretion standard of review should apply).
- (b) The board shall consist of ten (10) trustees, as follows: The city manager, ex officio; the director of finance, ex officio; and eight (8) trustees appointed by the city council.
- (b) Of the eight (8) trustees appointed by the city council, one member shall be an employee in the department of police or the department of fire, one shall be an employee of some department of the city other than the department of police or the department of fire, four (4) shall be citizens of the city, none of whom shall be members of the system and one of whom may be a retiree and two (2) shall be citizens of the city, each of whom shall be a responsible officer of a bank authorized to do business within the commonwealth, or who shall be experienced in the investment of funds, and neither of whom shall be a member of the system.



- (d) The terms of office of all appointed trustees shall be for four (4) years. If a vacancy occurs in the office of a trustee, the vacancy shall be filled for the unexpired term in the same manner as the office was previously filled.
- (e) The trustees shall serve as such without compensation.
- (f) Each trustee shall, within ten (10) days after his appointment, take the oath of office prescribed by the Charter for city officers. [3]
- (g) Each trustee shall be entitled to one vote in the board. Five (5) concurring votes shall be necessary for a decision by the trustees at any meeting of the board, and five (5) trustees shall constitute a quorum of the board.
- (h) Subject to the limitations of this chapter, the board shall, from time to time, establish rules and regulations for the administration of the system and for the transaction of its business.
- (i) The board shall elect from its membership a chairman and a vice-chairman and shall appoint a secretary, who may or may not be a member of the board. The board may employ such actuarial, medical and other services as shall be required.
- (j) The board shall keep in convenient form such data as shall be necessary for actuarial valuation of the system and for checking the experience of the system.
- (k) The city manager shall provide staff to execute the administrative functions of the system, including but not limited to an executive director who shall be an unclassified officer of the city and who shall report to the director of finance. The executive director may serve as the secretary of the board and shall perform other duties designated by the board and consistent with this chapter.

Section 10:- That this ordinance shall be in effect from and after the date of its adoption.

**ADOPTED BY COUNCIL JULY 13, 2021**  
**EFFECTIVE JULY 13, 2021**