



December 3, 2019 9:00 am

1. Call to Order by Mayor Jonathan McCollar
2. Invocation and Pledge of Allegiance by Councilman Sam Jones
3. Recognitions/Public Presentations:
 - A) A Presentation by the Georgia Department of Community Affairs downtown Statesboro with a GEMS award, "Georgia Exceptional Main Street"
 - B) Bulloch County Alcohol & Drug Council Presentation of Recognition from the Governor for TIPS instructors in Statesboro Georgia, Eric Short and Jeff Thompson.
4. Public Comments (Agenda Item):
5. Consideration of a Motion to approve the Consent Agenda
 - A) Approval of Minutes
 - a) 11-19-2019 Mayor and Council Work Session Minutes
 - b) 11-19-20109 Council Minutes
6. Second reading and consideration of a motion to approve **Ordinance 201-12**: An Ordinance amending Chapter 38 of the Statesboro Code of Ordinances adding Article VII and establishing the Community Redevelopment Tax Incentive Program
7. Consideration of a Motion to Approve **Ordinance 2019-13**: An Ordinance restating the retirement plan for the City of Statesboro Employees under the Georgia Municipal Employee Benefit System (GMEBS).
8. Consideration of a Motion to Approve **Resolution 2019-39**: A Resolution authorizing the opening of a separate bank account for the 2019 SPLOST.
9. Consideration of a Motion to Adopt **Resolution #2019-40**: a Resolution approving the City of Statesboro's proposed FY2020 Street Resurfacing List, and further authorizing the Mayor to execute the GDOT Local Maintenance Improvement Grant (LMIG) Application. GDOT will allocate \$328,952.80 to the City of Statesboro from the grant which requires 30% matching funds (\$98,685.84). The matching funds will be provided from 2018 TSPLOST Funds.
10. Consideration of a Motion to Approve the purchase of four new Dispatch Consoles as well as the Fiber Optic Line.

11. Consideration of a Motion for Award of Bid to Blanchard Equipment for purchase of a 2020 John Deere 5100M 4x4 Utility Tractor in the amount of \$70,311.02. This item will be purchased with funds from the 2018 TSPLOST.
12. Consideration of a Motion to Approve the conversion of excess vacation leave to sick leave beginning in 2019 and make the new policy retroactive for 2018.
13. Other Business from City Council
14. City Managers Comments
15. Public Comments (General)
16. Consideration of a Motion to enter into Executive Session to discuss “Personnel Matters” “Real Estate” and/or “Potential Litigation” in accordance with O.C.G.A 50-14-3(b)
17. Consideration of a Motion to Adjourn



STATE OF GEORGIA
OFFICE OF THE GOVERNOR
ATLANTA 30334-0090

Brian P. Kemp
GOVERNOR

28 October 2019

Dear Mr. Eric Short,

I am writing to express my appreciation for your good citizenship and your hard work in helping to prevent alcohol-related incidents in our state.

Your contributions through the Training for Intervention Procedures help prevent intoxication and related injuries and help decrease the risk of tragedies related to drunk driving and underage drinking. The efforts of citizens like you underscore the grassroots value of community service.

Thank you for working to reduce the unnecessary loss of human potential; I salute you for your involvement with the Training for Intervention Procedures and your commitment to make Georgia a safer place to live.

Sincerely,

A handwritten signature in black ink, appearing to read "B. P. Kemp".

Governor Brian P. Kemp



STATE OF GEORGIA
OFFICE OF THE GOVERNOR
ATLANTA 30334-0090

Brian P. Kemp
GOVERNOR

28 October 2019

Dear Mr. Jeff Thompson,

I am writing to express my appreciation for your good citizenship and your hard work in helping to prevent alcohol-related incidents in our state.

Your contributions through the Training for Intervention Procedures help prevent intoxication and related injuries and help decrease the risk of tragedies related to drunk driving and underage drinking. The efforts of citizens like you underscore the grassroots value of community service.

Thank you for working to reduce the unnecessary loss of human potential; I salute you for your involvement with the Training for Intervention Procedures and your commitment to make Georgia a safer place to live.

Sincerely,

A handwritten signature in black ink that reads "B. Kemp".

Governor Brian P. Kemp



CITY OF STATESBORO
MAYOR & COUNCIL WORK SESSION MINUTES
NOVEMBER 19, 2019

A Work Session of the Statesboro City Council was held on November 19, 2019 at 4:00 p.m. at Joe Brannen Hall, 58 East Main Street. Present was Mayor Jonathan McCollar; Council Members: Phil Boyum, Sam Lee Jones, Jeff Yawn, John Riggs and Derek Duke. Also present was City Clerk Leah Harden, City Attorney Cain Smith, City Manager Charles Penny.

The meeting was called to order by Mayor Jonathan McCollar.

1. Quarterly Financial Report

Director of Finance Cindy West reviewed with Mayor and Council FY2020 First Quarter Financial report.

2. Water & Sewer Bond Refunding

City Manager Charles Penny presented to Mayor and Council the cost savings to obtaining bank refinancing versus reissuing of the bonds. Davenport our financial advisor believes bank financing will have potential savings to the City between the amounts of \$1.2 and \$1.6 million. The refinancing would include the Series 2010 Water and Sewer Revenue Bonds and the four outstanding GEFA loans.

3. Insurance Report – NFP Johnathan Shaw

Johnathan Shaw with NFP presented to Mayor and Council the City of Statesboro 2019 Financial review regarding medical and prescription claims. He stated medical claims are on a downward trend where prescription claims are increasing. With the two combined the City has a savings of close to \$1 million since changing from IBG to Anthem BCBS.

4. Blight Tax

City Manager Charles Penny stated Code Enforcement would need to be in place to enforce this Ordinance. He stated the properties that fit the criteria of being blighted would be presented to Council for approval to move forward with the process. If approved it would then go to municipal court for enforcement. The process for any property would be twelve months. If the property is remediated there would be an abatement on the property taxes of 50 percent. It would be up to Council to set the multiplier on blighted properties and to set the abatement on properties that have been remediated.

5. Presentation of Resurfacing Methodology

Director of Public Works and Engineering John Washington presented to Mayor and Council the street resurfacing program and assessment process. He further explained the Local Maintenance and Improvement Grant (LMIG) by Georgia Department of Transportation (GDOT) provides the City with \$300,000 for street resurfacing. The city uses these funds to supplement the Street Resurfacing Budget. After an evaluation of the city streets pavement conditions, the Engineering Department staff compile a list of streets in need of resurfacing. After approval from Council the

list of streets along with the grant application is submitted to GDOT, this application needs to be submitted in December for the City to receive these funds.

6. Public Safety Report – 2018

a. Fire

b. Police

Fire Chief Tim Grams presented reports to Mayor and Council regarding the number of calls for service for the 2018 year. The reports included non-emergency calls for service & fire prevention activities and fire calls.

Police Chief Mike Broadhead presented to Mayor and Council the Statesboro crime stats. The reports included violent crime, firearm crime, stolen firearms, and burglary and case reports taken. Chief Broadhead stated we are on a downward trend of violent crime and burglary.

The meeting was adjourned at 5:10 pm



CITY OF STATESBORO
COUNCIL MINUTES
November 19th, 2019

Regular Meeting

50 E. Main St. City Hall Council Chambers

5:30 PM

1. **CALL TO ORDER**

Mayor Jonathan McCollar called the meeting to order

2. **INVOCATION AND PLEDGE**

Councilman Phil Boyum gave the Invocation and Pledge of Allegiance.

ATTENDENCE

Attendee Name	Title	Status	Arrived
Jonathan McCollar	Mayor	Present	
Phil Boyum	Councilmember	Present	
Sam Jones	Councilmember	Present	
Jeff Yawn	Councilmember	Present	
John Riggs	Councilmember	Present	
Derek Duke	Councilmember	Present	

Other staff present was: City Manager Charles Penny, Assistant City Manager Jason Boyles, City Attorney Cain Smith and City Clerk Leah Harden.

3. **Recognitions/Public Presentations:** None

4. **Public Comments (Agenda Item):** None

5. **Consideration of a Motion to approve the Consent Agenda**

A) **Approval of Minutes**

a) **11-05-2019 Council Minutes**

b) **11-05-2019 Executive Session Minutes**

A motion was made to approve the consent agenda

RESULT:	Approved (Unanimous)
MOVER:	Councilman Jeff Yawn
SECONDER:	Councilman John Riggs
AYES:	Boyum, Jones, Yawn, Riggs, Duke
ABSENT	

6. **Second Reading and Consideration of a Motion to approve Ordinance 2019-11: An Ordinance amending Article XV of Appendix A of the Statesboro Code of Ordinances specifically amending 1506 (f) regarding illuminated signs in the downtown district.**

A motion was made to approve **Ordinance 2019-11: An Ordinance amending Article XV of Appendix A of the Statesboro Code of Ordinances.**

RESULT:	Approved (Unanimous)
MOVER:	Councilman Phil Boyum
SECONDER:	Councilman Jeff Yawn
AYES:	Boyum, Jones, Yawn, Riggs, Duke
ABSENT	

7. **Public Hearing and First reading of proposed Ordinance 2019-12: An Ordinance amending Chapter 38 of the Statesboro Code of Ordinances adding Article VII and establishing the Community Redevelopment Tax Incentive Program**

A motion was made to open the Public Hearing

RESULT:	Approved (Unanimous)
MOVER:	Councilman John Riggs
SECONDER:	Councilman Phil Boyum
AYES:	Boyum, Jones, Yawn, Riggs, Duke
ABSENT	

City Attorney Cain Smith gave an overview of the Ordinance.

Marcus Toole with Bulloch County Habitat for Humanity spoke in favor of the Ordinance.
No one spoke against the request.

A motion was made to close the Public Hearing

RESULT:	Approved (Unanimous)
MOVER:	Councilman Jeff Yawn
SECONDER:	Councilman John Riggs
AYES:	Boyum, Jones, Yawn, Riggs, Duke
ABSENT	

A motion was made to approve the first reading of Ordinances 2019-12 with Section 38-165 using the alternative method which is 3 years of decreased rate of taxation, also removing any reference to residential and commercial from Sections, 38-165, 38-162 replacing with “on all properties” and definitions for residential and commercial to be removed from Section 38-161

RESULT:	Approved (Unanimous)
MOVER:	Councilman Phil Boyum
SECONDER:	Councilman Derek Duke
AYES:	Boyum, Jones, Yawn, Riggs, Duke
ABSENT	

8. Public Hearing and Consideration of a Motion to Approve: APPLICATION V 19-10-01: Brent Watts requests a variance from Article VIII, Section 801(P) regarding the placement of apartment units on the first floor of a building in the Central Business District for 0.20 acres of property located at 9 Hill Street (Tax Parcel S28 000005 000).

A motion was made to open the Public Hearing

RESULT:	Approved (Unanimous)
MOVER:	Councilman Phil Boyum
SECONDER:	Councilman Derek Duke
AYES:	Boyum, Jones, Yawn, Riggs, Duke
ABSENT	

No one spoke for or against the application.

A motion was made to close the Public Hearing

RESULT:	Approved (Unanimous)
MOVER:	Councilman Jeff Yawn
SECONDER:	Councilman Phil Bouym
AYES:	Boyum, Jones, Yawn, Riggs, Duke
ABSENT	

A motion was made to approve Application V 19-10-01:

RESULT:	Approved (Unanimous)
MOVER:	Councilman Jeff Yawn

SECONDER:	Councilman Phil Boyum
AYES:	Boyum, Jones, Yawn, Riggs, Duke
ABSENT	

9. **Public Hearing and Consideration of a Motion to Approve: APPLICATION V 19-10-03: HSE Permit Solutions requests a variance from Article XV, Section 1509(C), Table 5 regarding the maximum square footage of building signs in Sign District 3 for 2.10 acres of property located at 427 South Main Street (Tax Parcel S21 000021 000).**

A motion was made to open the Public Hearing:

RESULT:	Approved (Unanimous)
MOVER:	Councilman Jeff Yawn
SECONDER:	Councilman Derek Duke
AYES:	Boyum, Jones, Yawn, Riggs, Duke
ABSENT	

Ted Hasberk, general manager for Holiday Inn Express spoke in favor of the application request.
A motion was made to close the Public Hearing

RESULT:	Approved (Unanimous)
MOVER:	Councilman Derek Duke
SECONDER:	Councilman John Riggs
AYES:	Boyum, Jones, Yawn, Riggs, Duke
ABSENT	

A motion was made to approve Application V 19-10-03:

RESULT:	Approved (Unanimous)
MOVER:	Councilman Phil Boyum
SECONDER:	Councilman Jeff Yawn
AYES:	Boyum, Jones, Yawn, Riggs, Duke
ABSENT	

**10. Public Hearing and Consideration of a Motion to Approve: APPLICATION SE 19-10-04:
 Barbara W. Lee requests a special exception for 0.09 acres of property located at 380 Johnson Street to utilize a portion of the existing building as a beauty shop in the R-8 (Single Family Residential) zoning district (Tax Parcel MS40 000030 001).**

A motion was made to open the Public Hearing:

RESULT:	Approved (Unanimous)
MOVER:	Councilman Derek Duke
SECONDER:	Councilman Jeff Yawn
AYES:	Boyum, Jones, Yawn, Riggs, Duke
ABSENT	

No one spoke for or against the application.

A motion was made to close the Public Hearing:

RESULT:	Approved (Unanimous)
MOVER:	Councilman Jeff Yawn
SECONDER:	Councilman John Riggs
AYES:	Boyum, Jones, Yawn, Riggs, Duke
ABSENT	

A motion was made to approve Application V 19-10-04:

RESULT:	Approved (Unanimous)
MOVER:	Councilman Sam Jones
SECONDER:	Councilman Derek Duke
AYES:	Boyum, Jones, Yawn, Riggs, Duke
ABSENT	

11. Public Hearing and Consideration of a Motion to Approve:

- A) APPLICATION V 19-10-09: West District Development, LLC requests a variance from Article XXX, Section 3008(A)(e) regarding exterior building materials within the Downtown District for 0.166 acres of property located on South College Street (Tax Parcel S19 000001 002).**

- B) APPLICATION CBD 19-10-05: West District Development, LLC requests approval of the proposed architectural drawings submitted for 0.166 acres of property located on South College Street, which is located in the Central Business District (CBD). Per Article VIII, Section 803, development in the CBD zoning district requires a recommendation from City Council to affirm that the plans will keep in mind the integrity and harmony of the Central Business District (Tax Parcel S19 000001 002).**

A motion was made to open the Public Hearing:

RESULT:	Approved (Unanimous)
MOVER:	Councilman Jeff Yawn
SECONDER:	Councilman John Riggs
AYES:	Boyum, Jones, Yawn, Riggs, Duke
ABSENT	

Josh Whitfield spoke in favor of the application request. No one spoke against.

A motion was made to close the Public Hearing:

RESULT:	Approved (Unanimous)
MOVER:	Councilman Jeff Yawn
SECONDER:	Councilman Derek Duke
AYES:	Boyum, Jones, Yawn, Riggs, Duke
ABSENT	

A motion was made to Approve Applications V 19-10-09 & CBD 19-10-05:

RESULT:	Approved (Unanimous)
MOVER:	Councilman Jeff Yawn
SECONDER:	Councilman Sam Jones
AYES:	Boyum, Jones, Yawn, Riggs, Duke
ABSENT	

12. Public Hearing and Consideration of a Motion to Approve:

- A) APPLICATION V 19-10-10: West District Development, LLC requests a variance from Article XXX, Section 3008(A)(e) regarding exterior building materials within the Downtown District for 0.112 acres of property located on South College Street (Tax Parcel S19 000001 006).**
- B) APPLICATION CBD 19-10-06: West District Development, LLC requests approval of the proposed architectural drawings submitted for 0.112 acres of property located on South College Street, which is located in the Central Business District (CBD). Per Article VIII, Section 803, development in the CBD zoning district requires a recommendation from City Council to affirm that the plans will keep in mind the integrity and harmony of the Central Business District (Tax Parcel S19 000001 006).**

A motion was made to open the Public Hearing:

RESULT:	Approved (Unanimous)
MOVER:	Councilman Jeff Yawn
SECONDER:	Councilman Phil Boyum
AYES:	Boyum, Jones, Yawn, Riggs, Duke
ABSENT	

No one spoke for or against the applications.

A motion was made to close the Public Hearing:

RESULT:	Approved (Unanimous)
MOVER:	Councilman John Riggs
SECONDER:	Councilman Derek Duke
AYES:	Boyum, Jones, Yawn, Riggs, Duke
ABSENT	

A motion was made to approve Applications V 19-10-10 & CBD 19-10-06:

RESULT:	Approved (Unanimous)
MOVER:	Councilman John Riggs
SECONDER:	Councilman Jeff Yawn
AYES:	Boyum, Jones, Yawn, Riggs, Duke
ABSENT	

13. Public Hearing and Consideration of a Motion to Approve: APPLICATION CUV 19-10-07: Paula Becker requests a conditional use variance from Article VII-A of the Statesboro Zoning Ordinance for 0.21 acres of property located at 109 Broad Street to utilize the property as an addiction recovery community residence in the R-6 (Single Family Residential) zoning district (Tax Parcel S29 000073 000).

Mayor McCollar stated this agenda item has been removed from the agenda as the applicant has withdrawn this application.

14. Public Hearing and Consideration of a Motion to Approve: APPLICATION V 19-10-08: Richard Haynes requests a variance from Article IV, Section 403(A) to reduce the minimum lot size requirements for property to be considered for the R-20 (Single Family Residential) zoning district in order to develop an additional single family residence on 0.82 acres of property located at 103 Niver Road (Tax Parcel MS50 000044 000).

A motion was made to open the Public Hearing:

RESULT:	Approved (Unanimous)
MOVER:	Councilman John Riggs
SECONDER:	Councilman Jeff Yawn
AYES:	Boyum, Jones, Yawn, Riggs, Duke
ABSENT	

No one spoke for or against the application.

A motion was made to close the Public Hearing:

RESULT:	Approved (Unanimous)
MOVER:	Councilman John Riggs
SECONDER:	Councilman Derek Duke
AYES:	Boyum, Jones, Yawn, Riggs, Duke
ABSENT	

A motion was made to approve Application V19-10-08:

RESULT:	Approved (Unanimous)
MOVER:	Councilman Sam Jones
SECONDER:	Councilman Phil Boyum
AYES:	Boyum, Jones, Yawn, Riggs, Duke
ABSENT	

15. Consideration of a Motion to Approve Resolution 2019-37: A Resolution Adopting a Language Access Plan for the 2019 Community Development Block Grant project.

A motion was made to approve Resolution 2019-37 adopting a Language Access Plan for the 2019 Community Development Block Grant project.

RESULT:	Approved (Unanimous)
MOVER:	Councilman Sam Jones
SECONDER:	Councilman John Riggs
AYES:	Boyum, Jones, Yawn, Riggs, Duke
ABSENT	

16. Consideration of a Motion to approve Resolution 2019-38: A Resolution approving application for the Bloomberg Philanthropies Asphalt Art Innovative Grant Program.

A motion was made to approve Resolution 2019-38 for application to the Bloomberg Philanthropies Asphalt Art Innovative Grant Program.

RESULT:	Approved (Unanimous)
MOVER:	Councilman Phil Boyum
SECONDER:	Councilman Jeff Yawn
AYES:	Boyum, Jones, Yawn, Riggs, Duke
ABSENT	

17. Consideration of a Motion to approve the positions of Public Information Officer and an Assistant to the City Manager.

A motion was made to approve the positions of Public Information Officer and an Assistant to the City Manager and to remove the position of the second Assistant City Manager.

RESULT:	Approved (Unanimous)
MOVER:	Councilman Jeff Yawn
SECONDER:	Councilman John Riggs
AYES:	Boyum, Jones, Yawn, Riggs, Duke
ABSENT	

18. **Other Business from City Council: None**

19. **City Managers Comments**

City Manager Charles Penny introduced to Mayor and Council the new Director for Public Work and Engineering John Washington and the new Director for Human Resources Demetrius Bynes.

20. **Public Comments (General):** None

21. **Consideration of a Motion to enter into Executive Session to discuss “Personnel Matters” “Real Estate” and/or “Potential Litigation” in accordance with O.C.G.A. 50-14-3(b).**

No Executive Session was held.

22. **Consideration of a Motion to Adjourn**

A motion was made adjourn the meeting.

RESULT:	Approved (Unanimous)
MOVER:	Councilman John Riggs
SECONDER:	Councilman Jeff Yawn
AYES:	Boyum, Jones, Yawn, Riggs, Duke
ABSENT	

The meeting was adjourned at 6:20 pm.

Jonathan McCollar, Mayor

Leah Harden, City Clerk

CITY OF STATESBORO

COUNCIL

Phillip A. Boyum
Sam Lee Jones
Jeff B. Yawn
John C. Riggs
Derek Duke



Jonathan M McCollar, Mayor
Charles Penny, City Manager
Leah Harden, City Clerk
Cain Smith, City Attorney

50 EAST MAIN STREET • P.O. BOX 348
STATESBORO, GEORGIA 30459-0348

To: Charles Penny, City Manager and Leah Harden, City Clerk

From: Cain Smith, City Attorney

Date: November 22, 2019

RE: December 3, 2019 City Council Agenda Items

Policy Issue: *Second reading and consideration of proposed amendment to Chapter 38 of the Statesboro Code of Ordinances adding Article VII and establishing the Community Redevelopment Tax Incentive Program*

Recommendation: N/A

Background: On November 19, 2019 Council passed attached draft's first reading 5-0.

Budget Impact: TBD

Council Person and District: All

Attachments: Proposed amendment

Ordinance 2019-12:

Statesboro, Georgia, Code of Ordinances – Community Redevelopment Tax Incentive Program

Chapter 38, Article VII. – COMMUNITY REDEVELOPMENT TAX INCENTIVE PROGRAM

Section 38-160 – Purpose.

Section 38-161 – Definitions.

Section 38-162 – Levy of increase ad valorem tax on blighted real property.

Section 38-163 – Official identification of property maintained in blighted condition.

Section 38-164 – Remediation or redevelopment to remove designation of blighted condition.

Section 38-165 – Decreased rate of taxation to be applied after successful remedial action or redevelopment of blighted property.

Section 38-166 – Duty of code official to provide notice to county tax commissioner.

Section 38-160 – Purpose.

The existence of real property which is maintained in a blighted condition increases the burden of the state and local government by increasing the need for government services, including but not limited to social services, public safety services, and code enforcement services. Rehabilitation of blighted property decreases this need for such government services.

In furtherance of its objective to eradicate conditions of slum and blight within the City, the Mayor and Council in exercise of the powers granted to municipal corporations at Chapter 61, Urban Redevelopment, of Title 36 of the Official Code of Georgia Annotated, has designated those areas of the City where conditions of slum and blight are found or are likely to spread.

In recognition of the need for enhanced governmental services and in order to encourage private property owners to maintain their real property and the buildings, structures and improvement thereon in good condition and repair, and as an incentive to encourage community redevelopment, a community redevelopment tax incentive program is hereby established as authorized by Article IX, Section II, Paragraph VII(d) of the 1983 Constitution of the State of Georgia.

Section 38-161 – Definitions.

Blighted property, blighted, or blight means any urbanized or developed property which:

(A) Presents two or more of the following conditions:

(1) Uninhabitable, unsafe, or abandoned structure;

- (2) Inadequate provisions for rain, ventilation, light, air, or sanitation;
- (3) An imminent harm to life or other property caused by fire, flood, hurricane, tornado, earthquake, storm, or other natural catastrophe respecting which the governor has declared a state of emergency under the state law or has certified the need for disaster assistance under federal law; provided, however, this division shall not apply to property unless the relevant public agency has given notice in writing to the property owner regarding specific harm caused by the property and the owner has failed to take reasonable measures to remedy the harm;
- (4) A site identified by the federal Environmental Protection Agency as a superfund site pursuant to 42 U.S.C. Section 9601, et seq., or having environmental contamination to an extent that requires remedial investigation or a feasibility study;
- (5) Repeated illegal activity on the individual property of which the property owner knew or should have known; or
- (6) The maintenance of the property is below state, county, or municipal codes for at least one year after written notice of the code violation to its owner; and

(B) Is conducive to ill health, transmission of disease, infant mortality, or crime in the immediate proximity of the property. Property shall not be deemed blighted solely because of esthetic conditions.

'Building Inspector' means a certified inspector possessing the requisite qualifications to determine minimal code compliance.

'Code official' means the City Manager or such officer or employee of the City as designated by the City Manager to perform the duties and responsibilities hereafter set forth in this article.

'Community redevelopment' means any activity, project, or service necessary or incidental to achieving the redevelopment or revitalization of a redevelopment area or portion thereof designated for redevelopment through an urban redevelopment plan or thorough local ordinances relating to the repair, closing, and demolition of buildings and structures unfit for human habitation.

'Governing authority' means the Mayor and Council of the City of Statesboro, a Georgia municipal corporation.

'Millage' or 'millage rate' means the levy, in mills, which is established by the governing authority for purposes of financing, in whole or part, the levying jurisdiction's general fund expenses for the fiscal year.

'Person' means such individual(s), partnership, corporations, business entities and associations which return real property for ad valorem taxation or who are chargeable by law for the taxes on the property.

Section 38-162 – Levy of increase ad valorem tax on blighted real property.

There is hereby levied on all property within the City which has been officially identified as maintained in a blighted condition an increased ad valorem tax by adding a factor of seven (7.0) to the millage rate applied to the property, so that such property shall be taxed at a higher millage rate generally applied in the municipality, or otherwise provided by general law; provided, however, Residential property on which there is situated a dwelling house which is being occupied as the primary residence of one or more persons shall not be subject to official identification as maintained in a blighted condition and shall not be subject to increase taxation.

Such increased ad valorem tax shall be applied and reflected in the first tax bill rendered following official designation of a real property as blighted.

Revenues arising from the increased rate of ad valorem taxation shall, upon receipt, be segregated by the City Manager and used only for community redevelopment purposes, as identified in an approved urban redevelopment program, including defraying the cost of the City's program to close, repair, or demolish unfit buildings and structures.

Section 38-163 – Official identification of property maintained in blighted condition.

(A) In order for a parcel of real property to be officially designated as maintained in a blighted condition and subject to increased taxation, the following steps must be completed:

- (1) An inspection must be performed on the parcel of property. In order for an inspection to be performed,
 - a. A request may be made by the code official or by at least one resident of the City for inspection of a parcel of property, said inspection to be based on the criteria as delineated in ordinance, or
 - b. The code official may cause a survey of existing housing conditions to be performed, or may refer to any such survey conducted or finalized within the previous five years, to locate or identify any parcels which may be in a blighted condition and for which a full inspection should be conducted to determine if that parcel of property meets the criteria set out in this article for designation as being maintained in a blighted condition.

c. Any individual request or survey produced under this subsection shall be reviewed, amended as desired, and approved at open meeting by Mayor and Council before any further action is undertaken.

(2) A written inspection report of the findings for any parcel of property inspected pursuant to subsection (1) above shall be prepared and submitted to the code official. Where feasible, photographs of the conditions found to exist on the property on the date of inspection shall be made and supplement the inspection report. Where compliance with minimum construction, housing, occupancy, fire and life safety codes in effect within the City are in question, the inspection shall be conducted by an inspector possessing the requisite qualifications to determine minimal code compliance.

(3) Following completion of the inspection report, the code official shall make a determination, in writing, that a property is maintained in a blighted condition, as defined by this article, and is subject to increased taxation.

(4) The code official shall cause a written notice of his determination that the real property at issue is being maintained in a blighted condition to be served upon the person(s) shown on the most recent tax digest of Bulloch County as responsible for payment of ad valorem taxes assessed thereon; provided, however, where through the existence of reasonable diligence it becomes known to the code official that real property has been sold or conveyed since publication of the most recent tax digest, written notice shall be given to the person(s) known or reasonably believed to then own the property or be chargeable with the payment of ad valorem taxes thereon, at the best address available. Service in the manner set forth at O.C.G.A. § 41-2-12 shall constitute sufficient notice to the property's owner or person chargeable with the payment of ad valorem taxes for purpose of this section, except that posting of the notice on the property will not be required.

(B) The written notice given to the person(s) chargeable with the payment of ad valorem taxes shall notify such person of the code official's determination the real property is being maintained in a blighted condition and shall advise such person of the hours and location at which the person may inspect and copy the code official's determination and any supporting documentation. Persons notified that real property of which the person(s) is chargeable with the payment of ad valorem taxes shall have 30 days from the receipt of notice in which to request a hearing before the Municipal Court. Written request for hearing shall be filed with the code official and shall be date stamped upon receipt. Upon receipt of a request for hearing, the code official shall notify the Municipal Court and the building

inspector or person who performed the inspection and prepared the inspection report.

- (C) Within 30 days of receipt of a request for hearing, the Municipal Court Clerk shall set a date, time, and location for the hearing and shall give at least ten business days' notice to the person(s) requesting the hearing, the code official and the building inspector or person who performed the inspection and prepared the inspection report. Notice of scheduled hearings shall be published as a legal advertisement in the Statesboro Herald, or other designated legal organ in Bulloch County, at least five days prior to the hearing. Hearings may be continued by the Municipal Court judge upon request of any party, for good cause.

- (D) At the hearing, the code official shall have the burden of demonstrating by a preponderance of the evidence that the subject property is maintained in a blighted condition, as defined by this article. The Municipal Court judge shall cause a record of the evidence submitted at the hearing to be maintained. Upon hearing from the code official and/or their witnesses and the person(s) requesting the hearing and/or their witnesses, the Judge of Municipal Court shall make a determination either affirming or reversing the determination of the code official. The determination shall be in writing and copies thereof shall be served on the parties by certified mail or statutory overnight delivery. The determination by the court shall be deemed final. A copy of such determination shall also be served upon the Tax Commissioner of Bulloch County, who shall include the increased tax on the next regular tax bill rendered on behalf of the City.

- (E) Persons aggrieved by the determination of the court affirming the determination of the code official may petition the Superior Court of Bulloch County for a writ of certiorari within 30 days of issuance of the court's written determination.

Section 38-164 – Remediation or redevelopment to remove designation of blighted condition.

- (A) A property owner or person(s) who is chargeable with the payment of ad valorem taxes on real property which has been officially designated pursuant to this article as property maintained in a blighted condition may petition the code official to lift the designation, upon proof of compliance with the following:
 - (1) Completion of work required under a plan of remedial action or redevelopment approved by the City's Director of Planning and Development which addresses the conditions of blight found to exist on or within the property, including compliance with all applicable minimum codes; or

(2) Completion of work required under a court order entered in a proceeding brought pursuant to Article II of this Chapter.

- (B) Before action on a petition to lift the designation, the code official shall cause the property to be thoroughly inspected by a building inspector who, by written inspection report, shall certify that all requisite work has been performed to applicable code in a workmanlike manner, in accordance with the specifications of the plan of remedial action or redevelopment, or applicable court order. Upon finding required work to be satisfactorily performed, the code official shall issue a written determination that the real property is no longer maintained in a blighted condition. Copies of this determination shall be served upon the person(s) chargeable with the payment of ad valorem taxes, and upon the Tax Commissioner of Bulloch County.
- (C) All plans for remedial action or redevelopment shall be in writing, signed by the person(s) chargeable with the payment of ad valorem taxes on the real property and the City's Director of Planning and Development, and contain the following:
1. The plan shall be consistent with the City's comprehensive plan and all laws and ordinances governing the subject property, and shall conform to any urban redevelopment plan adopted for the area within which the properties lies;
 2. The plan shall set forth in reasonable detail the requirements for repair, closure, demolition, or restoration of existing structures, in accordance with minimal statewide codes; where structures are demolished, the plan shall include provisions for debris removal, stabilization, and landscaping of the property;
 3. On parcels of five acres or greater, the plan shall address the relationship to local objectives respecting land uses, improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements.
 4. The plan shall contain verifiable funding sources which will be used to complete its requirements and show the feasibility thereof;
 5. The plan shall contain a timetable for completion of required work; and
 6. Any outstanding ad valorem taxes (state, school, county and city, including the increased tax pursuant to this article) and governmental liens due and payable on the property must be satisfied in full.

Section 38-165 – Decreased rate of taxation to be applied after successful remedial action or redevelopment of blighted property.

Property which has had its designation as being maintained in a blighted condition removed as provided in this section will become eligible for a decrease in the rate of city ad valorem taxation equivalent to 50 percent of the normal millage rate applied to the property, applied at the time of issuance of the subsequent tax bill, as provided by general law. This decreased rate is applied to three years tax bills.

Section 38-166 – Duty of code official to provide notice to county tax commissioner.

It shall be the duty of the building official to notify the Tax Commissioner of Bulloch County in writing as to designation or removal of designation of a specific property as maintained in a blighted condition. Such notice shall identify the specific property by street address and tax map, block and parcel number, as assigned by the Bulloch County Tax Assessor's Office. The code official shall cooperate with the tax commissioner to assure accurate tax billing of those properties subject to increased or reduced ad valorem taxation under this article.

CITY OF STATESBORO

COUNCIL

Phillip A. Boyum, District 1
Sam Lee Jones, District 2
Jeff Yawn, District 3
John Riggs, District 4
Derek Duke, District 5



Jonathan McCollar, Mayor
Charles Penny, City Manager
Leah Harden, City Clerk
Cain Smith, City Attorney

50 EAST MAIN STREET • P.O. BOX 348
STATESBORO, GEORGIA 30459-0348

INTEROFFICE MEMORANDUM

Human Resources

TO: Charles W. Penny, City Manager

FROM: Tarrez Brown, Senior HR Coordinator 

DATE: November 25, 2019

RE: Georgia Municipal Employees Benefits System (GMEBS) Restated Defined Benefit Plan

The City of Statesboro previously adopted the Georgia Municipal Employees Benefit System (GMEBS) Defined Benefit Plan (Plan), which is comprised of the Master Plan document (Master Plan), Adoption Agreement and General Addendum. GMEBS recently restated the Plan and received a favorable determination letter from the Internal Revenue Service (IRS). The City is certain the GMEBS plan has the assurance that GMEBS is maintaining a qualified pension benefit program which allows employees to accrue benefits tax free until benefits are distributed to them.

In order to ensure continued tax-favored treatment for GMEBS member plans, the IRS requires all GMEBS member employers to adopt the restated Plan documents.

It is my recommendation the City Council approve the adoption of the Georgia Municipal Employee Benefit System (GMEBS), Restated Defined Benefit Retirement Plan ordinance.

GEORGIA MUNICIPAL EMPLOYEES
BENEFIT SYSTEM

DEFINED BENEFIT RETIREMENT PLAN

AN ORDINANCE
and
ADOPTION AGREEMENT
for
City of Statesboro

Form Volume Submitter Adoption Agreement
Amended and Restated as of January 1, 2013
(With Amendments Taking Effect on or Before January 1, 2017)

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I. AN ORDINANCE

An Ordinance to amend and restate the Retirement Plan for the Employees of the City of Statesboro, Georgia in accordance with and subject to the terms and conditions set forth in the attached Adoption Agreement, any Addendum to the Adoption Agreement, the Georgia Municipal Employees Benefit System (GMEBS) Master Plan Document, and the GMEBS Trust Agreement. When accepted by the authorized officers of the City and GMEBS, the foregoing shall constitute a Contract between the City and GMEBS, all as authorized and provided by O.C.G.A. § 47-5-1 et seq.

BE IT ORDAINED by the Mayor and Council of the City of Statesboro, Georgia, and it is hereby ordained by the authority thereof:

Section 1. The Retirement Plan for the Employees of the City of Statesboro, Georgia is hereby amended and restated as set forth in and subject to the terms and conditions stated in the following Adoption Agreement, any Addendum to the Adoption Agreement, the Georgia Municipal Employees Benefit System (GMEBS) Master Plan Document, and the GMEBS Trust Agreement.

Ordinance continued on page 37

II. GMEBS DEFINED BENEFIT RETIREMENT PLAN
ADOPTION AGREEMENT

1. ADMINISTRATOR

Georgia Municipal Employees Benefit System
201 Pryor Street, SW
Atlanta, Georgia 30303
Telephone: 404-688-0472
Facsimile: 404-577-6663

2. ADOPTING EMPLOYER

Name: **City of Statesboro, Georgia**

3. GOVERNING AUTHORITY

Name: **Mayor and Council**
Address: **P.O. Box 348, Statesboro, GA 30459-0348**
Phone: **(912) 764-5468**
Facsimile: **(912) 764-8258**

4. PLAN REPRESENTATIVE

[To represent Governing Authority in all communications with GMEBS and Employees]
(See Section 2.49 of Master Plan)

Name: **City Manager**
Address: **P.O. Box 348, Statesboro, GA 30459-0348**
Phone: **(912) 764-5468**
Facsimile: **(912) 764-8258**

5. PENSION COMMITTEE

[Please designate members by position. If not, members of Pension Committee shall be determined in accordance with Article XIV of Master Plan]

Position:
Position:
Position:
Position:
Position:

Pension Committee Secretary: **Senior Human Resources Coordinator**
Address: **P.O. Box 348, Statesboro, GA 30459-0348**
Phone: **(912) 764-5468**
Facsimile: **(912) 764-8258**

6. TYPE OF ADOPTION

This Adoption Agreement is for the following purpose (**check one**):

- This is a new defined benefit plan adopted by the Adopting Employer for its Employees. This plan does not replace or restate an existing defined benefit plan.
- This is an amendment and restatement of the Adopting Employer's preexisting non-GMEBS defined benefit plan.
- This is an amendment and restatement of the Adoption Agreement previously adopted by the Employer, as follows (**check one or more as applicable**):
 - To update the Plan to comply with PPA, HEART, WRERA, and other applicable federal laws and guidance.
 - To make the following amendments to the Adoption Agreement (**must specify below revisions made in this Adoption Agreement; all provisions must be completed in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)**): _____.

7. EFFECTIVE DATE

NOTE: This Adoption Agreement and any Addendum, with the accompanying Master Plan Document, is designed to comply with Internal Revenue Code Section 401(a), as applicable to a governmental qualified defined benefit plan, and is part of the GMEBS Defined Benefit Retirement Plan. Plan provisions designed to comply with certain provisions of the Pension Protection Act of 2006 ("PPA"); the Heroes Earnings Assistance and Relief Tax Act of 2008 ("HEART"); and the Worker, Retiree, and Employer Recovery Act of 2008 ("WRERA"); and Plan provisions designed to comply with certain provisions of additional changes in federal law and guidance from the Internal Revenue Service under Internal Revenue Service Notice 2012-76

(the 2012 Cumulative List) are effective as of the applicable effective dates set forth in the Adoption Agreement and Master Plan Document. By adopting this Adoption Agreement, with its accompanying Master Plan Document, the Adopting Employer is adopting a plan document intended to comply with Internal Revenue Code Section 401(a), as updated by PPA, HEART, WRERA, and the 2012 Cumulative List with the applicable effective dates.

- (1) **Complete this item (1) only if this is a new defined benefit plan which does not replace or restate an existing defined benefit plan.**

The effective date of this Plan is _____.

(insert effective date of this Adoption Agreement not earlier than January 1, 2013).

- (2) **Complete this item (2) only if this Plan is being adopted to replace a non-GMEBS defined benefit plan.**

Except as otherwise specifically provided in the Master Document or in this Adoption Agreement, the effective date of this restatement shall be the _____ **(insert effective date of this Adoption Agreement not earlier than January 1, 2013)**. This Plan is intended to replace and serve as an amendment and restatement of the Employer's preexisting plan, which became effective on _____ **(insert original effective date of preexisting plan)**.

- (3) **Complete this item (3) only if this is an amendment and complete restatement of the Adopting Employer's existing GMEBS defined benefit plan.**

Except as otherwise specifically provided in the Master Document or in this Adoption Agreement, the effective date of this restatement shall be **date of its approval by the Governing Authority** **(insert effective date of this Adoption Agreement not earlier than January 1, 2013)**.

This Plan is adopted as an amendment and restatement of the Employer's preexisting GMEBS Adoption Agreement, which became effective on **January 1, 2016** **(insert effective date of most recent Adoption Agreement preceding this Adoption Agreement)**.

The Employer's first Adoption Agreement became effective **January 1, 2003** **(insert effective date of Employer's first GMEBS Adoption Agreement)**. The Employer's GMEBS Plan was originally effective **August 1, 1969** **(insert effective date of Employer's original GMEBS Plan)**. (If the Employer's Plan was originally a non-GMEBS Plan, then the Employer's non-GMEBS Plan was originally effective _____ **(if applicable, insert effective date of Employer's original non-GMEBS Plan)**.)

8. PLAN YEAR

Plan Year means **(check one)**:

- Calendar Year
 Employer Fiscal Year commencing _____
 Other **(must specify month and day commencing)**: **August 1**.

9. CLASSES OF ELIGIBLE EMPLOYEES

Only Employees of the Adopting Employer who meet the Master Plan's definition of "Employee" may be covered under the Adoption Agreement. Eligible Employees shall not include non-governmental employees, independent contractors, leased employees, nonresident aliens, or any other ineligible individuals, and this Section 9 must not be completed in a manner that violates the "exclusive benefit rule" of Internal Revenue Code Section 401(a)(2).

A. Eligible Regular Employees

Regular Employees include Employees, other than elected or appointed members of the Governing Authority or Municipal Legal Officers, who are regularly employed in the services of the Adopting Employer. Subject to the other conditions of the Master Plan and the Adoption Agreement, the following Regular Employees are eligible to participate in the Plan (**check one**):

- ALL** - All Regular Employees, provided they satisfy the minimum hour and other requirements specified under "Eligibility Conditions" below.
- ALL REGULAR EMPLOYEES EXCEPT** for the following employees (**must specify; specific positions are permissible; specific individuals may not be named**): Employees who are classified by the City as part-time firefighters and who are initially employed or reemployed on or after June 20, 2012 will be ineligible to participate in this Plan on or after the date they are initially employed or reemployed as a part-time firefighter, regardless of whether they satisfy the eligibility conditions specified in Section 10 below or the definition of "Firefighter" in the Master Plan.

B. Elected or Appointed Members of the Governing Authority

An Adopting Employer may elect to permit participation in the Plan by elected or appointed members of the Governing Authority and/or Municipal Legal Officers, provided they otherwise meet the Master Plan's definition of "Employee" and provided they satisfy any other requirements specified by the Adopting Employer. Municipal Legal Officers to be covered must be specifically identified by position. Subject to the above conditions, the Employer hereby elects the following treatment for elected and appointed officials:

(1) Elected or Appointed Members of the Governing Authority (check one):

- ARE NOT** eligible to participate in the Plan.
- ARE** eligible to participate in the Plan.

Please specify any limitations on eligibility to participate here (e.g., service on or after certain date, or special waiting period provision): Each elected or appointed member of the Governing Authority who holds an office on October 1, 1978, shall be qualified to participate in the Plan on such date. Each other elected or appointed member of the Governing Authority who holds an office subsequent to such date shall be qualified to participate in the Plan on the first day of the month immediately following or coinciding with the first date after October 1, 1978, that he or she occupies any elective office of the Governing Authority (Participation became mandatory effective January 1, 2003. See

Section 12 of this Adoption Agreement concerning mandatory participation in the Plan). In accordance with Section 4.03(b) of the Master Plan, an elected or appointed member of the Governing Authority who initially takes office or returns to office on or after January 1, 2015, shall be qualified to participate in the Plan on the date he or she initially takes such office or returns to office.

(2) Municipal Legal Officers (check one):

- ARE NOT eligible to participate in the Plan.
- ARE eligible to participate in the Plan. The term "Municipal Legal Officer" shall include only the following positions (must specify - specific positions are permissible; specific individuals may not be named): The City Attorney of the City of Statesboro employed on December 13, 2011, provided he is a common law employee of the City and meets the eligibility requirements of the Plan that are applicable to Eligible Regular Employees.

Please specify any limitations on eligibility to participate here (e.g., service on or after certain date) (must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i): Notwithstanding any other provision contained herein to the contrary, the above mentioned Municipal Legal Officer shall be treated in the same manner as an Eligible Regular Employee (and not as an elected or appointed member of the Governing Authority) for all purposes under the Plan.

10. ELIGIBILITY CONDITIONS

A. Hours Per Week (Regular Employees)

The Adopting Employer may specify a minimum number of work hours per week which are required to be scheduled by Regular Employees in order for them to become and remain "Eligible Regular Employees" under the Plan. **It is the responsibility of the Adopting Employer to determine whether these requirements are and continue to be satisfied.** The Employer hereby elects the following minimum hour requirement for Regular Employees:

- No minimum
- 20 hours/week (regularly scheduled)
- 30 hours/week (regularly scheduled)
- Other: _____ (must not exceed 40 hours/week regularly scheduled)

Exceptions: If a different minimum hour requirement applies to a particular class or classes of Regular Employees, please specify below the classes to whom the different requirement applies and indicate the minimum hour requirement applicable to them.

Class(es) of Regular Employees to whom exception applies (must specify - specific positions are permissible; specific individuals may not be named): Eligible Regular Employees employed on October 1, 2005, provided they are not Terminated and reemployed after such date.

Minimum hour requirement applicable to excepted Regular Employees:

- No minimum
- 20 hours/week (regularly scheduled)
- 30 hours/week (regularly scheduled)
- Other: _____ (must not exceed 40 hours/week regularly scheduled)

B. Months Per Year (Regular Employees)

The Adopting Employer may specify a minimum number of work months per year which are required to be scheduled by Regular Employees in order for them to become and remain "Eligible Employees" under the Plan. **It is the responsibility of the Adopting Employer to determine whether these requirements are and continue to be satisfied.** The Employer hereby elects the following minimum requirement for Regular Employees:

- No minimum
- At least 5 months per year (regularly scheduled)

Exceptions: If different months per year requirements apply to a particular class or classes of Regular Employees, the Employer must specify below the classes to whom the different requirements apply and indicate below the requirements applicable to them.

Regular Employees to whom exception applies (must specify - specific positions are permissible; specific individuals may not be named): _____.

The months to year requirement for excepted class(es) are:

- No minimum
- At least _____ months per year (regularly scheduled)

11. WAITING PERIOD

Except as otherwise provided in Section 4.02(b) of the Master Plan, Eligible Regular Employees shall not have a waiting period before participating in the Plan. Likewise, elected or appointed members of the Governing Authority and Municipal Legal Officers, if eligible to participate in the Plan, shall not have a waiting period before participating in the Plan.

12. ESTABLISHING PARTICIPATION IN THE PLAN

Participation in the Plan is considered mandatory for all Eligible Employees who satisfy the eligibility conditions specified in the Adoption Agreement, except as provided in Section 4.03(e) of the Master Plan. However, the Employer may specify below that participation is optional for certain classes of Eligible Employees, including Regular Employees, elected or appointed members of the Governing Authority, Municipal Legal Officers, City Managers, and/or Department Heads. If participation is optional for an Eligible Employee, then in order to become a Participant, he must make a written election to participate within 120 days after employment, election or appointment to office, or if later, the date he first becomes eligible to participate in the Plan. The election is irrevocable, and the failure to make the election within the 120 day time limit shall be deemed an irrevocable election not to participate in the Plan.

Classes for whom participation is optional (**check one**):

- None (Participation is mandatory for all Eligible Employees except as provided in Section 4.03(e) of the Master Plan).
- Participation is optional for the following Eligible Employees (**must specify - specific positions are permissible; specific individuals may not be named; all positions or classes specified must be Eligible Employees**): _____.

13. CREDITED SERVICE

In addition to Current Credited Service the Adopting Employer may include as Credited Service the following types of service:

A. Credited Past Service with Adopting Employer

Credited Past Service means the number of years and complete months of Service with the Adopting Employer prior to the date an Eligible Employee becomes a Participant which are treated as credited service under the Plan.

(1) **Eligible Employees Employed on Original Effective Date of GMEBS Plan.**

With respect to Eligible Employees who are employed by the Adopting Employer on the original Effective Date of the Employer's GMEBS Plan, Service with the Adopting Employer prior to the date the Eligible Employee becomes a Participant (including any Service prior to the Effective Date of the Plan) shall be treated as follows (**check one**):

- All Service prior to the date the Eligible Employee becomes a Participant shall be credited (as Credited Past Service).
- All Service prior to the date the Eligible Employee becomes a Participant shall be credited (as Credited Past Service), except for Service rendered prior to _____ (**insert date**).
- All Service prior to the date the Eligible Employee becomes a Participant shall be credited (as Credited Past Service), except as follows (**must specify other limitation in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)**): _____.
- No Service prior to the date the Eligible Employee becomes a Participant shall be credited (as Credited Past Service).

(2) **Previously Employed, Returning to Service after Original Effective Date.**

If an Eligible Employee is not employed on the original Effective Date of the Employer's GMEBS Plan, but he returns to Service with the Adopting Employer sometime after the Effective Date, his Service prior to the date he becomes a Participant (including any Service prior the Effective Date) shall be treated as follows (**check one**):

- All Service prior to the date the Eligible Employee becomes a Participant shall be credited (as Credited Past Service), subject to any limitations imposed above with respect to Eligible Employees employed on the Effective Date.
- All Service prior to the date the Eligible Employee becomes a Participant shall be credited (as Credited Past Service), provided that after his return to employment, the Eligible Employee performs Service equal to the period of the break in Service or one (1) year, whichever is less. Any limitations imposed above with respect to Eligible Employees employed on the Effective Date shall also apply.
- No Service prior to the date the Eligible Employee becomes a Participant shall be credited (as Credited Past Service).

Other limitation(s) on Recognition of Credited Past Service (must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)): In addition to the above limitations, Credited Past Service shall not include any tenure of office as an elected or appointed member of the Governing Authority unless the Participant was serving as an elected or appointed member of the Governing Authority or Eligible Regular Employee on October 1, 1978. Notwithstanding any other provision in the Adoption Agreement, General Addendum or Master Plan to the contrary, with respect to the City Attorney who was employed with the City on December 13, 2011, such City Attorney's prior service with the City shall be counted as Credited Service under the Plan for all purposes (i.e., meeting the minimum Service requirement for Vesting and benefit eligibility, and computing the amount of benefits payable under the Plan).

(3) **Eligible Employees Initially Employed After Effective Date.** If an Eligible Employee's initial employment date is after the original Effective Date of the Employer's GMEBS Plan, his Credited Past Service shall include only the number of years and complete months of Service from his initial employment date to the date he becomes a Participant in the Plan.

(4) **Newly Eligible Classes of Employees.** If a previously ineligible class of Employees becomes eligible to participate in the Plan, the Employer must specify in an addendum to this Adoption Agreement whether and to what extent said Employees' prior service with the Employer shall be treated as Credited Past Service under the Plan.

B. Prior Military Service

Note: This Section does not concern military service required to be credited under USERRA – See Section 3.02 of the Master Plan for rules on the crediting of USERRA Military Service.

(1) **Credit for Prior Military Service.**

The Adopting Employer may elect to treat military service rendered prior to a Participant's initial employment date or reemployment date as Credited Service under the Plan. Unless otherwise specified by the Employer under "Other Conditions" below, the term "Military Service" shall be as defined in the Master Plan. Except as otherwise required by federal or state law or under

"Other Conditions" below, Military Service shall not include service which is credited under any other local, state, or federal retirement or pension plan.

Military Service credited under this Section shall not include any service which is otherwise required to be credited under the Plan by federal or state law. Prior Military Service shall be treated as follows **(check one)**:

- Prior Military Service is **not** creditable under the Plan **(if checked, skip to Section 13.C. – Prior Governmental Service)**.
- Prior Military Service shall be counted as Credited Service for the following purposes (check one or more as applicable):
 - Computing amount of benefits payable.
 - Meeting minimum service requirements for vesting.
 - Meeting minimum service requirements for benefit eligibility.

(2) Maximum Credit for Prior Military Service.

Credit for Prior Military Service shall be limited to a maximum of _____ years **(insert number)**.

(3) Rate of Accrual for Prior Military Service.

Credit for Prior Military Service shall accrue at the following rate **(check one)**:

- One month of military service credit for every _____ month(s) **(insert number)** of Credited Service with the Adopting Employer.
- One year of military service credit for every _____ year(s) **(insert number)** of Credited Service with the Adopting Employer.
- All military service shall be creditable (subject to any caps imposed above) after the Participant has completed _____ years **(insert number)** of Credited Service with the Employer.
- Other requirement **(must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i))**: _____.

(4) Payment for Prior Military Service Credit(check one):

- Participants shall **not** be required to pay for military service credit.
- Participants shall be required to pay for military service credit as follows:
 - The Participant must pay _____% of the actuarial cost of the service credit (as defined below).
 - The Participant must pay an amount equal to **(must specify in a manner that satisfies the definite written program requirement of Treasury**

Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i): _____.

Other Conditions for Award of Prior Military Service Credit **(must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i): _____.**

(5) Limitations on Service Credit Purchases. Unless otherwise specified in an Addendum to the Adoption Agreement, for purposes of this Section and Section 13.C. concerning prior governmental service credit, the term "actuarial cost of service credit" is defined as set forth in the Service Credit Purchase Addendum. In the case of a service credit purchase, the Participant shall be required to comply with any rules and regulations established by the GMEBS Board of Trustees concerning said purchases.

C. Prior Governmental Service

Note: A Participant's prior service with other GMEBS employers shall be credited for purposes of satisfying the minimum service requirements for Vesting and eligibility for Retirement and pre-retirement death benefits as provided under Section 9.05 of the Master Plan, relating to portability service. This Section 13(C) does not need to be completed in order for Participants to receive this portability service credit pursuant to Section 9.05 of the Master Plan.

(1) Credit for Prior Governmental Service.

The Adopting Employer may elect to treat governmental service rendered prior to a Participant's initial employment date or reemployment date as creditable service under the Plan. Subject to any limitations imposed by law, the term "prior governmental service" shall be as defined by the Adopting Employer below. The Employer elects to treat prior governmental service as follows **(check one)**:

- Prior governmental service is **not** creditable under the Plan **(if checked, skip to Section 13.D. – Unused Sick/Vacation Leave).**
- Prior governmental service shall be counted as Credited Service for the following purposes under the Plan **(check one or more as applicable)**:
 - Computing amount of benefits payable.
 - Meeting minimum service requirements for vesting.
 - Meeting minimum service requirements for benefit eligibility.

(2) Definition of Prior Governmental Service.

Prior governmental service shall be defined as follows: **(must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i): _____.**

Unless otherwise specified above, prior governmental service shall include only full-time service (minimum hour requirement same as that applicable to Eligible Regular Employees).

(3) Maximum Credit for Prior Governmental Service.

Credit for prior governmental service shall be limited to a maximum of _____ years **(insert number)**.

(4) Rate of Accrual for Prior Governmental Service Credit.

Credit for prior governmental service shall accrue at the following rate **(check one)**:

- One month of prior governmental service credit for every _____ month(s) **(insert number)** of Credited Service with the Adopting Employer.
- One year of prior governmental service credit for every _____ year(s) **(insert number)** of Credited Service with the Adopting Employer.
- All prior governmental service shall be creditable (subject to any caps imposed above) after the Participant has completed _____ years **(insert number)** of Credited Service with the Adopting Employer.
- Other requirement **(must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i))**: _____.

(5) Payment for Prior Governmental Service Credit.

- Participants shall **not** be required to pay for governmental service credit.
- Participants shall be required to pay for governmental service credit as follows:
 - The Participant must pay _____% of the actuarial cost of the service credit.
 - The Participant must pay an amount equal to **(must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i))**: _____.

Other Conditions for Award of Prior Governmental Service Credit **(must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i))**: _____.

D. Leave Conversion for Unused Paid Time Off (e.g., Sick, Vacation, or Personal Leave)

(1) Credit for Unused Paid Time Off.

Subject to the limitations in Section 3.01 of the Master Plan, an Adopting Employer may elect to treat accumulated days of unused paid time off for a terminated Participant, for which the Participant is not paid, as Credited Service. The only type of leave permitted to be credited

under this provision is leave from a paid time off plan which qualifies as a bona fide sick and vacation leave plan (which may include sick, vacation or personal leave) and which the Participant may take as paid leave without regard to whether the leave is due to illness or incapacity. The Credited Service resulting from the conversion of unused paid time off must not be the only Credited Service applied toward the accrual of a normal retirement benefit under the Plan. The Pension Committee shall be responsible to certify to GMEBS the total amount of unused paid time off that is creditable hereunder.

Important Note: Leave cannot be converted to Credited Service in lieu of receiving a cash payment. If the Employer elects treating unused paid time off as Credited Service, the conversion to Credited Service will be automatic, and the Participant cannot request a cash payment for the unused paid time off.

The Employer elects the following treatment of unused paid time off:

- Unused paid time off shall **not** be treated as Credited Service (**if checked, skip to Section 14 – Retirement Eligibility**).
- The following types of unused paid time off for which the Participant is not paid shall be treated as Credited Service under the Plan (**check one or more as applicable**):
 - Unused sick leave
 - Unused vacation leave
 - Unused personal leave
 - Other paid time off (**must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)**): _____.

(2) Minimum Service Requirement.

In order to receive credit for unused paid time off, a Participant must meet the following requirement at termination (**check one**):

- The Participant must be 100% vested in a normal retirement benefit.
- The Participant must have at least _____ years (**insert number**) of Total Credited Service (not including leave otherwise creditable under this Section).
- Other (**must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)**): _____.

(3) Use of Unused Paid Time Off Credit. Unused paid time off for which the Participant is not paid shall count as Credited Service for the following purposes under the Plan (**check one or more as applicable**):

- Computing amount of benefits payable.
- Meeting minimum service requirements for vesting.
- Meeting minimum service requirements for benefit eligibility.

(4) Maximum Credit for Unused Paid Time Off.

Credit for unused paid time off for which the Participant is not paid shall be limited to a maximum of 12 months (**insert number**).

(5) Computation of Unused Paid Time Off.

Unless otherwise specified by the Adopting Employer under "Other Conditions" below, each twenty (20) days of creditable unused paid time off shall constitute one (1) complete month of Credited Service under the Plan. Partial months shall not be credited.

(6) Other Conditions (please specify, subject to limitations in Section 3.01 of Master Plan; must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i): _____.

14. RETIREMENT ELIGIBILITY

A. Early Retirement Qualifications

Early retirement qualifications are (**check one or more as applicable**):

- Attainment of age 55 (**insert number**)
- Completion of 10 years (**insert number**) of Total Credited Service

Exceptions: If different early retirement eligibility requirements apply to a particular class or classes of Eligible Employees, the Employer must specify below the classes to whom the different requirements apply and indicate below the requirements applicable to them.

Eligible Employees to whom exception applies (**must specify - specific positions are permissible; specific individuals may not be named**): _____.

Early retirement qualifications for excepted class(es) are (**check one or more as applicable**):

- Attainment of age _____ (**insert number**)
- Completion of _____ years (**insert number**) of Total Credited Service

B. Normal Retirement Qualifications

Note: Please complete this Section and also list "Alternative" Normal Retirement Qualifications, if any, in Section 14.C.

(1) Regular Employees

Normal retirement qualifications for Regular Employees are (**check one or more as applicable**):

- Attainment of age 65 (**insert number**)

- Completion of 5 years (**insert number**) of Total Credited Service
- In-Service Distribution to Eligible Employees permitted (*i.e.*, a qualifying Participant may commence receiving retirement benefits while in service without first incurring a Bona Fide Separation from Service), if Participant meets minimum age and service requirements specified immediately above and is at least age 62 (unless a lower safe-harbor age is permitted under applicable federal law), subject to applicable Plan provisions concerning recalculation and offset applied at re-retirement to account for the value of benefits received prior to re-retirement. This rule shall apply to (**check one**): all Participants only the following class(es) of Participants (**must specify - specific positions are permissible; specific individuals may not be named**): _____.

Exceptions: If different normal retirement qualifications apply to a particular class or classes of Regular Employees, the Employer must specify below the classes to whom the different requirements apply and indicate below the requirements applicable to them.

Class(es) of Regular Employees to whom exception applies (**must specify - specific positions are permissible; specific individuals may not be named**): _____.

Normal retirement qualifications for excepted class(es) are (**check one or more as applicable**):

- Attainment of age _____ (**insert number**)
- Completion of _____ years (**insert number**) of Total Credited Service
- In-Service Distribution to Eligible Employees permitted (*i.e.*, a qualifying Participant may commence receiving retirement benefits while in service without first incurring a Bona Fide Separation from Service), if Participant meets minimum age and service requirements specified immediately above and is at least age 62 (unless a lower safe-harbor age is permitted under applicable federal law), subject to applicable Plan provisions concerning recalculation and offset applied at re-retirement to account for the value of benefits received prior to re-retirement. This rule shall apply to (**check one**): all Participants only the following class(es) of Participants (**must specify - specific positions are permissible; specific individuals may not be named**): _____.

(2) Elected or Appointed Members of Governing Authority

Complete this Section only if elected or appointed members of the Governing Authority or Municipal Legal Officers are permitted to participate in the Plan. Normal retirement qualifications for this class are (**check one or more as applicable**):

- Attainment of age 65 (**insert number**)
- Completion of _____ years (**insert number**) of Total Credited Service
- In-Service Distribution to Eligible Employees permitted (*i.e.*, a qualifying Participant may commence receiving retirement benefits while in service without

first incurring a Bona Fide Separation from Service), if Participant meets minimum age and service requirements specified immediately above and is at least age 62 (unless a lower safe-harbor age is permitted under applicable federal law), subject to applicable Plan provisions concerning recalculation and offset applied at re-retirement to account for the value of benefits received prior to re-retirement. This rule shall apply to **(check one)**: all Participants only the following class(es) of Participants **(must specify - specific positions are permissible; specific individuals may not be named)**: _____.

Exceptions: If different normal retirement qualifications apply to particular elected or appointed members of the Governing Authority or Municipal Legal Officers, the Employer must specify below to whom the different requirements apply and indicate below the requirements applicable to them.

Particular elected or appointed members of the Governing Authority or Municipal Legal Officers to whom exception applies **(must specify - specific positions are permissible; specific individuals may not be named)**: _____.

Normal retirement qualifications for excepted elected or appointed members of the Governing Authority or Municipal Legal Officers are **(check one or more as applicable)**:

- Attainment of age _____ **(insert number)**
- Completion of _____ years **(insert number)** of Total Credited Service
- In-Service Distribution to Eligible Employees permitted (*i.e.*, a qualifying Participant may commence receiving retirement benefits while in service without first incurring a Bona Fide Separation from Service), if Participant meets minimum age and service requirements specified immediately above and is at least age 62 (unless a lower safe-harbor age is permitted under applicable federal law), subject to applicable Plan provisions concerning recalculation and offset applied at re-retirement to account for the value of benefits received prior to re-retirement. This rule shall apply to **(check one)**: all Participants only the following class(es) of Participants **(must specify - specific positions are permissible; specific individuals may not be named)**: _____.

C. Alternative Normal Retirement Qualifications

The Employer may elect to permit Participants to retire with unreduced benefits after they satisfy service and/or age requirements other than the regular normal retirement qualifications specified above. The Employer hereby adopts the following alternative normal retirement qualifications:

Alternative Normal Retirement Qualifications (check one or more, as applicable):

- (1) Not applicable (the Adopting Employer does not offer alternative normal retirement benefits under the Plan).
- (2) **Alternative Minimum Age & Service Qualifications (if checked, please complete one or more items below, as applicable):**

- Attainment of age _____ (**insert number**)
- Completion of _____ years (**insert number**) of Total Credited Service
- In-Service Distribution to Eligible Employees permitted (*i.e.*, a qualifying Participant may commence receiving retirement benefits while in service without first incurring a Bona Fide Separation from Service), if Participant meets minimum age and service requirements specified immediately above and is at least age 62 (unless a lower safe-harbor age is permitted under applicable federal law), subject to applicable Plan provisions concerning recalculation and offset applied at re-retirement to account for the value of benefits received prior to re-retirement. This rule shall apply to (**check one**): all Participants only the following class(es) of Participants (**must specify - specific positions are permissible; specific individuals may not be named**): _____.

This alternative normal retirement benefit is available to:

- All Participants who qualify.
- Only the following Participants (**must specify - specific positions are permissible; specific individuals may not be named**): _____.

A Participant (**check one**): is required is not required to be in the service of the Employer at the time he satisfies the above qualifications in order to qualify for this alternative normal retirement benefit.

Other eligibility requirement (**must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)**): _____.

- (3) **Rule of _____ (insert number).** The Participant's combined Total Credited Service and age must equal or exceed this number. Please complete additional items below:

To qualify for this alternative normal retirement benefit, the Participant (**check one or more items below, as applicable**):

- Must have attained at least age _____ (**insert number**)
- Must not satisfy any minimum age requirement
- In-Service Distribution to Eligible Employees permitted (*i.e.*, a qualifying Participant may commence receiving retirement benefits while in service without first incurring a Bona Fide Separation from Service), if the Participant meets the minimum age and service requirements specified immediately above and is at least age 62 (unless a lower safe-harbor age is

permitted under applicable federal law), subject to applicable Plan provisions concerning recalculation and offset applied at re-retirement to account for the value of benefits received prior to re-retirement. This rule shall apply to **(check one)**: all Participants only the following class(es) of Participants **(must specify - specific positions are permissible; specific individuals may not be named)**: _____.

This alternative normal retirement benefit is available to:

- All Participants who qualify.
- Only the following Participants **(must specify - specific positions are permissible; specific individuals may not be named)**: _____.

A Participant **(check one)**: is required is not required to be in the service of the Employer at the time he satisfies the Rule in order to qualify for this alternative normal retirement benefit.

Other eligibility requirement **(must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i))**: _____.

- (4) **Alternative Minimum Service.** A Participant is eligible for an alternative normal retirement benefit if he has at least _____ years **(insert number)** of Total Credited Service, regardless of the Participant's age.

- In-Service Distribution to Eligible Employees permitted (*i.e.*, a qualifying Participant may commence receiving retirement benefits while in service without first incurring a Bona Fide Separation from Service), if the Participant meets the minimum service requirement specified immediately above and is at least age 62 (unless a lower safe-harbor age is permitted under applicable federal law), subject to applicable Plan provisions concerning recalculation and offset applied at re-retirement to account for the value of benefits received prior to re-retirement. This rule shall apply to **(check one)**: all Participants only the following class(es) of Participants **(must specify - specific positions are permissible; specific individuals may not be named)**: _____.

This alternative normal retirement benefit is available to:

- All Participants who qualify.
- Only the following Participants **(must specify - specific positions are permissible; specific individuals may not be named)**: _____.

A Participant **(check one)**: is required is not required to be in the service of the Employer at the time he satisfies the qualifications for this alternative normal retirement benefit.

Other eligibility requirement (must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)): _____.

(5) **Other Alternative Normal Retirement Benefit.**

Must specify qualifications (in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)): _____.

- In-Service Distribution to Eligible Employees permitted (i.e., a qualifying Participant may commence receiving retirement benefits while in service without first incurring a Bona Fide Separation from Service), if the Participant meets minimum age and service requirements specified immediately above and is at least age 62 (unless a lower safe-harbor age is permitted under applicable federal law), subject to applicable Plan provisions concerning recalculation and offset applied at re-retirement to account for the value of benefits received prior to re-retirement. This rule shall apply to (check one): all Participants only the following class(es) of Participants (must specify - specific positions are permissible; specific individuals may not be named): _____.

This alternative normal retirement benefit is available to:

- All Participants who qualify.
- Only the following Participants (must specify - specific positions are permissible; specific individuals may not be named): _____.

A Participant (check one): is required is not required to be in the service of the Employer at the time he satisfies the qualifications for this alternative normal retirement benefit.

Other eligibility requirement (must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)): _____.

(6) **Other Alternative Normal Retirement Benefit for Public Safety Employees Only.**

Must specify qualifications (in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i): Attainment of age 55 and completion of 25 years of Total Credited Service.

- In-Service Distribution to Eligible Employees who are Public Safety Employees permitted (i.e., a qualifying Participant may commence

receiving retirement benefits while in service without first incurring a Bona Fide Separation from Service), if the Participant meets minimum age and service requirements specified immediately above and is at least age 50 (unless a lower safe-harbor age is permitted under applicable federal law), subject to applicable Plan provisions concerning recalculation and offset applied at re-retirement to account for the value of benefits received prior to re-retirement. This rule shall apply to **(check one)**: all Participants only the following class(es) of Participants **(must specify - specific positions are permissible; specific individuals may not be named)**: _____.

This alternative normal retirement benefit is available to:

- All public safety employee Participants who qualify.
- Only the following public safety employee Participants **(must specify - specific positions are permissible; specific individuals may not be named)**: Firefighters and Police Officers. For purposes of this provision, the terms "Firefighter" and "Police Officer" shall be as defined in the Master Plan Sections 2.34 and 2.51, respectively.

A public safety employee Participant **(check one)**: is required is not required to be in the service of the Employer at the time he satisfies the qualifications for this alternative normal retirement benefit.

Other eligibility requirement **(must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i))**: _____.

Note: "Public safety employees" are defined under the Internal Revenue Code for this purpose as employees of a State or political subdivision of a State who provide police protection, firefighting services, or emergency medical services for any area within the jurisdiction of such State or political subdivision.

D. Disability Benefit Qualifications

Subject to the other terms and conditions of the Master Plan and except as otherwise provided in an Addendum to this Adoption Agreement, disability retirement qualifications are based upon Social Security Administration award criteria or as otherwise provided under Section 2.23 of the Master Plan. The Disability Retirement benefit shall commence as of the Participant's Disability Retirement Date under Section 2.24 of the Master Plan.

To qualify for a disability benefit, a Participant must have the following minimum number of years of Total Credited Service **(check one)**:

- Not applicable (the Adopting Employer does not offer disability retirement benefits under the Plan).
- No minimum.

- _____ years (insert number) of Total Credited Service.

Other eligibility requirement (must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)): _____.

15. RETIREMENT BENEFIT COMPUTATION

A. Maximum Total Credited Service

The number of years of Total Credited Service which may be used to calculate a benefit is (check one or all that apply):

- not limited.
- limited to _____ years for all Participants.
- limited to _____ years for the following classes of Eligible Regular Employees:
- All Eligible Regular Employees.
 - Only the following Eligible Regular Employees: _____.
- limited to _____ years as an elected or appointed member of the Governing Authority.
- limited to _____ years as a Municipal Legal Officer.
- Other (must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)): _____.

B. Monthly Normal Retirement Benefit Amount

(1) Regular Employee Formula

The monthly normal retirement benefit for Eligible Regular Employees shall be 1/12 of (check and complete one or more as applicable):

- (a) **Flat Percentage Formula.** _____% (insert percentage) of Final Average Earnings multiplied by years of Total Credited Service as an Eligible Regular Employee.

This formula applies to:

- All Participants who are Regular Employees.
- Only the following Participants (must specify - specific positions are permissible; specific individuals may not be named): _____.

(b) **Alternative Flat Percentage Formula.** _____% (insert percentage) of Final Average Earnings multiplied by years of Total Credited Service as an Eligible Regular Employee. This formula applies to the following Participants (must specify - specific positions are permissible; specific individuals may not be named): _____.

(c) **Split Final Average Earnings Formula.** 1.25% (insert percentage) of Final Average Earnings up to the amount of **Covered Compensation** (see subsection (2) below for definition of Covered Compensation), plus 2.0% (insert percentage) of Final Average Earnings in excess of said Covered Compensation, multiplied by years of Total Credited Service as an Eligible Regular Employee.

This formula applies to:

- All Participants who are Regular Employees.
- Only the following Participants (must specify - specific positions are permissible; specific individuals may not be named): 1) Eligible Regular Employees employed on or after September 1, 1980; and 2) Eligible Regular Employees employed prior to September 1, 1980, only when application of this formula would result in a higher benefit than the benefit as determined under the Alternative Split Final Average Earnings Formula in subsection 15(B)(1)(d) below.

(d) **Alternative Split Final Average Earnings Formula.** 1.0% (insert percentage) of Final Average Earnings up to the amount of **Covered Compensation** (see subsection (2) below for definition of Covered Compensation), plus 1.75% (insert percentage) of Final Average Earnings in excess of said Covered Compensation, multiplied by years of Total Credited Service as an Eligible Regular Employee.

This formula applies to:

- All Participants.
- Only the following Participants (must specify - specific positions are permissible; specific individuals may not be named): Eligible Regular Employees employed prior to September 1, 1980, only when application of this formula would result in a higher benefit than the benefit as determined under the Split Final Average Earnings Formula in subsection 15(B)(1)(c) above.

[Repeat above subsections as necessary for each applicable benefit formula and Participant class covered under the Plan.]

(2) **Covered Compensation (complete only if Split Formula(s) is checked above):**

Covered Compensation is defined as (check one or more as applicable):

- (a) **A.I.M.E. Covered Compensation** as defined in Section 2.18 of the Master Plan. This definition of Covered Compensation shall apply to **(check one)**:
- All Participants who are Regular Employees.
 - Only the following Participants **(must specify - specific positions are permissible; specific individuals may not be named)**: _____.
- (b) **Dynamic Break Point Covered Compensation** as defined in Section 2.19 of the Master Plan. This definition of Covered Compensation shall apply to **(check one)**:
- All Participants who are Regular Employees.
 - Only the following Participants **(must specify - specific positions are permissible; specific individuals may not be named)**: **Participants to whom the Split Final Average Earnings Formula in Section 15(B)(1)(c) above applies.**
- (c) **Table Break Point Covered Compensation** as defined in Section 2.20 of the Master Plan. This definition of Covered Compensation shall apply to **(check one)**:
- All Participants who are Regular Employees.
 - Only the following class(es) of Participants **(must specify - specific positions are permissible; specific individuals may not be named)**: **Participants to whom the Alternative Split Final Average Earnings Formula in Section 15(B)(1)(d) above applies.**
- (d) **Covered Compensation** shall mean a Participant's annual Earnings that do not exceed \$ _____ **(specify amount)**. This definition shall apply to **(check one)**:
- All Participants who are Regular Employees.
 - Only the following Participants **(must specify - specific positions are permissible; specific individuals may not be named)**: _____.

(3) **Final Average Earnings**

Unless otherwise specified in an Addendum to the Adoption Agreement, Final Average Earnings is defined as the monthly average of Earnings paid to a Participant by the Adopting Employer for the **60 (insert number not to exceed 60)** consecutive months of Credited Service preceding the Participant's most recent Termination in which the Participant's Earnings were the highest, multiplied by 12. Note: GMEBS has prescribed forms for calculation of Final Average Earnings that must be used for this purpose.

This definition of Final Average Earnings applies to:

- All Participants who are Regular Employees.
- Only the following Participants (**must specify - specific positions are permissible; specific individuals may not be named**): _____.

[Repeat above subsection as necessary for each applicable definition and Participant class covered under the Plan.]

(4) Formula for Elected or Appointed Members of the Governing Authority

The monthly normal retirement benefit for members of this class shall be as follows (**check one**):

- Not applicable (elected or appointed members of the Governing Authority or Municipal Legal Officers are not permitted to participate in the Plan).
- \$35.00 (insert dollar amount)** per month for each year of Total Credited Service as an elected or appointed member of the Governing Authority or Municipal Legal Officer or major fraction thereof (6 months and 1 day).

This formula applies to:

- All elected or appointed members of the Governing Authority or Municipal Legal Officers eligible to participate.
- Only the following elected or appointed members of the Governing Authority or Municipal Legal Officers eligible to participate (**must specify - specific positions are permissible; specific individuals may not be named**): _____.

[Repeat above subsection as necessary for each applicable formula for classes of elected or appointed members covered under the Plan.]

C. Monthly Early Retirement Benefit Amount

Check and complete one or more as applicable:

- (1) **Standard Early Retirement Reduction Table.** The monthly Early Retirement benefit shall be computed in the same manner as the monthly Normal Retirement benefit, but the benefit shall be reduced on an Actuarially Equivalent basis in accordance with Section 12.01 of the Master Plan to account for early commencement of benefits. This provision shall apply to:
 - All Participants.
 - Only the following Participants (**must specify - specific positions are permissible; specific individuals may not be named**): _____.
- (2) **Alternative Early Retirement Reduction Table.** The monthly Early Retirement benefit shall be computed in the same manner as the monthly Normal Retirement benefit, but the benefit shall be reduced to account for

early commencement of benefits based on the following table. This table shall apply to:

- All Participants.
- Only the following Participants (**must specify - specific positions are permissible; specific individuals may not be named**):_____.

Alternative Early Retirement Reduction Table

<u>Number of Years Before</u> <u>[Age (Insert Normal</u> <u>Retirement Age)]</u> (check as applicable)	<u>Percentage of</u> <u>Normal Retirement Benefit*</u> (complete as applicable)
<input type="checkbox"/> 0	1.000
<input type="checkbox"/> 1	0.____
<input type="checkbox"/> 2	0.____
<input type="checkbox"/> 3	0.____
<input type="checkbox"/> 4	0.____
<input type="checkbox"/> 5	0.____
<input type="checkbox"/> 6	0.____
<input type="checkbox"/> 7	0.____
<input type="checkbox"/> 8	0.____
<input type="checkbox"/> 9	0.____
<input type="checkbox"/> 10	0.____
<input type="checkbox"/> 11	0.____
<input type="checkbox"/> 12	0.____
<input type="checkbox"/> 13	0.____
<input type="checkbox"/> 14	0.____
<input type="checkbox"/> 15	0.____

*Interpolate for whole months

D. Monthly Late Retirement Benefit Amount (check one):

- (1) The monthly Late Retirement benefit shall be computed in the same manner as the Normal Retirement Benefit, based upon the Participant's Accrued Benefit as of his Late Retirement Date.
- (2) The monthly Late Retirement benefit shall be the greater of: (1) the monthly retirement benefit accrued as of the Participant's Normal Retirement Date, actuarially increased in accordance with the actuarial table contained in Section 12.05 of the Master Plan; or (2) the monthly retirement benefit accrued as of the Participant's Late Retirement Date, without further actuarial adjustment under Section 12.06 of the Master Plan.

E. Monthly Disability Benefit Amount

The amount of the monthly Disability Benefit shall be computed in the same manner as the Normal Retirement benefit, based upon the Participant's Accrued Benefit as of his Disability Retirement Date.

Minimum Disability Benefit. The Adopting Employer may set a minimum Disability Benefit. The Employer elects the following minimum Disability benefit (**check one**):

- Not applicable (the Adopting Employer does not offer disability retirement benefits under the Plan).
- No minimum is established.
- No less than (**check one**): 20% 10% ____% (**if other than 20% or 10% insert percentage amount**) of the Participant's average monthly Earnings for the 12 calendar month period (excluding any period of unpaid leave of absence) immediately preceding his Termination of Employment as a result of a Disability. (Unless otherwise specified in an Addendum to the Adoption Agreement, no minimum will apply to elected or appointed members of the Governing Authority or Municipal Legal Officers.)
- No less than (**check one**): 66 2/3 % ____% (**if other than 66 2/3%, insert percentage amount**) of the Participant's average monthly Earnings for the 12 calendar month period (excluding any period of unpaid leave of absence) immediately preceding his Termination of Employment as a result of a Disability, less any monthly benefits paid from federal Social Security benefits as a result of disability as reported by the Employer. (Unless otherwise specified in an Addendum to the Adoption Agreement, no minimum will apply to elected or appointed members of the Governing Authority or Municipal Legal Officers.)

Note: The Adopting Employer is responsible for reporting to GMEBS any amounts to be used in an offset.

F. Minimum/Maximum Benefit For Elected Officials

In addition to any other limitations imposed by federal or state law, the Employer may impose a cap on the monthly benefit amount that may be received by elected or appointed members of the Governing Authority. The Employer elects (**check one**):

- Not applicable (elected or appointed members of the Governing Authority do not participate in the Plan).
- No minimum or maximum applies.
- Monthly benefit for Service as an elected or appointed member of the Governing Authority may not exceed 100% of the Participant's final salary as an elected or appointed member of the Governing Authority.

- Other minimum or maximum (must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)): _____.

16. SUSPENSION OF BENEFITS FOLLOWING BONA FIDE SEPARATION OF SERVICE; COLA

A. Re-Employment as Eligible Employee After Normal, Alternative Normal, or Early Retirement and Following Bona Fide Separation of Service (see Master Plan Section 6.06(c) Regarding Re-Employment as an Ineligible Employee and Master Plan Section 6.06(e) and (f) Regarding Re-Employment After Disability Retirement)

(1) **Reemployment After Normal or Alternative Normal Retirement.** In the event that a Retired Participant 1) is reemployed with the Employer as an Eligible Employee (as defined in the Plan) after his Normal or Alternative Normal Retirement Date and after a Bona Fide Separation from Service, or 2) is reemployed with the Employer in an Ineligible Employee class, and subsequently again becomes an Eligible Employee (as defined in the Plan) due to the addition of such class to the Plan after his Normal or Alternative Normal Retirement Date, the following rule shall apply (**check one**):

- (a) The Participant's benefit shall be suspended in accordance with Section 6.06(a)(1) of the Master Plan for as long as the Participant remains employed.
- (b) The Participant may continue to receive his retirement benefit in accordance with Section 6.06(b) of the Master Plan. This rule shall apply to (**check one**): all Retired Participants only the following classes of Retired Participants (**must specify (specific positions are permissible; specific individuals may not be named) - benefits of those Retired Participants not listed shall be suspended in accordance with Section 6.06(a) of the Master Plan if they return to work with the Employer**): _____.

(2) **Reemployment After Early Retirement.** In the event a Participant Retires with an Early Retirement benefit after a Bona Fide Separation from Service 1) is reemployed with the Employer as an Eligible Employee before his Normal Retirement Date; or 2) is reemployed with the Employer in an Ineligible Employee class, and subsequently again becomes an Eligible Employee (as defined in the Plan) before his Normal Retirement Date due to the addition of such class to the Plan, the following rule shall apply (**check one or more as applicable**):

- (a) The Participant's Early Retirement benefit shall be suspended in accordance with Section 6.06(a)(1) of the Master Plan for as long as the Participant remains employed.

This rule shall apply to (**check one**): all Retired Participants; only the following classes of Retired Participants (**must specify - specific**

positions are permissible; specific individuals may not be named):
_____.

- (b) The Participant's Early Retirement benefit shall be suspended in accordance with Section 6.06(a)(1) of the Master Plan. However, the Participant may begin receiving benefits after he satisfies the qualifications for Normal Retirement or Alternative Normal Retirement, as applicable, and after satisfying the minimum age parameters of Section 6.06(a)(3) of the Master Plan, in accordance with Section 6.06(b)(2)(B)(i) of the Master Plan.

This rule shall apply to **(check one)**: all Retired Participants; only the following classes of Retired Participants **(must specify - specific positions are permissible; specific individuals may not be named):**
_____.

- (c) The Participant's Early Retirement benefit shall continue in accordance with Section 6.06(b)(2)(B)(ii) of the Master Plan.

This rule shall apply to **(check one)**: all Retired Participants; only the following classes of Retired Participants **(must specify - specific positions are permissible; specific individuals may not be named):**
_____.

B. Cost Of Living Adjustment

The Employer may elect to provide for an annual cost-of-living adjustment (COLA) in the amount of benefits being received by Retired Participants and Beneficiaries, which shall be calculated and paid in accordance with the terms of the Master Plan. The Employer hereby elects the following **(check one)**:

- (1) No cost-of-living adjustment.
- (2) Variable Annual cost-of-living adjustment not to exceed 5.0% **(insert percentage)**.
- (3) Fixed annual cost-of-living adjustment equal to _____% **(insert percentage)**.

The above cost-of-living adjustment shall apply with respect to the following Participants (and their Beneficiaries) **(check one)**:

- All Participants (and their Beneficiaries).
- Participants (and their Beneficiaries) who terminate employment on or after October 1, 1978 **(insert date)**.
- Other **(must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of**

Treasury Regulation 1.401-1(b)(1)(i)); specific positions are permissible; specific individuals may not be named): _____.

The Adjustment Date for the above cost-of-living adjustment shall be (if not specified, the Adjustment Date shall be January 1): _____.

**17. TERMINATION OF EMPLOYMENT BEFORE RETIREMENT;
VESTING**

A. Eligible Regular Employees

Subject to the terms and conditions of the Master Plan, a Participant who is an Eligible Regular Employee and whose employment is terminated for any reason other than death or retirement shall earn a vested right in his accrued retirement benefit in accordance with the following schedule (check one):

- No vesting schedule (immediate vesting).
- Cliff Vesting Schedule.** Benefits shall be 100% vested after the Participant has a minimum of 5 years (insert number not to exceed 10) of Total Credited Service. Benefits remain 0% vested until the Participant satisfies this minimum.
- Graduated Vesting Schedule.** Benefits shall become vested in accordance with the following schedule (insert percentages):

<u>COMPLETED YEARS OF TOTAL CREDITED SERVICE</u>	<u>VESTED PERCENTAGE</u>
1	%
2	%
3	%
4	%
5	%
6	%
7	%
8	%
9	%
10	%

Exceptions: If a vesting schedule other than that specified above applies to a special class(es) of Regular Employees, the Employer must specify the different vesting schedule below and the class(es) to whom the different vesting schedule applies.

Regular Employees to whom exception applies (must specify - specific positions are permissible; specific individuals may not be named): _____.

Vesting Schedule for excepted class (must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)): _____.

B. Elected or Appointed Members of the Governing Authority

Subject to the terms and conditions of the Master Plan, a Participant who is an elected or appointed member of the Governing Authority or a Municipal Legal Officer shall earn a vested right in his accrued retirement benefit for Credited Service in such capacity in accordance with the following schedule (**check one**):

- Not applicable (elected or appointed members of the Governing Authority are not permitted to participate in the Plan).
- No vesting schedule (immediate vesting).
- Other vesting schedule (**must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)**):

18. PRE-RETIREMENT DEATH BENEFITS

A. In-Service Death Benefit

Subject to the terms and conditions of the Master Plan, the Employer hereby elects the following in-service death benefit, to be payable in the event that an eligible Participant's employment with the Employer is terminated by reason of the Participant's death prior to Retirement (**check and complete one**):

- (1) **Auto A Death Benefit.** A monthly benefit payable to the Participant's Pre-Retirement Beneficiary, equal to the decreased monthly retirement benefit that would have otherwise been payable to the Participant, had he elected a 100% joint and survivor benefit under Section 7.03 of the Master Plan. In order to be eligible for this benefit, a Participant must meet the following requirements (**check one**):
 - The Participant must be vested in a normal retirement benefit.
 - The Participant must have _____ years (**insert number**) of Total Credited Service.
 - The Participant must be eligible for Early or Normal Retirement.
 - Other eligibility requirement (**must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)**): _____
- (2) **Actuarial Reserve Death Benefit.** A monthly benefit payable to the Participant's Pre-Retirement Beneficiary, actuarially equivalent to the reserve required for the Participant's anticipated Normal Retirement benefit, provided the Participant meets the following eligibility conditions (**check one**):

- The Participant shall be eligible upon satisfying the eligibility requirements of Section 8.02(c) of the Master Plan.
- The Participant must have _____ years (**insert number**) of Total Credited Service.
- Other eligibility requirement (**must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)**): _____.

Imputed Service. For purposes of computing the actuarial reserve death benefit, the Participant's Total Credited Service shall include (**check one**):

- Total Credited Service accrued prior to the date of the Participant's death.
- Total Credited Service accrued prior to the date of the Participant's death, plus (**check one**): one-half ($\frac{1}{2}$) _____ (**insert other fraction**) of the Service between such date of death and what would otherwise have been the Participant's Normal Retirement Date. (See **Master Plan Section 8.02(b) regarding 10-year cap on additional Credited Service.**)

Minimum In-Service Death Benefit for Vested Employees Equal to Terminated Vested Death Benefit. Unless otherwise specified under "Exceptions" below, if a Participant's employment is terminated by reason of the Participant's death prior to Retirement, and if as of the date of death the Participant is vested but he does not qualify for the in-service death benefit, then the Auto A Death Benefit will be payable, provided the Auto A Death Benefit is made available to terminated vested employees under the Adoption Agreement (see "Terminated Vested Death Benefit" below).

(3) **Exceptions:** If an in-service death benefit other than that specified above applies to one or more classes of Participants, the Employer must specify below the death benefit payable, the class(es) to whom the different death benefit applies, and the eligibility conditions for said death benefit.

Alternative Death Benefit (**must specify formula that satisfies the definite written program and definitely determinable requirements of Treasury Regulations Sections 1.401-1(a)(2) and 1.401-1(b)(1)(i) and does not violate limits applicable to governmental plans under Code Sections 401(a)(17) and 415**): _____.

Participants to whom alternative death benefit applies (**must specify - specific positions are permissible; specific individuals may not be named**): _____.

Eligibility conditions for alternative death benefit (**must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)**): _____.

B. Terminated Vested Death Benefit

(1) **Complete this Section only if the Employer offers a terminated vested death benefit.** The Employer may elect to provide a terminated vested death benefit, to be payable in the event that a Participant who is vested dies after termination of employment but before Retirement benefits commence. Subject to the terms and conditions of the Master Plan, the Employer hereby elects the following terminated vested death benefit (**check one**):

- Auto A Death Benefit.** A monthly benefit payable to the Participant's Pre-Retirement Beneficiary, equal to the decreased monthly retirement benefit that would have otherwise been payable to the Participant had he elected a 100% joint and survivor benefit under Section 7.03 of the Master Plan.
- Accrued Retirement Benefit.** A monthly benefit payable to the Participant's Pre-Retirement Beneficiary which shall be actuarially equivalent to the Participant's Accrued Normal Retirement Benefit determined as of the date of death.

(2) **Exceptions:** If a terminated vested death benefit other than that specified above applies to one or more classes of Participants, the Employer must specify below the death benefit payable, the class(es) to whom the different death benefit applies, and the eligibility conditions for said death benefit.

Alternative Death Benefit (**must specify formula that satisfies the definite written program and definitely determinable requirements of Treasury Regulations Sections 1.401-1(a)(2) and 1.401-1(b)(1)(i) and does not violate limits applicable to governmental plans under Code Sections 401(a)(17) and 415**): _____.

Participants to whom alternative death benefit applies (**must specify - specific positions are permissible; specific individuals may not be named**): _____.

Eligibility conditions for alternative death benefit (**must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)**): _____.

19. EMPLOYEE CONTRIBUTIONS

(1) **Employee contributions (check one):**

- Are not required.
- Are required in the amount of _____ % (**insert percentage**) of Earnings for all Participants.
- Are required in the amount of _____ % (**insert percentage**) of Earnings for Participants in the following classes (**must specify - specific positions are permissible; specific individuals may not be named**): _____.

[Repeat above subsection as necessary if more than one contribution rate applies.]

(2) Pre-Tax Treatment of Employee Contributions. If Employee Contributions are required in Subsection (1) above, an Adopting Employer may elect to "pick up" Employee Contributions to the Plan in accordance with IRC Section 414(h). In such case, Employee Contributions shall be made on a pre-tax rather than a post-tax basis, provided the requirements of IRC Section 414(h) are met. If the Employer elects to pick up Employee Contributions, it is the Employer's responsibility to ensure that Employee Contributions are paid and reported in accordance with IRC Section 414(h). The Adopting Employer must not report picked up contributions as wages subject to federal income tax withholding.

The Employer hereby elects (**check one**):

- To pick up Employee Contributions. By electing to pick up Employee Contributions, the Adopting Employer specifies that the contributions, although designated as Employee Contributions, are being paid by the Employer in lieu of Employee Contributions. The Adopting Employer confirms that the executor of this Adoption Agreement is duly authorized to take this action as required to pick up contributions. This pick-up of contributions applies prospectively, and it is evidenced by this contemporaneous written document. On and after the date of the pick-up of contributions, a Participant does not have a cash or deferred election right (within the meaning of Treasury Regulation Section 1.401(k)-1(a)(3)) with respect to the designated Employee Contributions, which includes not having the option of receiving the amounts directly instead of having them paid to the Plan.
- Not to pick up Employee Contributions.

(3) Interest on Employee Contributions. The Adopting Employer may elect to pay interest on any refund of Employee Contributions.

- Interest shall not be paid.
- Interest shall be paid on a refund of Employee Contributions at a rate established by GMEBS from time to time.
- Other rate of interest (**must specify rate in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)**):
_____.

20. MODIFICATION OF THE TERMS OF THE ADOPTION AGREEMENT

If an Adopting Employer desires to amend any of its elections contained in this Adoption Agreement (or any Addendum), the Governing Authority by official action must adopt an amendment of the Adoption Agreement (or any Addendum) or a new Adoption Agreement (or Addendum) must be adopted and forwarded to the Board for approval. The amendment of the

new Adoption Agreement (or Addendum) is not effective until approved by the Board and other procedures required by the Plan have been implemented.

The Administrator will timely inform the Adopting Employer of any amendments made by the Board to the Plan.

21. TERMINATION OF THE ADOPTION AGREEMENT

This Adoption Agreement (and any Addendum) may be terminated only in accordance with the Plan. The Administrator will inform the Adopting Employer in the event the Board should decide to discontinue this volume submitter program.

22. EMPLOYER ADOPTION AND AUTHORIZATION FOR AMENDMENTS

Adoption. The Adopting Employer hereby adopts the terms of the Adoption Agreement and any Addendum, which is attached hereto and made a part of this ordinance. The Adoption Agreement (and, if applicable, the Addendum) sets forth the Employees to be covered by the Plan, the benefits to be provided by the Adopting Employer under the Plan, and any conditions imposed by the Adopting Employer with respect to, but not inconsistent with, the Plan. The Adopting Employer reserves the right to amend its elections under the Adoption Agreement and any Addendum, so long as the amendment is not inconsistent with the Plan or the Internal Revenue Code or other applicable law and is approved by the Board of Trustees of GMEBS. The Adopting Employer acknowledges that it may not be able to rely on the volume submitter advisory letter if it makes certain elections under the Adoption Agreement or the Addendum.

The Adopting Employer hereby agrees to abide by the Master Plan, Trust Agreement, and rules and regulations adopted by the Board of Trustees of GMEBS, as each may be amended from time to time, in all matters pertaining to the operation and administration of the Plan. It is intended that the Act creating the Board of Trustees of GMEBS, this Plan, and the rules and regulations of the Board are to be construed in harmony with each other. In the event of a conflict between the provisions of any of the foregoing, they shall govern in the following order:

- (1) The Act creating the Board of Trustees of The Georgia Municipal Employees' Benefit System, O.C.G.A. Section 47-5-1 *et seq.* (a copy of which is included in the Appendix to the Master Defined Benefit Plan Document) and any other applicable provisions of O.C.G.A. Title 47;
- (2) The Master Defined Benefit Plan Document and Trust Agreement;
- (3) This Ordinance and Adoption Agreement (and any Addendum); and
- (4) The rules and regulations of the Board.

In the event that any section, subsection, sentence, clause or phrase of this Plan shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the previously existing provisions or the other section or sections, subsections, sentences, clauses or

phrases of this Plan, which shall remain in full force and effect, as if the section, subsection, sentence, clause or phrase so declared or adjudicated invalid or unconstitutional were not originally a part hereof. The Governing Authority hereby declares that it would have passed the remaining parts of this Plan or retained the previously existing provisions if it had known that such part or parts hereof would be declared or adjudicated invalid or unconstitutional.

This Adoption Agreement (and any Addendum) may only be used in conjunction with Georgia Municipal Employees Benefit System Master Defined Benefit Retirement Plan Document approved by the Internal Revenue Service under advisory letter J501718a dated March 30, 2018. The Adopting Employer understands that failure to properly complete this Adoption Agreement (or any Addendum), or to operate and maintain the Plan and Trust in accordance with the terms of the completed Adoption Agreement (and any Addendum), Master Plan Document and Trust, may result in disqualification of the Adopting Employer's Plan under the Internal Revenue Code. Inquiries regarding the adoption of the Plan, the meaning of Plan provisions, or the effect of the IRS advisory letter should be directed to the Administrator. The Administrator is Georgia Municipal Employees Benefit System, with its primary business offices located at: 201 Pryor Street, SW, Atlanta, Georgia, 30303. The business telephone number is: (404) 688-0472. The primary person to contact is: GMEBS Legal Counsel.

Authorization for Amendments. Effective on and after February 17, 2005, the Adopting Employer hereby authorizes the volume submitter practitioner who sponsors the Plan on behalf of GMEBS to prepare amendments to the Plan, for approval by the Board, on its behalf as provided under Revenue Procedure 2005-16, as superseded by Revenue Procedure 2015-36, Revenue Procedure 2011-49, and Announcement 2005-37. Effective January 1, 2013, Georgia Municipal Association, Inc., serves as the volume submitter practitioner for the Plan. Employer notice and signature requirements were met for the Adopting Employer before the effective date of February 17, 2005. The Adopting Employer understands that the implementing amendment reads as follows:

On and after February 17, 2005, the Board delegates to the Practitioner the authority to advise and prepare amendments to the Plan, for approval by the Board, on behalf of all Adopting Employers, including those Adopting Employers who have adopted the Plan prior to the January 1, 2013, restatement of the Plan, for changes in the Code, the regulations thereunder, revenue rulings, other statements published by Internal Revenue Service, including model, sample, or other required good faith amendments (but only if their adoption will not cause such Plan to be individually designed), and for corrections of prior approved plans. These amendments shall be applied to all Adopting Employers. Employer notice and signature requirements have been met for all Adopting Employers before the effective date of February 17, 2005. In any event, any amendment prepared by the Practitioner and approved by the Board will be provided by the Administrator to Adopting Employers.

Notwithstanding the foregoing paragraph, no amendment to the Plan shall be prepared on behalf of any Adopting Employer as of either:

- the date the Internal Revenue Service requires the Adopting Employer to file Form 5300 as an individually designed plan as a

result of an amendment by the Adopting Employer to incorporate a type of Plan not allowable in a volume submitter plan as described in Revenue Procedure 2015-36; or

- as of the date the Plan is otherwise considered an individually designed plan due to the nature and extent of the amendments.

If the Adopting Employer is required to obtain a determination letter for any reason in order to maintain reliance on the advisory letter, the Practitioner's authority to amend the Plan on behalf of the Adopting Employer is conditioned on the Plan receiving a favorable determination letter.

The Adopting Employer further understands that, if it does not give its authorization hereunder or, in the alternative, adopt another pre-approved plan, its Plan will become an individually designed plan and will not be able to rely on the volume submitter advisory letter.

AN ORDINANCE (continued from page 1)

Section 2. Except as otherwise specifically required by law or by the terms of the Master Plan or Adoption Agreement (or any Addendum), the rights and obligations under the Plan with respect to persons whose employment with the City was terminated or who vacated his office with the City for any reason whatsoever prior to the effective date of this Ordinance are fixed and shall be governed by such Plan, if any, as it existed and was in effect at the time of such termination.

Section 3. The effective date of this Ordinance shall be the date of its approval by the Governing Authority.

Section 4. All Ordinances and parts of ordinances in conflict herewith are expressly repealed.

Approved by the Mayor and Council of the City of Statesboro, Georgia this _____ day of _____, 20____.

Attest:

CITY OF STATESBORO, GEORGIA

City Clerk

Mayor

(SEAL)

Approved:

City Attorney

The terms of the foregoing Adoption Agreement are approved by the Board of Trustees of Georgia Municipal Employees Benefit System.

IN WITNESS WHEREOF, the Board of Trustees of Georgia Municipal Employees Benefit System has caused its Seal and the signatures of its duly authorized officers to be affixed this _____ day of _____, 20____.

Board of Trustees
Georgia Municipal Employees
Benefit System

(SEAL)

Secretary

**GENERAL ADDENDUM TO THE
GEORGIA MUNICIPAL EMPLOYEES BENEFIT SYSTEM
DEFINED BENEFIT RETIREMENT PLAN
ADOPTION AGREEMENT**

This is an Addendum to the Adoption Agreement completed by the City of Statesboro, Georgia, as follows (complete one or more sections, as applicable):

Items (1) - (3) of General Addendum – Not Applicable

- (4) Credited Past Service under the Plan for Specified Classes of Employees - (see Section 13 of Adoption Agreement regarding Credited Past Service): Service performed as a Full-Time Employee prior to February 1, 1973 shall be credited in accordance with the terms of Article III, Section 6 of the pre-existing GMEBS retirement plan document for the City of Statesboro, the terms of which are incorporated herein by reference (See February 1, 1990 Pre-Adoption Agreement Restatement, pp. 22 – 24).

*** Items (5) - (14) of General Addendum – Not Applicable ***

- (15) Other (May include, but shall not be limited to, provisions relating to Master Plan Sections 6.03, 6.06, 8.04, 8.06, 8.08, 8.09, 8.10, 8.12, 9.01, and 9.02) (must specify):
- (a) Prior Service Credit for City Manager Employed as of November 6, 2013 - This subsection applies to the City Manager who was employed in such position as of November 6, 2013 (i.e., Frank Parker). Notwithstanding any other provision of the Master Plan or Adoption Agreement to the contrary, said City Manager's period of employment with the City as a contract employee from October 6, 2010 through June 5, 2011 (i.e., his employment as City Manager prior to his employment as a common law employee and prior to his becoming an Eligible Regular Employee under this Plan) shall be counted as Credited Service under this Plan for all purposes (i.e., meeting the minimum Service requirements for Vesting, meeting the minimum Service requirements for benefit eligibility, and computing any Retirement, Disability and/or death benefits under the Plan).

The terms of the foregoing Addendum to the Adoption Agreement are approved by the Mayor and Council of the City of Statesboro, Georgia this _____ day of _____, 20____.

Attest: CITY OF STATESBORO, GEORGIA

City Clerk

Mayor

(SEAL)

Approved:

City Attorney

The terms of the foregoing Addendum are approved by the Board of Trustees of the Georgia Municipal Employees Benefit System.

IN WITNESS WHEREOF, the Board of Trustees of the Georgia Municipal Employees Benefit System has caused its Seal and the signatures of its duly authorized officers to be affixed this _____ day of _____, 20____.

**Board of Trustees
Georgia Municipal Employees
Benefit System**

(SEAL)

Secretary

CITY OF STATESBORO

COUNCIL

Phillip A. Boyum
Sam Lee Jones
Jeff B. Yawn
John C. Riggs
Derek Duke



Jonathan McCollar, Mayor
Charles Penny, City Manager
Leah Harden, City Clerk
I. Cain Smith, City Attorney

50 EAST MAIN STREET • P.O. BOX 348
STATESBORO, GEORGIA 30459-0348

To: Mr. Charles Penny, City Manager

From: Cindy West, Finance Director

Date: November 25, 2019

RE: Opening of the 2019 Special Purpose Local Option Sales Tax (SPLOST) Bank Account

Policy Issue: Opening of a bank account.

Recommendation: Approval to open the 2019 SPLOST Bank Account.

Background: The City of Statesboro entered into an intergovernmental agreement for the use and distribution of proceeds from the 2019 SPLOST with Bulloch County on July 31, 2018. Per the agreement, the City is required to open a separate bank account for the 2019 SPLOST proceeds. Therefore, it is my recommendation to open the 2019 SPLOST Bank Account.

Budget Impact: N/A

City Manager's Recommendation: Approve

Council Person and District: All

Attachments: Resolution

RESOLUTION #2019-39: A RESOLUTION AUTHORIZING THE OPENING OF A SEPARATE BANK ACCOUNT FOR THE 2019 SPLOST BANK ACCOUNT.

WHEREAS, the City Council entered into an intergovernmental agreement for the use and distribution of Proceeds from the 2019 Special Purpose Local Option Sales Tax with Bulloch County;

WHEREAS, it is required by the intergovernmental agreement, that a separate bank account be established for the 2019 SPLOST proceeds;

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Statesboro, Georgia this 3rd day of December, 2019 that the City Manager and Director of Finance are hereby authorized and directed to open a new bank account at BB&T for the City of Statesboro's 2019 SPLOST Bank Account.

BE IT FURTHER RESOLVED that any Resolution or parts of a Resolution in conflict herewith are hereby rescinded.

City of Statesboro, Georgia

Jonathan M. McCollar, Mayor

Leah Harden, City Clerk

CITY OF STATESBORO

COUNCIL

Phil Boyum, District 1
Sam Jones, District 2
Jeff Yawn, District 3
John Riggs, District 4
Derek Duke, District 5



Jonathan McCollar, Mayor
Charles Penny, City Manager
Leah Harden, City Clerk
I. Cain Smith, City Attorney

50 EAST MAIN STREET • P.O. BOX 348
STATESBORO, GEORGIA 30459-0348

To: Charles Penny, City Manager
Jason Boyles, Assistant City Manager

From: John Washington, Director of Public Works & Engineering/City Engineer

Date: November 25, 2019

RE: FY2020 Resurfacing List for GDOT Local Maintenance and Improvement Grant (LMIG) Application

Policy Issue: Street Resurfacing

Recommendation: Staff recommends approval of the attached resurfacing project list and resolution for the GDOT LMIG FY2020 application.

Background: The Local Maintenance and Improvement Grant (LMIG), is an annual program in which GDOT allocates transportation funds to local governments. The City uses these funds to supplement the Street Resurfacing Budget. The Public Works & Engineering Department staff evaluates City streets and pavement conditions annually to prioritize and select streets for the yearly LMIG resurfacing list that is submitted to GDOT. The list compiled considers streets from all council districts.

Budget Impact: For the FY2020 LMIG Application, the GDOT formula amount provides \$328,952.80 to the City of Statesboro with a local match of 30% (\$98,685.84). The City has appropriated this match from 2018 TSPLOST funds.

Council Person and District: All

Attachment(s): Resolution 2019-40
Street Resurfacing List

City Manager's Recommendation: Approval of project list and grant application resolution.

RESOLUTION #2019-40:

A Resolution approving the City of Statesboro Proposed Fiscal Year 2020 Street Resurfacing Program List and further authorizing the Mayor to execute the Georgia Department of Transportation (GDOT) Local Maintenance & Improvement Grant (LMIG) Application for Fiscal Year 2020.

THAT WHEREAS, the City participates in the Georgia Department of Transportation Local Maintenance Improvement Grant Program;

WHEREAS, the Program provides funding assistance for road improvement projects within the City of Statesboro for the benefit of the citizenry;

WHEREAS, the Program requires that the City present a list of streets for participation annually and that the City execute the Local Government Affidavit and Certification in order to receive funding assistance for improvements to the listed streets;

WHEREAS, the Program application requires a minimum 30% local funding match; and,

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Statesboro, Georgia as follows:

Section 1. The City Manager recommends a list of roads for funding through the LMIG program prepared by the Director of Public Works & Engineering.

Section 2. City Council has reviewed and approves the list as attached to this resolution and authorizes the Mayor to execute the Local Government Affidavit and Certification and all other documents required by the Georgia Department of Transportation related to this grant application.

Section 3. That this Resolution shall be and remain effective from and after its date of adoption.

Adopted this 3rd day of December, 2019.

CITY OF STATESBORO, GEORGIA

By: _____
Jonathan McCollar, Mayor

Attest: _____
Leah Harden, City Clerk

District	Street Name	Beginning	End	Miles	Highest RoadBotics Rating
1	Gary Street	East Main Street	Kingswood Avenue	0.15	5
1	Courtland Street	Oak Street	Railroad Street	0.06	5
1	Wilburn Road	Hart Street	Wilburn Circle	0.29	3
1	Gordon Street/Hill Street	East Main Street	Northside Drive	0.12	4
2	East Vine Street	South Main Street	South Mulberry Street	0.22	5
2	Pine Street	East Terminus	West Terminus	0.10	4
2	Bulloch Street	Johnson Street	Martin Luther King Jr. Drive	0.30	3
3	Park Avenue (Northbound section only)	Stillwell Street	Savannah Avenue	0.58	4
4	Bel-Lane Avenue	Pitt Moore Road	Wendowwod Drive	0.08	2
4	Georgia Avenue	Chandler Road	Fair Road	0.54	3
4	Rogers Court	Rogers Road	Cul-de-sac	0.05	2
4,5	Lanier Drive	Bus stop section near Kennedy Hall		0.05	3
4,5	Lanier Drive	Bus Stop section in front of Cambridge at Southern		0.05	3
5	Sherwood Court	Belair Drive	Cul-de-sac	0.10	2
5	Debbie Lane	Cawana Road	Lee Drive	0.07	3
5	Lee Drive	Edwina Drive	Terminus	0.15	3
5	Garden Way	Oakcrest Drive	Cul-de-sac	0.05	3
5	Scotdale Court	Oakcrest Drive	Cul-de-sac	0.07	3
Totals				3.03	

District 1 mileage: 0.62
District 2 mileage: 0.62
District 3 mileage: 0.58
District 4 mileage: 0.67
District 5 mileage: 0.54



STATESBORO POLICE DEPARTMENT

Ph 912-764-9911

25 West Grady Street, Statesboro, Georgia 30458

Fx 912-489-5050

TO: Charles Penny, City Manager

FROM: Mike Broadhead, Chief of Police *MB*

DATE: November 22, 2019

RE: Dispatch Radio Consoles

POLICY ISSUE: Required Funding to Replace Dispatch Consoles

RECOMMENDATION: That Council approve the purchase of four new dispatch consoles as well as the fiber optic line.

BACKGROUND: This past summer the Statesboro Police headquarters building was struck by lightning. Among the damage was the dispatch center, where all three dispatch consoles were damaged beyond repair. Since that time, our dispatch center has been working using "pieced together" consoles with used parts taken from various other users and from assembled parts by Motorola. Unfortunately, the model of console we were using is outdated and is no longer supported by Motorola. According to the vendor, parts for future repairs will likely be impossible to obtain. A "console" includes the radio system, the computer-aided dispatch module, and access to Records Management, as well as access to warrant queries, criminal history checks, etc.

Bulloch County emergency services are currently in the middle of a system-wide radio upgrade. Funding for this overall project, which includes additional towers, as well as state of the art technological improvements largely came from SPLOST. Although the City's hired consultant recommended an upgrade to our consoles, it was not included in the final project parameters. Motorola, however, has agreed to upgrade our system consoles as they are completing the overall system upgrade. There was a proper bid system set up to determine the vendor for the overall system upgrade, and Motorola received the project. They will allow us to obtain the price differential on the console upgrade as if we were part of the overall system upgrade, which is a substantial savings.



STATESBORO POLICE DEPARTMENT

Ph 912-764-9911

25 West Grady Street, Statesboro, Georgia 30458

Fx 912-489-5050

The City of Statesboro has operated and maintained a dispatch center for many years, and it is imperative that we retain this capability. Although we work directly with the county-wide 911 Center, our dispatchers enter calls directly into our Records Management System, maintain radio contact with each of our deployed units, and answer calls from the public.

When SPD Headquarters was built, the dispatch center was set up with space for four consoles to allow for future growth, however, only three consoles were installed. Currently, there are typically two dispatchers on duty at any given time (each using a separate console), with a third dispatcher for special events (parades, crowd events, SWAT call-outs, etc). That does not leave us with a spare console in case one goes down.

We received two quotes from Motorola to replace our consoles, a three console price and a four console price:

**Three consoles- \$319,500

**Four consoles- \$361,500

Fiber: There is another issue related to the console replacement that should be considered as part of this project. Currently, our consoles operate simply as two way radios. While effective generally, there are some issues. First, if some anomaly interrupts the radio wave, communication is disrupted. Secondly, if a mobile radio in the field gets stuck in transmit mode, dispatch cannot override that issue. Thirdly, if an officer activates their emergency locator button, that fact is sent to the 911 center, who then must communicate that to our dispatch center, which can delay the time that help can arrive. Lastly, there is no redundancy built into our dispatch system. If the radio goes down, the radio is down. If police headquarters were flooded or damaged by other environmental factors, the radios would not work and our dispatch center would be out of service. Each of these issues can be corrected with the addition of a fiber-optic cable connecting our dispatch center with the Rucker Lane tower site.



STATESBORO POLICE DEPARTMENT

Ph 912-764-9911

25 West Grady Street, Statesboro, Georgia 30458

Fx 912-489-5050

The fiber-optic cable solution would give us an internet-based radio connection that would allow our system to operate from a remote location that had internet access. If police headquarters were to be damaged due to flooding, tornado, etc, a dispatcher could access our system from a remote location and we would be back in service immediately. The fiber-optic solution would also allow dispatch to override a stuck transmitter on a mobile radio, would not operate solely as a two-way radio, and would allow for emergency locator button signals to be immediately identified within our dispatch system. Even with the addition of the fiber-optic solution, the radio system could operate in its current manner, allowing for a redundancy that is necessary in a truly emergency-capable system.

We received a quote from Northland Cable to install and maintain a fiber-optic connection from police headquarters to the Rucker Lane tower site. Based upon the recommendation of the Director of Administrative Services, this cost has been spread out over 36 months (which includes the costs of the service). The total cost is \$28,728, or \$798/month for 36 months.

BUDGET IMPACT: These projects were not part of the budget, nor part of the overall radio project upgrade. The Finance Director, Cindy West, has formulated a plan to pay for the replacement consoles and the monthly costs for the fiber project can be paid out of existing budget monies and planned for in the next fiscal year budget.

COUNCIL DISTRICT: All

CITY MANAGER'S RECOMMEDATION: Approve the replacement of the dispatch consoles and purchase the fourth console and installation of the fiber by Northland Cable.

ATTACHMENT: Two quotes from Motorola and on quote from Northland Business



NORTHLAND BUSINESS CLASS SERVICES
Service Order Agreement

Account: 422016

CUSTOMER INFORMATION

Company Name: City of Statesboro
Billing Address: 25 W Grady Street
Statesboro Ga 30458

ORDER TYPE
New x
Renew
Change

CONTACTS

Table with columns: Name, Email, Mobile, Office, Fax. Rows include Customer Contact (Darren Prather), Northland Contact (Richard Goff), and Site (Technical, Billing, Other).

SERVICES & FEES

Table with columns: Description, Monthly Recurring Fee*, Non-Recurring Charge*. Rows include Broadband Internet (50Mg, \$798.00), Business Class Voice, Static IP, and a total row.

DEMARICATION POINTS

Table with columns: Location 1, Location 2. Values: 50mg transport fiber, Terminated in Police station.

SPECIAL TERMS AND CONDITIONS

Transport for City of Statesboro for fiber from Rucker to 25 W Grady Street terminating in first floor of Police station.

INITIAL TERM

36

Requested DUE DATE

ASAP

TERM The Initial Term of this Service Order Agreement shall begin on the date installation is completed and shall continue for the Initial Term indicated herein.

ENTIRE AGREEMENT The terms and conditions set forth herein, together with Northland Communications Business Class Services Terms and Conditions (the "Terms and Conditions") which are available at www.yournorthland.com and are incorporated as though fully set forth herein, comprise the entire agreement between the parties.

E911 NOTICE Northland's digital phone service (the "Phone Service") may have the E911 limitations specified below:

- In order for your 911 calls to be properly directed to emergency services, Northland must have your correct address.
- The Phone Service uses the electrical power in your home or place of business.
- Calls, including calls to 911, may not be completed if there is a problem with network facilities.

USE OF THE PHONE SERVICE AFTER DELIVERY OF THIS DOCUMENT CONSTITUTES YOUR ACKNOWLEDGMENT OF THE E911 NOTICE ABOVE.

Agreed:
City of Statesboro
By:
Printed Name:
Title:
Date:

Accepted this ___ Day of ___, 20__
Northland
By:
Title:

System Overview

In a request from Statesboro Police Department, Motorola is providing a quote for adding (4) MCC 7500 dispatch console positions to the existing Statesboro PD dispatch site. The pricing provided on this sheet is for budgetary purposes and is based on the Design Assumption listed below.

Equipment

- (4) MCC 7500 Consoles with Secure AES/ADP Operation
 - 22" non touch monitors
 - Instant Recall Recorder
 - Single Muff Headsets
 - Goose neck Microphone
 - Headset Jacks
 - Foot Switch
- (1) Console Alias Manager (CAM)
- (1) GCP 8000 Conventional Site Controller
- (2) GGM 8000 HD CCGW
- (1) AUX I/O
- Redundant Site Routers
- Redundant LAN Switches
- (1) 7.5' Equipment Rack

Pricing

Equipment & Services/Installation/
Programming

\$ 361,500

Design Assumptions

- The new positions will be added to an existing Statesboro PD dispatch site.
- Due to the lack of a dedicated backhaul link, between Statesboro PD and the Master Site, the proposed positions will operate in conventional fall back mode (wirelessly)
- This proposal assumes all required control stations and associated antennas and lines are present today and can be interconnected with the included Conventional Channel Gateways (CCGWs)
- Assumes customer will provide adequate physical space and power including UPS and generators.

- Standard 1 year warranty included. Additional maintenance or Software Upgrade Agreement (SUA II) not quoted at this time.

Training

FIELD CLASS COSTS

Field class delivery is "tailored" to the customer's specific system. We are providing classes which are not offered as standard "Open Resident" classes at our training facilities. The students benefit from working on their own systems, at their home location and within their schedules.

Console Operator and Supervisor

Course Title	Participant s	Days
MCC7500 Console Operator and Admin Training with MKM7000 and APX Mobile Consolette Police Dispatch Supervisors 1 (8 hr) Session 2 training consoles Ratio: 2 per Console (Instructor-led) Materials Include: 1 – Interactive End User Tool Kit 1 – CD of the Tailored Files 1 – Thumb drive of the Tailored Files 3 – Tailored Operator Flip books 3 – Admin Flip Books	3	1 day
MCC7500 Console Operator Training and APX Mobile Consolette Police Dispatch Operators 4 (4 hr) Sessions 2 training consoles Ratio: 2 per Console (Instructor-led) Materials include: 12 – Tailored Operator flip books	12 (3-4 per Session)	2 days (4 hrs per)
Travel and Prep based on consecutive delivery		

Note: The Customer's installed and operational system is required for training.

System Overview

In a request from Statesboro Police Department, Motorola is providing a quote for adding (3) MCC 7500 dispatch console positions to the existing Statesboro PD dispatch site. The pricing provided on this sheet is for budgetary purposes and is based on the Design Assumption listed below.

Equipment

- (3) MCC 7500 Consoles with Secure AES/ADP Operation
 - 22" non touch monitors
 - Instant Recall Recorder
 - Single Muff Headsets
 - Goose neck Microphone
 - Headset Jacks
 - Foot Switch
- (1) Console Alias Manager (CAM)
- (1) GCP 8000 Conventional Site Controller
- (2) GGM 8000 HD CCGW
- (1) AUX I/O
- Redundant Site Routers
- Redundant LAN Switches
- (1) 7.5' Equipment Rack

Pricing

Equipment & Services/Installation/
Programming

\$ 319,500

Design Assumptions

- The new positions will be added to an existing Statesboro PD dispatch site.
- Due to the lack of a dedicated backhaul link, between Statesboro PD and the Master Site, the proposed positions will operate in conventional fall back mode (wirelessly)
- This proposal assumes all required control stations and associated antennas and lines are present today and can be interconnected with the included Conventional Channel Gateways (CCGWs)
- Assumes customer will provide adequate physical space and power including UPS and generators.

- Standard 1 year warranty included. Additional maintenance or Software Upgrade Agreement (SUA II) not quoted at this time.

Training

FIELD CLASS COSTS

Field class delivery is "tailored" to the customer's specific system. We are providing classes which are not offered as standard "Open Resident" classes at our training facilities. The students benefit from working on their own systems, at their home location and within their schedules.

Console Operator and Supervisor

Course Title	Participants	Days
MCC7500 Console Operator and Admin Training with MKM7000 and APX Mobile Console Police Dispatch Supervisors 1 (8 hr) Session 2 training consoles Ratio: 2 per Console (Instructor-led) Materials Include: 1 – Interactive End User Tool Kit 1 – CD of the Tailored Files 1 – Thumb drive of the Tailored Files 3 – Tailored Operator Flip books 3 – Admin Flip Books	3	1 day
MCC7500 Console Operator Training and APX Mobile Console Police Dispatch Operators 4 (4 hr) Sessions 2 training consoles Ratio: 2 per Console (Instructor-led) Materials include: 12 – Tailored Operator flip books	12 (3-4 per Session)	2 days (4 hrs per)
Travel and Prep based on consecutive delivery		

Note: The Customer's installed and operational system is required for training.

CITY OF STATESBORO



COUNCIL

Phil Boyum, District 1
Sam Jones, District 2
Jeff Yawn, District 3
John Riggs, District 4
Derek Duke, District 5

Jonathan McCollar, Mayor
Charles Penny, City Manager
Leah Harden, City Clerk
I. Cain Smith, City Attorney

50 EAST MAIN STREET • P.O. BOX 348
STATESBORO, GEORGIA 30459-0348

To: Charles Penny, City Manager
John Washington, Public Works / Engineering Director

From: Robert Seamans, Streets and Parks Superintendent

Date: November 21, 2019

RE: Bid Award – 2020-13 Tractor - Street Division

Policy Issue: Purchasing Policy

Recommendation:

Staff recommends and request the Consideration of a Motion for Award of Bid to Blanchard Equipment for purchase of a 2020 John Deere 5100M 4x4 Utility Tractor in the amount of \$70,311.02. This item will be purchased with funds from the 2018 TSPLOST.

Background:

The Tractor will be utilized in the Street Division of the Public Works and Engineering Department. Sealed bids for the purchase of 2020 4x4 Tractor were received on November 20, 2019 and are as follows:

Blanchard Equipment - \$70,311.02

Tidewater Ag and Construction - \$73,750.00

The low bidder, Blanchard Equipment, meets the requirements of the bid package, specifications and warranty needed.

The 2020 4x4 Tractor, if approved, is funded in the 2018 TSPLOST.

Budget Impact:

Reduce Maintenance Cost

Council Person and District:

N/A (citywide)

Attachments:

Bid Documents

CC:

Darren Prather, Director Central Services
Streets Equipment File STS 2020 - 13



Invitation to Bid: 2020-13 Tractor (STREET DIVISION)

The City of Statesboro is requesting sealed bids for the purchase of a new 2020 Tractor for use by the City of Statesboro Public Works / Engineering Street Division. Sealed bids shall be due on **November 20th, 2019 at 3:00pm EST** in the Purchasing Office, 22 West Grady Street, Statesboro, GA. The receiving time in the City of Statesboro Purchasing Office shall be the governing time for acceptability of bids. Bids shall not be accepted by telephone, e-mail or facsimile machine. Bids must bear original ink signatures and figures. Please address any questions to the City of Statesboro Purchasing Office. Bids shall be sealed at time of submittal and shall be clearly labeled **"2020-13 Tractor (Street Division)"** on the outside of the envelope. Any changes/amendments made to the bid specifications will be addressed by issuance of a written addendum. All bids submitted must acknowledge receipt of addendums issued.

It is the intent of the specifications to describe minimum specifications for minimum 99 Horse Power Tractor. The tractor shall conform to all applicable state and federal regulations binding this type of equipment. Payment shall be made in full upon delivery, training, and acceptance of equipment by the City of Statesboro.

If equipment bid meets or exceeds specification stated, indicate compliance by marking "Yes" in the corresponding box. If equipment does not meet the stated specification, indicate by marking "No" in the corresponding box. Any exceptions to required specifications shall be addressed separately in writing and included in bid submittal. All bids submitted shall be fully executed and meet all minimum specifications stated in the bid documents in its entirety including: Invitation to Bid; Minimum Tractor Specification Form, Bid Submittal Form; Exception To Form; Bid Notice; Instructions to Bidder; Terms and Conditions; Special Provisions for Materials and Equipment; and, Non-Collusion Affidavit. Any bids submitted that do not meet the minimum specifications will be deemed non-responsive and will be rejected. Recommendation will only be made to the city council to award the bid to the bidder who meets all minimum specifications as specified herein.

The City of Statesboro shall reserve the right to accept or reject any and/or all bids and also reserve the right to waive any technicalities or formalities. The City of Statesboro has an equal opportunity purchasing policy to ensure that all segments of the business community have access to supplying goods and services needed by the City of Statesboro. The City of Statesboro provides equal opportunity for all businesses and does not discriminate against any vendor regardless of race, color, religion, age, sex, or national origin.

Minimum Specifications for 2020-13 Tractor Street Division

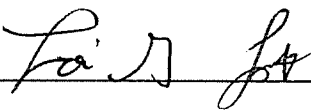
Engine		Compliance Yes or No
	1. Minimum 99 HP Engine	Y
	2. Minimum 85 PTO HP	Y
	3. Engine shall be turbocharged	Y
Transmission		
	1. 16x16 Power Reverser Transmission	Y
	2. Shall be four wheel drive	Y
Power Take Off		
	1. PTO speed shall be 540/540e/1000	Y
Hydraulics		
	1. Number of remote valves shall be 2 standard.	Y
	2. Hydraulics shall be at least 24gpm	Y
Three Point Hitch		
	1. Telescoping draft links w/ ball ends. Cat2	Y
	2. Electric Hitch controls w/Remote control on LH	Y
	3. Mechanical center link w/ ball ends. Cat2	Y
	4. LH and RH Stabilizer Bar.	Y
	5. Rear lift assist w/external cylinders.	Y
	6. Rear fender rockshaft control switch.	Y
Drive Train		
	1. Inboard planetary drives	Y
	2. Electro-hydraulic differential lock	Y
	3. On the go differential locks	Y
Operator Station		
	1. Fully enclosed cab	Y
	2. AM/FM radio w/bluetooth	Y
	3. Arm rests	Y
	4. Seat belt	Y
	5. Cup holder	Y
	6. Horn	Y

	7. AC/Heat	y
	8. Telescoping/tilt steering	y
	9. 2- front lights& 2-rear lights	y
	10. ROPS certified	y
	11. Telescopic mirrors on the right and left sides	y
	12. Blinkers	y
	13. Hazard lights	y
	14. Standard gauges for engine oil, transmission, hydraulics, RPM	y
	15. Parking brake built in transmission	y
	16. Back-up alarm	y
	17. Beacon light kit	y
	18. Air ride seat	y
	19. Instructional seat w/seatbelt	y
Roof (Solid)		
	1. No Sunroof	y
Hood Guard	1. Standard	y
Front weight carrier		
	1. Front weight support	y
	2.Ten front suitcase weights (95lb each)	y
Tires/Wheels (4WD)		
	1. Front- 13.6 x 24 R1	y
	2. Rear-18.4 x 34 R1	y
	3. Three (95lb) LH Rear Wheel Weights	y
Standard Equipment		
	1. All standard features included	y
	2. At least 36 gallon fuel tank.	y
Warranty		
	1. 2 yrs. / 2000 hrs	y

Options if available		Price
1- LVB25776 Brackets # 861.30	Front Fenders	\$1108.02
2- AL180 327 Fender # 123.36x	2= 246.72	
36 Month 3000 Hrs Comprehensive Warranty #250 Deductible	Extended Warranty (Provide details with bid)	\$1703.00

Name of Vendor: Blanchard Equipment

Name of Authorized Rep: Levi G. Lott

Signature of Authorized Rep.: 

Date: 11/20/2019



City of Statesboro
Engineering Department – Public Works

P.O. Box 348
Statesboro, Georgia 30459

912.764.0681 (Voice)
912.764.7680 (Fax)

Bid Submittal Form

Total Price for Proposed Tractor: (Numerical) \$ 67,500.00
(Written) \$ sixty seven thousand five hundred dollar

Deliver Date: March 1, 2020

FOB: City of Statesboro, Public Works
5 Braswell St.
Statesboro, GA 30458
Between the hours of 8:00 am – 4:00 pm EST.

Make: John Deere

Model: 5100m CAB 4x4 Utility Tractor

Year Model: 2020

Options: Front Fenders \$ 1108.02

Extended Warranty (provide details with bid) \$ 1703.00 36 month 3000 hr
260 deductible

The undersigned hereby agrees that the total price included in the bid submittal herein is complete and meets in full the intent and all requirements and specifications stated or implied herein. Further, the undersigned hereby agrees to all terms specified and attests that the bid submitted represents his/her bid in its entirety.

Name of Vendor: Blanchard Equipment

Vendor Contact Information: Blanchard Equipment
201 Stockyard Rd
Statesboro GA 30458

Telephone Number: 912-764-5629

Name of Authorized Rep: Levi G. Lott

Signature of Authorized Rep.: Jeri G. Lott

Date: 1/20/2019



City of Statesboro

Engineering Department – Public Works

P.O. Box 348
Statesboro, Georgia 30459

912.764.0681 (Voice)
912.764.7680 (Fax)

Bid Submittal Form

Total Price for Proposed Tractor: (Numerical) \$ 73,750
(Written) \$ _____

Deliver Date: ASAP

FOB: City of Statesboro, Public Works
5 Braswell St.
Statesboro, GA 30458
Between the hours of 8:00 am – 4:00 pm EST.

Make: Case IH

Model: Maxxum 115

Year Model: 2020

Options: Front Fenders \$ included in price

Extended Warranty (provide details with bid) \$ _____

The undersigned hereby agrees that the total price included in the bid submittal herein is complete and meets in full the intent and all requirements and specifications stated or implied herein. Further, the undersigned hereby agrees to all terms specified and attests that the bid submitted represents his/her bid in its entirety.

Name of Vendor: Tidewater Ag + Construction

Vendor Contact Information: Office - 912-839-2532

Cell - 912-321-1430

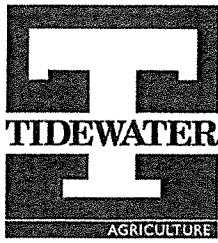
Email - screws@tidewaterequip.com

Telephone Number: 912-839-2532

Name of Authorized Rep: Seth Crews

Signature of Authorized Rep.: Seth Crews

Date: 11/19/19



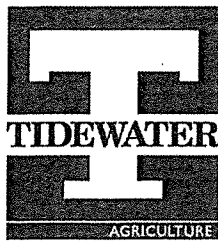
Case IH Maxxum 115

Requirements:

Tractor Specs:

1. Minimum 99HP Engine:	116HP
2. Minimum 85 PTO HP	95HP
3. Engine shall be turbocharged	Yes
4. 16x16 Power Reverser Transmission	16x16 Autoshift with Power Reverser
5. Shall be Four Wheel Drive	Yes
6. PTO Speed shall be 540/540E/1000	Yes
7. Number of remote valves shall be two	Yes
8. Hydraulics shall be at least 24GPM	30GPM
9. Telescoping draft links with ball ends Cat2	Cat2 Flex Ends
10. Electric hitch controls with remote control on LH	Yes
11. Mechanical center link with ball ends Cat2	Cat2 Flex Ends
12. LH and RH Stabilizer Bar	Yes
13. Rear lift assist with external cylinders	Yes
14. Rear fender rockshaft control switch	Yes
15. Inboard Planetary Drives	Yes
16. Electro-Hydraulic differential lock	Class 4 Hydraulic lock
17. On the go differential locks	HD Flange Multi-Diff
18. Fully enclosed Cab	Yes
19. AM/FM Radio with Bluetooth	Yes
20. Arm rest	Yes
21. Seat Belt	Yes
22. Cup Holder	Yes
23. Horn	Yes
24. AC/ Heat	Yes
25. Telescoping/ Tilt steering	Yes
26. 2 Front Lights and 2 Rear Lights	8 LED Roof work lights 2 Basic hood Lights
27. ROPS certified	Yes
28. Telescoping Mirrors on right and left side	Yes
29. Blinkers	Yes

Tidewater Agriculture Equipment Company, LLC
 9057 Highway 67
 P.O. Box 425
 Brooklet, GA 30415
 912-839-2532
 912-839-2522 Fax



- 30. Hazzard Lights Yes
- 31. Standard Gauges for engine oil, transmission, hydraulics, RPM Analog/Digital Basic Cluster
- 32. Parking Brake Built in Transmission Yes
- 33. Back up alarm Yes
- 34. Beacon Light Kit Rotary Beacon Left Hand Side
- 35. Air Ride Seat Yes
- 36. Instructional seat with seatbelt Yes
- 37. No Sunroof Yes
- 38. Standard Hood Guard Yes
- 39. Front Weight Support Yes
- 40. Ten Front Suitcase Weights (95lbs each) Yes
- 41. Front Tires 14.9 R28 R1W
- 42. Rear Tires 18.4 R38
- 43. Three 95lb rear wheel weights Three 140lb on each side
- 44. All Standard Features Includes Yes
- 45. At least 36-gallon fuel tank 51.5 Gal
- 46. Front Fenders included in price
- 47. Extended Warranty EPG Insurance Priced Separately

Additional:

- 48. Suspended Cab
- 49. Rear window wiper

Meets or Exceeds all bid specifications.

Tidewater Ag & Construction

Seth Crews

11/18/19

Tidewater Agriculture Equipment Company, LLC
 9057 Highway 67
 P.O. Box 425
 Brooklet, GA 30415
 912-839-2532
 912-839-2522 Fax

CITY OF STATESBORO

COUNCIL

Phillip A. Boyum, District 1
Sam Lee Jones, District 2
Jeff Yawn, District 3
John Riggs, District 4
Derek Duke, District 5



Jonathan McCollar, Mayor
Charles Penny, City Manager
Leah Harden, City Clerk
Cain Smith, City Attorney

50 EAST MAIN STREET • P.O. BOX 348
STATESBORO, GEORGIA 30459-0348

INTEROFFICE MEMORANDUM

City Manager's Office

TO: Mayor and City Council Members

FROM: Charles W. Penny, City Manager

DATE: November 21, 2019

RE: Excess Vacation Leave Conversion

The maximum amount of vacation leave an employee can carry forward at the end of the calendar year is 240 hours or 30 days; therefore, employees can be forced to take vacation leave to get under the maximum limit or forfeit the vacation leave. Last year, the city had 35 employees forfeit 438 hours of vacation leave at the end of the year, with one employee forfeiting 72.5 hours of leave. I am recommending City Council allow employees to rollover excess vacation leave to sick leave instead of forfeiting the leave as the new policy. In addition, I also recommend the City Council allow the employees to convert the forfeited hours from 2018 to sick leave, which can be used to add to years of service at retirement.

I recommend the City Council approve the conversion of excess vacation leave to sick leave beginning in 2019 and make the new policy retroactive for 2018.

Please let me know if you have any questions or concerns about the recommendation.