STATE OF GEORGIA

COUNTY OF CLAYTON

ORDINANCE NO. 2015-92

AN ORDINANCE ADOPTED UNDER THE HOME RULE POWERS GRANTED TO CLAYTON COUNTY PURSUANT TO ARTICLE IX, SECTION II, PARAGRAPH I OF THE CONSTITUTION OF THE STATE OF GEORGIA OF 1983, AMENDING THE CLAYTON COUNTY CODE OF ORDINANCES, SPECIFICALLY, RELEVANT SECTIONS OF THE CLAYTON COUNTY, GEORGIA PUBLIC EMPLOYEE RETIREMENT SYSTEM; TO AMEND THE PENSION BENEFIT FORMULA; TO INCREASE PLAN FUNDING LEVELS; TO REPEAL CONFLICTING LAWS, ORDINANCES AND RESOLUTIONS; AND TO PROVIDE AN EFFECTIVE DATE OF THIS ORDINANCE; AND FOR OTHER PURPOSES.

WHEREAS, Clayton County and the Clayton County Water Authority maintain the Clayton County, Georgia Public Employee Retirement System (Pension Plan) (the "Plan") by an Act of the General Assembly of the State of Georgia, which originally became effective as of July 1, 1971;

WHEREAS, the Plan was last amended and restated by Ordinance No. 2015-29 of the Clayton County Code of Ordinances;

WHEREAS, the Clayton County Pension Board recommended the approval of the restatement of the Plan at its March 5, 2015 meeting; and

WHEREAS, the Board of Commissioners now wishes to amend and restate the Plan primarily to amend the pension benefit formula and increase the level of funding for the Plan;

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF CLAYTON COUNTY AND IT IS HEREBY ORDAINED:

Section I. By the authority granted to Clayton County pursuant to Article IX, Section II, Paragraph I of the Constitution of the State of Georgia of 1983, the Board of Commissioners hereby amends the Clayton County Code of Ordinances, as amended, by amending and restating the Plan, generally effective as of January 1, 2016, in substantially the manner set forth in the instrument entitled the "Clayton County, Georgia Public Employee Retirement System (Pension Plan)" attached hereto as Exhibit "A" and incorporated herein.

Section II. In the event any section, paragraph, subpart, sentence, clause, phrase or word of this Ordinance shall be declared or adjudged unconstitutional or invalid by any Court, such declaration or adjudication shall not affect the remaining portions of this Ordinance which shall remain in full force and effect as if the portions declared invalid or unconstitutional had never been enacted into law.

Section III. All laws, ordinances or resolutions, or parts thereof, in conflict with provisions of this Ordinance are hereby repealed.

Section IV. This Ordinance shall become generally effective as of the date provided herein upon its approval by the Board of Commissioners after the second reading of the Ordinance, provided the same receives an affirmative vote of three or more members, and provided further that a copy of the Ordinance has been published in the official organ of Clayton County and filed with the Secretary of the State of Georgia as required by law.

[SIGNATURES ON THE NEXT PAGE]

SO ORDAINED, this 5th day of May, 2015.

CLAYTON COUNTY BOARD OF COMMISSIONERS

JEFFREY E. TURNER, CHAIRMAN

(Opposed)
GAIL B. HAMBRICK, VICE CHAIRMAN

MICHAEL EDMONDSON, COMMISSIONER

(Opposed)
SONNA GREGORY, COMMISSIONER

SHANA M. ROOKS, COMMISSIONER

ATTEST:

SANDRA T. DAVIS, CLERK