

Submitted by: Chairman of the Assembly at
the Request of the Mayor

Prepared by: Robert D. Klausner, Police &
Fire Retirement System
Counsel

For reading: March 21, 2000

CLERK'S OFFICE

AMENDED AND APPROVED

Date: 4-18-00

ANCHORAGE, ALASKA

AO NO. 2000-65

1 AN ORDINANCE OF THE MUNICIPALITY OF ANCHORAGE TERMINATING THE
2 EXISTING ANCHORAGE POLICE AND FIRE RETIREMENT SYSTEM; TRANSFERRING
3 ASSETS OF THE TERMINATED SYSTEM TO A NEW ANCHORAGE POLICE AND FIRE
4 RETIREMENT SYSTEM; PROVIDING FOR DISTRIBUTION OF CERTAIN SURPLUS
5 ASSETS OF THE TERMINATED SYSTEM; REPEALING CHAPTER 3.85, ANCHORAGE
6 MUNICIPAL CODE IN ITS ENTIRETY; ENACTING A NEW CHAPTER 3.85, ANCHORAGE
7 MUNICIPAL CODE; PROVIDING FOR A TRANSITION OF AUTHORITY FOR
8 MANAGEMENT OF THE NEW RETIREMENT SYSTEM, PROVIDING FOR SEVERABILITY
9 AND AN EFFECTIVE DATE.

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12 WHEREAS, the Municipality has in effect a retirement system for police officers and firefighters;
13 and,

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15 WHEREAS, legal disputes have resulted concerning the ownership of surplus assets, reversion
16 rights of the Municipality, the proper interpretation of the terms of the System, and the rights of
17 members to enhanced benefits; and,

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19 WHEREAS, the Board of Trustees has recommended a resolution of these issues which has been
20 accepted by the members of the System, the Municipality, and has received judicial approval; and,

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22 WHEREAS, the Assembly finds that the recommendation of the Board of Trustees is in the best
23 interest of the members of the Retirement System, the Municipality and its taxpayers; now therefore,

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25 THE ANCHORAGE ASSEMBLY ORDAINS:

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27 Section 1:

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29 The existing Anchorage Police and Fire Retirement System, codified in Anchorage
30 Municipal Code Chapter 3.85 is hereby terminated.

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32 Section 2:

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34 The Assembly adopts the valuation report of the actuary for the Retirement System as of
35 January 1, 2000 and the Settlement Agreement, both attached hereto and incorporated herein as

1 Attachments A. and B. respectively, providing for transfer of certain assets to a new Anchorage
2 Police and Fire Retirement System, the payment of enhanced benefits, the payment of certain court
3 approved legal fees, and a distribution of certain surplus monies to the Municipality.
4

5 **Section 3:**

6 and Anchorage Municipal Code of Regulations Chapter
7 Anchorage Municipal Code Chapter 3.85^{3.85} are hereby repealed in its entirety. A new Anchorage
8 Municipal Code Chapter 3.85 attached hereto and incorporated herein as Attachment C. (Exhibit their
9 A. to the Settlement Agreement) is hereby adopted.
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11 **Section 4:**

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13 Notwithstanding anything to the contrary contained in the new Anchorage Municipal Code
14 chapter 3.85, the Board of Trustees of the terminated Retirement System is hereby continued and
15 empowered to administer the new retirement system until a new Board of Trustees can be appointed
16 in accordance with the new Chapter 3.85. The elected trustees of the terminated system shall
17 automatically continue as trustees of the new system until the expiration of their current terms.*
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19 **Section 5:**

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21 During the transition between the terminated system and the new system, all benefits
22 previously approved shall continue without interruption. The Board of Trustees shall have full
23 authority to pay all authorized benefits, including the distribution of enhanced benefits provided for
24 in the schedule adopted in Section 2 of this ordinance. During this transitional phase, the Board of
25 Trustees may adopt such rules as are necessary to implement the provisions of this ordinance.
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27 **Section 6:**

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29 Within thirty (30) days of the effective date of this ordinance, the vacant positions on the new
30 Board of Trustees shall be filled. Within thirty (30) days of the date of this ordinance, the prior
31 system shall have been terminated so as to permit assets to be actually and of record transferred to
32 the new system, and a one time distribution of \$40 million to the Municipality to occur. All other
33 facets of the transition between the prior system and the current system shall be accomplished at the
34 earliest practicable date. After the one time distribution to the Municipality, all beneficial, residual,
35 and reversionary interests in the trust assets, including any surpluses, belong to the members, after
36 payment of all benefits required by law.
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38 **Section 7:**

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40 Should any portion of this ordinance, including the incorporated provisions, be declared
41 invalid by a court of competent jurisdiction, the remaining portions of this ordinance shall remain
42 in full force and effect as if the invalid portion had not been adopted.

43 *The provisions governing membership, composition, and duties of the retirement board,
as well as those governing the processing of disability retirement claims which are
set forth in Attachment C. shall govern all disability and retirement claims, regardless
of the date of injury or illness or when filed.

Section 8:

This ordinance is effective immediately upon passage.

PASSED AND APPROVED by the Anchorage Assembly, this 18th day of April, 2000.

Kim Meyer
Chair of the Assembly

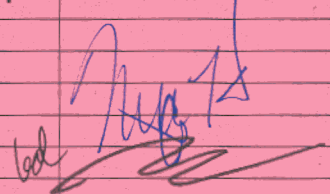
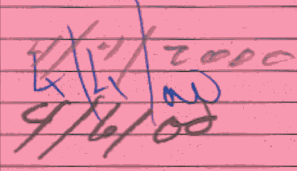
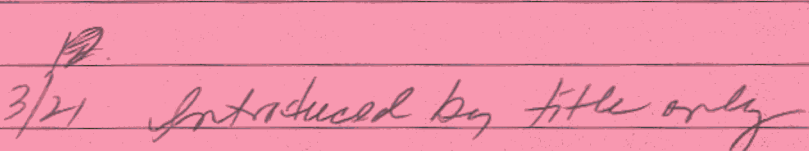
ATTEST:

Lepine Ferguson
Municipal Clerk

**MUNICIPALITY OF ANCHORAGE
MUNICIPAL CLERK'S OFFICE
AGENDA DOCUMENT CONTROL SHEET**

AO 2000-65

(SEE REVERSE SIDE FOR FURTHER INFORMATION)

1	SUBJECT OF AGENDA DOCUMENT Terminating the Existing Police and Fire Retirement System, Transferring Assets and Repealing and Enacting a New Anchorage Municipal Code Chapter 3.85.	DATE PREPARED 	
		Indicate Documents Attached <input checked="" type="checkbox"/> AO <input type="checkbox"/> AR <input checked="" type="checkbox"/> AM <input type="checkbox"/> AIM	
2	DEPARTMENT NAME Department of Law	DIRECTOR'S NAME Mary K. Hughes, Municipal Attorney	
3	THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY Robert D. Klausner (contact William A. Greene)	HIS/HER PHONE NUMBER (x4534)	
4	COORDINATED WITH AND REVIEWED BY <input checked="" type="checkbox"/> Mayor <input checked="" type="checkbox"/> Municipal Clerk <input checked="" type="checkbox"/> Municipal Attorney <input checked="" type="checkbox"/> Employee Relations <input checked="" type="checkbox"/> Municipal Manager Cultural & Recreational Services Fire Health & Human Services Merrill Field Airport Municipal Light & Power Office of Management & Budget Police Port of Anchorage Public Works Solid Waste Services Public Transportation Water & Wastewater Utility <input checked="" type="checkbox"/> Executive Manager Community Planning & Development Finance, Chief Fiscal Officer Heritage Land Bank Management Information Systems Property & Facility Management Purchasing Other	INITIALS <div style="font-size: 24pt; text-align: center;">  </div>	DATE <div style="font-size: 24pt; text-align: center;">  </div>
5	SPECIAL INSTRUCTIONS/COMMENTS <div style="font-size: 24pt; text-align: center;">  </div>		
6	ASSEMBLY HEARING DATE REQUESTED 	7	
		PUBLIC HEARING DATE REQUESTED 4/18/00	

M.O.A.
00 APR -6 PM 4:41
CLERKS OFFICE

**FULL TEXT OF
DOCUMENT CAN BE
OBTAINED AT MUNI
CLERK S OFFICE**