



City of Grand Island

Thursday, January 17, 2013

Special Meeting

Item I2

#2013-17(A) & #2013-17(B) – Pre-84 Police Retirees – Calculation of Police Retiree Benefits

Staff Contact: Robert J. Sivick, City Attorney

RESOLUTION 2013-17(A)

WHEREAS, Article 10 of Chapter 16 of the Nebraska Revised Statutes sets forth the laws governing the pensions of police officers of First Class Cities; and

WHEREAS, Section 16-1007(1) of the Nebraska Revised Statutes requires the City of Grand Island to provide pension benefits to retired police officers “in the form of a straight life annuity or any optional form of annuity benefit established by the retirement committee”; and

WHEREAS, Section 16-1007(2)(b) of the Nebraska Revised Statutes states in reference to police pension benefits, “[i]f the minimum pension benefit is paid in a form other than a straight life annuity, such benefit shall be the actuarial equivalent of the straight life annuity that would otherwise be paid to the officer...”

WHEREAS, beginning in 2005 the Police Pension Committee stopped calculating police pension benefits based on a straight life annuity and began calculating said benefits based on a joint life annuity; and

WHEREAS, Section 16-1014 of the Nebraska Revised Statutes states in reference to police pension benefits, “[t]he governing body of the city shall continue to be responsible for the general administration of such retirement system unless specific functions or all functions with regard to the administration of the retirement system are delegated, by ordinance, to the retirement committee.”; and

WHEREAS, the Grand Island City Council as the governing body of the City of Grand Island never approved the calculation of police retirement benefits based on a joint life annuity nor has delegated that authority or function to the Police Pension Committee; and

WHEREAS, absent any official action on the part of the Council changing the method of calculating police retirement benefits, those benefits were and are to be calculated on a straight life annuity basis and any deviation from that standard was incorrect and illegal,

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA,

That the Police Pension Committee and City staff are to calculate all pending and future police retirement benefits on a straight life annuity basis unless directed otherwise by an official action of the Grand Island City Council.

Adopted by the City Council of the City of Grand Island, Nebraska, January 17, 2013.

Jay Vavricek, Mayor

Approved as to Form	☐ _____
January 17, 2013	☐ City Attorney

Attest:

RaNae Edwards, City Clerk

RESOLUTION 2013-17(B)

WHEREAS, Article 10 of Chapter 16 of the Nebraska Revised Statutes sets forth the laws governing the pensions of police officers of First Class Cities; and

WHEREAS, Section 16-1007(1) of the Nebraska Revised Statutes requires the City of Grand Island to provide pension benefits to retired police officers “in the form of a straight life annuity or any optional form of annuity benefit established by the retirement committee”; and

WHEREAS, beginning in 2005 the Police Pension Committee stopped calculating police pension benefits based on a straight life annuity and began calculating said benefits based on a joint life annuity; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA,

That the Police Pension Committee and City staff are to calculate all pending and future police retirement benefits on a joint life annuity basis.

Adopted by the City Council of the City of Grand Island, Nebraska, January 17, 2013.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
January 17, 2013	☐ City Attorney