

..Number

110418

..Version

PROPOSED SUBSTITUTE C

..Reference

951082

..Sponsor

ALD. MURPHY AND DUDZIK

..Title

A substitute charter ordinance relating to retirement benefits for elected officials.

..Sections

36-05-1-g am

..Analysis

This charter ordinance changes the computation for the annual service retirement allowance for elected officials whose terms commence on or after April 17, 2012, who are not members of the employees' retirement system at the time of their initial election, and who elect to become members of the employees' retirement system. The percentage of final average salary that is multiplied by the number of years of creditable service to determine the annual service retirement allowance is decreased from 2.5% to 2% for years of service on or after April 17, 2012. Further, the ordinance provides that for an elected official who is a member of the employees' retirement system and who holds office on or after April 17, 2012, he or she may consent to change his or her annual service retirement allowance from 2.5% to 2% of the member's final average salary times the number of years of creditable service accrued as an elected official for years of service on or after April 17, 2012.

..Body

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 36-05-1-g of the city charter is amended to read:

**36-05. Benefits.**

**1. SERVICE RETIREMENT ALLOWANCE.**

g. Elected Officials. The annual service retirement allowance for >>an<< elected ~~[[officials]]~~ >>official<< elected to office by vote of the people, except the mayor, shall equal ~~[[2.60%]]~~ >>2.6%<< of the member's final average salary times the number of years of creditable service accrued as an elected official for years of service prior to 1996 and ~~[[2.50%]]~~ >>2.5%<< of the member's final average salary times the number of years of creditable service accrued as an elected official for years of service on or after January 1, 1996.  
>>Notwithstanding the forgoing, the annual service retirement allowance for an elected official whose term commences on or after April 17, 2012, who is not a member of the employees' retirement system at the time of his or her initial election, and who elects to become a member of the employees' retirement system, shall equal 2% of the member's final average salary times the number of years of creditable service accrued as an elected official for years of service on or after April 17, 2012. For an elected official who is a member of the employees'

retirement system and who holds office on or after April 17, 2012, he or she may consent to change his or her annual service retirement allowance to 2% of the member's final average salary times the number of years of service on or after April 17, 2012.<< The annual service retirement for the mayor shall equal ~~[[2.60%]]~~ >>>2.6%<< of the mayor's final average salary times the number of years of creditable service accrued for years of service prior to 1996, and ~~[[2.0%]]~~ >>2%<< of the mayor's final average salary times the number of years of creditable service accrued for years of service on or after January 1, 1996. Service before or after service ~~[[for]]~~ >>as an<< elected ~~[[officials]]~~ >>official<< shall be credited at the rate applicable to such service.

Part 2. This is a charter ordinance and shall take effect 60 days after its passage and publication, unless within such 60 days a referendum petition is filed as provided in s. 66.0101(5), Wis. Stats., in which event this ordinance shall not take effect until submitted to a referendum and approved by a majority of the electors voting thereon.

..LRB

APPROVED AS TO FORM

\_\_\_\_\_  
Legislative Reference Bureau

Date: \_\_\_\_\_

..Attorney

IT IS OUR OPINION THAT THE ORDINANCE  
IS LEGAL AND ENFORCEABLE

\_\_\_\_\_  
Office of the City Attorney

Date: \_\_\_\_\_

..Requestor

..Drafter

LRB131345-3

Mary E. Turk

2/6/2012