

1 **Section 1.** The Annual Retirement Benefit for any Mayor of the City of Little Rock shall be determined
2 in accordance with the 2014 Defined Benefit Plan (“2014 DB Plan”) for City employees, and is declared
3 by the Board of Directors to be a comparable retirement benefit as that provided to the highest-paid City
4 Official.

5 **Section 2.** Because the City has provided the current Mayor with a different Retirement Plan to-date,
6 the documents for the 2014 DB Plan shall be amended to make the Mayor immediately eligible for this plan
7 in accordance with the following provisions:

8 (a) Any Mayor who serves ten (10) years or more in the office shall be entitled, upon reaching the
9 age of sixty (60), to retire with an Annual Retirement Benefit during the remainder of that
10 person’s natural life payable at the rate of one-half of the salary payable to the Mayor at the
11 time of retirement;

12 (b) Any Mayor who serves twenty (20) years or more as Mayor of the City shall be entitled to
13 retire with an Annual Retirement Benefit during the remainder of that person’s natural life
14 payable at the rate of one-half of the salary payable to the mayor at the time of retirement.

15 (c) Any Mayor who has served as an Elected Official or employee of the City prior to, or after, the
16 person’s service as Mayor shall count such service as an Elected Official or employee towards
17 the Mayor’s Retirement Benefit as follows:

18 (i) One (1)-year of Mayor’s retirement for each two (2) years of service as an Elected
19 Official or employee of the City up to a maximum of an additional two (2) years of
20 credit towards a Mayor’s Retirement Benefit; or,

21 (ii) one (1)-year of a Mayor’s Retirement Benefit for each two (2) years served as an
22 Elected Official or an employee of the City for a maximum of three (3) years credit
23 towards a Mayor’s Retirement Benefit if the person has not less than twenty (20) years
24 of Mayor’s credit and has reached the age of at least fifty-two (52); or,

25 (iii) one (1)-year of a mayor’s Retirement Benefit for each two (2) years served as an
26 Elected Official or an employee of the City for a maximum of four (4) years credit
27 towards a Mayor’s Retirement Benefit if the person has not less than twenty (20) years
28 of Mayor’s credit and has reached the age of at least fifty-four (54);

29 (iv) provided, that no period of elected or employment experience with the City referred to
30 in this subsection (b) (i), (ii), or (iii), shall apply towards a Mayor’s Retirement Benefit
31 if such serve is also covered by another retirement plan.

32 **Section 3.** On January 1st of each year, if a retired mayor has been retired for at least twelve (12)
33 months, a retired Mayor shall be entitled to a Cost-of-Living Increase added to the Annual Retirement
34 Benefit if, and only if:

- 1 (a) The retired Mayor participates in the 2014 DB Plan; and,
- 2 (b) The retired Mayor agrees to any Cost-of-Living Increase that may occur pursuant to the
- 3 provisions of the 2014 DB Plan that apply to all other members of the Plan; and,
- 4 (c) The retired Mayor formally executes a legal waiver of any entitlement to any particular
- 5 percentage of annual cost-of-living increase that otherwise would be available pursuant to Ark.
- 6 Code Ann. § 24-12-123, as may be amended.

7 **Section 4.** On the death of any Mayor retired pursuant to the provisions of this ordinance who has
8 elected to pay any cost of a Spousal Benefit, or any Mayor who dies in office after becoming eligible to
9 retire under Section 2 of this ordinance, or of any acts of the General Assembly, a Spousal Benefit in the
10 form provided for in Ark. Code Ann. § 24-12-123 (b), or any other option provided through the 2014 DB
11 Plan, provided the cost of the Spousal Benefit may be paid by direct reimbursement to the Plan or through
12 actuarial equivalence factors provided in the Plan.

13 **Section 5.** Any Mayor not a part of the 2014 DB Plan on the effective date of this ordinance shall pay
14 into the 2014 DB Plan any accredited benefits received from contributions of the City to another retirement
15 plan.

16 **Section 6. Repealer.** All laws, ordinances, resolutions, or parts of the same that are inconsistent with
17 the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

18 **Section 7. Severability.** In the event any title, section, paragraph, item, sentence, clause, phrase, or
19 word of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or
20 adjudication shall not affect the remaining portions of this ordinance, which shall remain in full force and
21 effect as if the portion so declared or adjudged invalid or unconstitutional were not originally a part of this
22 ordinance.

23 **Section 8. Emergency Clause.** *Because of statutory requirements to assure that a full-time Mayor*
24 *serving pursuant to the Management Form of Government Plan set forth in Little Rock, Ark., Ordinance*
25 *No. 19,761 (June 12, 2007), and approved by the electors of the City at a referendum, receives a salary*
26 *and benefits comparable to the highest paid City Official, and the additional statutory requirements to*
27 *assure an Annual Retirement Benefit during life at the rate of one-half of the salary payable to the Mayor*
28 *at the time of retirement; and, because it is important to assure that such retirement benefits are equally*
29 *applied to all eligible persons who have served as Mayor under the current configuration of the*
30 *government; and, because it is important to provide a definite formula for any Cost-of-Living Increases, or*
31 *for Spousal Benefits of a deceased Mayor; and, because the ability to assure such statutory compliance and*
32 *not be involved in future litigation is essential to assure the proper functioning of government and that*
33 *parties on the governing body are not involved in individual challenges to benefits packages or retirement*
34 *benefits; and, for all of these reasons, such resolution is essential to the public health, safety, and welfare;*

1 *an emergency is, therefore, declared to exist so this ordinance can take effect, and be in full force and effect,*
2 *from and after the date of its passage.*

3 **ADOPTED: December 18, 2018**

4 **ATTEST:**

APPROVED:

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8 **Susan Langley, City Clerk**

Mark Stodola, Mayor

8 **APPROVED AS TO LEGAL FORM:**

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12 **Thomas M. Carpenter, City Attorney**

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