

ORDINANCE NO. 14013

AN ORDINANCE AMENDING CHATTANOOGA CITY CODE, PART II, CHAPTER 2, ARTICLE III, DIVISION 5, FIRE AND POLICE PENSION FUND, SECTION 2-406, BOARD OF TRUSTEES OF PENSION FUND; MEMBERSHIP; TERM OF OFFICE; VACANCIES, AND SECTION 2-407, ORGANIZATION; OFFICERS; COMPENSATION OF PRESIDENT AND SECRETARY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE:

SECTION 1. That Chattanooga City Code, Part II, Chapter 2, Article III, Division 5, Fire and Police Pension Fund, Sections 2-406 and 2-407, be amended by deleting same in its entirety and substituting in lieu thereof the following:

DIVISION 5. FIRE AND POLICE PENSION FUND

Sec. 2-406. Board of Trustees of pension fund; membership; term of office; vacancies.

- (a) The Board of Trustees of the Chattanooga Fire and Police Pension Fund consists of a total of eight Trustees. Three Trustees must be Members in Active Service with the Fire Department; three Trustees must be Members in Active Service with the Police Department; one Trustee must be the Mayor, by virtue of his office, or if the Mayor so chooses, a City employee knowledgeable of pensions, investments, and financial matters appointed by the Mayor; and one Trustee, who cannot be a City employee, must be appointed by the City Council and must be knowledgeable of pensions, investments, and financial matters.
- (b) If a Firefighter or Police Officer Trustee becomes ineligible to serve as a Trustee as outlined in Sec. 2-407(d), the Trustee must resign from the Board effective as of the date the Trustee became ineligible. The Trustees appointed by the Mayor and City Council will serve until they resign or are replaced by the Mayor or City Council.
- (c) Alignment of Terms of Office. On Tuesday, September 5, 2023, an election will be held to choose one Trustee from the Fire Department and one Trustee from the Police Department for a term of three years. On Tuesday, September 3, 2024, an election will be held to choose

one Trustee from the Fire Department and one Trustee from the Police Department for a term of four years. On Tuesday, September 2, 2025, an election will be held to choose one Trustee from the Fire Department and one Trustee from the Police Department for a term of five years. On Tuesday, September 1, 2026, and thereafter every two years on the first Tuesday in September, an election will be held to choose one Trustee from the Fire Department and one Trustee from the Police Department for a term of six years. If a Firefighter's or Police Officer's candidacy is unopposed, the election will be held at the Pension Fund office only, during hours established by the Board. For contested elections of Firefighters, a monitored ballot box will also be provided at the Fire Department training center during hours established by the Board. For contested elections of Police Officers, a monitored ballot box will also be provided at police headquarters during hours established by the Board. All votes will be counted openly and publicly, and the Firefighter and Police Officer who receive the highest number of votes will be elected for the given term.

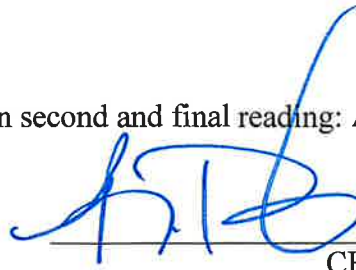
- (d) Firefighters and Police Officers who hold appointed positions in the Fire Department or Police Department are not eligible to be elected, to serve, or to continue to serve as a Trustee of the Board. If a Firefighter or Police Officer Trustee on the Board becomes unable or ineligible to serve as a Trustee, the Board will appoint a replacement Trustee to serve until the first Tuesday in September of the next election year. If the election cycle following the appointment is not for the Trustee position to which the Board made an appointment, a special election will be held at that time to elect a Trustee to serve the remaining duration of the term of the Trustee who was replaced. A vacancy of a Trustee appointed by the Mayor will be filled by appointment by the Mayor, and a vacancy of a Trustee appointed by the City Council will be filled by appointment by the City Council.

Sec. 2-407. Same--Organization; officers; compensation of President and Secretary.

As soon as may be practical following a regular election of Trustees, the Board will meet and elect from among the Firefighter and Police Officer Trustees the following officers: (a) a President, (b) a Vice-President, and (c) a Secretary, each of whom will discharge the customary duties of such offices until the next regular election of officers has been completed. The Secretary and President will receive pay for their services in an amount to be fixed by the Board, commensurate with the amount of time and work required to fulfill their duties. The Secretary shall maintain a record of retired Firefighters, Police Officers, and their spouses, including a complete record of all pensions being paid and the actions of the Board in retiring any and all persons under this Division 5, including the names, dates of employment, dates of retirement, and reasons for retirement. The compensation of each Trustee, except for the Secretary and President, shall be fixed from time to time by the City Council and paid from the Fund. The Board will pay from the Fund the fees, charges, and expenses for consultants, actuarial services, and legal services as well as such expenses as may be necessary for the administration of the Fund, including compensation of the Secretary and President for duties they perform on behalf of the Fund.

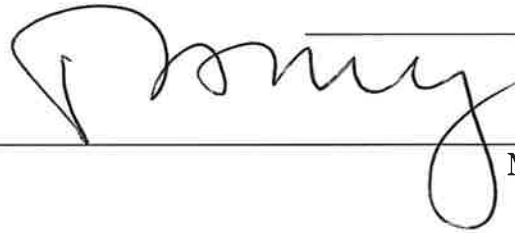
SECTION 2. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two
(2) weeks from and after its passage.

Passed on second and final reading: August 1, 2023



CHAIRPERSON

APPROVED: DISAPPROVED:



MAYOR

M&M/PAN/KM/mem/v5