

**CITY OF HAMPTON
STATE OF GEORGIA**

ORDINANCE NO. 2021-535

AN ORDINANCE TO AMEND AND RESTATE THE RETIREMENT PLAN FOR THE EMPLOYEES OF THE CITY OF HAMPTON, GEORGIA IN ACCORDANCE WITH AND SUBJECT TO THE TERMS AND CONDITIONS SET FORTH IN THE ATTACHED ADOPTION AGREEMENT, ANY ADDENDUM TO THE ADOPTION AGREEMENT, THE GEORGIA MUNICIPAL EMPLOYEES BENEFIT SYSTEM (GMEBS) MASTER PLAN DOCUMENT, AND THE GMEBS TRUST AGREEMENT. WHEN ACCEPTED BY THE AUTHORIZED OFFICERS OF THE CITY AND GMEBS, THE FOREGOING SHALL CONSTITUTE A CONTRACT BETWEEN THE CITY AND GMEBS, ALL AS AUTHORIZED AND PROVIDED BY O.C.G.A. § 47-5-1 ET SEQ.

BE IT ORDAINED by the Mayor and Council of the City of Hampton, Georgia, and it is hereby ordained by the authority thereof:

WHEREAS, the City of Hampton (hereinafter "City") is governed by the Mayor and Council; and

WHEREAS, the City of Hampton desires to amend and restate its the Retirement Plan for the Employees of the City of Hampton, Georgia and allow for participation by the Mayor and Council.

THE COUNCIL OF THE CITY OF HAMPTON HEREBY ORDAINS:

Section 1. The Retirement Plan for the Employees of the City of Hampton, Georgia is hereby amended and restated as set forth in and subject to the terms and conditions stated in the following Adoption Agreement, any Addendum to the Adoption Agreement, the Georgia Municipal Employees Benefit System (GMEBS) Master Plan Document, and the GMEBS Trust Agreement, all of which is attached hereto and incorporated by reference.

Section 2. Except as otherwise specifically required by law or by the terms of the Master Plan or Adoption Agreement (or any Addendum), the rights and obligations under the Plan with respect to persons whose employment with the City was terminated or who vacated his office with the City for any reason whatsoever prior to the effective date of this Ordinance are fixed and shall be governed by such Plan, if any, as it existed and was in effect at the time of such termination.

Section 3. The effective date of this Ordinance shall be February 9, 2021.

Section 4. All Ordinances and parts of ordinances in conflict herewith are expressly repealed.

Section 5. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 6. This Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City of Hampton.

Section 7.

- a. It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.
- b. It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause and phrase of this Ordinance is severable from every other, section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.
- c. In the event that any phrase, clause, sentence, paragraph or Section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or Sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and Sections of the Article shall remain valid, constitutional, enforceable, and of full force and effect.

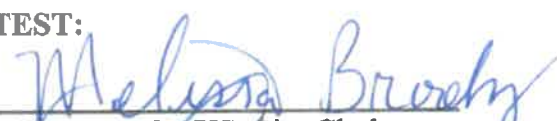
SO ORDAINED, this 9th day of February 2021.

CITY OF HAMPTON, GEORGIA



STEVE HUTCHISON, Mayor

ATTEST:


MELISSA BROOKS, City Clerk

APPROVED AS TO FORM:


L'ERIN BARNES WIGGINS, City Attorney