

BILL NO. \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION DIRECTING THE CITY MANAGER TO CONSULT WITH THE MISSOURI LOCAL GOVERNMENT EMPLOYEES RETIREMENT SYSTEM (LAGERS) REGARDING THE PENSIONS FOR EMPLOYEES OF INDEPENDENCE POWER & LIGHT WHO ARE MEMBERS OF IBEW LOCAL 53.

WHEREAS, the City of Independence, Missouri, recognizes the importance of evaluating all options concerning the future ownership model of Independence Power & Light, as directed and authorized by the City Council on April 5th, 2023 (non-ordinance action item #3), and;

WHEREAS, the City acknowledges its contractual obligations with the International Brotherhood of Electrical Workers Local #53 (Union), which represents employees of Independence Power & Light and contains binding successorship language, and;

WHEREAS, the Missouri Local Government Employees Retirement System (LAGERS) was created by the 74th Missouri General Assembly in October 1967 and officially opened its doors in April 1968, and;

WHEREAS, LAGERS is now the largest pension system for local government employees in the state of Missouri, covering over 850 employers, over 70,000 active and retired members, with over \$10 billion in assets and an overall aggregate funding level in excess of the national average, and;

WHEREAS, employees with five or more years of service to the City of Independence are vested in LAGERS and entitled to a pension benefit at the time of their retirement, and;

WHEREAS, the LAGERS benefit is the foundation for an employee's future financial independence, paying a guaranteed benefit at eligibility for the remainder the retiree's life, and;

WHEREAS, it is imperative to protect the pension plans of IBEW Local 53 members working at Independence Power & Light in the event of a sale, transfer, merger, consolidation, acquisition, spin-off, lease, or any other transaction by which the operation, for which employees subject to this Agreement perform services, is transferred to an entity other than the City, and;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI AS FOLLOWS:

SECTION 1. That the City Council desires to preserve and protect the Missouri Local Government Employees Retirement System (LAGERS) pension plans for all employees of Independence Power and Light represented by IBEW Local 53.

SECTION 2. That in the event of any future sale, transfer, merger, consolidation, acquisition, spin-off, lease, or other transaction by which the operation of Independence Power and Light is transferred to an entity other than the City of Independence (City), the City Council desires to continue fully funding all payments relevant to the LAGERS pension plan for all Union members enrolled in the plan at the time of such sale, transfer, or other transaction in accordance with the provisions currently enumerated in the work agreement between the City and IBEW Local 53.

SECTION 3. That the City Manager shall consult with LAGERS and the leadership of IBEW Local 53 in a joint setting on the legality of continuing to fund LAGERS pension plans for Union members enrolled in the plan at the time of such sale, transfer, or other transaction in accordance with the provisions currently enumerated in the work agreement between the City and IBEW Local 53 and shall report these findings to the City Council.

SECTION 4. That the City shall take all necessary actions, including but not limited to contract negotiations, to prioritize the continuation of the LAGERS pension plan payments as allowed by law in the event of a sale, transfer, or other transaction.

PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

\_\_\_\_\_  
Presiding Officer of the City Council  
of the City of Independence, Missouri

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
City Counselor

REVIEWED BY:

\_\_\_\_\_  
City Manager