

Protecting Local Government Retirement and Benefits Act Application for Waiver and Plan: Defined Benefit Pension Retirement Systems

Issued under authority of Public Act 202 of 2017.

I. MUNICIPALITY INFORMATION

Local Unit Name: Ypsilanti Community Utilities Authority Six-Digit Muni Code: 817514
Defined Benefit Pension System Name: Ypsilanti Community Utilities Authority (MERS Pension System) (8106)
Contact Name (Administrative Officer): Kevin Welch
Title if not Administrative Officer: HR Director Director
Email: kwelch@ycua.org Telephone: (734) 544-7118

2. GENERAL INFORMATION

Application for Waiver and Plan: This Application for Waiver and Plan may be filed by any local unit of government with at least one defined benefit pension retirement system that has triggered a preliminary review of underfunded status. In accordance with Public Act 202 of 2017 (the Act), if the state treasurer determines that the underfunded status is adequately being addressed by the local unit of government, the state treasurer shall issue a waiver of the determination of underfunded status. If requesting a waiver, you must submit a separate and unique application for each underfunded retirement system as determined by the *2017 Retirement System Annual Report* (Form 5572).

Due Date: The local unit of government has **45 days from the date of notification** to complete and file the Application for Waiver and Plan. Failure to file within 45 days will result in a determination of underfunded status for your local unit of government as defined by the Act, and your local unit of government will be required to submit a corrective action plan to the Municipal Stability Board for approval.

Filing: This Application for Waiver and Plan must be approved by the local government's administrative officer and its governing body. **You must provide proof of your governing body approving this Application for Waiver and Plan and attach the documentation as a separate PDF document.** Failure to provide documentation that demonstrates approval from your governing body will automatically result in a denial of the waiver application.

The completed application must be submitted via email to LocalRetirementReporting@michigan.gov. **If you have multiple underfunded retirement systems, you are required to complete separate applications and send a separate email for each underfunded system.** Please attach each application as a separate PDF document in addition to all applicable supporting documentation.

The subject line of the email(s) should be in the following format: **Waiver-2017, Local Unit Name, Retirement System Name** (e.g. Waiver-2017, City of Lansing, Employees' Retirement System Pension Plan). Treasury will send an automatic reply acknowledging receipt of the email. Your individual email settings must allow for receipt of Treasury's automatic reply. This will be the only notification confirming receipt of the application(s).

Considerations for Waiver: A successful Application for Waiver and Plan will demonstrate what your local unit **has already done** to adequately address its underfunded status. Prospective solutions will not be granted merit in determining the outcome of the waiver application (e.g. future amendments to collective bargaining agreements, upcoming millage proposals, potential budget changes, etc.). However, Treasury may consider additional ongoing funding dedicated to your retirement system if those commitments have been formally enacted by the governing body and can be documented. Section three of this waiver application allows the local unit of government to enter a brief description

of prior actions that have already been implemented to adequately address its underfunded status. For purposes of Sec. 6.(1) of the Act, this application will also be considered the plan.

Underfunded status for a defined benefit pension system is defined as being less than 60% funded according to the most recent audited financial statements, and, if the local unit of government is a city, village, township, or county, the actuarially determined contribution for all of the defined benefit pension retirement systems of the local unit of government is greater than 10% of the local unit of government's annual governmental fund revenues, based on the most recent fiscal year.

3. DESCRIPTION OF PRIOR ACTIONS

Prior actions are separated into three categories below: System Design Changes, Additional Funding, and Other Considerations. Please provide a brief description of the prior actions implemented by the local government to address the retirement system's underfunded status within the appropriate category section. Within each category are sample statements that you may choose to use to indicate the changes to your system that will positively affect your funded status. For retirement systems that have multiple divisions, departments, or plans within the same retirement system, please indicate how these changes impact the retirement **system** as a whole.

Please indicate where in the attached supporting documentation these changes are described and the impact of those changes (i.e. what has the local unit of government done to improve its underfunded status, and where can we find the proof of these changes in the supporting documentation?).

Note: Please provide the name of the system impacted, the date you made the change, the relevant page number(s) within the supporting documentation, and the resulting change to the system's funded ratio.

Category of Prior Actions:

☒ **System Design Changes** - System design changes may include the following: Lower tier of benefits for new hires, final average compensation limitations, freeze future benefit accruals for active employees in the defined benefit system, defined contribution system for new hires, hybrid system for new hires, bridged multiplier for active employees, etc.

Sample Statement: *The system's multiplier for current employees was lowered from 2.5X to 2X for the **General Employees' Retirement System** on **January 1, 2017**. On page 8 of the attached actuarial supplemental valuation, it shows our funded ratio will be **60%** by fiscal year **2020**.*

Enter System Design Statement here:

See Attachment A.

☒ **Additional Funding** – Additional funding may include the following: voluntary contributions above the actuarially determined contribution, bonding, millage increases, restricted funds, etc.

Sample Statement: *The local unit provided a lump sum payment of **\$1 million** to the **General Employees' Retirement System** on **January 1, 2017**. This lump sum payment was in addition to the actuarially determined contribution (ADC) of the*

system. The additional contribution will increase the retirement system's funded ratio to **61% by 2025**. Please see page **10** of the attached enacted budget, which highlights this contribution of **\$1 million**.

Enter Additional Funding Statement here:

The Authority provided a lump sum payment of an additional \$580,000 on 8/17, in addition to the required ARC contribution.

The Authority contributes its annual contribution based upon the MERS "No-Phase-In" schedule, which results in a higher contribution, an accelerated 100% funding ratio goal, higher investment earnings and lower future contributions.

Effective 1/1/2018 the employee contribution for AFSCME Union and Non Union Employees increased from 3% to 5%. This affects 95 out the total of 109 YCUA employees, or 87%.

Effective 1/1/2014 the employee contribution for Teamster Union Employees increased from 3% to 4%. This affects the remainder of the 109 YCUA employees.

- ☐ **Other Considerations** – Other considerations may include the following: outdated Form 5572 information, enterprise fund revenue considerations, actuarial assumption changes, amortization policy changes, etc.

Sample Statement: The information provided on the Form 5572 from the audit used actuarial data from **2015**. Attached is an updated actuarial valuation for **2017** that shows our funded ratio has improved to **62%** as indicated on page **13**.

Sample Statement: **50%** of our retirement liabilities are attributable to employees within our enterprise divisions as shown in the attached analysis, yet we could not include enterprise revenue as part of our governmental funds. The attached analysis shows that our revenue ratio (ADC / Total Governmental Funds) would only be **5%** when including enterprise funds within the calculation.

Enter Other Considerations Statement here:

4. DOCUMENTATION ATTACHED TO THIS WAIVER APPLICATION AND PLAN

Documentation must be attached as a .pdf to this waiver application. The documentation must demonstrate the prior actions that have already been implemented to adequately address the local unit of government's underfunded status. Please ensure this documentation directly supports and highlights the systems funded ratio as entered in section three of the waiver application above. Please check all documents that are included as part of this application and attach in successive order as provided below:

Naming convention: when attaching documents please use the naming convention shown below. If there is more than one document in a specific category that needs to be submitted, include a, b, or c for each document. For example, if you are submitting two supplemental valuations, you would name the first document "Attachment 2a" and the second document "Attachment 2b".

Continued on Page 4.

Naming Convention

- ☒ Attachment – I
- ☒ Attachment – Ia
- ☐ Attachment – 2a
- ☐ Attachment – 3a
- ☐ Attachment – 4a
- ☐ Attachment – 5a
- ☐ Attachment – 6a
- ☐ Attachment – 7a

Type of Document

This Waiver Application and Plan (Required)

Documentation from the governing body approving the Waiver Application and Plan (Required)

Actuarial Analysis (annual valuation, supplemental valuation, projection)

Internally Developed Projection Study

Documentation of additional payments in past years that is not reflected in your audited financial statements (e.g. enacted budget, system provided information).

Documentation of commitment to additional payments in future years (e.g. resolution, ordinance)

A plan that the local unit has already approved to address its underfunded status, which includes documentation of prior actions and the positive impact on the system's funded ratio

Other documentation, not categorized above

5. LOCAL UNIT OF GOVERNMENT'S ADMINISTRATIVE OFFICER APPROVAL OF WAIVER APPLICATION AND PLAN

I Jeff Castro, as the government's administrative officer (*enter title*)
YCUA Executive Director (Ex: City/Township Manager, Executive director, Chief Executive Officer, etc.) approve this Application for Waiver and Plan. We are requesting a waiver of underfunded status, because we have already implemented substantial changes to our retirement system as described above.

I confirm to the best of my knowledge that because of the changes listed above the following statement will occur:

The Retirement Pension System listed below will achieve a funded status of at least 60% by the Fiscal Year listed below.

Retirement Pension System Name: Ypsilanti Community Utilities Authority Fiscal Year: 2022

Signature: 

Date: 4/26/18

Attachment A

Ypsilanti Community Utilities Authority

Michigan Department of Treasury Form 5583

System Design Changes:

The system's multiplier for all AFSCME union employees hired after 9/1/13 was reduced from 2.0% to 1.5%. As of 4/6/18, 28 of 86 employees in this group are affected by this design change. The system's multiplier for all non-union employees hired after 1/1/14 was reduced from 2.0% to 1.5%. As of 4/6/18, 2 of 9 employees in this group are affected by this design change. In total, 31.5% of the employees in both groups reflect a lower multiplier.

The system's Cost of Living Allowance (COLA) was eliminated for all non-union employees hired after 1/1/2014.

Paid Time Off (PTO) maximum possible accumulation included in the Final Average Compensation (FAC) calculation for Non-Union employees hired after 1/1/14 was reduced from 640 hours to 240 hours.

Paid Time Off (PTO) maximum possible accumulation included in the Final Average Compensation (FAC) calculation for Teamster employees hired after 9/1/13 was reduced from 640 hours to 480 hours.

Further, in 2013 the total hours of accumulated sick, vacation or PTO time included in the FAC at retirement was reduced from 100% to 75% or 50% or 0%, depending on the employee group and the original hire date. Accumulated sick leave paid out at retirement is no longer included in the FAC for AFSCME union employees hired after 9/1/2013.

Vacation time maximum possible accumulation included in the Final Average Compensation (FAC) calculation for AFSCME Union employees hired after 9/1/13 was reduced from 2.5 times the annual accumulation to 2 times the annual accumulation.

YCUA RESOLUTION NO. 18-3 APPROVING
APPLICATION FOR YPSILANTI COMMUNITY AUTHORITY
WAIVER OF DEFINED BENEFIT PENSION RETIREMENT SYSTEMS (FORM 5583)

Minutes of a meeting of the Board of Commissioners of the Ypsilanti Community Utilities Authority, County of Washtenaw, Michigan, held in the Authority, on the 25th April 2018 at 4:00 o'clock p.m., prevailing Eastern Time.

PRESENT: Commissioners Brenda L. Stumbo, Michael Bodary, Jon R. Ichescio, and Larry J. Doe.

ABSENT: Commissioners Keith P. Jason

The following preamble and resolution were offered by Commissioner Doe and supported by Commissioner Ichescio.

WHEREAS, the Ypsilanti Community Utilities Authority ("YCUA") wishes to apply for the 2018 Waiver and Plan for the YCUA Defined Benefit Pension Retirement System (Form 5593) ("Application"); and

WHEREAS, YCUA requests authorization from the YCUA Board of Commissioners for YCUA's Director to sign the Application and for YCUA's Human Resources Director to submit the completed Application to the Michigan State Treasurer no later than May 18, 2018.

NOW, THEREFORE, BE IT RESOLVED THAT the 2018 Application for Waiver and Plan for the YCUA Defined Benefit Pension Retirement System and the request for YCUA's Director to sign the Application and for YCUA's Human Resources Director to submit the completed Application to the Michigan State Treasurer no later than May 18, 2018 are hereby approved by the Board of Commissioners of the Ypsilanti Community Utilities Authority.

AYES: Commissioners Brenda L. Stumbo, Michael Bodary, Jon R. Ichescio, and Larry J. Doe.

NAYS: Commissioners None.

RESOLUTION DECLARED ADOPTED.



JON R. ICHESCO, Secretary - Treasurer

I hereby certify that the attached is a true and complete copy of a resolution adopted by the Board of Commissioners of the Ypsilanti Community Utilities Authority, County of Washtenaw, State of Michigan, at a meeting held on the 25th day of April 2018 and that public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976 and that minutes of the meeting were kept and will be or have been made available as required by said Act.



JON R. ICESCO, Secretary - Treasurer