

**CERTIFICATE OF RESOLUTION  
OF THE PUBLIC WORKS COMMISSION  
OF THE CITY OF FAYETTEVILLE**

I certify that I am a member of the Public Works Commission of the City of Fayetteville, North Carolina (hereinafter referred to as the "Commission"), and that the following is a true and correct copy of the resolution relating to the Employees' Retirement Plan of the Public Works Commission of the City of Fayetteville duly adopted by the Commission at a meeting held this the 29<sup>th</sup> day of May 2002.

**Recommendation Of Referendum On Participation In The North Carolina Local Governmental Employees' Retirement System**

WHEREAS, pursuant to Chapter 384 of the Session Laws of 1965 of the General Assembly of North Carolina, the City Council of the City of Fayetteville, North Carolina (hereinafter referred to as the "Council") established the Employees' Retirement Plan of the Public Works Commission of the City of Fayetteville (hereinafter referred to as the "Retirement Plan") for the benefit of the employees of the Commission; and

WHEREAS, under North Carolina General Statutes § 128-25, if 60% or more of the employees who are members of the Retirement Plan vote in favor of participation in LGERS, and if the Council approves, the following will occur:


- The Commission's employees will be eligible to participate in LGERS after approval by the Council and the Trustees of LGERS;
- After approval, the members of the Retirement Plan will receive benefits from LGERS as if their participation in the local pension system had been participation in LGERS, except that payments to existing pensioners who were being paid pensions on the date of the approval shall be continued and paid at their existing rates;
- After approval, the assets of the Retirement Plan will be transferred to the North Carolina Governmental Employees' Retirement System, where they will be an offset against the special accrued liability contribution to be paid by the county, city or town as provided by G.S. 128-30, subsection (d);
- After the approval, no additional benefits will accrue under the Retirement Plan; and

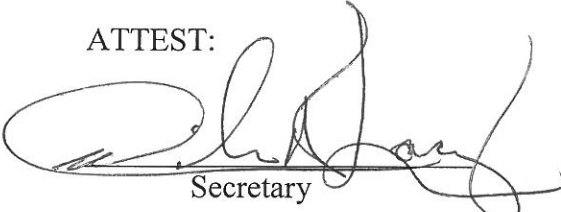
WHEREAS, the Commission wishes to allow its employees who are members of the Retirement Plan to vote on whether to participate in LGERS in accordance with North Carolina General Statutes § 128-25.

RESOLVED, the Commission recommends to the Council that the Council authorize a referendum of the members of the Retirement Plan regarding participation in LGERS in accordance with North Carolina General Statutes § 128-25.

IN WITNESS WHEREOF, the undersigned has set his hand this the 29<sup>th</sup> day of May, 2002.

**PUBLIC WORKS COMMISSION OF THE  
CITY OF FAYETTEVILLE, NORTH CAROLINA**

  
Chairman

ATTEST:  
  
Secretary