



Date: February 19, 2026

To: Mayor Aftab Purevall

From: Emily Smart Woerner, City Solicitor *EESW*

Subject: **Emergency Ordinance – Authorizing Pension Settlement Agreement**

Transmitted herewith is an emergency ordinance captioned as follows:

AUTHORIZING the City Manager and City Solicitor to seek amendment of the Collaborative Settlement Agreement and Consent Decree in the class action lawsuit in the U.S. District Court for the Southern District of Ohio, Western Division captioned Sunyak, et al., v. City of Cincinnati, et al., Case Nos. 1:11-cv-445 and 1:12-cv-329.

EESW/CNS(dbr)

Attachment

4929-5436-8903

E M E R G E N C Y

City of Cincinnati

CNS

EESW

An Ordinance No. _____

- 2026

AUTHORIZING the City Manager and City Solicitor to seek amendment of the Collaborative Settlement Agreement and Consent Decree in the class action lawsuit in the U.S. District Court for the Southern District of Ohio, Western Division captioned Sunyak, et al., v. City of Cincinnati, et al., Case Nos. 1:11-cv-445 and 1:12-cv-329.

WHEREAS, the City is bound by the terms of a Consent Decree and Collaborative Settlement Agreement in Case Nos. 1:11-cv-445 and 1:12-cv-329 in the U.S. District Court for the Southern District of Ohio (“Pension Litigation”), the goal of which is to appropriately fund the Cincinnati Retirement System (“CRS”) Pension Trust Fund; and

WHEREAS, following participation in federal mediation with class representatives, the City and those parties have agreed to present recommended changes for modifying the Collaborative Settlement Agreement and Consent Decree to the court overseeing the Pension Litigation; and

WHEREAS, the City and the class representatives in the Pension Litigation believe the proposed changes are necessary to fortify the CRS Pension Trust Fund and to secure benefits that have been promised to current and future CRS retirees;

WHEREAS, the plan to be presented to the court includes large one-time contributions to the CRS Pension Fund by the City, increased annual contributions to the CRS Pension Fund by the City, increased contributions by employees, and extension of the target date for achieving full-funding status of the CRS Pension Trust Fund; and

WHEREAS, this plan, if approved, will strengthen the City’s long-term fiscal stability and reduce reliance on future taxpayers to fund past benefits; now, therefore,

BE IT ORDAINED by the Counsel of the City of Cincinnati, State of Ohio:

Section 1. That the City Manager and City Solicitor are authorized to seek amendment of the Collaborative Settlement Agreement and Consent Decree in the class action lawsuit in the U.S. District Court for the Southern District of Ohio, Western Division captioned Sunyak, et al., v. City of Cincinnati, et al., Case Nos. 1:11-cv-445 and 1:12-cv-329, to implement a pension funding plan with the following components:

- The City will make a one-time contribution of \$50,000,000 to the Cincinnati Retirement System (“CRS”) Pension Trust Fund upon plan approval.

- Annually over time, the City will make an additional \$50,000,000 contribution to the CRS Pension Trust Fund from its restricted funds, beginning with a \$1,500,000 contribution in 2026 and subsequent annual payments increasing by five percent annually until the total \$50,000,000 amount is paid.
- The City will increase its minimum annual contribution to the CRS Pension Trust Fund from the currently mandated 16.25 percent of covered payroll to 19.25 percent of covered payroll, with the potential for the minimum contribution to increase to 21.5 percent – through three adjustments of 0.75 percent – if reporting by CRS's actuary indicates the CSR Pension Trust Fund is not on pace for full funding by 2049.
- Employee contributions to the CRS Pension Trust Fund will increase from the current maximum of nine percent of pensionable wages to ten percent of pensionable wages via a series of 0.25-percent increases over the next four years.
- The target year for full funding of the CRS pension trust fund will shift from 2045 to 2049.
- The City may reduce its minimum annual contribution to the CRS Pension Trust Fund to the net normal cost for operating the CRS in the event the CRS Pension Trust Fund reaches full funding prior to the expiration of the Collaborative Settlement Agreement and Consent Decree.

Section 2. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare, and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to present the proposed funding plan to the court and seek its approval to amend the Collaborative Settlement Agreement and Consent Decree so that the CRS may realize the benefits of the funding plan at the earliest possible time.

Passed: _____, 2026

Aftab Pureval, Mayor

Attest: _____
Clerk