

ORDINANCE NO. 1638

AN ORDINANCE DETERMINING TO GRANT, PROVIDING FOR AND ALLOWING, UNDER THE ACT GOVERNING THE TEXAS MUNICIPAL RETIREMENT SYSTEM, "UPDATED SERVICE CREDIT" IN SAID SYSTEM FOR SERVICE PERFORMED BY QUALIFYING MEMBERS OF SUCH SYSTEM IN THE EMPLOYMENT OF THE CITY OF MESQUITE; ELECTING AND PRESCRIBING THE EFFECTIVE DATE OF SUCH UPDATED SERVICE CREDITS; AUTHORIZING AND PROVIDING FOR ALLOWANCE OF INCREASES IN MONTHLY BENEFITS PAYABLE BY TEXAS MUNICIPAL RETIREMENT SYSTEM TO RETIRED EMPLOYEES AND TO BENEFICIARIES OF DECEASED EMPLOYEES, AS CURRENT SERVICE ANNUITIES AND PRIOR SERVICE ANNUITIES ARISING FROM SERVICE OF SUCH EMPLOYEES TO THIS CITY; PROVIDING FOR A SEVERABILITY CLAUSE AND DECLARING AN EMERGENCY.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. Revised Allowance of Updated Service Credits

On the terms and conditions set out in Section XVII of Article 6243h, Vernon's Texas Civil Statutes, as amended, each member of Texas Municipal Retirement System who on the 1st day of January, 1981, has creditable service in said System arising out of employment with the City of Mesquite prior to the first day of the year preceding the date last above-mentioned shall be and is hereby granted an "Updated Service Credit" (as that term is defined in said Act) that is 100% of the "Base Updated Service Credit" of the member, calculated as provided in said Act.

The Updated Service Credits herein granted shall be effective from and after January 1, 1981, and shall be in lieu of and in substitution for all prior service credits and/or updated service credits previously allowed such member.

SECTION 2. Revised Increases in Annuities in Effect

(a) Pursuant to Section XVIII of Article 6243h, Vernon's Texas Civil Statutes, as amended, the City of Mesquite hereby elects to allow and to provide for payment of the increases below specified in all monthly benefits payable by Texas Municipal Retirement System after the 1st day of January, 1981 to retired employees and to beneficiaries of deceased employees of this City under current service annuities and prior service annuities arising from service of such employees to this City, and in effect prior to the date last above-mentioned.

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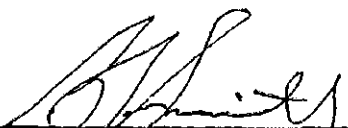
(b) Each such monthly benefit for the month of January, 1981, and each month thereafter shall be increased by 20% above the amount of the regular benefit (as distinguished from any supplemental or distributive benefit) in effect for the month of December, 1980.

SECTION 3. The granting of "Updated Service Credits" as provided in Section 1 above and the granting of increases in annuities in effect, as provided in Section 2, above, shall be conditioned upon and subject to approval by the Board of Trustees of Texas Municipal Retirement System as provided in the act governing said System.

SECTION 4. That it is the intent of the City Council that the provisions hereof be deemed severable and in the event any such provision shall be declared unconstitutional or invalid for any reason such unconstitutionality or invalidity shall not affect those provisions left standing.

SECTION 5. That the present ordinances of the City of Mesquite are inadequate for providing for and allowing, under the act governing the Texas Municipal Retirement System, "Updated Service Credit" in said system for service performed by qualifying members of such system in the employment of the City of Mesquite creates an urgency and an emergency in the interest of the public health, safety, and welfare, and makes necessary that this ordinance take effect immediately from and after its date of passage.

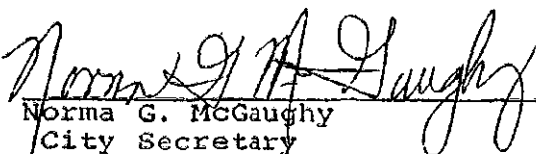
DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 20th day of October, A.D., 1980.



B. J. SMITH
MAYOR

ATTEST:

APPROVED AS TO FORM:



Norma G. McGaughy
City Secretary

Elland Archer
City Attorney

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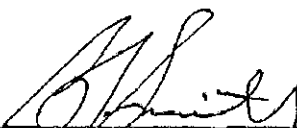
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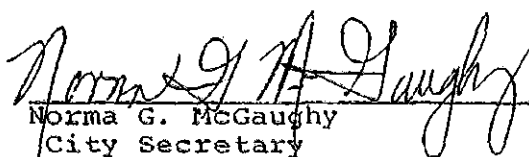
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