

ORDINANCE NO. 1726

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING AND ALLOWING, UNDER THE ACT GOVERNING THE TEXAS MUNICIPAL RETIREMENT SYSTEM, "UPDATED SERVICE CREDITS" IN SAID SYSTEM FOR SERVICE PERFORMED BY QUALIFYING MEMBERS OF SUCH SYSTEM IN THE EMPLOYMENT OF THE CITY OF MESQUITE; PROVIDING FOR INCREASED PRIOR AND CURRENT SERVICE ANNUITIES FOR RETIREES AND BENEFICIARIES OF DECEASED RETIREES OF THE CITY; AND ESTABLISHING AN EFFECTIVE DATE FOR SUCH ACTIONS; 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. Authorization of Updated Service Credits.

(a) On the terms and conditions set out in Sections 63.401 through 63.403 of Title 110B, Revised Civil Statutes of Texas, as amended, each member of the Texas Municipal Retirement System who has current service credit or prior service credit in said System in force and effect on the 1st day of January, 1982, by reason of service in the employment of the City of Mesquite, and on such date has at least 36 months of credited service with said system, shall be and is hereby allowed "Updated Service Credit" (as that term is defined in subsection d of Section 63.402 of said title) in an amount that is 100% of the "base Updated Service Credit" of the member (calculated as provided in subsection c of Section 63.402 of said title). The Updated Service Credit hereby allowed shall replace any Updated Service Credit, prior service credit, special prior service credit, or antecedent service credit previously authorized for part of the same service.

(b) In accordance with the provisions of subsection d of Section 63.401 of said Title 110B, the deposits required to be made to the Texas Municipal Retirement System by employees of the several participating departments on account of current service shall be calculated from and after the date aforesaid on the full amount of such person's earnings as an employee of the City.

SECTION 2. Increase in Retirement Annuities.

(a) On the terms and conditions set out in Section 64.203 of Title 110B, Revised Civil Statutes of Texas, as amended, the City of Mesquite hereby elects to allow and to provide for payment of the increases below stated in monthly benefits payable by the

Texas Municipal Retirement System to retired employees and to beneficiaries of deceased employees of this City under current service annuities and prior service annuities arising from service by such employees to this City. An annuity increased under this Section replaces any annuity or increased annuity previously granted to the same person.

(b) The amount of annuity increase under this Section is computed as the sum of the prior and current service annuities on the effective date of retirement of the person on whose service the annuities are based, multiplied by 70% of the percentage change in Consumer Price Index for All Urban Consumers, from December of the year immediately preceding the effective date of the person's retirement to the December that is 13 months before the effective date of this ordinance.

(c) An increase in an annuity that was reduced because of an option selection is reducible in the same proportion and in the same manner that the original annuity was reduced.

(d) If a computation hereunder does not result in an increase in the amount of an annuity, the amount of the annuity will not be changed hereby.

(e) The amount by which an increase under this Section exceeds all previously granted increases to an annuitant is an obligation of this City and of its account in the municipality accumulation fund of the Texas Municipal Retirement System.

SECTION 3. Effective Date. Subject to approval by the Board of Trustees of Texas Municipal Retirement System, the updated service credits and increases in retirement annuities granted hereby shall be and become effective on the 1st day of January, 1982.

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 21st day of September, A.D., 1981.

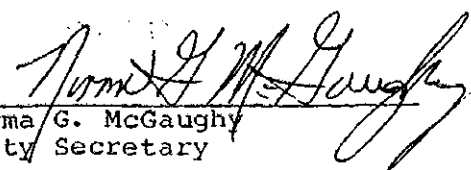
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J. J. SMITH
MAYOR

ATTEST:

APPROVED AS TO FORM:



Norma G. McGaughy
City Secretary

Elland Archer
City Attorney

