

AN ORDINANCE AFFECTING PARTICIPATION OF CITY EMPLOYEE IN THE TEXAS MUNICIPAL RETIREMENT SYSTEM; GRANTING THE ADDITIONAL RIGHTS, CREDITS AND BENEFITS AUTHORIZED BY SECTIONS 62.105 AND 64.202 OF TITLE 110B, REVISED CIVIL STATUTES OF TEXAS, 1925, AS AMENDED; PROVIDING THAT SUCH RIGHTS SHALL BE SUPPLEMENTARY TO THOSE HERETOFORE ALLOWED AND THAT ARE IN FORCE ON THE EFFECTIVE DATE OF THIS ORDINANCE; AND PRESCRIBING THE EFFECTIVE DATE OF THIS ORDINANCE.

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

SECTION 1. Pursuant to the provisions of Sections 62.105 and 64.202 of Subtitle G of Title 110B, Revised Civil Statutes of Texas, 1925, as amended, which Subtitle shall herein be referred to as the "TMRS ACT," the City of Mesquite, Texas, adopts the following provisions affecting participation of its employees in the Texas Municipal Retirement System:

(a) Each person who becomes an employee of any participating department of this City and who is not already a member of the Texas Municipal Retirement System shall become a member of the System as a condition of employment, provided such person is then under sixty (60) years of age;

(b) Any member, after one (1) year from the effective date of his or her membership in the System, shall be eligible for service retirement if he or she has attained the age of fifty (50) years and has completed twenty-five (25) years of creditable service with one or more municipalities that have authorized eligibility under Section 64.202 of the TMRS Act or under Section XX of former Article 6243h, Vernon's Texas Civil Statutes, or if he or she has attained the age of sixty (60) years and has completed at least ten (10) years of creditable service with one or more municipalities that have authorized eligibility under Section 64.202 of the TMRS Act or under Section XX of said former Article 6243h;

(c) The membership of any person who has completed at least ten (10) years of creditable service with participating municipalities that have authorized eligibility under Section 64.202 of the TMRS Act (or under Section XX of said former Article 6243h) shall not terminate because of absence from service; and

(d) Any person who is an employee of a participating department of this municipality at the effective date of this ordinance, but who at the date of his or her employment was under sixty (60) years of age but did not become a member of Texas Municipal Retirement System because he or she was then above the maximum age then prescribed by law for initial membership in the System, shall become

CG256

a member of the System at the effective date of this ordinance, unless he or she has already become a member under other provisions of the governing Act, and shall be allowed prior service credit for each month of creditable service performed for this municipality subsequent to the date such person was precluded from membership and prior to the effective date of his or her membership. Such prior service credit shall be calculated using the same percentage of base prior service credit as was most recently used in calculating prior service credits or updated service credits in said System for current member employees of this City.

SECTION 2. The rights, credits and benefits hereinabove authorized shall be in addition to the plan provisions heretofore adopted and in force at the effective date of this ordinance pursuant to the TMRS Act.

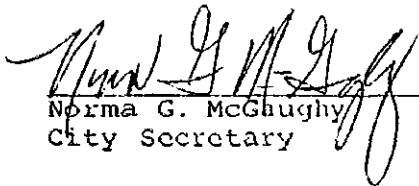
SECTION 3. This ordinance shall become effective on the first day of January, 1984, provided that it has previously been determined by the Actuary for the System that all obligations of the City to the municipality accumulation fund, including obligations hereby undertaken, can be funded by the City within its maximum contribution rate and within its amortization period.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 19th day of September, A.D., 1983.


MRS. BURNHILDE NYSTROM
MAYOR

ATTEST:

APPROVED AS TO FORM:


Norma G. McGaughey
City Secretary

Elland Archer
City Attorney