SOMERSET ORDINANCE 96-3

TMRS-A/N

TEXAS MUNICIPAL RETIREMENT SYSTEM

AN ORDINANCE PROVIDING FOR THE PARTICIPATION IN THE TEXAS MUNICIPAL RETIREMENT SYSTEM AND THE SUPPLEMENTAL DEATH BENEFITS FUND BY THE CITY OF SOMERSET, TEXAS.

WHEREAS, Subtitle G of Title 8 of the Government Code, as amended (herein after referred to as the "TMRS Act"), relating to the Texas Municipal Retirement System, authorizes the governing body of each city or town to elect, at its option, to have one or more of the city departments participate in such System; and

WHEREAS, the City Council of the City of Somerset, Texas, finds that it will be in the public interest for the City to have its employees participate in the Texas Municipal Retirement System as hereinafter provided; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF SOMERSET, TEXAS:

Section 1. The City Council of the City of Somerset, Texas, on behalf of said City, hereby exercises its option and elects to have the City and all of the employees of all departments now existing and those hereafter created participate in the Texas Municipal Retirement System as provided in the TMRS Act.

Section 2. The City Administrator is hereby directed to notify the Board of Trustees of the Texas Municipal Retirement System that the City has elected to participate and have the employees of the City covered in said System.

Section 3. Each person who becomes an employee of a participating city on or after the effective date of participation of such city whose position shall require more than 1,000 hours per year shall become a member of the Texas Municipal Retirement System as a condition of their employment.

Section 4. In accordance with the provisions of the TMRS Act, the deposits to be made to the Texas Municipal Retirement System on account of current service of the employees of the several participating departments are hereby fixed at the rate of **five percent (5%)** of the full earnings of each employee of said departments.

Section 5. Each employee who qualifies for such credit shall be allowed "prior service credit" (as defined in Section 853.101 of the TMRS Act) at the rate of **one hundred percent (100%)** of the "base credit" of such member, calculated in the manner prescribed in Section 853.105 of said Act.

Section 6. For each month of current service rendered to this City by each of its employees who are members of the Texas Municipal Retirement System, the City will contribute to the current service annuity reserve of each such member at the time of his or her retirement, a sum that is **100%** of such member's accumulated deposits for such month of employment; and said sum shall be contributed from the City's account in the municipality accumulation fund.

Section 7. The City Secretary is hereby directed to remit to the Board of Trustees of the Texas Municipal Retirement System, at its office in Austin, Texas, the city contributions to the System and the amounts which shall be deducted from the compensation or payroll of employees, all as required by said Board under the provisions of the TMRS Act, and the said official is hereby authorized and directed to ascertain and certify officially on behalf of this City the prior service rendered to the said municipality by each of the employees of the participating departments, and the average prior service compensation received by each of the employees of the participating departments and make and execute all prior service certifications and all other reports and certifications which may be required of the City under the provisions of the TMRS Act, or in compliance with the rules and regulations of the Board of Trustees of the Texas Municipal Retirement System.

Section 8. That the City hereby elects to participate in the Supplemental Death Benefits Fund of the Texas Municipal Retirement System for the purpose of providing in-service death benefits for each of the City's employees who are members of said System, and for the purpose of providing post-retirement death benefits for annuitants whose last covered employment was as an employee of the City, in the amounts and on the terms provided for in Sections 852.004, 854.601 through 854.605, 855.313, 855.314, 855.408, and 855.502 of Title 8 Subtitle G, of the Texas Government Code, as amended.

Section 9. The City is hereby authorized and directed to notify the Director of the System of adoption of this ordinance, and of the participation of the City in said Fund.

Section 10. The provisions of this ordinance shall become effective on the 1st day of October, 1996.

Passed and approved on this the 12th day of September, 1996.

ATTEST:

Diane De Hoyos
City Secretary or Clerk

APPROVED:

Paul D. Cullen
Mayor