



City of Orchard, Texas
Ordinance No. 126-21

An ordinance providing for the participation in the Texas municipal retirement system and the supplemental death benefits fund by the city of orchard Texas; and to make current service and prior service contributions to the city's account in the benefit accumulation fund of the Texas municipal retirement system at the actuarially determined rate of total employee compensation.

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 (the "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 Orchard, Texas, finds that it will be in the public interest for the City to have its employees participate in the System as hereinafter provided; now, therefore,

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

Orchard, Texas, on behalf of said City, hereby exercises its option and elects to have this City and all of the employees of all departments now existing and those hereafter created participate in the System as provided in the TMRS Act.

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

Section 3. Each person who becomes an employee of this City on or after the effective date of participation of this City whose position shall require more than, 1,000 hrs per year shall become a member of the System as a condition of their employment.

Section 4. Each employee of this City who is a member of the System is eligible to retire and receive a service retirement annuity if the member has at least 20 years of credited service in the System preformed for one or more municipalities that have adopted a like provision under Section 854.202(g) of the TMRS Act.

Section 5. In accordance with the provisions of the TMRS Act, the deposits to be made to the 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 6. Each employee who qualifies for such credit shall be allowed “prior service credit” (as defined in Section 853.101 of the TRMS Act) at the rate of **fifty percent (50 %)** of the “base credit” of such member, calculated in the manner prescribed in Section 853.105 of said Act.

Section 7. For each month of current service rendered to this City by each of its employees who are members of the System, the City elects to provide for each such member at the time of his or her retirement, a sum that is **100 percent (100 %)** of such member’s accumulated deposits for such month of employment; and said sum shall be a liability of the City’s account in the benefit accumulation fund.

Section 8. The City Secretary is hereby directed to remit to the Board of Trustees of the 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 System.

Section 9. The City hereby elects to participate in the Supplemental Death Benefits Fund of the 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 an employee of this City, in the amounts and of the terms provided for in Sections 852.004, 854.601 through 854.605, 855.314, 855.408, and 855.502 of Title 8 Subtitle G, of the Texas Government Code, as amended.

Section 10. The City is hereby authorized and directed to notify the Director of the System of adoption of this ordinance, and of the participation of this City in said Fund.

Section 11. Pursuant to Section 855.407 (g) of TMRS Act, the City hereby elects to make future normal and prior service contributions to its account in the benefit accumulation fund of the System at such combined rate of the total compensation paid by this City to employees who are members of the System, as the System’s actuary shall annually determine as the rate necessary to fund, within the amortization period determined as applicable to this City under the TMRS Act, the cost of all benefits which are or may become chargeable to or are to be paid out of the City’s account in said accumulation fund, regardless of other provisions of the TMRS Act limiting the combined rate of City contributions.

Section 12. The provisions of this ordinance shall become effective on the 1st day of September, 2021.


PASSED by affirmative vote of all members of the City Council, this the 10th day of August 2021.

APPROVED:



Mayor

ATTEST:



City Secretary