

TOWN OF ADDISON, TEXAS

ORDINANCE NO. 006-046

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS ELECTING FOR THE CITY TO MAKE CURRENT SERVICE AND PRIOR SERVICE CONTRIBUTIONS TO THE CITY'S ACCOUNT IN THE MUNICIPAL ACCUMULATION FUND OF THE TEXAS MUNICIPAL RETIREMENT SYSTEM AT SUCH RATE, WITHIN LEGAL LIMITS, AS THE ACTUARY ANNUALLY DETERMINES IS REQUIRED TO FUND, WITHIN A PERIOD OF TWENTY-FIVE YEARS FROM THE MOST RECENT VALUATION DATE, THE COSTS OF EMPLOYEE BENEFITS PAYABLE FROM, OR CHARGEABLE TO, THE CITY'S SAID ACCOUNT IN SAID FUND; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Addison, Texas is a participating municipality in the Texas Municipal Retirement System (the "System"), and has heretofore undertaken to provide certain retirement, death and disability benefits to its employees pursuant to Subtitle G, Title 8, Government Code (hereinafter, the "TMRS Act"); and

WHEREAS, the actuary for the System has determined that the City cannot fund the existing level of such benefits as are chargeable to its account in the Municipal Accumulation Fund of the System, within a period of twenty-five years from the latest actuarial valuation date by contributions at the present maximum rate allowed by Sections 855.407(a) and 855.501, of the TMRS Act;

WHEREAS, it is in the public interest that adequate provision be made to fund such benefits as authorized by law.

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

Section 1. Pursuant to Section 855.407(f) of the TMRS Act, the Town of Addison, Texas hereby elects to make future normal and prior service contributions to its account in the municipal accumulation fund of the System at such combined maximum rate, not exceeding **15.50%** of the total compensation paid by the City to employees who are members of the System, as the System's actuary shall annually determine as the rate necessary to fund, within a period of twenty-five years from the latest actuarial valuation date, the costs of all benefits heretofore undertaken to be provided by the City and which are chargeable to or are to be paid out of the City's account in said accumulation fund.

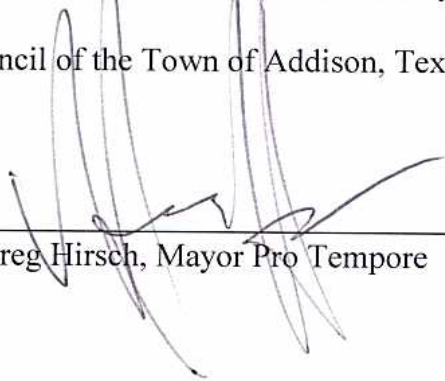
Section 2. The above and foregoing premises are true and correct and are incorporated herein and made a part hereof.

Section 3. This Ordinance shall be cumulative of all other ordinances of the City affecting the City's boundaries and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those Ordinances are in direct conflict with the provisions of this Ordinance.

Section 4. The sections, paragraphs, sentences, phrases, clauses and words of this Ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word in this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares that it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 5. The provisions of this Ordinance shall become effective on January 1, 2007.

PASSED AND APPROVED by the City Council of the Town of Addison, Texas this the 26th day of September, 2006.

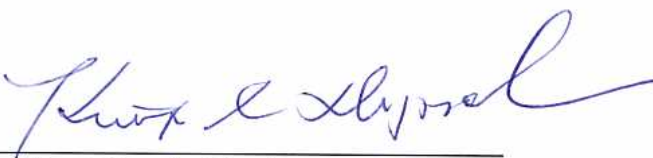


Greg Hirsch, Mayor Pro Tempore

ATTEST:

By: 
Mario Canizares, City Secretary

APPROVED AS TO FORM:

By: 
Ken Dippel, City Attorney

Published:
10/12/06