

ORDINANCE NO. 54-2011

AN ORDINANCE MODIFYING ABILENE CODE OF ORDINANCE CHAPTER 2, "ADMINISTRATION", ARTICLE III, "EMPLOYEE BENEFITS", DIVISION 2, "RETIREMENT", SECTION 2-103, "INCREASE IN RETIREMENT ANNUITIES", TO ALLOW ANNUITY INCREASES IN THE AMOUNT OF EITHER 30 PERCENT, 50 PERCENT OR 70 PERCENT OF THE PERCENTAGE CHANGE IN THE CONSUMER PRICE INDEX.

WHEREAS, the City Council of the City of Abilene has heretofore adopted an ordinance under Section 853.404 of Subtitle G of Title 8, Government Code, as amended (hereinafter referred to as the "TMRS ACT"), which terminated automatically repeating increases in prior and current service annuities to retirees and beneficiaries of deceased members and instead allowed a determination on increases on an ad hoc basis as part of the annual budget process; and

WHEREAS, the City Council desires to modify the ordinance to provide flexibility in the amount of increase that retirees and beneficiaries of deceased members may be provided;

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

PART 1: That Chapter 2, "Administration", Article III, "Employee Benefits", Division 2, "RETIREMENT", Section 2-103 "Increase in retirement annuities" of the Abilene City Code is amended as set forth in Exhibit "A", attached hereto and made a part of this ordinance for all purposes.

PART 2: That if the provisions of any section, subsection, paragraph, subdivision or clause of this ordinance shall be adjudged invalid by a court of competent jurisdiction, such judgment shall not effect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this ordinance.

Passed and approved on first reading this 1st day of December, 2011.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on 11th day of December, 2011, the same being more than 24 hours prior to a public hearing being held in the Council Chamber of City Hall in Abilene, Texas, at 8:30 a.m. on the 15th day of December, 2011, to permit the public to be heard.

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Passed and approved on final reading this 15th day of December, 2011.

ATTEST:



City Secretary

APPROVED:



Mayor



City Attorney

Exhibit A

Chapter 2, "Administration", Article III, "Employee Benefits", Division 2. "RETIREMENT", Section 2-103, "Increase in retirement annuities" of the Abilene City Code is amended as set forth below.

Delete:

- (b) The amount of the annuity increase under this section is computed as the sum of the prior service and current service annuities on the effective date of retirement of the person on whose service the annuities are based, multiplied by seventy (70) percent 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 thirteen (13) months before the effective date of the increase under this section.

Add:

- (b) The amount of the annuity increase under this section is computed as the sum of the prior service and current service annuities on the effective date of retirement of the person on whose service the annuities are based, multiplied by either thirty (30) percent, fifty (50) percent, or seventy (70) percent 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 thirteen (13) months before the effective date of the increase under this section.