

**AN ORDINANCE ELECTING TO NOT PROVIDE FIVE-YEAR VESTING FOR EMPLOYEES OF THE CITY OF ABILENE, TEXAS, WHO ARE MEMBERS OF THE TEXAS MUNICIPAL RETIREMENT SYSTEM.**

**WHEREAS**, the City of Abilene, Texas, has elected to participate in the Texas Municipal Retirement System (the "System") pursuant to the provisions of Subtitle G of Title 8 of the Government Code, as amended (the "TMRS Act"); and

**WHEREAS**, Section 854.205 of the TMRS Act, as amended effective September 1, 2001, provides that, unless a participating municipality's governing board files with the Board of Trustees of the System before December 31, 2001, an election to not provide five-year vesting for its employees who are members of the System, such employees may, if they have at least five years of credited service with cities that do provide five-year vesting, terminate covered employment and remain eligible to retire and receive a service retirement annuity when they have attained an applicable retirement age as provided by law; and

**WHEREAS**, the City Council of the City of Abilene, Texas, finds that it will be in the public interest to elect not to provide for such five-year vesting; now, therefore

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

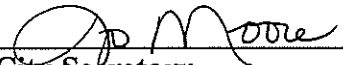
**Section 1.** The City Council of the City of Abilene, Texas, elects not to provide five-year vesting under Section 854.205 of the TMRS Act, and the City is hereby authorized and directed to file notice of this election with the Board of Trustees of the System before December 31, 2001.

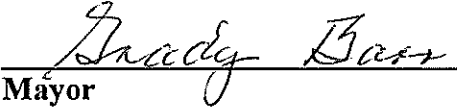
**Section 2.** The provisions of this ordinance shall become effective on the 31<sup>st</sup> day of December, 2001.

Passed and approved on the first reading this the 1 day of November, 2001.

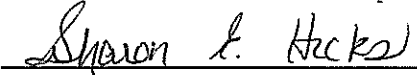
Passed and approved on the second reading this the 12 day of November, 2001.

**ATTEST:**

  
\_\_\_\_\_  
City Secretary

  
\_\_\_\_\_  
Mayor

**APPROVED:**

  
\_\_\_\_\_  
City Attorney