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ORDINANCE NO. 140860

An ordinance of the City of Gainesville, Florida, amending Chapter 2, Article VII, Divisions 5 (Employees Pension Plan) and 6 (Disability Plan) of the Code of Ordinances of the City of Gainesville to complete the transition of the disability benefit to the Employees Pension Plan by amending Sections 2-526, 2-546, and 2-551 to transfer the remaining obligations for disability benefits currently being paid to disabled retirees and requisite level of assets to satisfy these obligations from the Disability Plan to the Employees Pension Plan; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

16 **WHEREAS**, future disability claims by City employees under the Disability Plan were
17 transitioned to the Employees Pension Plan on February 19, 2015 through the City
18 Commission's adoption of Ordinance Number 140657; and

19 **WHEREAS**, to complete the transition of the disability benefit to the Employees Pension
20 Plan, it is necessary to amend the Disability Plan and Employees Pension Plan to transfer the
21 remaining obligations for disability benefits currently being paid to disabled retirees and the
22 requisite level of assets to satisfy these obligations, as determined by the Disability Plan Actuary,
23 from the Disability Plan to the Employees Pension Plan; and

24 **WHEREAS**, at least 10 days notice has been given once by publication in a newspaper
25 of general circulation notifying the public of this proposed ordinance and of a Public Hearing in
26 the Auditorium of City Hall in the City of Gainesville; and

27 **WHEREAS**, the Public Hearings were held pursuant to the published notice described at
28 which hearings the parties in interest and all others had an opportunity to be and were, in fact,
29 heard.

30 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
31 **CITY OF GAINESVILLE, FLORIDA:**

1 **Section 1.** Section 2-526, of the Code of Ordinances of the City of Gainesville, is
2 amended to add subsection (d)(21) as follows. Except as amended herein, the remainder of
3 Section 2-526 remains in full force and effect.

4 **Sec. 2-526. – Benefits.**

5 (d) *Disability benefits.*

6 (21) *Transfer of Employees' Disability Plan obligations and assets to the*
7 *Employees Pension Plan.* To complete the transition of disability benefits from the City of
8 Gainesville Employees' Disability Plan to the City of Gainesville Employees Pension Plan, the
9 finance director shall transfer the remaining obligations for disability benefits currently being
10 paid to disabled retirees and requisite level of assets to satisfy these obligations, as determined by
11 the disability plan actuary, from the City of Gainesville Employees' Disability Plan to the City of
12 Gainesville Employees Pension Plan as soon as administratively feasible. Thereafter, these
13 obligations shall be assumed by the City of Gainesville Employees Pension Plan and eligible
14 employees who received disability benefits or submitted claims for disability benefits under the
15 City of Gainesville Employees' Disability Plan before February 20, 2015, shall receive their
16 disability benefits through the City of Gainesville Employees Pension Plan.

17 **Section 2.** Section 2-546(c), of the Code of Ordinances of the City of Gainesville, is
18 amended as follows. Except as amended herein, the remainder of Section 2-546 remains in full
19 force and effect.

20 **Sec. 2-546. - Creation; purpose.**

21 (c) This disability plan shall be closed at 12:00 midnight on February 19, 2015, and no
22 applications for benefits shall be accepted under this plan after that date. Effective at 12:01 a.m.
23 on February 20, 2015, the benefits provided through this disability plan shall be provided
24 through the City of Gainesville Employees Pension Plan (“Employees Pension Plan”), as to any

1 application for disability pension benefits submitted on or after that date. This disability plan
2 shall continue to be administered for eligible employees who submitted claims for disability
3 pension benefits before February 20, 2015, and provide benefit payments to such employees
4 determined to be disabled under the provisions of this plan, ~~until this plan is terminated.~~ except
5 that, as soon as administratively feasible, when the finance director transfers the remaining
6 obligations for disability benefits currently being paid to disabled retirees and the requisite level
7 of assets to satisfy these obligations, as determined by the disability plan actuary, from the
8 disability plan to the Employees Pension Plan, such employees shall receive their disability
9 benefits through the Employees Pension Plan.

10 **Section 3.** Section 2-551, of the Code of Ordinances of the City of Gainesville, is
11 amended to add subsection (c) as follows. Except as amended herein, the remainder of Section
12 2-551 remains in full force and effect.

13 **Sec. 2-551. – Funding; administration of fund.**

14 (c) Transfer of disability plan obligations and assets to the Employees Pension Plan. To
15 complete the transition of the remaining obligations for disability benefits currently being paid to
16 disabled retirees under the disability plan to the City of Gainesville Employees Pension Plan, the
17 finance director shall transfer these obligations and the requisite level of assets to satisfy these
18 obligations, as determined by the disability plan actuary, from the disability plan to the City of
19 Gainesville Employees Pension Plan as soon as administratively feasible. Thereafter, these
20 obligations shall be assumed by the City of Gainesville Employees Pension Plan and eligible
21 employees who received disability benefits or submitted claims for disability benefits under the
22 City of Gainesville Employees' Disability Plan before February 20, 2015, shall receive their
23 disability benefits through the City of Gainesville Employees Pension Plan.

