1	ORDINANCE NO. 140860
2 3 4 5 6 7 8 9	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
12 13	severability clause; providing a repealing clause; and providing an immediate effective date.
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15	WHEREAS, future disability claims by City employees under the Disability Plan were
16	transitioned to the Employees Pension Plan on February 19, 2015 through the City
17	Commission's adoption of Ordinance Number 140657; and
18	WHEREAS, to complete the transition of the disability benefit to the Employees Pension
19	Plan, it is necessary to amend the Disability Plan and Employees Pension Plan to transfer the
20	remaining obligations for disability benefits currently being paid to disabled retirees and the
21	requisite level of assets to satisfy these obligations, as determined by the Disability Plan Actuary,
22	from the Disability Plan to the Employees Pension Plan; and
23	WHEREAS, at least 10 days notice has been given once by publication in a newspaper
24	of general circulation notifying the public of this proposed ordinance and of a Public Hearing in
25	the Auditorium of City Hall in the City of Gainesville; and
26	WHEREAS, the Public Hearings were held pursuant to the published notice described at
27	which hearings the parties in interest and all others had an opportunity to be and were, in fact,
28	heard.
29	NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE
30	CITY OF GAINESVILLE, FLORIDA:

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

 Sec. 2-526. Benefits.

 (d) Disability benefits.
- Transfer of Employees' Disability Plan obligations and assets to the 6 7 Employees Pension Plan. To complete the transition of disability benefits from the City of Gainesville Employees' Disability Plan to the City of Gainesville Employees Pension Plan, the 8 finance director shall transfer the remaining obligations for disability benefits currently being 9 paid to disabled retirees and requisite level of assets to satisfy these obligations, as determined by 10 11 the disability plan actuary, from the City of Gainesville Employees' Disability Plan to the City of Gainesville Employees Pension Plan as soon as administratively feasible. Thereafter, these 12 obligations shall be assumed by the City of Gainesville Employees Pension Plan and eligible 13 employees who received disability benefits or submitted claims for disability benefits under the 14 15 City of Gainesville Employees' Disability Plan before February 20, 2015, shall receive their
- Section 2. Section 2-546(c), of the Code of Ordinances of the City of Gainesville, is amended as follows. Except as amended herein, the remainder of Section 2-546 remains in full force and effect.

disability benefits through the City of Gainesville Employees Pension Plan.

Sec. 2-546. - Creation; purpose.

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

- 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
- pension benefits before February 20, 2015, and provide benefit payments to such employees
- 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 <u>obligations for disability benefits currently being paid to disabled retirees and the requisite level</u>
- 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 <u>benefits through the Employees Pension Plan.</u>
- Section 3. Section 2-551, of the Code of Ordinances of the City of Gainesville, is amended to add subsection (c) as follows. Except as amended herein, the remainder of Section 2-551 remains in full force and effect.
- 13 Sec. 2-551. Funding; administration of fund.
- (c) Transfer of disability plan obligations and assets to the Employees Pension Plan. To
- complete the transition of the remaining obligations for disability benefits currently being paid to
- disabled retirees under the disability plan to the City of Gainesville Employees Pension Plan, the
- 17 <u>finance director shall transfer these obligations and the requisite level of assets to satisfy these</u>
- 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 <u>obligations shall be assumed by the City of Gainesville Employees Pension Plan and eligible</u>
- 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 <u>disability benefits through the City of Gainesville Employees Pension Plan.</u>

1	Section 4. It is the intention of the City Commission that the provisions of Sections 1
2	through 3 of this ordinance shall become and be made a part of the Code of Ordinances of the
3	City of Gainesville, Florida, and that the Sections and Paragraphs of this Ordinance may be
4	renumbered or relettered in order to accomplish such intentions.
5	Section 5. If any word, phrase, clause, paragraph, section, or provision of this ordinance
6	or the application hereof to any person or circumstance is held to be invalid or unconstitutional,
7	such finding shall not affect the other provisions or applications of the ordinance which can be
8	given effect without the invalid or unconstitutional provisions or application, and to this end the
9	provisions of this ordinance are declared severable.
10	Section 6. All ordinances, parts of ordinances, or policies in conflict herewith are to the
11	extent of such conflict hereby repealed.
12	Section 7. This ordinance shall become effective immediately upon final adoption.
13	PASSED AND ADOPTED this 7th day of May, 2015.
14 15	Ed Bradly
16 17	ED BRADDY MAYOR
18 19 20	ATTEST: Approved as to form and legality
21 22	KURT M. LANNON CLERK OF THE COMMISSION CITY ATTORNEY Seas McGernott
23 24	CLERK OF THE COMMISSION CITY ATTORNEY Sean McDernott
25	This Ordinance passed on first reading this 16 th day of April, 2015.

26 This Ordinance passed on second reading this <u>7th</u> day of <u>May</u>, 2015.