

AN ORDINANCE OF THE CITY OF BARTLESVILLE, OKLAHOMA

ORDINANCE NO. 3485

AN ORDINANCE AMENDING THE EMPLOYEE RETIREMENT SYSTEM OF THE CITY OF BARTLESVILLE, OKLAHOMA, PROVIDING FOR EFFECTIVE DATE, PROVIDING ADDITIONAL PARAGRAPH TO OPTIONAL FORMS OF RETIREMENT INCOME ADDING ABILITY TO ELECT JOINT AND SURVIVOR UPON REACHING NORMAL RETIREMENT DATE; PROVIDING FOR REPEALER AND SEVERABILITY; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF BARTLESVILLE, OKLAHOMA:

Section 1. The Employee Retirement System of Bartlesville, Oklahoma, is hereby amended by providing a change to the normal retirement date joint and survivor election in Section 10.1 of the retirement plan. Section 10.1 shall be amended by adding additional language to Section 10.1 to read as follows:

“If a Participant who makes an election pursuant to the requirements of this Section continues in the Employer’s employ after his Normal Retirement Date, no Pension payments shall be made during the period of continued employment. If the Participant dies during such continued employment and the contingent pensioner survives him, the election shall become operative so that the contingent pensioner shall receive a Pension in accordance with the option elected commencing on the first day of the month coinciding with or next following the death of the Participant. In the event the contingent pensioner predeceases the Participant during such continued employment, the election shall not become operative.”

Section 2. All ordinances in conflict herewith are hereby repealed.

Section 3. If any part, article, section, or subsection of this ordinance shall be held invalid or unconstitutional for any reason, such holding shall not be construed to impair or invalidate the remainder of this ordinance, notwithstanding such holding.

Section 4. It being immediately necessary for the preservation of the public peace, health, safety, and welfare of the City of Bartlesville and the inhabitants thereof that this ordinance be put into full force and effect, an emergency is hereby declared to exist by reason whereof this ordinance shall be in full force and effect from and after its passage and approval.

END

The foregoing ordinance was introduced before the City Council on the 5th day of September, 2017, and was duly adopted and approved by the Mayor and City Council of the City of Bartlesville on the 5th day of September, 2017, after compliance with notice requirements of the Open Meeting Law (25 OSA, Sections 301, et seq.).

ATTEST:

Mis Bur
CITY CLERK



City of Bartlesville
By Dale Copeland
DALE COPELAND, MAYOR

Approved as to form and legality on September 5, 2017

VOTE:

MR. GENTGES	<input checked="" type="radio"/>	aye	no
MR. CURD	<input checked="" type="radio"/>	aye	no
DR. CALLAHAN	<input checked="" type="radio"/>	aye	no
VICE MAYOR KANE	<input checked="" type="radio"/>	aye	no
MAYOR COPELAND	<input checked="" type="radio"/>	aye	no

Jerry Maddux
JERRY MADDUX, CITY ATTORNEY

**2017 FIRST AMENDMENT TO THE EMPLOYEE RETIREMENT
SYSTEM OF BARTLESVILLE, OKLAHOMA**

Pursuant to the authority vested in the undersigned, Subsection 10.1 of the Employee Retirement System of Bartlesville, Oklahoma (the "Plan") is hereby amended to add the following new paragraph:

"If a Participant who makes an election pursuant to the requirements of this Section continues in the Employer's employ after his Normal Retirement Date, no Pension payments shall be made during the period of continued employment. If the Participant dies during such continued employment and the contingent pensioner survives him, the election shall become operative so that the contingent pensioner shall receive a Pension in accordance with the option elected commencing on the first day of the month coinciding with or next following the death of the Participant. In the event the contingent pensioner predeceases the Participant during such continued employment, the election shall not become operative."

Except as otherwise provided in this 2017 First Amendment to the Employee Retirement System of Bartlesville, Oklahoma ("Amendment"), the Plan is hereby ratified and confirmed in all respects. This Amendment shall be effective as of September 1, 2017.

EXECUTED as of the 5th day of September 2017.

THE CITY OF BARTLESVILLE, OKLAHOMA



By: Dale Copeland

Name: Dale Copeland

Title: Mayor