

**THE CITY OF FREDERICK
MAYOR AND BOARD OF ALDERMEN**

ORDINANCE NO: G-20-12

AN ORDINANCE concerning: The City of Frederick’s 22-Year Pension Plan

FOR THE PURPOSE OF amending the 22-Year Pension Plan to increase the years of service required for a participant to claim credit for prior military service

BY AMENDING Section 18(a) of the 22-Year Pension Plan to set forth the requirements for an award of credit for pre-employment military service.

WHEREAS, the 22- Year Pension Plan (the “Plan”) was adopted on September 4, 2003; and

WHEREAS, the Plan was amended from time to time by approval of the Mayor and Board of Aldermen; and

WHEREAS, the Mayor and Board of Aldermen authorized the restatement of the Plan to incorporate the amendments generally effective July 1, 2013; and

WHEREAS, the Plan was amended effective June 18, 2015 to provide that the beneficiaries of participants who die in the line of duty will be entitled to receive a death benefit without regard to the participant’s length of service with the City; and

WHEREAS, the Plan was further amended effective July 1, 2017 to provide that the annual cost of living adjustment applied under the Plan will not cause the monthly pension payment of a retired, non-commissioned officer or retired, commissioned officer who earned at least twenty-two (22) years of creditable service to be reduced below the monthly equivalent of sixty percent (60%) of the average of the retired, non-commissioned officer’s or retired, commissioned officer’s highest three (3) consecutive years of compensation in the last ten (10) years and to provide that the City’s Director of Human Resources is the “Administrator” of the Plan; and

WHEREAS, the Mayor and Board of Aldermen desire to further amend the Plan to provide that a participant whose initial date of hire is on or after July 1, 2020 may receive up to three years of service credit for pre-employment military service once they have earned at least 22 Years of Eligibility Service; and

WHEREAS, Section 65 of the Plan allows the City to amend the Plan by ordinance.

SECTION 1. NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF FREDERICK that Section 18(a) shall be amended to read as follows:

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(a) Eligibility for Credit for Military Service:

(1) Employment Commencement Date Prior to July 1, 2020: A Participant whose Employment Commencement Date is prior to July 1, 2020 may apply for and receive credit for Years of Eligibility Service and Years of Credited Service for active duty service in the armed forces of the United States which precedes the Participant's Employment Commencement Date, if the Participant has earned Years of Eligibility Service totaling at least ten years (determined without regard to the Participant's military service or prior law enforcement service).

(2) Employment Commencement Date On or After July 1, 2020: A Participant whose Employment Commencement Date is on or after July 1, 2020 may apply for and receive credit for Years of Eligibility Service and Years of Credited Service for active duty service in the armed forces of the United States which precedes the Participant's Employment Commencement Date, if the Participant has earned Years of Eligibility Service totaling at least twenty-two years (determined without regard to the Participant's military service or prior law enforcement service).

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SECTION 2. AND BE IT FURTHER ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF FREDERICK that in the event any provision, section, sentence, clause or part of this ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this ordinance, it being the intent of the City that such remainder shall be and shall remain in full force and effect.

SECTION 3. AND BE IT FURTHER ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF FREDERICK that this ordinance shall take effect from the date of its passage, and all other ordinances or parts of ordinances inconsistent with the provisions of this ordinance will as of that date be repealed to the extent of such inconsistency.

APPROVED: May 21, 2020

PASSED: May 21, 2020

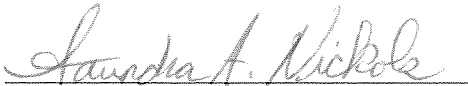


Michael O'Connor, Mayor



Michael O'Connor, President
Board of Aldermen

Approved for Legal Sufficiency



City Attorney