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By

[Signature]

D. C.

44696

— City of Conway, Arkansas
Ordinance No. O-15-57

**AN ORDINANCE TO RECOGNIZE AND CLARIFY THE RETIREMENT BENEFITS FOR CITY EMPLOYEES
TRANSITIONING FROM THE NONUNIFORM PENSION PLAN TO THE ELECTED OFFICIAL PENSION PLAN;
REPEALING ANY CONFLICTS; DECLARING AN EMERGENCY; AND FOR ALL OTHER PURPOSES.**

Whereas, the City of Conway provides for pension benefits in accordance with Arkansas Code Ann. §24-12-101, e. seq. for nonuniformed City employees; and

Whereas, the City of Conway is obligated to provide pension benefits to elected officials in compliance with A.C.A §§24-12-120, 24-12-121, 24-12-123, and Ordinance No. O-98-127; and

Whereas, the City Council has the general legislative authority to regulate finances (A.C.A. §14-43-502) and the pension plans of the City (A.C.A §24-12-101 and A.C.A §§24-12-120, 24-12-121 and 24-12-123); and

Whereas, the City Council wishes to clarify and recognize an employee's accumulated time and contributions to the nonuniformed pension fund if an employee is subsequently elected to a City position.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS
THAT:**

Section 1. When a City employee having been enrolled and contributing to the nonuniformed pension plan is subsequently elected or appointed to an elected City position becoming eligible for the elected official retirement plan, then his or her time in the nonuniformed retirement plan will be credited towards the overall vesting period for retirement, any contribution made to the nonuniformed retirement plan by the employee will remain in the pension fund, and upon officially taking elected office he or she will begin in the elected official retirement plan. If the vesting period is subsequently satisfied, benefits will be paid out from the respective funds at a pro rata calculation based on length of time in each retirement plan.

Section 2. That any ordinance which conflicts with this ordinance is hereby repealed to the extent of the conflict.

Section 3. This ordinance is necessary for the protection of the public peace, health and safety; an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage and approval.

Passed this 12th day of May, 2015.

Approved:

[Signature of Tab Townsell]

Mayor Tab Townsell

Attest:

[Signature of Michael O. Garrett]

Michael O. Garrett
City Clerk/Treasurer

