Passed 7-0

ORDINANCE 92-68

TO ESTABLISH A DEFERRED COMPENSATION PLAN FOR THE CITY OF BLOOMINGTON AND TO ADOPT THE U.S. CONFERENCE OF MAYORS DEFERRED COMPENSATION PROGRAM FOR THE CITY OF BLOOMINGTON

WHEREAS, the City has considered the establishment of a Deferred Compensation Plan to be made available to all eligible city employees, elected officials, and independent contractors pursuant to Federal legislation permitting such Plans; and

WHEREAS, certain substantial tax benefits could accrue to employees, elected officials, and independent contractors participating in said Deferred Compensation Plans; and

WHEREAS, such benefits will act as incentives to City employees to voluntarily set aside and invest portions of their current income to meet their future financial requirements and supplement their City retirement and Social Security (if applicable), at no cost to the City; and

WHEREAS, The U.S. Conference of Mayors (hereinafter "USCM") has established a master prototype deferred compensation program for cities and political subdivisions permitting its member cities and their employees to enjoy the advantages of this program; and

WHEREAS, a Deferred Compensation Committee comprised of representatives of the City's Personnel, Legal, Controller's, Risk Management, and Utilities Departments has carefully reviewed proposals from several providers and has recommended selection of the USCM Program on the strength of factors which include but are not limited to the quality of enrollment and reporting services; the range and quality of the investment alternatives offered; and the reasonableness of costs to participants; and

WHEREAS, the USCM Deferred Compensation Program is administered by the Public Employees Benefit Services Corporation (PEBSCO) as Agent for USCM, and the experience and reputation of PEBSCO in the area of deferred compensation for public employees is another factor favoring the selection of this Program for the City of Bloomington; and

WHEREAS, The U.S. Conference of Mayors, as Plan Administrator, has agreed to hold harmless and indemnify the City, its appointed and elected officers and participating employees from any loss resulting from The U.S. Conference of Mayors or its Agent's failure to perform its duties and services pursuant to The U.S. Conference of Mayors Program;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION I. The Common Council hereby adopts the U.S. Conference of Mayors Deferred Compensation Program and its attendant investment options and hereby establishes the City of Bloomington Deferred Compensation Plan for the voluntary participation of all eligible city employees, elected officials and independent contractors.

SECTION II. The Director of Personnel is hereby authorized to execute for the City, individual participation agreements with each said employee requesting same, and to act as the contract administrator of the Plan representing the City, and to execute

such agreements and contracts as are necessary to implement the Program. It is expressly understood that other than the incidental expenses of collecting and disbursing the employee's deferrals and other minor administrative matters, there is to be no cost to the City for the Program.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 16th day of December, 1992.

PAM SERVICE, President
Bloomington Common Council

ATTEST:

PATRICIA WILLIAMS, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 17th day of December, 1992.

PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED AND APPROVED by me upon this 17th day of December, 1992.

TOMILEA ALLISON, Mayor
City of Bloomington

SYNOPSIS

This ordinance establishes and adopts a deferred compensation plan for City employees (including independent contractors and elected officials.) The ordinance adopts the U.S. Conference of Mayors' Program which is administered by Public Employees Benefit Services Corporation, a third party administrator. The ordinance authorizes the Director of Personnel to execute all necessary contracts and other documents to implement the program.

Signed copy to:
Controller
Personnel