

**ORDINANCE NO. 803-2019**

**AN ORDINANCE AMENDING THE EMPLOYEE RETIREMENT SYSTEM, DEFINED CONTRIBUTION PLAN FOR THE CITY OF CHOCTAW & CHOCTAW UTILITIES AUTHORITY, OKLAHOMA; PROVIDING RETIREMENT BENEFITS FOR ELIGIBLE EMPLOYEES OF THE CITY OF CHOCTAW & CHOCTAW UTILITIES AUTHORITY, OKLAHOMA; PERTAINING TO THE DEFINITION OF EMPLOYEE; PROVIDING FOR REPEALER AND SEVERABILITY; AND DECLARING AN EMERGENCY.**

**BE IT ORDAINED BY CITY COUNCIL OF THE CITY OF CHOCTAW & CHOCTAW UTILITIES AUTHORITY, OKLAHOMA.**

Section 1. **AMENDATORY.** The Employee Retirement System, Defined Contribution Plan, of the City of Choctaw & Choctaw Utilities Authority, Oklahoma, is hereby amended as reflected on the attached Exhibit "A", which is incorporated herein and adopted by reference. These amendments shall become effective on October 1, 2019.

Section 2. **EXECUTION AUTHORIZATION.** The City Clerk and Mayor be and they are hereby authorized and directed to execute the amended Retirement System Plan documents and to do all the other acts necessary to put said amendment into effect and to maintain IRS qualification of the Plan. The executed amended document attached hereto as Exhibit "A" is hereby ratified and confirmed in all respects.

Section 3. **SEVERABILITY.** If, regardless of cause, any section, subsection, paragraph, sentence, or clause of this ordinance, including the System as set forth in Exhibit "A" is held invalid or to be unconstitutional, the remaining sections, subsections, paragraphs, sentences, or clauses shall continue in full force and effect and shall be construed thereafter as being the entire provisions of this ordinance.

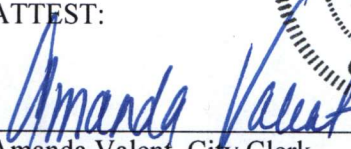
Section 4. **REPEALER.** Any ordinance inconsistent with the terms and provisions of this ordinance is hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

Section 5. **EMERGENCY.** Whereas, in the judgment of the City Council of the City of Choctaw & Choctaw Utilities Authority, Oklahoma, the public peace, health, safety, and welfare of the City of Choctaw & Choctaw Utilities Authority, Oklahoma, and the inhabitants thereof demand the immediate passage of this ordinance, an emergency is hereby declared, the rules are suspended, and this ordinance shall be in full force and effect on its passage and approval.

\*\*\*END\*\*\*

The foregoing ordinance was introduced before the City Council on the 15 day of October, 2019, and was duly adopted and approved by the Mayor and City Council on the 15 day of October, 2019, after compliance with notice requirements of the Open Meeting Law (10 O.S.A., Section 301, et seq.).


ATTEST:

  
Amanda Valent, City Clerk



  
Randy Ross, Mayor

Approved as to form and legality on the 15 day of October, 2019.

  
Ray Vincent, City Attorney