

**ORDINANCE 22-O-19** amending Appendix C, Employees' Revised Pension Plan, of the Murfreesboro City Code, to comply with requirements regarding Setting Every Community Up for Retirement Enhancement Act of 2019 (the "SECURE" Act).

**WHEREAS**, the City of Murfreesboro, Tennessee (the "City") has previously established and currently maintains Appendix C, the City of Murfreesboro Employees' Revised Pension Plan (the "Plan"); and

**WHEREAS**, the City has retained the right to amend the Plan; and

**WHEREAS**, the Plan was most recently amended by Ordinance 17-O-06 on April 6, 2017; and

**WHEREAS**, pursuant to the relevant provisions of the Setting Every Community Up for Retirement Enhancement Act of 2019 (the "SECURE Act"), the required minimum distribution provisions of the Plan must be modified to reflect changes in applicable law, effective as of January 1, 2020; and

**WHEREAS**, the Plan must be amended to reflect other changes in applicable regulations, effective as of January 1, 2022; and

**WHEREAS**, City Council believes it to be reasonable and prudent and consistent with good governance to restructure the membership of the Pension Committee; and

**WHEREAS**, the Pension Committee reviewed and decided to recommend these amendments to the City Council at its Committee meeting on July 20, 2022.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MURFREESBORO, TENNESSEE, AS FOLLOWS:**

**SECTION 1.** Appendix C of the Murfreesboro City Code is hereby amended at Section 9.03, Minimum Distributions, by deleting subsection (b)(2)(i) in its entirety and substituting in lieu thereof the following:

**(i) Life expectancy rule, spouse is Beneficiary.** If the Participant's surviving spouse is the Participant's sole "Designated Beneficiary," then distributions to the surviving spouse will begin by December 31 of the calendar year immediately following the calendar year in which the Participant died, or by December 31 of the calendar year in which the Participant would have attained age 70 ½, if later, provided, however, that with respect to a Participant born after June 30, 1949, if such Participant's surviving spouse is the Participant's sole "Designated Beneficiary," then distributions to the surviving spouse will begin by December 31 of the calendar year immediately following the calendar year in which the Participant died, or by December 31 of the calendar year in which the Participant would have attained age 72, if later.

**SECTION 2.** Appendix C of the Murfreesboro City Code is hereby amended at Section 9.03, Minimum Distributions, by deleting subsection (h)(7) in its entirety and substituting in lieu thereof the following:

(7) **Required beginning date.** "Required Beginning Date" means the April 1st of the calendar year following the later of (1) the calendar year in which the Participant attains age 70 ½, or (2) the calendar year in which the Participant retires, provided, however, that with respect to a Participant born after June 30, 1949, "Required Beginning Date" means the April 1st of the calendar year following the later of (1) the calendar year in which the Participant attains age 72, or (2) the calendar year in which the Participant retires.

**SECTION 3.** Appendix C of the Murfreesboro City Code is hereby amended at Section 10.01 by deleting the body of the current section in its entirety and substituting in lieu thereof the following:

The Employer shall appoint a Pension Committee consisting of seven (7) members. Two (2) members shall be Participants in the Plan. One (1) additional member shall be a current City employee, who may be but is not required to be a Participant in the Plan. All members of the Pension Committee shall be appointed for a three (3) year term of office.

**SECTION 4.** Appendix C of the Murfreesboro City Code is hereby amended by adding a new Section 17.04 as follows:

**Section 17.04.**

Notwithstanding any provision of the Plan to the contrary, any reference to applicable life expectancy tables such as the Uniform Life Table, the Single Life Table, or the Joint and Last Survivor Table (the "Tables") shall be deemed to be a reference to the Tables as published in Regulation 1.401(a)(9)-9 from time to time, subject to adjustment as described in Regulation 1.401(a)(9)-9(f).

**SECTION 5.** Except as otherwise provided herein, the terms of the Plan shall remain in full force and effect.

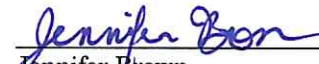
**SECTION 6.** This Ordinance shall take effect fifteen (15) days after passage upon second and final reading, the public welfare and the welfare of the City requiring it. Notwithstanding the foregoing, upon the passage of 15 days after passage upon second and final reading, Sections 1 and 2 of this Ordinance shall be considered effective retroactively as of January 1, 2020, and Section 4 shall be considered effective retroactively as of January 1, 2022.

Passed:

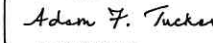
1<sup>st</sup> reading July 21, 2022  
2<sup>nd</sup> reading August 18, 2022

  
Shane McFarland, Mayor

ATTEST:

  
Jennifer Brown  
City Recorder

APPROVED AS TO FORM:

DocuSigned by:  
  
Adam F. Tucker  
City Attorney