

A RESOLUTION to establish a mandatory retirement age requirement pursuant to Tennessee Code Annotated, Section 8-36-205, to authorize the payment of the supplemental bridge benefit pursuant to Tennessee Code Annotated, Section 8-36-211, and to authorize Group 1 members who have creditable service in a Group 1 position covered by such mandatory age retirement to retire on service retirement benefits upon attainment of age fifty-five (55) with twenty-five (25) years of creditable service pursuant to Tennessee Code Annotated, Section 8-36-201(a)(2).

WHEREAS, Tennessee Code Annotated, Section 8-36-205 provides that any political subdivision participating in the Tennessee Consolidated Retirement System may establish a mandatory retirement age requirement for all its firefighters, police officers, and correctional officers, as well as for all its employees who have been transferred from such a position to a supervisory or administrative position within their respective agency; provided that:

(A) the mandatory retirement of any such employee does not violate the Age Discrimination in Employment Act. In case of doubt, the respective political subdivision shall determine whether the employee is employed in a position requiring the mandatory retirement of such employee under the provisions of Tennessee Code Annotated, Section 8-36-205(a)(2);

(B) the terms and conditions of the requirement shall be the same for all such employees within its employ;

(C) the mandatory age requirement *shall not be less than* sixty (60) years of age;

(D) each such employee shall be retired on the first day of the month following the month in which the employee attains the age requirement established by the political subdivision;

(E) if the mandatory age requirement established by the political subdivision is less than the age requirement for receipt of old age and survivors benefits under Title II of the Federal Social Security Act (42 U.S.C. §§ 401-425), each such employee shall be entitled to the supplemental bridge benefit established pursuant to Tennessee Code Annotated, Section 8-36-211; and

(F) the chief governing body of the political subdivision passes a resolution authorizing the establishment of the mandatory retirement age requirement, and if the mandatory age requirement established by the political subdivision is less than the age requirement for receipt of old age and survivors benefits under Title II of the Federal Social Security Act, the political subdivision accepts the liability associated with the granting of the supplemental bridge benefit. All costs associated with providing the supplemental benefit shall be paid by the political subdivision and not by the State; and

WHEREAS, Tennessee Code Annotated, Section 8-36-201(a)(2) further authorizes any political subdivision that establishes a mandatory retirement age requirement that is sixty (60) years of age or older, but less than sixty-two (62), to permit Group 1 members who have creditable service in a Group 1 position covered by such mandatory retirement age requirement to retire on service retirement benefits

upon attainment of age fifty-five (55) with twenty-five (25) years of creditable service, provided that the service retirement benefits be based on the years of creditable service rendered and the average final compensation received while the Group 1 member served in a Group 1 position covered by the mandatory retirement provisions. All other service shall be calculated under the reduced (early) retirement provisions; and

WHEREAS, the Board of Mayor and Aldermen of the City of Spring Hill
(Name of Governing Body) (Name of Political Subdivision)

desires to establish a mandatory retirement age requirement pursuant to Tennessee Code Annotated, Section 8-36-205, to grant the supplemental bridge benefit pursuant to Tennessee Code Annotated, Section 8-36-211, and to allow Group 1 members who have creditable service in a Group 1 position covered by such mandatory retirement age requirement to retire on service retirement benefits pursuant to Tennessee Code Annotated, Section 8-36-201(a)(2); and

WHEREAS, the Governing Body of the above-named Political Subdivision acknowledges that the costs associated with the granting of the supplemental bridge benefit pursuant to Tennessee Code Annotated, Section 8-36-211 and of service retirement benefits pursuant to Tennessee Code Annotated, Section 8-36-201(a)(2) shall increase its accrued liability rate by 3.50 % of the covered payroll of the affected employees; and

WHEREAS, the Governing Body of the above-named Political Subdivision further acknowledges that *if* the mandatory retirement age requirement established by the Political Subdivision is sixty (60) years of age or older, but less than sixty-two (62), the political subdivision shall determine whether any employee subject to such retirement age requirement serves in a supervisory or administrative position which requires less than fifty percent (50%) of the employee's duties to be involved in day-to-day law enforcement or fire-fighting activities. If the Political Subdivision makes any such determination, then the employee may continue in service until the first day of the month following the month in which the employee attains sixty-two (62) years of age; provided such employee completes any form as may be required pursuant to Tennessee Code Annotated, Section 8-36-211 and files the same at the time and in the manner prescribed in Section 8-36-211.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the above-named Political Subdivision hereby establishes a mandatory retirement age requirement of Sixty (60) for all its firefighters, police officers, and correctional officers, as well as for all its employees who have been transferred from such a position to a supervisory or administrative position within their respective agency, subject to the terms and conditions of Tennessee Code Annotated, Section 8-36-205.

BE IT FURTHER RESOLVED, that the Governing Body of the above-named Political Subdivision authorizes that the supplemental bridge benefit established pursuant to Tennessee Code Annotated, Section 8-36-211 be paid to each Group 1 member who retires on a service retirement allowance on or after the attainment of age fifty-five (55) with creditable service in a Group 1 position covered by the mandatory retirement age requirement established pursuant to this resolution and hereby agrees to accept the associated liability. Said payment to be made until the first day of the month

following the month in which the member dies, or until the first day of the month following the month in which the member reaches the age requirement for receipt of old age and survivors benefits under Title II of the Federal Social Security Act.

BE IT FURTHER RESOLVED, that the Governing Body of the above-named Political Subdivision authorizes its Group 1 members who have creditable service in a Group 1 position covered by such mandatory retirement age requirement to retire on service retirement benefits upon attainment of age fifty-five (55) with twenty-five (25) years of creditable service, provided that the service retirement benefits be based on the years of creditable service rendered and the average final compensation received while the Group 1 member served in a Group 1 position covered by the mandatory retirement provisions. All other service shall be calculated under the reduced (early) retirement provisions.

BE IT FURTHER RESOLVED, that the effective date of this Resolution shall be on January 1, 2025 with a transitional deferral date of July 1, 2026 for the enforcement of the mandatory retirement age requirement (which date cannot be later than the July 1 following twelve (12) months after the effective date of the resolution). Any such deferral period shall not apply to any other provisions of this Resolution, such provisions being effective on the effective date of this Resolution.

STATE OF TENNESSEE

COUNTY OF MAURY

I, April Goad, Clerk/City Recorder of the Board of Mayor and Aldermen of the
(Name of Governing Body)

City of Spring Hill, Tennessee do hereby certify that this is a true and
(Name of Political Subdivision)

exact copy of the foregoing resolution that was approved and adopted in accordance with applicable law at a meeting held on the 2nd day of December, 2024, the original of which is on file in this office.

IN WITNESS THEREOF, I have hereunto set my hand, and the seal of the

City of Spring Hill
(Name of Political Subdivision)

April Goad
April Goad, as Clerk of the Board as foresaid

Jim Hagaman
Jim Hagaman, Mayor

Patrick Carter
Patrick Carter, City Attorney

SEAL



REQUEST: *Approval of Amended Resolution 24-271 B*

SUBMITTED BY: Graig Temple, Fire Chief
 Don Brite, Police Chief

DATE: December 2, 2024

RE: Amendment Resolution to 24-271

PURPOSE:

To execute a specific TCRS Resolution that had not previously been provided to staff by TCRS.

BACKGROUND:

Following submission of Resolution 24-271 to TCRS, TCRS staff advised that a specific internal resolution must be signed by the Mayor of the Bridge Program City and submitted with the other plan documents. This information and document were not mentioned or provided to staff prior to the passing of 24-271. Following discussion with the City Attorney, it was recommended to have this additional Resolution added to the next BOMA meeting for approval.

FINANCIAL IMPACT:

None

STAFF RECOMMENDATION:

Staff recommends approval of the amended Resolution 24-271 B and to have the Mayor sign the TCRS Resolution and to include this document into the City's application for the Bridge implementation.