

INTRODUCED: 10/26/2009

REFERRED TO: Public Safety and Criminal Justice Committee

SPONSOR: Councillors Vaughn and Moriarty Adams

DIGEST: confirms the approval of the restatement of the Marion County Sheriff's Department Personnel Benefit Plan to reflect the consolidation of the county police force of the Marion County Sheriff's Department and the Indianapolis Police Department into the Indianapolis Metropolitan Police Department

SOURCE:

Initiated by: Marion County Sheriff

Drafted by: Marion County Sheriff

LEGAL REQUIREMENTS FOR ADOPTION:

PROPOSED EFFECTIVE DATE:
Adoption and approvals

GENERAL COUNSEL APPROVAL: _____ Date: October 22, 2009

CITY-COUNTY GENERAL RESOLUTION NO. , 2009

A PROPOSAL FOR A GENERAL RESOLUTION to confirm the approval of the restatement of the Marion County Sheriff's Department Personnel Benefit Plan to reflect the consolidation of the county police force of the Marion County Sheriff's Department and the Indianapolis Police Department into the Indianapolis Metropolitan Police Department.

WHEREAS, the Marion County Sheriff's Department Personnel Benefit Plan was established by the Marion County Sheriff's Department, Indianapolis, Indiana, effective November 1, 1972 and completely restated effective January 1, 1985 and May 19, 1987; and

WHEREAS, by Article III of the Marion County Sheriff's Department Personnel Benefit Plan, the Marion County Sheriff's Department reserved the right to amend the plan; and

WHEREAS, a restatement of the Benefit Plan effective January 1, 2007, was presented to the Public Safety and Criminal Justice Committee of the Council at their meeting on November 19, 2008, along with the Sixth Amendment to the Marion County Sheriff's Department Retirement Plan, both of which were prepared to correct certain language in the plans that is confusing and/or inappropriate following the consolidation of the county police force of the Marion County Sheriff's Department and the Indianapolis Police Department into the Indianapolis Metropolitan Police Department, and the Committee approved both the Sixth Amendment to the Retirement Plan and the restatement of the Benefit Plan at such meeting; and

WHEREAS, the Committee forwarded a proposed resolution to the Council (Proposal 559, 2008) approving the Sixth Amendment to the Retirement Plan but without any reference to the Benefit Plan restatement; and

WHEREAS, the Clerk of the Council signed the restatement of the Benefit Plan as "Approved and ratified at a meeting of the County Council of Marion County on the 8th day of December, 2008"; and

WHEREAS, to confirm the approval of the restatement of the Benefit Plan and to ratify the action of the Clerk of the Council in signing the restatement, the Council shall approve the resolution provided below; and

WHEREAS, state law mandates that a department may not establish or modify a benefit plan without approval of the county fiscal body; now therefore,

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. Pursuant to the specific authority granted by Indiana Code 36-8-10-12, the restatement of the Marion County Sheriff's Department Personnel Benefit Plan to correct certain language in the plan that is confusing and/or inappropriate following the consolidation of the county police force of the Marion County Sheriff's Department and the Indianapolis Police Department into the Indianapolis Metropolitan Police Department, the terms of such restatement which are incorporated herein by reference, shall be and hereby is approved.

SECTION 2. This resolution shall be in effect retroactive to December 8, 2008, from and after its passage by the Council and compliance with Indiana Code Sec. 36-3-4-14.

The foregoing was passed by the City-County Council this _____ day of _____, 2009, at _____ p.m.

ATTEST:

Bob Cockrum
President, City-County Council

Melissa Thompson
Clerk, City-County Council