

1 Introduced by: Councilmember Dyballa

First Reading: April 20, 2022  
Second Reading: April 27, 2022  
Effective Date: May 17, 2022

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5 **CITY OF TAKOMA PARK, MARYLAND**

6 **ORDINANCE NO. 2022-12**

7 **AMENDING THE CITY OF TAKOMA PARK POLICE EMPLOYEES’**  
8 **RETIREMENT PLAN TO CREATE AN EXCEPTION TO THE**  
9 **ELIGIBILITY PERIOD AND ALLOW FOR RETROACTIVE**  
10 **APPLICATION OF THE DEFERRED RETIREMENT OPTION**  
11 **PROGRAM FOR CERTAIN EMPLOYEES ADVERSELY AFFECTED BY**  
12 **ADMINISTRATIVE DELAYS IN IMPLEMENTING THE APPLICATION**  
13 **PROCESS FOR THE PROGRAM**

14  
15 **WHEREAS,** the City of Takoma Park Police Employees’ Retirement Plan (Plan) provides a  
16 Deferred Retirement Option Plan (DROP) in Section 4.24.295 of the City of  
17 Takoma Park Code; and

18 **WHEREAS,** delays in adopting certain enrollment forms adversely affected participants’ ability  
19 to participate in the DROP program prior to planned retirement; and

20 **WHEREAS,** the City wishes to amend Section 4.24.295 to allow adversely affected participants  
21 to enroll in DROP retroactively; and

22 **WHEREAS,** the Plan’s enrolled actuary has provided the City and the Retirement Plan  
23 Committee with an estimate of the actuarial cost of the amendments; and

24 **WHEREAS,** the Retirement Plan Committee has approved the proposed amendments.

25 **NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF**  
26 **TAKOMA PARK, MARYLAND THAT:**

27 **SECTION 1.** Title 4, Chapter 4.24 Police Employees’ Retirement Plan, of the City of Takoma  
28 Park Code is hereby amended as follows:

29 **Title 4 Personnel**

30 \* \* \*

31 **Chapter 4.24**

32 **POLICE EMPLOYEES’ RETIREMENT PLAN**

33 \* \* \*

34 **4.24.295 Deferred Retirement Option Program**

35 \* \* \*

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37 B. Eligibility.

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2 1. A participant who has completed 25 years of eligibility service as of the DROP effective  
3 date shall be eligible to participate in DROP as of the DROP effective date.

4  
5 2. A participant who has not completed 25 years of eligibility service as of the DROP  
6 effective date shall be eligible to participate in DROP on the date the participant has  
7 completed 25 years of service.

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9 3. A participant who was otherwise eligible under Section 4.24.295(B)(1) of this Chapter, but  
10 could not apply due to administrative delays in implementing the application process shall be  
11 eligible to apply from June 30, 2022 through July 31, 2022.

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13 \* \* \*

14  
15 D. Application for DROP Participation. An eligible participant who elects to participate in  
16 DROP shall, ~~complete and submit to the Coordinator~~ within a reasonable time before the beginning  
17 of the DROP participation period or within the one-time eligibility period established by Section  
18 4.24.295(B)(3), complete and submit to the Coordinator the following:

19  
20 1. A written application on a form approved by or acceptable to the Committee, stating the  
21 participant's intention to participate in DROP;

22  
23 2. An irrevocable election whether his or her retirement benefits shall be paid at the end of  
24 the DROP participation period in either the normal form described in Section 4.24.220 or  
25 one of the optional forms described in Section 4.24.330;

26  
27 3. Such other information required by the Coordinator to implement the DROP selection  
28 process described in subsection (C)(4) of this section; and

29  
30 4. Employees submitting the application pursuant to eligibility established under Section  
31 4.24.295(B)(3), shall be required to submit the following additional materials:

32  
33 a. An irrevocable election to participate in DROP retroactive to the DROP effective  
34 date or an irrevocable election to participate in DROP retroactive to the first day of any  
35 month between the DROP effective date and the first day of the one-time exception eligibility  
36 period established in Section 4.24.295(B)(3); and

37  
38 b. Any such other information required by the Coordinator to process applications  
39 submitted pursuant to Section 4.24.295(B)(3).

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41 **SECTION 2.** The provisions of this Ordinance shall be effective May 17, 2022.

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43 ADOPTED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND, THIS  
44 27TH DAY OF APRIL, 2022, BY ROLL-CALL VOTE AS FOLLOWS:

1 Aye: Stewart, Kovar, Dyballa, Kostiuk, Seamens, Smith, Searcy  
2 Nay: None  
3 Absent: None  
4 Abstain: None

5

6 **Explanatory Note**

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8 Additions to the existing language of the *Takoma Park Code* are shown by underlining.

9 Deletions to the existing language of the *Takoma Park Code* are shown by ~~strikeout~~.