

ORDINANCE NO. 2022- 12

CITY OF POMPANO BEACH
Broward County, Florida

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 34, "CITY POLICY," OF THE POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 34.020 "NORMAL RETIREMENT BENEFIT", TO IMPLEMENT RECENT CHANGES IN THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE FEDERATION OF PUBLIC EMPLOYEES AND THE CITY OF POMPANO BEACH FOR THE PERIOD BEGINNING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2024, THAT MODIFY THE GENERAL EMPLOYEES' RETIREMENT SYSTEM; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Pompano Beach has established a retirement plan for its general employees, known as the General Employees' Retirement System and codified in Sections 34.010 through 34.040 of the City Code of Ordinances; and

WHEREAS, the Federation of Public Employees and the City of Pompano Beach, Florida have entered into a Collective Bargaining Agreement for the period of October 1, 2021 to September 30, 2024; and

WHEREAS, the Collective Bargaining Agreement includes changes to provisions of the City of Pompano Beach General Employees' Retirement System; and

WHEREAS, the City Commission wishes to change the terms of the City of Pompano Beach General Employees' Retirement System to implement the changes called for in the Collective Bargaining Agreement; and

WHEREAS, the City Commission has received and reviewed an actuarial impact statement from the Retirement Board's Actuary relating to the amendments set forth herein; and

WHEREAS, pursuant to law, ten (10) days' notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed ordinance and of a public hearing in the City Commission Chambers of the City of Pompano Beach; and

WHEREAS, a public hearing before the City Commission was held pursuant to the published notice described above, at which hearing the parties in interest and all other citizens so desiring had an opportunity to be and were, in fact, heard; now, therefore,

BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. That Section 34.020, "Normal Retirement Benefit," of Chapter 34, "City Policy," of the Code of Ordinances is hereby to read as follows:

§ 34.020 NORMAL RETIREMENT BENEFIT.

(A) Amount.

(1) The monthly retirement benefit for any member retiring on or after October 1, 2005 and before October 1, 2021, shall be an amount equal to 2.75% of average monthly earnings as defined in § 34.010 times all years (and completed months) of continuous service, ~~less earned.~~ Effective October 1, 2021, the monthly retirement benefit for any member retiring on or after October 1, 2021, shall be an amount equal to 3.00% of average monthly earnings as defined in § 34.010 times all years (and completed months) of continuous service earned by Tier I members and Tier II members who have paid the additional 3% member contribution for all future and past years of service. Continuous service earned shall not include the time spent on leave of absence, on voluntary or involuntary service with the armed forces of the United States, in an employment category within the city not covered by this plan or any period of time after December 8, 1972, during which the employee did not receive compensation from the city and contribute to the retirement system.

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SECTION 2. If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are hereby declared severable.

SECTION 3. All other ordinances of the City of Pompano Beach, Florida, or parts thereof which conflict with this or any part of this Ordinance are hereby repealed.

SECTION 4. This Ordinance shall be codified and made a part of the official Code of Ordinances of the City of Pompano Beach.

SECTION 5. This Ordinance shall take effect immediately upon its passage and approval, as provided by law.

PASSED FIRST READING this 9th day of November, 2021.

PASSED SECOND READING this 14th day of December, 2021.

DocuSigned by:
Rex Hardin
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REX HARDIN, MAYOR

ATTEST:

DocuSigned by:
Asceleta Hammond
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ASCELETA HAMMOND, CITY CLERK

TAL:jrm
10/27/21
L:ord/ch34/2022-38

