

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, RELATING TO THE GENERAL EMPLOYEES’ RETIREMENT SYSTEM, BY AMENDING SECTION 34.015, “CONDITIONS OF ELIGIBILITY,” BY MODIFYING PROVISIONS FOR PAST SERVICE PENSION CREDIT AND ALLOWING FOR THE PURCHASE OF ADDITIONAL SERVICE CREDIT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, certain general employees of the City of Pompano Beach have a pension system provided as a benefit of employment, which terms and conditions are codified in Sections 34.010 through 34.039 of the City Code of Ordinances (the “General Employees Retirement System”); and

WHEREAS, some of these general employees are represented by the Federation of Public Employees (the “Union”) for the purposes of collectively bargaining the terms and conditions of employment; and

WHEREAS, the City’s Administration and the Union have negotiated certain changes to the General Employees Retirement System, namely an increased time period by which to buy back previous service and allow for the purchase of additional service credit; and

WHEREAS, both the Union and the Board of Trustees of the General Employees Retirement System have agreed to the language of this Ordinance; 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 notices 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 34.015, "Conditions of Eligibility," of Chapter 34, "City Policy," of the City of Pompano Beach Code of Ordinances is hereby amended as follows:

GENERAL EMPLOYEES' RETIREMENT SYSTEM

§ 34.015 CONDITIONS OF ELIGIBILITY.

...

(D) Reentry into the system after discontinuance of prior participation will be permitted on a uniform, nondiscriminatory basis, and in no event will any duplication of benefits result therefrom. All employees in similar circumstances shall be treated alike on a uniform, nondiscriminatory basis. Upon reentry, credit for prior service shall be granted only upon repayment in full; of all moneys previously refunded to the member, together with such interest at the rate or rates assumed for actuarial purposes, as shall be certified by the actuary to be due; ~~one-half of the total amount due within three months from the date of reentry, and the balance of the total amount due within six months from the date of reentry.~~ All costs associated with and due for prior service credit, including the City's portion of any costs shall be paid in full by the employee prior to the employee entering DROP or retiring and separating service from the City. If repayment in full is not made as aforesaid, any moneys paid pursuant to this section shall be refunded, plus interest at the rate set forth in § 34.025(I)(1), and there shall be no further opportunity to obtain credit for prior service. Employees who have reentered the system prior to the effective date of this chapter may obtain credit for prior service upon complying with all of the provisions listed above; provided, however, that the time periods for repayment shall run from the effective date.

...

(G) Purchase of Pension Service Credit. Members who are eligible to retire or enter the DROP, but who have not yet elected to retire or enter the DROP, may elect to purchase additional service time needed to round-up his/her current year of service prior to retiring or entering the DROP. If a member elects to purchase additional service time, the member agrees to pay all costs including the city's portion, prior to retiring or entering the DROP.

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

SECTION 3. This Ordinance shall become effective October 1, 2021 and shall apply to all retirements on or after that date.

PASSED FIRST READING this _____ day of _____, 2021.

PASSED SECOND READING this _____ day of _____, 2021.

REX HARDIN, MAYOR

ATTEST:

ASCELETA HAMMOND, CITY CLERK

TAL:jrm
12/1/21
l:ord/ch34/2022-17