

**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,” BY AMENDING SECTION 34.038, “PENSION ADJUSTMENTS,” TO INCREASE THE COST-OF-LIVING ADJUSTMENT TO IMPLEMENT RECENT CHANGES TO 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; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

**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 34.038, “Pension Adjustments,” of Chapter 34, “City Policy,” of the Code of Ordinances is hereby to read as follows:

**§ 34.038 PENSION ADJUSTMENTS.**

(A) Retirees who have been retired from the General Employees Pension Plan for a period of at least one year prior to October 1, 2000, shall be granted an increase in pension benefits by a “fixed” (guaranteed) percentage equal to 2 % effective October 1, 2000, and each October 1 thereafter. Effective October 1, 2021, Annual pension benefits shall be increased by a “fixed” (guaranteed) percentage equal to 23% for active Tier I members, current DROP members and Tier II members who pay the additional 3% member contribution

(total 10% member contribution) and retire on or after October 1, 2021. In addition to the “fixed” increase, pension benefits shall be increased by a “variable” percentage, in an amount certified by the pension plan actuary as supportable and funded solely by the pension plan assets, but not more than 1%. The “variable” component of the cost-of-living adjustment may be granted only when the plan is sufficiently funded and only if all other provisions of this section are satisfied. The sum of the “fixed” and “variable” portions of the adjustment shall not exceed 34% per year nor be less than 23%.

...

**SECTION 2.** If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other 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 upon passage.

**PASSED FIRST READING** this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**PASSED SECOND READING** this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

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**REX HARDIN, MAYOR**

**ATTEST:**

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**ASCELETA HAMMOND, CITY CLERK**

TAL:jrm  
12/1/21  
l:ord/ch34/2022-16