

ORDINANCE 2024-47

AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, TITLE V, LEGISLATIVE, CHAPTER 55, POLICE AND FIREFIGHTERS RETIREMENT PENSION PLAN, BY MODIFYING PROVISIONS RELATED TO RETIREMENT DATES AND BENEFITS FOR POLICE OFFICE MEMBERS; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR INCLUSION IN THE CITY OF PALM BAY CODE OF ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Palm Bay Police Officers' and Firefighters' Retirement System ("Pension Plan") is governed by Chapters 175 and 185, Florida Statutes, and

WHEREAS, the City of Palm Bay has a Police Officers' and Firefighters' Retirement System for the benefit of City police officers and firefighters, and

WHEREAS, the City of Palm Bay and the Fraternal Order of Police Florida State Lodge entered into a new Agreement executed on June 19, 2024, after ratification by the City Council on May 16, 2024, and

WHEREAS, the new Agreement is effective October 1, 2024, and

WHEREAS, the Parties agreed to an increase in the Supplemental Benefit for Police Officer Members meeting certain qualifications effective October 1, 2024, and

WHEREAS, the Palm Bay City Council has determined that the passage of this ordinance is in accord with the Agreement reached by the City of Palm Bay and the Fraternal Order of Police Florida State Lodge, and

WHEREAS, the Palm Bay City Council has determined that the passage of this ordinance is in the best interest of the citizens of the City of Palm Bay.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:

SECTION 1. The City of Palm Bay Code of Ordinances, Title V, Legislative, Chapter 55, Police and Firefighters Retirement Pension Plan, Section 55.07, Retirement Dates and Benefits, is hereby amended and shall henceforth read as follows:

“Section 55.07 RETIREMENT DATES AND BENEFITS.

* * *

(C) Supplemental Benefit for Police Officer Members. Effective October 1, 2006, police officer members who either terminate while vested or reach normal retirement or early retirement shall receive a supplemental benefit of twenty-five dollars (\$25.00) per month for each complete year of credited service. This benefit shall only be paid for the life of the member, and will not be paid to disabled members. The benefit shall commence upon receipt of a retirement benefit and separation from the city and shall cease when the member attains the age of sixty-five (65). Effective October 1, 2021, police officer members who thereafter either terminate while vested or reach normal retirement or early retirement shall receive a supplemental benefit of thirty-five dollars (\$35.00) per month for each complete year of credited service. This benefit shall only be paid for the life of the member and will not be paid to disabled members. >>Effective October 1, 2024, police officer members who thereafter either terminate while vested or reach normal retirement or early retirement shall receive a supplemental benefit of forty-five dollars (\$45.00) per month for each complete year of credited service. This benefit shall only be paid for the life of the member and will not be paid to disabled members.<< The benefit shall commence upon receipt of a retirement benefit and separation from the city and shall cease when the member attains eligibility for Medicare/Medicaid in accordance with federal standards.

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SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed and all ordinances or parts of ordinances not in conflict herewith are hereby continued in full force and effect.

SECTION 3. It is the intention of the City Council of the City of Palm Bay that the provisions of this Ordinance shall be made a part of the City of Palm Bay Code of Ordinances and the sections may be renumbered to accomplish such intention.

SECTION 4. If any portion, clause, phrase, sentence, or classification of this ordinance is held or declared to be either unconstitutional, invalid, inapplicable, inoperative, or void, then such declaration shall not be construed to affect other portions of the ordinance; it is hereby declared to be the express opinion of the City Council of the City of Palm Bay that any such unconstitutional, invalid, inapplicable, inoperative, or void portion or portions of this ordinance did not induce its passage, and that without the inclusion of any such portion or portions of this ordinance, the City Council would have enacted the valid constitutional portions thereof.

SECTION 5. The provisions within this ordinance shall take effect immediately upon the enactment date.

Read in title only at Meeting 2024-XX, held on _____, 2024; and read in title only and duly enacted at Meeting 2024-XX, held on _____, 2024.

Rob Medina, MAYOR

ATTEST:

Terese M. Jones, CITY CLERK

Reviewed by CAO: _____

Strikethrough words shall be deleted; highlighted words that will included will be placed in between two arrow symbols (>> <<). Deletions and additions constitute the proposed amendment. Words remaining are now in effect and remain unchanged.