

**ORDINANCE NO. 190-11-148**

**AN ORDINANCE OF THE CITY OF LAUDERHILL, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 2, ADMINISTRATION, ARTICLE II, OFFICERS AND EMPLOYEES, DIVISION 3, RETIREMENT TO CREATE A NEW PART 5, COORDINATION OF BENEFITS, CREATING NEW SECTION 2-89 AND SECTIONS 2-90 THROUGH 2-95 AS RESERVE TO ALLOW FOR THE COORDINATION OF BENEFITS AMONG ALL CITY OF LAUDERHILL PENSION PLANS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA)**

WHEREAS, the City of Lauderhill has determined that the passage of this ordinance is in the best interest of the citizens of the City of Lauderhill; and

WHEREAS, coordination of benefits is not currently offered among all City of Lauderhill pension plans; and

WHEREAS, the City Code should be amended to permit coordination of benefits among all City of Lauderhill pension plans;

NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA THAT:

Section 1. That the City Code of Ordinances, Chapter 2, Article II, Division 3, Retirement, is hereby amended to create a new Part 5, Sections 2-89 through 2-95, to read as follows:

**Part 5. - Coordination of Benefits.**

**Section 2-89. – Coordination of Benefits Among All City of Lauderhill Pension Plans.**

- (a) Participants of all City pension plans are eligible to coordinate benefits upon earning a minimum of seven (7) years of aggregate credited service in any City pension plan. Participants

shall become vested in plan benefits based on the vesting requirements of their last plan occupied and last tier held.

The normal retirement date for a participant with an aggregate of seven (7) years of credited service shall be determined in accordance with the provisions of the normal retirement date and eligibility each plan in the plan in which the participant has last participated, as of the last date of participation in each such plan. This means a member may attain eligibility for normal retirement benefits from one plan before attaining eligibility for normal retirement benefits from a different plan.

Upon commencement of a service retirement, the participant shall receive payment from the last plan held based on that plan's provisions and the credited service accrued under that plan.

The~~n addition, the~~ participant shall also be eligible for normal retirement benefits from a prior plan upon attaining the normal retirement date under the prior plan in affect on the last day of the participant's participation in the prior plan.~~payment from his or her prior plan(s) of a benefit determined in accordance with that prior plan's provisions and based on the years of credited service accrued in that prior plan.~~ The benefit shall be based on the participant's compensation while in that prior plan and under the tier occupied at the time he or she terminated service covered by that prior plan.

The benefits payable under a participant's prior plan(s) shall be available even though he or she may not have vested under the terms of all plans, so long as the participant has earned a minimum of seven (7) years of aggregate credited service in any of the four City pension plans and further provided that the participant, upon termination of City employment, has kept his or her contributions on deposit with the plan(s). ~~In the event a participant terminated City employment and accepted a refund of his or her accumulated contributions, prior service credit may be restored by paying to the applicable plan(s) the full actuarial cost of that refund plus interest at the assumed rate of investment return.~~

(b) Deferred Retirement Option Plan (DROP).

In the event that the plans in which a participant has participated~~occupied~~ have differing DROP eligibility and participation requirements, ~~periods,~~ the DROP requirements for each plan shall apply. This means a member may attain eligibility for DROP under one plan before attaining eligibility for DROP under another plan. If a member becomes eligible to participate in DROP under the provisions of a prior plan in effect on the last day the participant participated in that plan, the prior plan shall establish a DROP account for the participant and make payments into that DROP account in accordance with that plan's provisions until the participant separates from City employment or reaches the maximum DROP participation period under the prior plan, whichever occurs first.~~period for the plan and tier in which the participant last held shall govern. In the event all plans have a DROP provision, DROP commences in all plans simultaneously. DROP interest shall be determined based on each plans' provisions.~~

- ii. In the event of aggregate credited service in which one of the plans does not have a DROP provision, DROP accrual shall be based solely on the portion of service attributable to the plan(s) having the DROP provision.

(c) Cost-of-Living-Adjustment (COLA).

- i. In the event a plan offers a COLA, the COLA shall be based on the credited service accrued in that plan and governed by that plan's provisions. In the event that more than one plan offers a COLA, COLA shall be determined based on the provisions of each plan.~~(d) Purchase of Permissive Service; Purchase of an Enhanced Multiplier.~~

~~i. The purchase of permissive service credit and the purchase of an enhanced multiplier shall be determined based on the applicable plan's~~

~~provisions and by paying the full actuarial price of such purchase.(e)  
Miscellaneous.~~

~~i. The actuaries for all plans shall confer annually to gather information on all terminated members who may be eligible for coordination of benefits.~~Section 2.

Should this ordinance or any part thereof be declared invalid by a Court of competent jurisdiction, the invalidity of any part of this ordinance shall not otherwise affect the validity of the remaining provisions of this ordinance, which shall be deemed to have been enacted without the invalid provision.

Section 3. It is the intention of the City Commission of the City of Lauderhill that the provisions of this ordinance shall become and be made a part of the Code of the City of Lauderhill, and that the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intentions.

Section 4. All ordinances or parts of ordinances, resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. This provision of this ordinance shall become effective as of the date of passage.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

PASSED on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

PASSED AND ADOPTED on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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PRESIDING OFFICER

ATTEST:

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CITY CLERK

FIRST READING

SECOND READING

MOTION  
SECOND

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M. BATES  
H. BERGER  
R. CAMPBELL  
D. GRANT  
K. THURSTON

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