ORDINANCE NO. 240-10-154

AN ORDINANCE OF THE CITY OF LAUDERHILL, FLORIDA, AMENDING THE CITY CODE OF ORDINANCES, CHAPTER 2, ADMINISTRATION, ARTICLE II, OFFICERS AND EMPLOYEES, DIVISION 3, RETIREMENT, PART 3 POLICE PENSION PLAN AND TRUST FUND, SECTION 2-87.1(b), DEFERRED RETIREMENT OPTION PLAN, (DROP) TO CORRECT A SCRIVENER`S ERROR REGARDING ELIGIBILITY TO ENTER INTO THE DROP PLAN IN ACCORDANCE WITH THE COLLECTIVE BARGAINING AGREEMENT AND MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF LAUDERHILL AND FLORIDA STATE LODGE FRATERNAL ORDER OF POLICE LODGE #161; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, DESORAE GILES-SMITH)

WHEREAS, the City of Lauderhill (the "City") maintains a defined benefit pension plan for its certified police officers, which is known as the City of Lauderhill Police Officers Retirement Plan (the "Plan"), and which is codified in Chapter 2, Article 2, Division III, Part 3 of the City Code; and

WHEREAS, in 2020 the Code was amended to allow entry into the Deferred Retirement Option Plan for members who attained age 50 with 15 years of accrued credited service; and

WHEREAS, the ordinance amending this Section in 2020 contained a scrivener`s error which limited this provision solely to persons with 15 years of service and who had attained age 50 as of July 1, 2020 rather than creating an option to be applied to all members of the plan on a prospective basis; and

WHEREAS, the City Commission finds that it is in the best interests of the City, its employees and its citizens and taxpayers to amend the Plan; and

WHEREAS, correcting this scrivener`s error will effectuate the original purpose of the benefit at no cost to the City; and

WHEREAS, the Board of Trustees has prepared this ordinance to implement these changes;

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Lauderhill:

SECTION 1. That each of the above-stated recitals are hereby adopted and confirmed.

SECTION 2. That the City Code of Ordinance, Section 2-87.1, Deferred retirement option plan, paragraph (b) is hereby amended to read as follows:

Sec. 2-87.1. – Deferred retirement option plan.

* * *

(b) Eligibility to participate in the DROP is based upon eligibility for service retirement in the plan. Notwithstanding any provision to the contrary, effective June 29, 2020, members who have accrued fifteen (15) or more years of service ~~as of July 1, 2020,~~ may enter the DROP at any time after attaining age fifty (50). All other DROP provisions remain in effect.

SECTION 3. Severability. 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 4. Repeal. All sections or parts of sections of the Code of Ordinances of the City of Lauderhill, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

SECTION 5. Inclusion in the Code. 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 6. Effective Date. This ordinance shall become effective immediately upon its passage, unless otherwise provided.

DATED this _____ day of _____, 2024.

PASSED on first reading this _____ day of _____, 2024.

PASSED AND ADOPTED on second reading this _____ day of _____, 2024.

_____
PRESIDING OFFICER

ATTEST:

_____
CITY CLERK

	FIRST READING		SECOND READING
MOTION	_____	MOTION	_____
SECOND	_____	SECOND	_____
M. DUNN	_____	R. CAMPBELL	_____
D. GRANT	_____	M. DUNN	_____
L. MARTIN	_____	J. HODGSON	_____
S. MARTIN	_____	S. MARTIN	_____
K. THURSTON	_____	D. GRANT	_____