ORDINANCE NO. 240-10-153

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, SECTIONS 2-87.1(c) AND 2-87.1(g), DEFERRED RETIREMENT OPTION PLAN, (DROP); AMENDING SECTION 2-87.2, COST-OF-LIVING ADJUSTMENT; AND AMENDING SECTION 2-87.3, POST RETIREMENT SUPPLEMENT TO ADD A NEW SUBPARAGRAPH (d); TO AMEND THE DROP PLAN IN ACCORDANCE WITH THE COLLECTIVE BARGAINING AGREEMENT AND THE 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, The City of Lauderhill, Florida and the Florida State Lodge Fraternal Order of Police Lodge #161 have entered into a new collective bargaining agreement; and

WHEREAS, an ordinance amending the Plan is required pursuant to Section 447.309(3), Fla. Stat.; and

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

WHEREAS, due to an amendment to the Memorandum of Understanding, a substantive change was made to this ordinance on Second reading, thereby requiring a third reading of the passage of this Ordinance;

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

SECTION1. That each of the above-stated recitals are hereby adopted and confirmed.

SECTION 2. That the City of Lauderhill Code of Ordinances, Section 2-87.1, Deferred Retirement Option Plan, paragraph (c) and paragraph (g) are hereby amended to read as follows:

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

(c) ~~The maximum period of participation in the DROP is five (5) years~~. Effective October 1, 2024, members who are presently in the DROP, or who enter the DROP on or after the effective date, may remain in the DROP for up to seven (7) years, provided that members make a one and one-half percent (1.5%) contribution of applicable Tier 1 or Tier 2 Earnable Compensation, to be deducted from earnable compensation , for any time worked during the member`s sixth or seventh year in the DROP. Members who have previously completed five (5) years in the DROP prior to the effective date are not eligible for additional DROP time.

* * *

(g) Effective October 1, 2024, an employee shall terminate service with the police department at the conclusion of ~~five (5)~~ up to seven (7) years in the DROP.

SECTION 3. That the City of Lauderhill Code of Ordinances, Section 2-87.2, Cost-of-Living-Adjustment, is hereby amended to read as follows:

(a) *Cost-of-living adjustment created for members retiring on or after October 1, 2004 and before September 30, 2024.* A cost-of-living adjustment is hereby created beginning with persons who retire on or after October 1, 2004. The cost-of-living adjustment shall be determined on an annual basis by the board of trustees based upon the criteria set forth in this section and shall not constitute a vested benefit.

(b)*Cost-of-living adjustment calculated.* The cost-of-living adjustment shall be based upon actuarial gains in the plan. The funds required for the payment of any cost-of-living adjustment shall be derived solely from the investment return of plan assets, both realized and unrealized, as allocable to police officers and beneficiaries receiving benefits from the plan, and only in such amounts as exceeds the investment return assumed for purposes of the actuarial valuation of the plan and a total experience gain for the plan as compared to the actuarial assumptions.

(c) *Amount of the cost-of-living adjustment.* The cost-of-living adjustment shall be in the form of a thirteenth check which shall not exceed the regular monthly retirement benefit of the member. The benefit shall be paid following the issuance of the actuarial valuation report and shall be based on the actuarial gains and losses as determined in the actuarial report for the preceding year. Any payments under this section shall be expressed as a percentage of the retiree's current benefit, and such percentage shall be uniform in respect to all retirees in any given year.

(d) *To whom cost-of-living adjustment is paid.* When the cost-of-living adjustment is paid, it will be paid to all members of Tier One, who retired and separated from city employment on or after October 1, 2004. The first payment will be available in the first year following retirement and separation. Retirees whose payments start during a fiscal year shall receive a pro rata payment reflecting the number of payments received in the year immediately prior thereto divided by twelve (12). The board may adopt any administrative rules necessary to administer the thirteenth check program.

Notwithstanding anything to the contrary, members of Tier Two shall not be entitled to any cost-of-living adjustment, or any thirteenth check program.

(e) Effective October 1, 2024, the board shall be authorized to pay a non-recurring cost-of-living adjustment to a retired member, who has retired on or after October 1, 2024 and has fully separated from service from the DROP if applicable, beginning in the third year after retirement provided the plan has positive actuarial experience in the preceding fiscal year and the amount of the cost-of-living adjustment does not exceed three (3%) percent of the retired member's annual retirement benefit in any given year. This benefit is to abolish and replace the thirteenth check benefit set forth in paragraphs (a)-(d) of this section for members who separate from City service on or after October 1, 2024. Members who separated from City service on or before September 30, 2024 shall not be eligible for the benefit in this paragraph (e) but shall retain all rights set forth in paragraphs (a)–(d) of this section. The board may adopt any administrative rules necessary to administer the cost-of-living benefit adjustment.

SECTION 4. That the City of Lauderhill Code of Ordinances, Section 2-87.3, Post retirement supplement, is hereby amended to create a new paragraph (d) to read as follows:

2-87.3 – Post retirement supplement.

* * *

(d) All members employed by the City on or after October 1, 2024, who then retire from the City with at least twenty (20) years of credited with the City or at least five (5) years of credited service with the City and age fifty-five (55), shall, in the first full month following retirement and full separation from service with the City, receive a retirement stipend of forty dollars ($40) per month per year of service up to maximum of eight hundred dollars ($800) per month until age sixty-five (65).

SECTION 5. 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 6. 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 7. 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 8. 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 on second reading this _____ day of _____, 2024.

PASSED AND ADOPTED on third reading this _____ day of _____, 2025.

_____
PRESIDING OFFICER

ATTEST:

_____
CITY CLERK

	FIRST READING		SECOND READING	THIRD 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	_____	_____