

**CITY OF RIVIERA BEACH CITY COUNCIL
AGENDA ITEM SUMMARY**

MEETING DATE: September 7, 2011

AGENDA ITEM SUMMARY NO. F11- 091- 2

- AWARDS / PRESENTATIONS / PETITIONS
 CONSENT
 PUBLIC HEARING
 ORDINANCE ON SECOND READING
 ORDINANCE ON FIRST HEARING

*APP
5-0*

- REGULAR
 RESOLUTION
 DISCUSSION & DELIBERATION
 BOARD APPOINTMENT
 WORKSHOP

TITLE/SUBJECT: Ordinance - Amending Chapter 14, Article 11, Section 14-23. Entitled Retirement Dates of the City's Code of Ordinance of the City of Riviera Beach Relating to the Retirement System for General Employees for a specific purpose.

RECOMMENDATION / MOTION: That the City Council adopt this Ordinance on 1st and 2nd Final Reading.

• Assistant City Manager	Library	N/A
• City Attorney <i>PHM 8/30/11</i>	Marina	N/A
• City Clerk <i>Reviewed & noted Cd.</i>	Police	N/A
Community Development N/A	Public Works	N/A
• Finance <i>KAA</i>	Purchasing	N/A
Fire N/A	Recreation & Parks	N/A
• Human Resources <i>AP</i>	Water & Sewer	N/A
Information Services N/A	Other	N/A

APPROVED BY CITY MANAGER: *Paul P. Jones*

DATE: 8-30-11

Originating Dept. Human Resources Dept. <i>AP</i> User Dept.	Costs: <u>\$10,474 (Paid by Employee)</u> Current FY: <u>2011</u> Funding Source: <input type="checkbox"/> Capital Improvement <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Other: Budget Account Number: Paid by Employee	City Council Actions: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/conditions <input type="checkbox"/> Denied _____ <input type="checkbox"/> Tabled to _____ <input type="checkbox"/> Referred to Staff _____ Attachments: 1. Ordinance 2. Calculation of Cost
Advertised: Date: Paper: <input checked="" type="checkbox"/> Not Required		
Affected Parties <input type="checkbox"/> Notified <input checked="" type="checkbox"/> Not Required		

BACKGROUND:

On September 30, 2011, the two (2) Assistant City Manager positions will be deleted from the 2011 – 2012 Fiscal Year Budget. One of the individuals in the position is eligible for retirement while the other Assistant City Manager is not eligible until February, 2012 (5 more months). This ordinance would allow the other Assistant City Manager to retire. Pensions ordinances must treat everyone in the category equally. Therefore, any employee who qualifies under this ordinance may take advantage of its provisions. This ordinance will not be codified because it will be amended within six (6) months of its passage. Request is that City Council approves this ordinance.

SUMMARY:

The General Employees Ordinance has various options for normal retirement. One of the options is that an employee who completes ten (10) or more years creditable services and attains age 55 years and for such period has been a member of the pension fund is eligible for normal retirement benefits. If the City Council adopts this Ordinance, then this will allow any general employee who is at least the age of 59 and approximately nine and a half (9 ½) years of services and who will retire October 1, 2011 and February 2, 2012 to purchase five (5) months of employment service within sixty (60) days of retirement.

Item No. 22

EXHIBIT A-1

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2011	2012	2013_	2014_	2015_
Capital Expenditures					
Operating Costs	<u>10,474</u>	<u>10,474</u>			
External Revenues					
Program Income (City)					
In-Kind Match (City)					
NET FISCAL IMPACT	<u>10,474</u>	<u>10,474</u>			

NO. ADDITIONAL FTE
POSITIONS (Cumulative)

Is Item Included In Current Budget? Yes _____ No X
 Budget Account No.: Fund ___ Dept/Division _____ Org. _____ Object _____ Reporting
 Category _____

B. Recommended Sources of Funds/Summary of Fiscal Impact:

Employee is expected to bear the cost.

C. Departmental Fiscal Review:

Walter J. [Signature]

III. REVIEW COMMENTS

A. Finance Department and/or Purchasing/Intergovernmental Relations/Grants Comments:

Finance Department

Purchasing and Grants

B. Other Department Review:

Department Director

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA AMENDING CHAPTER 14, ARTICLE II, SECTION 14-23 ENTITLED RETIREMENT DATES OF THE CITY'S CODE OF ORDINANCES RELATING TO THE RETIREMENT SYSTEM FOR GENERAL EMPLOYEES FOR SPECIFIC PURPOSES; PROVIDING FOR SEVERABILITY, REPEALER, CONFLICTS, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Riviera Beach maintains a retirement system for its employees; and

WHEREAS, the City administration recommends the amendment to the existing Code to provide improved retirement benefits for participants of the General Employees Pension Plan ; and

WHEREAS, the City deems it to be in the public interest to provide an updated retirement system for its employees.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA as follows:

SECTION 1. That the following Section 14-23 of Chapter 14, Article II is amended by adding a new section (4) as follows with the underlined language:

Section 14-23. Retirement dates.

* * *

(3) Any member who completes ten or more years creditable services and attains age 55 years, completes 15 or more years of creditable service and attains age 52½, or completes 20 years of creditable service and attains age 50 years, and for such period has been a member of the pension fund is eligible for normal retirement benefits.

- (4) Notwithstanding the above paragraph (3) any participant having attained an age of at least fifty-nine (59) years and having at least nine and one-half years of continuous service with the City of Riviera Beach, that terminates employment with the City of Riviera Beach on or before September 30, 2011 voluntary or involuntary, may purchase up to six (6) months of continuous service. Such prior service purchase shall be made by depositing with the Pension Fund the full actuarial costs of such months of service that would have occurred had the member been employed by the City of Riviera Beach for the number of months purchased. Payment for said prior service shall be made as a lump sum to be paid in full within sixty (60) days of such member's termination date. Purchase of said service shall be considered in calculation of vesting and benefit entitlement. If the member fails to make such lump sum payment within the stated period of time herein no such continuous service shall be credited to the member.

SECTION 2. It is the intention of the City Council and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the City of Riviera Beach.

SECTION 3. If any word, phrase, clause, subsection or sections of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this ordinance.

SECTION 4. That all sections or parts of sections of the Code of Ordinances, 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. This ordinance shall **NOT** be codified and shall sunset and stand repealed on April 1, 2012.

SECTION 6. This ordinance shall be in full force and effective immediately upon its final passage and adoption.

ORDINANCE NO. _____
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PASSED AND APPROVED on first reading this _____ day of _____,
2011.

PASSED AND ADOPTED on second and final reading this _____ day of
_____, 2011.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

ORDINANCE NO. _____
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APPROVED:

THOMAS A. MASTERS
MAYOR

JUDY L. DAVIS
CHAIRPERSON

MUNICIPAL SEAL

BILLIE E. BROOKS
CHAIR PRO TEM

ATTEST:

CEDRICK A. THOMAS
COUNCIL PERSON

CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK

DAWN PARDO
COUNCIL PERSON

SHELBY LOWE
COUNCIL PERSON

ORDINANCE NO. _____

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1st READING

MOTIONED BY: _____

SECONDED BY: _____

J. DAVIS _____

B. BROOKS _____

C. THOMAS _____

D. PARDO _____

S. LOWE _____

2nd & FINAL READING

MOTIONED BY: _____

SECONDED BY: _____

J. DAVIS _____

B. BROOKS _____

C. THOMAS _____

D. PARDO _____

S. LOWE _____

REVIEWED AS TO LEGAL SUFFICIENCY

PAMALA HANNA RYAN, CITY ATTORNEY

DATE: _____

ORDINANCE NO. _____
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CERTIFICATION OF PUBLICATION

I hereby certify that notice of the proposed enactment of this ordinance was duly published in a newspaper of general circulation within the City of Riviera Beach as required by the applicable Florida Statutes.

DATE

Carrie E. Ward, Master Municipal Clerk
City Clerk

City of Riviera Beach General Employees' Retirement System

Cost to Purchase Additional Service					
Name	Amount of Service Purchased	Date of Hire	Normal Retirement Date Before Buyback	Normal Retirement Date After Buyback	Cost of Buy Back on 10/1/2011
Paul White	5 Months	2/1/2002	3/1/2012	10/1/2011	\$ 10,474

Considerable care has been taken in the preparation of the figures shown above. However, errors can and do occur from time to time. If you have reason to believe that the above figures are incorrect, it is your responsibility to inform the Plan Administrator. The Plan reserves the right to correct errors at any time, including after disbursement.

Gabriel Roeder Smith & Company

August 29, 2011