

ORDINANCE 22- 010

**AN ORDINANCE OF THE CITY OF BOYNTON BEACH, FLORIDA,
AMENDING ARTICLE III, OF CHAPTER 18 OF THE BOYNTON BEACH
CODE OF ORDINANCES, ENTITLED "MUNICIPAL POLICE OFFICERS'
RETIREMENT TRUST FUND;" AMENDING SECTION 18-169,
REQUIREMENTS FOR RETIREMENT BENEFIT AMOUNTS,
PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND,
PROVIDING FOR AN EFFECTIVE DATE HEREOF.**

WHEREAS, the Pension Plan needs clarification regarding the commencement date for retirement benefits for members who terminate after vesting but before eligibility for early or normal retirement;

WHEREAS, the Board of Trustees has recommended a change to the Pension Plan to address this change;

WHEREAS, the City Commission of the City of Boynton Beach, Florida, desires to revise its Police Officers' Plan in order to provide this change;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF BOYNTON BEACH, FLORIDA:

Section 1. The foregoing "WHEREAS" clauses are hereby certified as being true and correct and are incorporated herein by this reference.

Section 2. Section 18-169 of Article III of Chapter 18 of the Boynton Beach Code of Ordinances is hereby amended as follows:

Sec. 18-169. Requirements for retirement- benefit amounts.

(e) Separation from service.

(1) The vesting period for members hired on or after October 1, 2016, is ten years. The vesting period for members who were hired before October 1, 2016, ~~and terminated after October 1, 2020,~~ is five years of service. If a member leaves the service of the city before vesting, such member shall be entitled to a refund of all of his or her contributions made to the fund, without interest.

(2) Benefit commencement date for ten-year vesting.

33 a. Police officers hired before October 1, 2019 and on or after October
34 1, 2016: If any member who had been in the service of the city for at least ten years elects to leave
35 his or her accrued contributions in the fund, such police officer upon attaining age 50 years or
36 more (without reaching what would have been 20 years of service had he or she not terminated
37 his or her employment) may receive an early retirement benefit at the actuarial equivalent of the
38 amount of such retirement income otherwise payable to him or her at normal early retirement,
39 Or, or upon attaining what would have been normal retirement had he or she not terminated his
40 or her employment, such police officer may receive his or her accrued normal retirement benefit.

41 b. Police officers hired on or after October 1, 2019: If any member who
42 had been in the service of the city for at least ten years elects to leave his or her accrued
43 contributions in the fund, such police officer upon attaining age 50 years or more (without
44 reaching what would have been 25 years of service had he or she not terminated his or her
45 employment) may receive an early retirement benefit at the actuarial equivalent of the amount of
46 such retirement income otherwise payable to him or her at normal early retirement or upon
47 attaining what would have been normal retirement had he or she not terminated his or her
48 employment, such police officer may receive his or her accrued normal retirement benefit.

49 (3) Benefit commencement date for five-year vesting.

50 a. **Police officers hired before October 1, 2016 who have more**
51 **than 5 years of service and less than 10 years of service at time of termination:** If any member
52 who had been in the service of the city for at least five years **but less than 10 years** elects to leave
53 his or her accrued contributions in the fund, the police officer upon attaining age 55 with ten or
54 more years of service (had he or she not terminated employment) or reaching what would have
55 been 20 years of service (had he or she not terminated his or her employment), may receive the
56 accrued normal retirement benefit. The member may receive the benefits payable in the normal
57 form or any option available under Section 18-170. **These members are not eligible for an early**
58 **retirement benefit or the age 50 with 15 years of service benefit.**

59 b. **Police officers hired before October 1, 2016 who have more**
60 **than 10 years of service at time of termination: If any member who had been in the service**
61 **of the city for at least ten years elects to leave his or her accrued contributions in the fund,**

62 such police officer upon attaining age 50 or more (without reaching what would have been
63 20 years of service had he or she not terminated his or her employment) may receive an
64 early retirement benefit at the actuarial equivalent of the amount of such retirement
65 income otherwise payable to him or her at normal retirement. Or, upon attaining what
66 would have been normal retirement had he or she not terminated his or her employment,
67 such police officer may receive his or her accrued normal retirement benefit. The member
68 may receive the benefits payable in the normal form or any option available under Section
69 18-170.

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71 Section 3. It is the intention of the City Commission of the City of Boynton Beach that
72 the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of
73 the City of Boynton Beach, Florida. The Sections of this ordinance may be renumbered, re-lettered
74 and the word "Ordinance" may be changed to "Section," "Article" or such other word or phrase in
75 order to accomplish such intention.

76 Section 4. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions
77 in conflict herewith be and the same are hereby repealed to the extent of such conflict.

78 Section 5. If any clause, section, or other part or application of this Ordinance shall
79 be held by any court of competent jurisdiction to be unconstitutional or invalid, such
80 unconstitutional or invalid part or application shall be considered as eliminated and so not
81 effecting the validity of the remaining portions or applications remaining in full force and effect.

82 Section 6. This Ordinance is effective July 1, 2020.

83 Upon satisfaction of all of the above requirements, then in that event, the terms and
84 provisions of this Ordinance shall become effective.

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86 (REMAINDER OF PAGE INTENTIONALLY LEFT BLANK)

87

88 FIRST READING THIS 15th DAY OF February, 2022.

89 SECOND, FINAL READING and PASSAGE THIS 15th DAY OF March, 2022.

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CITY OF BOYNTON BEACH, FLORIDA

YES NO

Mayor – Steven B. Grant

Vice Mayor – Woodrow L. Hay ✓

Commissioner – Justin Katz ✓

Commissioner – Christina L. Romelus ✓

Commissioner – Ty Penserga ✓

VOTE 4-0

ATTEST:

Crystal Gibson

Crystal Gibson, MMC
City Clerk

(Corporate Seal)

