

ORDINANCE NO. C-24-02

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SUBSECTION 20-110(a.1)(5) AND REPEALING SUBSECTION 20-110(a.1)(11) OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, THEREBY AMENDING ELIGIBILITY FOR THE GENERAL EMPLOYEES RETIREMENT PLAN'S DEFERRED RETIREMENT OPTION PROGRAM ("DROP") FOR CERTAIN EMPLOYEES AND AMENDING THE DROP ACCOUNT EARNINGS RATE, AND PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCE PROVISIONS, AND AN EFFECTIVE DATE.

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WHEREAS, on October 18, 2022, the City Commission of the City of Fort Lauderdale, Florida, adopted Resolution No. 22-234, thereby approving and ratifying a Collective Bargaining Agreement between the City of Fort Lauderdale and Teamsters Local Union No. 769, Affiliated with International Brotherhood of Teamsters, ("Teamsters"), for the period October 1, 2022, through September 30, 2025, pursuant to which the parties agreed to certain amendments to the City's General Employees' Retirement Plan; and

WHEREAS, the City and the Teamsters have ratified a First Amendment to Collective Bargaining Agreement between the City of Fort Lauderdale and Teamsters Local Union 769, Affiliated with International Brotherhood of Teamsters, dated January 23, 2024; and

WHEREAS, implementation of the collectively bargained amendments to the General Employees' Retirement Plan and compliance with requirements of Florida law governing public pension plans serve a valid municipal purpose and are in the best interests of the City of Fort Lauderdale;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That Subsection 20-110(a.1)(5) of the Code of Ordinances of the City of Fort Lauderdale, Florida, is amended to provide as follows:

Each DROP Account shall accrue DROP Earnings during the DROP Period as follows:

- a. For i) eligible Members who are not employed in a position that is within the supervisory/professional bargaining unit, ii) eligible Members who are included in the bargaining unit for general employees who filed an application

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to participate in the DROP prior to January 14, 2004, and iii) eligible Members who are employed in a position that is within the supervisory/professional bargaining unit who commence participation in the DROP prior to August 21, 2018, DROP Earnings shall be computed at simple interest at the actuarially assumed rate of return for the fund.

b. For Members of the supervisory/professional bargaining unit who commence participation in the DROP on or after August 21, 2018, DROP Earnings shall be computed annually as follows:

1. At a rate of three (3) percent if the net rate of investment return for the Plan year during which the Earnings are computed is less than three (3) percent.
2. At a rate equal to the Plan's actual net rate of investment return if the rate of investment return for the Plan year during which the Earnings are computed is three (3) percent or greater, but no greater than six (6) percent, for the Plan year during which the Earnings are computed.
3. At a rate of six (6) percent if the net rate of investment return for the Plan year during which the Earnings are computed is greater than six (6) percent.

c. For Members of the general employees bargaining unit who commence participation in the DROP on or after February 6, 2024, DROP Earnings shall be computed annually as follows:

1. At a rate of three (3) percent if the net rate of investment return for the Plan year during which the Earnings are computed is less than three (3) percent.
2. At a rate equal to the Plan's actual net rate of investment return if the rate of investment return for the Plan year during which the Earnings are computed is three (3) percent or greater, but no greater than six (6) percent, for the Plan year during which the Earnings are computed.
3. At a rate of six (6) percent if the net rate of investment return for the Plan year during which the Earnings are computed is greater than six (6) percent.

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At the end of the DROP Period, the DROP Account shall no longer accrue DROP Earnings. Cost of living adjustments pursuant to section 20-110(h) shall be applicable to monthly Retirement benefits during the DROP Period to the same extent the adjustments would be applicable to normal Retirement monthly benefits.

SECTION 2. That Subsection 20-110(a.1)(11) of the Code of Ordinances of the City of Fort Lauderdale, Florida, is repealed as follows:

~~Members who are included in the bargaining unit for general employees will no longer be eligible to enter DROP on or after January 14, 2004; provided, however, that Members who filed an application for participation in DROP prior to January 14, 2004 may elect the DROP Program for any remaining period of eligibility. For Members whose DROP Period commenced prior to January 14, 2004 and Members not included in the general employees bargaining unit, administration of DROP shall continue in accordance with subsections (a.1)(1) through (10) above.~~

SECTION 3. That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 4. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 5. That this Ordinance shall be in full force and effect upon final passage.

PASSED FIRST READING this 23<sup>rd</sup> day of January, 2024.

PASSED SECOND READING this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Mayor  
DEAN J. TRANTALIS

ATTEST:

\_\_\_\_\_  
City Clerk  
DAVID R. SOLOMAN

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