

ORDINANCE NO. 18-042

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA AMENDING **CODE SECTION 13-40**; DECREASING CREDIT SERVICE REQUIREMENT FOR UTILITIES AUTHORITY COVERAGE PLAN; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS on September 16, 2013, there was adopted Ordinance L-298 which ordinance among other things increased service credit requirements for pension eligibility of general employees of the City, police officers and employees of the Utility Authority, from five years to ten (10) years; and

WHEREAS, on November 5, 2018, the City Commission adopted Ordinance 18-037 restoring the original credit service requirement of five (5) years retroactively so as to eliminate the ten (10) year eligibility requirement; and

WHEREAS, Ordinance 18-037 inadvertently failed to include the change to Section 13-40 adjusting the vesting period thus requiring a corrective ordinance.

NOW THEREFORE BE IT ORDAINED by the City Commission of the City of Fort Pierce, as follows:

SECTION 1. Section 13-40 of the Code of Ordinances is hereby amended so that the same shall read hereinafter as follows:

Sec. 13-40. - Utilities authority coverage plan; applicability; credited service and/or age and credited service requirements for normal retirement; amount of normal retirement annuity; member contribution rate.

- (a) The utilities authority coverage plan is applicable to all members employed by the Ft. Pierce Utilities Authority.
- (b) The credited service and/or age and credited service requirement for normal retirement are:
 - (1) Twenty-five (25) or more years of credited service; or
 - (2) Age sixty (60) years or older and five (5) or more years of credited service, ~~or no fewer than ten (10) years if the individual became a member on or after October 1, 2012.~~
- (c) The amount of a normal retirement annuity under the standard form of payment is three (3) percent of final average compensation times credited service, subject to the applicable maximums set forth in sections 13-31 and 13-64
- (d) The member contribution rate is six and sixteen-one-hundredths (6.16) per cent of compensation.
- (e) The credited service requirement for vested termination of membership is five (5) years. A vested former member may make application for benefit commencement on or after attainment of age sixty (60) years.

SECTION 2. In the event a court of competent jurisdiction should determine hereafter that any part of this ordinance is invalid, for any reason, then, in such event, the invalid portion shall be severed, with the remainder of such ordinance to be given full force and effect.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are and the same shall be repealed and shall be of no further force or effect whatsoever.

SECTION 4. This ordinance is and the same shall become effective retroactively to September 16, 2013, upon final passage hereof.

APPROVED AS TO FORM
& CORRECTNESS:

Ben Bryan Jr., Esq.
Interim City Attorney

STATE OF FLORIDA
COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 18-042 was duly advertised by title only in the St. Lucie News Tribune on _____, 2018; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on December 3, 2018 and was duly introduced, read by title only, and passed on second and final reading December 17, 2018, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 17th day of December, 2018.

Linda Hudson
Mayor Commissioner

ATTEST:

Linda W. Cox
City Clerk

(CITY SEAL)