

CITY OF CORAL GABLES, FLORIDA
ORDINANCE NO. 2024-XX

AN ORDINANCE AMENDING CHAPTER 46 OF THE "CODE OF THE CITY OF CORAL GABLES," ENTITLED "PENSIONS," IMPLEMENTING PROVISIONS OF THE 2023-2025 COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY AND THE FRATERNAL ORDER OF POLICE ("FOP"); AMENDING SECTION 46-25, DEFINITIONS; AMENDING SECTION 46-253, NORMAL RETIREMENT INCOME; AND PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City recently entered into a collective bargaining agreement with the Fraternal Order of Police, Coral Gables Lodge No. 7 ("FOP") for the term October 1, 2023 through September 30, 2025; and

WHEREAS, the FOP collective bargaining agreement contains certain changes to the City of Coral Gables Retirement System ("Retirement System"); and

WHEREAS, to implement the Retirement System changes, an ordinance amending the City Code provisions governing the Retirement System is required.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

SECTION 1. That the foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. Section 46-25 of the "Code of the City of Coral Gables" pertaining to "Pensions" is hereby amended to read as follows¹ :

Sec. 46-25. Definitions

* * *

Pensionable earnings means:

- (1) Remuneration paid by the city to police officers, including regular pay, temporary assignment pay, disability pay, holiday pay, incentive pay, loyalty pay, and pay for approved leave actually taken; and excluding all payments for unused compensatory time, unused annual leave, unused sick leave and excess sick leave, all special unit allowances, all payments for the sale of annual leave and compensatory time, all overtime payments,

¹ Words and figures underscored are additions to existing law; words and figures struck through are deletions.

all shift differentials, tuition reimbursements, uniform allowance, and all other payments. Pensionable earnings shall apply to retirement benefit calculations and employee contributions of police officers for all periods of credited service on or after October 1, 2012; provided, police officers who are employed on September 30, 2012, and who have attained normal retirement eligibility as of that date shall continue to have their retirement benefit calculations and employee contributions based on total earnings for as long as they are employed as police officers. Notwithstanding the foregoing provisions of this paragraph: effective the first full pay period after the ratification of the collective bargaining agreement between the City and the Fraternal Order of Police (i.e., June 17, 2024), pensionable earnings for police officers shall include up to three hundred (300) hours of overtime pay each fiscal year, but shall not include hiring bonuses; and effective October 7, 2024, pensionable earnings for police officers shall include supplemental pay for possessing and maintaining certification by the State of Florida Department of Law Enforcement's Criminal Justice Training Commission.

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SECTION 3. Section 46-260 of the "Code of the City of Coral Gables" pertaining to "Pensions" is hereby amended to read as follows² :

Sec. 46-253. Normal retirement income.

(a) Amount of monthly normal retirement income.

* * *

(8) Notwithstanding any other provision of this subsection (a), effective February 28, 2017, the monthly amount of normal retirement income payable to a police officer shall be as provided in this subsection (8). The monthly amount of normal retirement income payable to a police officer shall equal three percent of average final compensation multiplied by the total years of credited service as of September 30, 2012, not to exceed 75 percent of average final compensation. For credited service on and after October 1, 2012, the monthly amount of normal retirement income payable to a police officer shall equal three percent of average final compensation multiplied by the first ten years of credited service, 2½ percent of average final compensation multiplied by the years of credited service in excess of the first ten years of credited service up to the completion of 24 years of credited service, and up to ten percent of average final compensation for the 25th year of credited service, such that the total normal retirement income does not exceed the applicable maximum benefit provided in this subsection (8). The total normal retirement income as provided in the preceding two sentences payable to bargaining unit members at retirement in the normal form of benefit shall not to exceed the lesser of 75 percent of average final

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compensation or \$95,000.00; and the total normal retirement income as provided in the preceding two sentences payable to non-bargaining unit members at retirement in the normal form of benefit shall not exceed 75 percent of average final compensation. Effective September 30, 2019, the total normal retirement income payable to bargaining unit members at retirement in the normal form of benefit shall not exceed the lesser of 75 percent of average final compensation or \$96,900.00. Notwithstanding the foregoing provisions of this subsection (8), the maximum benefit limit of \$95,000.00 shall not apply to any bargaining unit member who has reached normal retirement eligibility as of February 28, 2017 or whose normal retirement income payable in the normal form of benefit based on average final compensation and credited service as of February 28, 2017 exceeds \$95,000.00; provided such member's normal retirement income payable in the normal form of benefit shall not exceed 75 percent of average final compensation. Notwithstanding the foregoing provisions of this subsection (8), effective October 1, 2022, the total normal retirement income payable to bargaining unit members at retirement in the normal form of benefit shall not exceed the lesser of 75 percent of average final compensation or \$98,838.00. Provided, the maximum benefit limit of \$98,838.00 shall not apply to any bargaining unit member who reached normal retirement eligibility as of February 28, 2017, or whose normal retirement income payable in the normal form of benefit based on average final compensation and credited service as of February 28, 2017, exceeds \$95,000.00; provided such member's normal retirement income payable in the normal form of benefit shall not exceed 75 percent of average final compensation. The maximum benefit limits provided in this subsection (8) shall be applied to the normal form of benefit, and any optional form of benefit selected by the member shall be the actuarial equivalent of the normal form of benefit after the maximum benefit limits are applied. Notwithstanding the foregoing provisions of this subsection (8), effective the first full pay period after the ratification of the collective bargaining agreement between the City and the Fraternal Order of Police (i.e., June 17, 2024), the maximum benefit limit of \$98,838 shall not apply to bargaining unit members, but the maximum benefit limit of 75 percent of average final compensation applied to a member's normal retirement income payable in the normal form of benefit shall be maintained.

* * *

SECTION 4. That all sections or parts of sections of the Code of the City of Coral Gables, all ordinances or parts of ordinances, and all laws of the City of Coral Gables in conflict herewith shall be and are hereby repealed insofar as there is a conflict or inconsistency.

SECTION 5. That it is the intention of the Commission of the City of Coral Gables, Florida, that the provisions of this Ordinance shall become and be made a part of the City of Coral

Gables Code of Ordinances; and that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrases in order to accomplish such intentions.

SECTION 6. This Ordinance shall become effective upon its passage and adoption herein.

PASSED AND ADOPTED THIS ____ DAY OF _____, A.D., 2024.

APPROVED:

VINCE C. LAGO
MAYOR

ATTEST:

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

BILLY Y. URQUIA
CITY CLERK

CRISTINA M. SUAREZ
CITY ATTORNEY