

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

AN ORDINANCE OF THE CITY OF CORAL GABLES, FLORIDA, AMENDING CHAPTER 46 OF THE "CODE OF THE CITY OF CORAL GABLES," ENTITLED "PENSIONS," AMENDING SECTION 46-26, COMPULSORY PARTICIPATION; AMENDING SECTION 46-27, PURCHASE OF CREDITED SERVICE; AND PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City desires to amend the City Retirement System participation requirements for non-bargaining unit police officers hired on or after September 26, 2017; and

WHEREAS, the City has determined that this ordinance is in the best interests of the City and its employees.

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 46-26 of the "Code of the City of Coral Gables" pertaining to "Pensions" is hereby amended to read as follows :

Sec. 46-26. - Compulsory participation.

* * *

(f) Further provided, however, it shall not be mandatory for a non-bargaining unit police officer or firefighter hired from outside the city on or after September 26, 2017 to participate in the system, but such employee shall have the option of participation in the system or in another retirement plan, and must exercise that option within 30 days following their date of hire. In the event such employee elects to participate in any retirement plan other than the system, the city may contribute a sum not to exceed the maximum limit provided by law to that plan.

* * *

(i) Notwithstanding the provisions of subsection (f) above, any non-bargaining unit police officer hired from outside the city on or after September 26, 2017, who elected to participate in the City's 401(a) defined contribution plan shall have a one-time option to

participate in this system by submitting a written election to do so between January 14, 2025 and February 28, 2025. Such election shall take effect on the first day of the month immediately following the date of submission, and shall be irrevocable. On and after the date the election takes effect, the employee shall be a participant in this retirement system and all employer and employee contributions to the 401(a) defined contribution plan shall cease. A non-bargaining unit police officer who elects to participate in this system in accordance with this subsection (i) shall be eligible to purchase credited service under this system for all or a portion of their period of full-time city employment prior to participation in this system, pursuant to section 46-27(h). An non-bargaining unit police officer who is eligible to elect to participate in this system in accordance with this subsection (i), and does not submit a timely election to participate in this system, shall continue participating in a retirement plan other than this system for as long as they are employed by the city.

SECTION 3. Section 46-27 of the "Code of the City of Coral Gables" pertaining to "Pensions" is hereby amended to read as follows:

Sec. 46-27. - Purchase of credited service.

* * *

(b) Purchase of credited service for periods of service with other public employers. The definitions of section 46-25 to the contrary notwithstanding, participants of the system shall have the option to receive credited service for all purposes of this system, except section 46-256(c) and (e), for periods of service with other public employers under the following conditions and subject to any restrictions established by applicable law:

(1) A participant may purchase other employer service time for purposes of certain terms defined in sections 46-25, 46-253(a) and (d), 46-255(a)(2), and 46-256(a) and (b) on a day-for-day basis and up to a maximum of five years. The purchase of another public employer's service time is subject to the retirement board's receipt of proof of the employee's employment with the other public employer and participation in the other public employer's pension plan. Under no circumstances may the participant purchase more service time (on a day-for-day basis) than actually credited under the other public employer's pension plan.

(2) To be eligible to elect to receive credit for other public employer service time, a participant must be an employee of the city at the date of the election and must have a total of five years of credited service with the city immediately prior to the date of election.

(3) Each participant who desires to receive credits for any or all other public service time shall make an irrevocable election to do so and shall elect the amount of other public employer service time being purchased within 180 days following

the attainment of five years of credited service under this system. Notwithstanding the preceding sentence, firefighters hired on April 18, 2011, who wish to receive credited service for service with other public employers prior to city employment shall make an irrevocable election to do so and shall elect the amount of other public employer service time being purchased within 180 days following the attainment of seven years of credited service under this system.

(4) Notwithstanding anything to the contrary in this section (b), participants who have joined this system in accordance with Section 46-26(h) or Section 46-26(i) and who purchased credited service for their period of full-time employment in the city's 401(a) plan must have a total of five years credited service for which the full actuarial cost has been paid before purchasing credited service for periods of service with other public employers. Such election must be made within 180 days following notification from the Board that the participant has attained five years of credited service for which the full actuarial cost has been paid.

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(h) Notwithstanding any other provision of this retirement system, any non-bargaining unit police officer hired from outside the city on or after September 26, 2017 who elected to participate in a retirement plan other than this system upon employment by the city and elects to participate in this system in accordance with section 46-26(i), shall be eligible to purchase credited service for all purposes of this system for all or a portion of their period of full-time city employment prior to participation in this system in accordance with this subsection (h). Participants who wish to purchase prior city service must elect to do so between January 14, 2025 and February 28, 2025. The participant will be required to contribute for such service an amount equal to the full actuarial cost of the service as determined by the plan actuary; provided in no event shall the participant be required to pay the actuary's fee to calculate the service purchase amount. Payment for the purchase of credited service pursuant to this subsection (h) may be made by lump sum cash payment; deduction from the employee's compensation; by direct transfer from another qualified retirement plan that permits such transfers; or a combination of such methods in accordance with the administrative regulations established by the Retirement Board. If the full actuarial cost for such purchased service is not paid in full at the time a participant enters the DROP or separates from city employment, only the amount of credited service for which the full actuarial cost has been paid shall be recognized.

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, except as otherwise specifically provided 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