

**CITY OF CORAL GABLES, FLORIDA
ORDINANCE NO. 2019 - __**

AN ORDINANCE AMENDING CHAPTER 46 OF THE "CODE OF THE CITY OF CORAL GABLES," ENTITLED "PENSIONS;" AMENDING SECTION 46-25, ENTITLED "DEFINITIONS", TO REVISE THE DEFINITIONS OF AVERAGE FINAL COMPENSATION AND NORMAL RETIREMENT DATE FOR FIREFIGHTERS; AMENDING SECTION 46-253, ENTITLED "NORMAL RETIREMENT INCOME", TO REVISE THE NORMAL RETIREMENT INCOME FOR CERTAIN FIREFIGHTERS; AND PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE (THE SOLE PURPOSE OF THIS ORDINANCE IS TO INCORPORATE THE PENSION CHANGES AGREED UPON IN THE 2017-2020 COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY AND IAFF).

WHEREAS, the City recently entered into a collective bargaining agreement with the International Association of Firefighters, Local 1210;

WHEREAS, the collective bargaining agreement contains certain changes to retirement benefits of firefighters under 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 recitals are hereby ratified and confirmed as being true and correct and are hereby made a part of this Ordinance upon adoption.

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

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

Sec. 46-25. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

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Average final compensation means:

* * *

- (3) Effective September 30, 2013, the term "average final compensation" for firefighters means:
 - a. For participants who retire on or after October 1, 2012, and on or before September 30, 2013, the highest three-year average total earnings as of the date of retirement or the highest four-year average earnings, whichever is greater;
 - b. For participants who retire on or after October 1, 2013, and on or before September 30, 2014, the highest four-year average earnings as of the date of retirement ~~September 30, 2013~~, or the highest five-year average earnings, whichever is greater; and
 - c. For participants who retire on or after October 1, 2014, the highest five-year average earnings.

Effective September 30, 2013, retirement benefit calculations and employee contributions for firefighters shall be based on pensionable earnings and not total earnings. For firefighters employed by the city and not participating in the DROP on September 30, 2013, total earnings shall be applied for any period of credited service prior to October 1, 2013, and pensionable earnings shall be applied for any period of credited service on or after October 1, 2013. Notwithstanding the provisions of this subsection (3), for firefighters who are employed on September 30, 2013, and have attained normal retirement eligibility as of that date, the highest three-year average total earnings shall continue to apply to retirement benefit calculations and employee contributions for all periods of credited service.

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Normal retirement date means:

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- (5) Notwithstanding the preceding definition of normal retirement date, effective September 30, 2013, the normal retirement date for firefighters with less than ten years of credited service on September 30, 2013, and firefighters hired on or after that date means the first day of the month coincident with or next following the date on which the participant attains 51 years of age with 25 years of credited service regardless of age, or "Rule of 76" (age plus years of credited service equal 76); provided, any such member whose normal retirement date under the "Rule of 76" would be after age 59 and who is within 12 months of completing ten years of credited service on October 15, 2013, shall retain the "Rule of 70" normal retirement date. Firefighters who have ten or more years of credited service as of September 30, 2013, shall retain eligibility to retire at the normal retirement date specified in subsections (1) through (3) above, as applicable. Notwithstanding the preceding definition of normal retirement date, effective October 1, 2019 the normal

retirement date for firefighters with less than ten years of credited service on September 30, 2013, and firefighters hired on or after that date means the first day of the month coincident with or next following the date on which the participant attains 25 years of credited service regardless of age, or "Rule of 76" (age plus years of credited service equal 76).

SECTION 3. That section 46-253 of the "Code of the City of Coral Gables" pertaining to "Pensions" is hereby amended to read as follows:

Sec. 46-253. - Normal retirement income.

(a) Amount of monthly normal retirement income.

* * *

(7) Effective September 30, 2013, the monthly amount of normal retirement income payable to a firefighter hired on or after that date shall equal three percent of the average final compensation multiplied by the first ten years of credited service, and 2½ percent of the average final compensation multiplied by the total 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 ten percent of average final compensation for the 25th year of credited service, with the combined normal retirement income not to exceed 75 percent of the average final compensation.

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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. That this Ordinance shall become effective upon adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D., 2019.

APPROVED:

RAUL VALDES-FAULI
MAYOR

ATTEST:

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

BILLY Y. URQUIA
CITY CLERK

MIRIAM S. RAMOS
CITY ATTORNEY