

**GOLDEN BEACH, FLORIDA  
ORDINANCE NO. 419.96**

AN ORDINANCE OF THE TOWN COUNCIL OF GOLDEN BEACH, FLORIDA; AMENDING THE PROVISIONS FOR EMPLOYEE CONTRIBUTIONS TO THE RETIREMENT PLAN FOR POLICE AND GENERAL EMPLOYEES REGARDING RETIREMENT BENEFITS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING INCLUSION IN THE CODE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Ordinance 411.95 amended Ordinance 386.91 regarding the calculation of retirement benefits for members of the Town's Retirement Plan; and

WHEREAS, it was and is the intention that the cost of the retirement increase would be shared by the employees and the Town, and the actuarial impact statement for Ordinance 411.95 made that assumption; and

WHEREAS, Ordinance 411.95 did not include a provision to increase the employee contribution by 1% of payroll as anticipated by the Town, the employees and the actuary; and

WHEREAS, this amendment is to carry out the intent of Ordinance 411.95 and will have no additional actuarial impact on the retirement plan;

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:

**Section 1.** That Section 2 of Ordinance 343.87 as amended by Section 1 of Ordinance 386.91 is hereby amended to provide:

- e. Election of increased benefits and employee contributions.

Each member of the plan as of the date this ordinance becomes effective shall, within 60 days following such effective date, make a written election either to continue no member contributions to the plan or to begin contributing ~~2.5%~~ 3.5% of earnings to the plan in the case of general employee members or ~~2.3%~~ 3.3% of earnings in the case of police officer members. Each such member who elects not to contribute shall be subject to a lower benefit accrual rate, as provided in Section 3.1.a. of Ordinance No.347.87. Each such member who

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elects to begin contributing at the rates provided above shall be subject to a higher benefit accrual rate, as provided in Section 3.1.a. of Ordinance No. 343.87.

**Section 2.** That the Town Manager is hereby authorized and directed to make the appropriate payroll deductions from employee payroll to fund these retirement benefits provided in this Ordinance. To the extent this has already been accomplished, those actions are hereby ratified. The Town Manager may set up a plan to obtain overdue employee contributions over a reasonable period of time not to exceed September 30, 1996.

**Section 3. Conflict** That all ordinances or parts of ordinances, all Town Code sections or parts of Town Code sections, and all resolutions or parts of resolutions in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**Section 4. Severability** That the provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**Section 5. Inclusion In The Code.** That it is the intention of the Town Council, and it is hereby ordained that the provisions of this Ordinance, as well as the pension plan ordinance, shall become and made a part of the Code of the Town of Golden Beach; that the sections of the Ordinance may be renumbered or relettered to accomplish such intentions; and that the word "Ordinance" may be changed to "Section" or other appropriate word.

**Section 6. Effective Date.** That this Ordinance shall become effective retroactively to October 1, 1995.

PASSED AND ADOPTED on first reading this day of 16th, day of July, 1996.

The Motion to adopt the foregoing Ordinance on first reading was offered by Councilman Rosenthal, seconded by Councilwoman Lowrance and on roll call the following vote ensued:

Mayor Cuenca	<u>AYE</u>
Vice Mayor Fistel	<u>ABSENT</u>
Councilman Addicott	<u>AYE</u>
Councilwoman Lowrance	<u>AYE</u>
Councilman Rosenthal	<u>AYE</u>

PASSED AND ADOPTED on second reading this 17th day of September 1996.

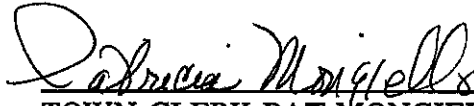
The Motion to adopt the foregoing Ordinance on second reading was offered by Councilman Rosenthal, seconded by Councilwoman Lowrance and on roll call the following vote ensued:

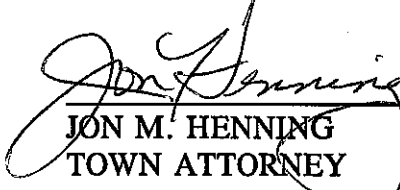
Mayor Cuenca	<u>AYE</u>
Vice Mayor Fistel	<u>ABSENT</u>
Councilman Addicott	<u>ABSENT</u>
Councilwoman Lowrance	<u>AYE</u>
Councilman Rosenthal	<u>AYE</u>

  
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MAYOR JUDY CUENCA

ATTEST:

  
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TOWN CLERK PAT MONGIELLO  
APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

  
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JON M. HENNING  
TOWN ATTORNEY