Ordinance 2021-10

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING FOR INCREASE IN CITY FUNDED BASE MULTIPLIER; PROVIDING FOR CODIFICATION; CONFLICTS; SEVERABILITY; CORRECTION OF SCRIVENER’S ERROR; CONSTRUCTION; PUBLICATION; AND AN EFFECTIVE DATE.

WHEREAS, the City Code of the City of St. Pete Beach provides for a Retirement System for the firefighters of the City of St. Pete Beach (“City”);

WHEREAS, the City and the International Association of Fire Fighters, Local 4966, have entered into a collective bargaining agreement amending the City funded base benefit accrual rate from 2.25% to 2.75%;

WHEREAS, the City Commission of the City wants to implement the change in the base benefit accrual rate agreed to in collective bargaining;

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH FLORIDA, HEREBY ORDAINS:

SECTION 1. Recitals. The above recitals (“Whereas” clauses) are hereby adopted as legislative findings, purpose and intent of the City Commission.

SECTION 2. Amendments. Section 66-254 Contributions of Article IV of Chapter 66 is hereby amended as follows:

Sec. 66-254. - Contributions.

(a) Member contributions. Contributions to the system shall be subject to the following:

(1) Amount. Each member of the system who has attained age 55 or 25 years of credited service on December 31, 2012 shall be required to make regular contributions to the fund in the amount of 10.3 percent of his salary. Members who are employed on December 31, 2012 but have not attained age 55 or 25 years of credited service on that date, and members hired on or after January 1, 2013, shall be required to make contributions to the fund in accordance with section 66-339 of this chapter until the effective date of this ordinance. Member contributions for the period from the effective date of this ordinance through September 30, 2017, shall be 12.4 percent of his salary.

Member contributions for each fiscal year after that date, shall be determined by the actuary and will be documented in the annual valuation. The Member contributions and shall equal four percent of salary plus an amount that reflects the annual cost of the following benefit improvements, determined as of prior valuation date: (1) an increase in the benefit accrual rate for service after January 1, 2013 from 2.25 percent to 3.4 percent; (2) the change to the definition of salary effective with the effective date of this ordinance described in section

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66-251, Definitions; and (3) the three percent automatic COLA commencing seven years after retirement on benefits accrued on or after January 1, 2013. Effective beginning with the October 1, 2021 calculation of the additional Member contribution rate above four percent of salary, the calculation will be made as provided for in the previous sentence except that the City-funded base benefit accrual rate in item (1) will be 2.75% effective October 1, 2020. For service prior to October 1, 2020 and subsequent to January 1, 2013, the City-funded base benefit was 2.25%.

Member contributions withheld by the city on behalf of the member shall be deposited with the board of trustees immediately after each pay period. The contributions made by each member to the fund shall be designated as employer contributions pursuant to section 414(h) of the code. Such designation is contingent upon the contributions being excluded from the member’s gross income for federal income tax purposes. For all other purposes of the system, such contributions shall be considered to be member contributions.

(2) Method. Such contributions shall be made by payroll deduction.

(b) State contributions. Any monies received or receivable because of state laws for the express purpose of funding and paying for retirement benefits for city firefighters shall be deposited in the fund comprising part of this system immediately and under no circumstances more than five days after receipt by the city.

(c) City contributions. So long as this system is in effect, the city shall make quarterly contributions to the fund in an amount equal to the difference in each year, between the total aggregated member contributions for the year, plus state contributions for such year, and the total cost for the year, as shown by the most recent actuarial valuation of the system, but in no event shall the city’s annual contribution be less than two percent of the total salary of members. The total cost for any year shall be defined as the total normal cost plus the additional amount sufficient to amortize the unfunded past service liability as provided in part VII of F.S. ch. 112.

(d) Other. Private donations, gifts and contributions may be deposited to the fund, but such deposits must be accounted for separately and kept on a segregated bookkeeping basis. Funds arising from these sources may be used only for additional benefits for members, as determined by the board, and may not be used to reduce what would have otherwise been required city contributions.

SECTION 3. Codification. This Ordinance shall be codified in the Code of Ordinance of the City of St. Pete Beach.

SECTION 4. Conflicts. All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with the Ordinance.

SECTION 5. Severability. 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 6. Scrivener's Error. The City Attorney may correct scrivener's errors found in this Ordinance by filing a corrected copy of this Ordinance with the City Clerk.

SECTION 7. Construction. This Ordinance is to be liberally construed to accomplish its objectives.

SECTION 8. Publication. This Ordinance shall be published in accordance with the requirements of law.

SECTION 9. Effective Date. This ordinance shall take effect October 1, 2021.

FIRST READING: 
PUBLISHED: 
SECOND READING: May 11, 2021
PUBLIC HEARING: May 11, 2021

CITY COMMISSION, CITY OF ST. PETERSBURG, FLORIDA.

[Signature]
Alan Johnson, Mayor

I, Amber LaRowe, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of applicable law this 11th day of May, 2021.

[Signature]
Amber LaRowe, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

[Signature]
Andrew Dickman, City Attorney

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