

1 Introduced by Council Member Bishop:  
2

3 **ORDINANCE 2011-**

4 AN ORDINANCE REGARDING CHAPTER 120, PART 2  
5 (GENERAL EMPLOYEES RETIREMENT PLAN) AND PART 3  
6 (CORRECTIONS OFFICERS RETIREMENT PLAN),  
7 ORDINANCE CODE; AMENDING SUBSECTION (B) OF  
8 SECTION 120.202 (MEMBERSHIP) OF THE GENERAL  
9 EMPLOYEES RETIREMENT PLAN AND SUBSECTION (B)  
10 OF SECTION 120.302 (MEMBERSHIP) OF THE  
11 CORRECTIONS OFFICERS RETIREMENT PLAN, TO  
12 CLARIFY ORDINANCE LANGUAGE REGARDING THE  
13 ABILITY FOR AN ELECTED OFFICIAL TO COLLECT A  
14 SALARY AND A PENSION FROM THE CITY OF  
15 JACKSONVILLE SIMULTANEOUSLY; AMENDING  
16 SUBSECTIONS (A), (B), (C) AND (D) OF SECTION  
17 120.206 (TIME SERVICE RETIREMENT BENEFIT;  
18 COST-OF-LIVING ADJUSTMENTS) TO PROVIDE FOR  
19 INCREASING THE AGE FOR TIME SERVICE RETIREMENT  
20 TO 65 YEARS OF AGE FOR GENERAL EMPLOYEES HIRED  
21 ON OR AFTER JUNE 1, 2011, AND FOR GENERAL  
22 EMPLOYEES HIRED BEFORE JUNE 1, 2011 WHO ARE  
23 NOT ELIGIBLE TO RETIRE BEFORE JUNE 1, 2011,  
24 WITH A REDUCED BENEFIT FOR SUCH EMPLOYEES FOR  
25 EARLY RETIREMENT UNDER CERTAIN CONDITIONS  
26 PRIOR TO AGE 65, ALL SUBJECT TO APPLICABLE  
27 STATE AND FEDERAL LAWS INCLUDING WITHOUT  
28 LIMITATION COLLECTIVE BARGAINING AND PENSION  
29 LAWS; AMENDING SUBSECTIONS (C) AND (D) OF  
30 SECTION 120.209 (VESTING, TERMINATION, RE-  
31 EMPLOYMENT) TO PROHIBIT RE-EMPLOYMENT BY THE

1 CITY OF A RETIREE UNDER THE GENERAL EMPLOYEES  
2 RETIREMENT PLAN IN ANY POSITION NOT COVERED BY  
3 THE PLAN OTHER THAN POLL WORKERS; WAIVING THE  
4 PROVISION OF SUBSECTION 120.211 (A) TO THE  
5 EXTENT BENEFITS ARE REDUCED; PROVIDING AN  
6 EFFECTIVE DATE.

7  
8 **BE IT ORDAINED** by the Council of the City of Jacksonville:

9 **Section 1. Amending Section 120.202 (Membership), Section**  
10 **120.206 (Time service retirement benefit; cost-of-living**  
11 **adjustments), Section 120.209 (Vesting, termination, re-**  
12 **employment), and Section 120.302 (Membership), Ordinance Code.**  
13 Subsection (b) of Section 120.202 (Membership), subsections (a),  
14 (b), (c) and (d) of Section 120.206 (Time service retirement  
15 benefit; cost-of-living adjustments), subsections (c) and (d) of  
16 Section 120.209 (Vesting, termination, re-employment), and  
17 subsection (b) of Section 120.302 (Membership), *Ordinance Code*, are  
18 hereby amended as follows:

19 **CHAPTER 120. GENERAL EMPLOYEES AND CORRECTIONS OFFICERS**  
20 **RETIREMENT PLANS.**

21 \* \* \*

22 **PART 2. THE GENERAL EMPLOYEES RETIREMENT PLAN.**

23 \* \* \*

24 **Sec. 120.202. Membership.**

25 \* \* \*

26 (b) Appointed and elected officials and permanent employees  
27 not in the civil service system may opt to become members of the  
28 Plan, consistent with Section 16.04 of the City Charter. ~~Elected~~  
29 ~~officials eligible to receive benefits under this System or any~~  
30 ~~prior Plan shall be permitted to continue to receive those~~  
31 ~~benefits.~~

\* \* \*

1  
2 **Sec. 120.206. Vesting, termination, re-employment.**

3  
4 (a) Normal retirement before June 1, 2011.

5  
6 (1) A member may retire on the next pay period  
7 following:

8 (i) the date upon which the member completes 30  
9 years of credited service, regardless of age; or

10 (ii) the date upon which the member attains age 55  
11 with 20 years of credited service; or

12 (iii) the date upon which the member attains age 65  
13 with five years of credited service.

14 There shall be no mandatory retirement age.

15 ~~(b)~~ (2) A normal retirement benefit shall be determined by  
16 multiplying 2.5 percent of Final Monthly Compensation as defined in  
17 Section 120.201 by the number of years of Credited Service to a  
18 maximum of 80 percent.

19 ~~(c)~~ (3) A service retirement benefit shall be payable on a  
20 bi-weekly basis. The benefit payments shall commence on the first  
21 payday coincident with or next following the member's actual  
22 retirement and shall continue until the death of the member.

23 (b) Normal retirement on or after June 1, 2011. Subject to  
24 applicable state and federal laws including without limitation  
25 collective bargaining and pension laws, normal retirement for  
26 members retiring after June 1, 2011 shall be as follows:

27 (1) Members hired on or after June 1, 2011. For members  
28 hired on or after June 1, 2011, such a member may retire on the  
29 next pay period following the date upon which the member attains  
30 age 65 with at least five years of credited service.

31 (2) Members hired before June 1, 2011. For members

1 hired before June 1, 2011, (x) who are not eligible to retire  
2 before June 1, 2011, such a member may retire on the next pay  
3 period following the date upon which the member attains age 65 with  
4 at least five years of credited service and (y) who are eligible to  
5 retire before June 1, 2011, such a member may retire as provided  
6 for in subsection 120.206(a)(1) above.

7 (3) The retirement benefit for normal retirement on or  
8 after June 1, 2011 shall be determined and payable in accordance  
9 with the provisions of above subsections 120.206(a)(2) and (3).

10 (4) There shall be no mandatory retirement age.

11 ~~(d)~~ (c) Early Retirement before June 1, 2011. Early  
12 retirement before June 1, 2011 shall be available to a member the  
13 first full pay period following:

14 (1) The completion of 25 or more years of service, but  
15 less than 30 years of service, regardless of age with a benefit of  
16 two percent per year of credited service; or

17 (2) The attainment of age 50 and a completion of 20  
18 years of credited service with the benefit of 2.5 percent per year  
19 of credited service reduced by 0.5 percent for each month the  
20 benefit commencement precedes age 55.

21 (d) Early retirement on or after June 1, 2011. Subject to  
22 applicable state and federal laws, including without limitation  
23 collective bargaining and pension laws, early retirement on or  
24 after June 1, 2011 shall be as follows:

25 (1) The completion of 25 or more years of service,  
26 regardless of age with a benefit of two percent per year of  
27 credited service to a maximum of 80 percent; or

28 (2) The attainment of age 60 and a completion of 20  
29 years of credited service with a benefit of 2.5 percent per year of  
30 credited service reduced by 0.5 percent for each month the benefit  
31 commencement precedes age 65.

1 Notwithstanding the foregoing provisions of this subsection  
2 120.206(d), any member who was eligible for early retirement under  
3 subsection 120.206(c) before June 1, 2011, shall continue to be  
4 eligible for early retirement under that subsection on and after  
5 June 1, 2011.

6 \* \* \*

7 **Sec. 120.209. Vesting, termination, re-employment.**

8 \* \* \*

9 (c) If a retiree or separated vested member re-enters City  
10 service in a position covered by this Plan, benefit payments shall  
11 cease and the retiree or separated vested member shall again become  
12 an active member of the Plan. Upon subsequent retirement, the new  
13 pension benefit shall be computed in accordance with the provisions  
14 of Section 120.206, but based on a final monthly compensation  
15 computed as if there were no gap in time between the original  
16 retirement date and the reemployment date, provided that the period  
17 of re-employment exceeds one year. This section shall not apply to  
18 retired members re-hired as poll workers, ~~part time workers or~~  
19 ~~temporary workers.~~

20 (d) The City shall not hire, employ or continue to employ,  
21 directly or indirectly (as an adviser or consultant, through  
22 employment agencies or otherwise) any time service retiree of the  
23 City of Jacksonville General Employees Retirement Plan in any  
24 position not covered by this Plan, provided that the foregoing  
25 restriction shall not apply to poll workers. ~~Notwithstanding the~~  
26 ~~provisions of subparagraph (c) to Section 120.209, Ordinance Code,~~  
27 ~~or any other City ordinance to the contrary, any time service~~  
28 ~~retiree of the City of Jacksonville General Employees Retirement~~  
29 ~~Plan, who otherwise qualifies, may be re employed by the City on a~~  
30 ~~part time or temporary basis without the cessation of retirement~~  
31 ~~benefits payable to such retiree pursuant to Chapter 120, Ordinance~~

1 Code, because of, and during, such re employment. Upon subsequent  
2 retirement, the pension benefit shall start again in the same  
3 amount as the pension benefit in effect at the time of commencement  
4 of re employment with the City. For purposes of this subparagraph  
5 (d), the term "part time" shall mean a position routinely requiring  
6 fewer than 25 hours of work per week (50 hours per pay period) on a  
7 regular and recurring basis, and the term "temporary" shall mean a  
8 full time temporary position required for less than six months on a  
9 special assignment or to replace an employee on leave. In no event  
10 shall any time service retiree of the City of Jacksonville General  
11 Employees Retirement Plan re-employed as a poll worker acquire time  
12 service credit or any other benefit under Chapter 120, Ordinance  
13 Code, during, or in connection with, such re-employment, nor shall  
14 any amendment to the Plan not otherwise applicable to retired  
15 members apply to any such re-employed retired member.

16 \* \* \*

17 **PART 3. THE CORRECTIONS OFFICERS RETIREMENT PLAN.**

18 \* \* \*

19 **Sec. 120.302. Membership.**

20 \* \* \*

21 (b) Appointed and elected officials and permanent  
22 employees not in the civil service system may opt to become members  
23 of the Plan, consistent with Section 16.04 of the City Charter.  
24 ~~Elected officials eligible to receive benefits under this System or~~  
25 ~~any prior Plan shall be permitted to continue to receive those~~  
26 ~~benefits.~~

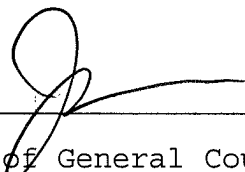
27 **Section 2. Waiver.** The provisions of Subsection 120.211(a),  
28 Ordinance Code, are hereby waived to the extent the amendments  
29 provided in Section 1 above result in lower benefits than those in  
30 effect on the date the member commenced service with the City. The  
31 second sentence of Subsection 120.211(a) provides as follows: "No

1 amendment shall result in members receiving lower benefits than  
2 those in effect on the date the member commenced service with the  
3 City." The reason for the waiver is to provide for the changes in  
4 Section 1 above despite the restrictions in Subsection 120.211(a),  
5 *Ordinance Code.*

6 **Section 3. Implementation of Legislative Changes.** The  
7 amendments to the Ordinance Code provided in Section 1 above shall  
8 have the prospective effective date of June 1, 2011.

9 **Section 4. Effective Date.** This Ordinance shall become  
10 effective upon signature by the Mayor or upon becoming effective  
11 without the Mayor's signature.

12  
13 Form Approved:

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15   
16 \_\_\_\_\_  
17 Office of General Counsel

18 Legislation Prepared By: John Germany

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