



MEMORANDUM

Office of the City Attorney

Legistar No. **000050**

Phone: 334-5011/Fax 334-2229
Box 46

TO: Mayor and City Commission

DATE: June 26, 2000
~~June 12, 2000~~

~~FIRST READING~~

SECOND READING

FROM: City Attorney

SUBJECT: Ordinance No. 0-00-66

An ordinance of the City of Gainesville, Florida, amending Division 8 of Chapter 2 of the Code of Ordinances relating to the Consolidated Police Officers and Firefighters Retirement Plan relating to credited service, lump sum payments, the Board of Trustees, penalty for false statement, and exemptions from execution; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing retroactive and immediate effective dates.


Recommendation: The City Commission adopt the proposed ordinance.


Chapters 175 and 185, Florida Statutes, dealing with municipal fire and police pension funds, were substantially amended last year by Chapter 99-1, Laws of Florida. Those municipalities whose fire and police pension plans conform to certain requirements set forth in Chapters 175 and 185 receive from the State, as partial funding for those plans, local insurance premium tax revenues. Last August, the City Commission authorized the City Attorney's Office to evaluate what changes to the City of Gainesville's Police and Fire Consolidated Pension Plan would be necessary to conform to the newly enacted requirements of Chapter 99-1. The City Manager was directed to negotiate as necessary those changes. The City Attorney was authorized to prepare an ordinance incorporating the necessary changes and to present it to the Commission for adoption. Since last fall, those activities have been occurring.

Chapter 99-1 made numerous changes. Some of those changes would cost additional money to fund (would have an actuarial impact on the Plan) and some would not. Chapter 99-1 provides that the changes it requires need only to be made to the extent that any additional costs can be paid for by increases in the amount of insurance premium taxes that are received. Last year, the amount of insurance premium taxes received by the City did not increase over the preceding year's amount. Therefore, at this time, only the "no cost changes" need be made in order to remain in compliance. As a result of lengthy, recently concluded, dialog between City staff and the Consolidated Plan's actuary, it has been determined that only the attached "no cost" changes are required at this time.

The changes in Sections 1, 3 and 4 of the ordinance provide for additional cost neutral benefits. The changes in Sections 2, 6, and 7 reflect current practice. Section 5 deals with who can be employee representatives on the Board of Trustees and who can vote to elect such persons. ~~Changes in Sections 8 and 9 replace existing Plan language with similar statutorily required language.~~

Management has discussed these changes with police and fire union representatives and they have no objection to the changes.

Prepared by: 
Charles L. Hauck,
Sr. Assistant City Attorney

Approved and Submitted by: 
Marion J. Radson,
City Attorney

MJR:CLH:sw

PASSED ON FIRST READING BY A VOTE OF 4-0.