

ORDINANCE NO. 94-15

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, AMENDING THE CODE OF ORDINANCES CHAPTER 15, SECTIONS 37 AND 40 AND CREATING SECTION 15-39; PROVIDING FOR A 3% BENEFIT ACCRUAL RATE FOR QUALIFIED LAW ENFORCEMENT EMPLOYEES FOR SERVICE SINCE JANUARY 1, 1989, AND 2-1/2% BENEFIT ACCRUAL RATE FOR SERVICE PRIOR TO JANUARY 1, 1989; PROVIDING FOR A FIVE YEAR VESTING PERIOD FOR THOSE QUALIFIED LAW ENFORCEMENT EMPLOYEES WHOSE SERVICE BEGAN ON OR AFTER JANUARY 1, 1989, AND FOR THOSE QUALIFIED LAW ENFORCEMENT OFFICERS WHOSE SERVICE BEGAN PRIOR TO JANUARY 1, 1989, BUT HAVE REMAINED IN CONTINUOUS QUALIFIED SERVICE TO THE CITY THROUGH MAY 1, 1994; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE EUSTIS CODE OF ORDINANCES; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR PUBLICATION ACCORDING TO LAW.

WHEREAS, the City Staff and Commissioners have received and reviewed studies from its consultants and determined that the additional benefits provided herein can be provided without significant additional expense to the City of Eustis; and

WHEREAS, the Commission believes that such enhanced benefits will increase law enforcement morale and encourage retention of law enforcement personnel within the City of Eustis.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, AS FOLLOWS:

Section 1. Chapter 15, Article, III, Section 37, of the City of Eustis Code of Ordinances, is hereby amended to read and provide as follows:

ARTICLE III. Municipal Police Officers' Pension and Retirement System

SEC. 15-37. Monthly Retirement Income for Police Officers.

The amount of retirement income payable to a police officer of the City of Eustis who retires on or after his or her normal retirement date shall be in an amount equal to the number of years of credited service multiplied by 2-1/2% of his or her average final compensation for those years of service completed prior to January 1, 1989, and 3% of his or her average final compensation for those years of service completed subsequent to January 1, 1989.

Section 2. Chapter 15, Article III, Section 39, of the City of Eustis Code of Ordinances, is hereby created to read as follows:

SEC. 15-39. Vesting.

All police officers who are qualified law enforcement employees with the City of Eustis on January 1, 1989, and all those employed as qualified law enforcement employees with the City of Eustis after January 1, 1989, shall be vested in this retirement plan after completion of five (5) years of qualified service.

All police officers who terminated employment as qualified law enforcement employees with the City of Eustis prior to January 1, 1989, and were not reemployed on or after January 1, 1989, as qualified law enforcement employees with the City of Eustis shall be vested in this retirement plan only if ten (10) years of qualified service had been completed prior to January 1, 1989.

Section 3. Chapter 15, Article III, Section 40, of the City of Eustis Code of Ordinances is hereby amended to read and provide as follows:

SEC. 15-40. Retirement Age.

A police officer who was a qualified law enforcement employee with the City of Eustis on January 1, 1989, and those employed after January 1, 1989, shall have as a normal retirement date the first day of the month coincident with or next following the earlier of attainment of age 55 and the completion of five (5) years of qualified service, or the attainment of age 52 and completion of twenty five (25) years of qualified service.

A police officer who was employed prior to and not on or after January 1, 1989, as a qualified law enforcement employee with the City of Eustis shall have as a normal retirement date the first day of the month coincident with or next following the earlier of the attainment of age 55 and the completion of ten (10) years of qualified service, or the attainment of age 52 and the completion of twenty five (25) years of qualified service.

A qualified law enforcement employee of the City of Eustis may retire on his normal retirement date or on the first day of any month thereafter, and each qualified law enforcement employee shall become 100% vested in his accrued benefit on his normal retirement date.

Section 4. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 5. 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 effect the validity of the remaining sections, sentences, clauses or 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. It is the intention of the City Commission of the City of Eustis that the provisions of this Ordinance shall become and be made a part of the City of Eustis Code of Ordinances and that the sections of this Ordinance may be renumbered or relettered and the word "Ordinance" may be changed to "Section", "Article", or such other appropriate word or phrase to accomplish such intentions.

Section 7. This Ordinance shall become effective on
May 19, _____, 1994.

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


PASSED, ORDAINED, AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this the 19th day of May, 1994.

CITY COMMISSION OF THE CITY OF EUSTIS




Evelyn H. Smith, Mayor-Commissioner

ATTEST:



Jim R. Myers, Jr., City Clerk

This document is approved as to form and legal content for use and reliance of the City Commission of the City of Eustis, Florida.



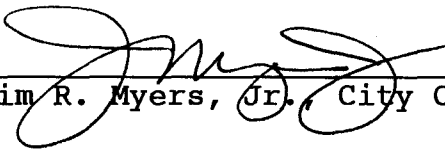
Lewis W. Stone, City Attorney

5.19.94

Date

CERTIFICATE OF POSTING

The foregoing Ordinance 94-15 is hereby approved, and I hereby certify that I published the same by Posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Community Center; all within the Corporate Limits of the City of Eustis, Lake County, Florida.



Jim R. Myers, Jr., City Clerk