

ORDINANCE NO. 1049-2012

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS AMENDING CODE OF ORDINANCE SECTION 35-55, CONTRIBUTIONS; BY PROVIDING A TWO YEAR PLAN FOR THE CITY TO REDUCE REQUIRED POLICE RETIREMENT PLAN CONTRIBUTIONS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; PROVIDING AN EFFECTIVE DATE

WHEREAS, the annual contributions required to be made to the Police Retirement System over the past few years by the City and the Police have increased dramatically; and,

WHEREAS, the amount of the annual contributions required by the City and Police to the Retirement System has become an issue for collective bargaining with the City; and,

WHEREAS, although no negotiated relief has been achieved by the parties, the City has continued to explore any and all alternatives to provide "contribution relief" to the Police and the City; and,

WHEREAS, as part of collective bargaining, the City has proposed that the accumulated excess Chapter 185 Premium Tax Monies now available to it be used over the next two (2) City fiscal years (2012-2013 and 2013-2014) to provide "contribution relief", on an interim basis, to the members of the police retirement system; and,

WHEREAS, the City's proposal to reduce police contributions over the next two (2) City fiscal years (2012-2013 and 2013-2014) was specifically conditioned upon the agreement of the Dade County Police Benevolent Association ("PBA") to agree to certain amendments to the City's Deferred Retirement Option Plan ("DROP"); and,

WHEREAS, on December 5, 2012, the PBA voted to ratify the City's proposal to provide police "contribution relief", on an interim basis, for the next two (2) City fiscal years (2012-2013 and 2013-2014) in exchange for the agreement of the Police Union to certain proposed amendments to the City's DROP Plan; and,

WHEREAS, upon notification of the ratification vote of the aforesaid City proposal by the Police Union of the City, the City Council considered the instant ordinance and an accompanying ordinance amending the City's DROP Plan and determined that the City's proposal to the PBA, the ordinance amending the City's DROP Plan, and the instant ordinance were both proper and appropriate and in the best interests of the City and its citizens:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS:

Section 1: That Code of Ordinance Section 35-55, Contributions, is hereby amended as follows:

Section 35-55. Contributions.

(A) *Member contributions.....*

(B) *State contributions.....*

(C) *City contributions.....*

(1)

(2)

(3) Notwithstanding paragraphs (1) and (2) above, for the plan year beginning October 1, 2012, the employee contribution calculated in accordance with paragraphs (1) and (2) above shall be reduced to 16 percent, using accumulated excess Chapter 185 premium tax monies to fund the reduction; and for the plan year beginning October 1, 2013, the employee contribution calculated in accordance with paragraphs (1) and (2) shall be reduced to 16 percent, using accumulated excess Chapter 185 premium tax monies to fund the reduction. If the total amount of accumulated excess premium tax monies available on October 1, 2013 is not sufficient to fund the reduction in the employee contribution to 16%, then the employee contribution shall be reduced to the lowest level that the total amount of accumulated excess premium tax monies available on October 1, 2013 are sufficient to fund.

(D) *Other.....*

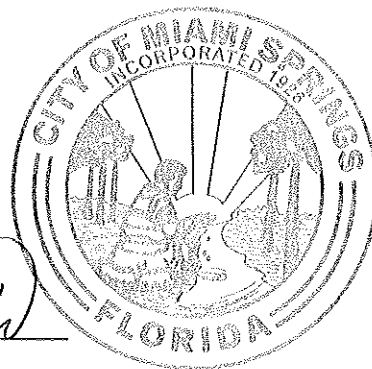
Section 2: That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed insofar as they are in conflict.

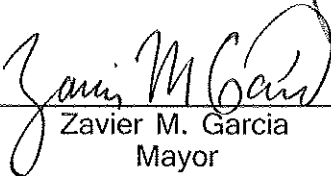
Section 3: That this Ordinance shall take effect immediately upon adoption.

PASSED AND ADOPTED by the City Council of the City of Miami Springs, Florida this 26th day of December, 2012.

The motion to adopt the foregoing ordinance was offered on second reading by Councilman Best, seconded by Vice Mayor Ator, and on roll call the following vote ensued:

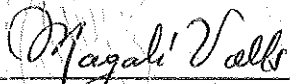
Vice Mayor Ator	"aye"
Councilman Best	"aye"
Councilwoman Bain	"absent"
Councilman Lob	"aye"
Mayor Garcia	"aye"






Xavier M. Garcia
Mayor

ATTEST:



Magali Valls, CMC
City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY



Jan K. Seiden, Esquire
City Attorney

First reading: 12-10-2012
Second reading: 12-26-2012

Words ~~stricken through~~ shall be deleted. Underscored words constitute the amendment proposed. Words remaining are now in effect and remain unchanged.