

DAVIE, FLORIDA

ORDINANCE NO. O 2026-001

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE TOWN OF DAVIE POLICE PENSION PLAN; AMENDING TIER TWO; AMENDING SECTION 3.1(b) TO PROVIDE FOR A 65% ACCRUED BENEFIT AFTER THE COMPLETION OF 20 YEARS OF SERVICE FOR TIER TWO MEMBERS; AMENDING SECTION 4.3.1(d) TO PERMIT UP TO EIGHT YEARS OF DROP PARTICIPATION FOR ALL DROP PARTICIPANTS; AMENDING SECTION 7.2 TO INCREASE THE TIER TWO MEMBER CONTRIBUTION TO 10%; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Davie has previously adopted Ordinance 99-20 amending and restating the pension plan for sworn Police Officers (the “Davie Police Pension Plan”);

WHEREAS, the Town and the Fraternal Order of Police, Davie Lodge #100, have agreed to a new collective bargaining agreement effective October 1, 2025;

WHEREAS, the collective bargaining agreement provides for the Davie Police Pension Plan to be amended to: 1) extend DROP participation to eight years for all members, 2) increase the Tier 2 accrued benefit to 65% upon the completion of 20 years of service, and 3) increase the tier two member contribution to 10%; and

WHEREAS, the Board of Trustees of the Davie Police Pension Plan recommend the adoption of this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA, THAT:

Section 1: Section 1.30 of the Town of Davie Police Pension Plan is hereby amended to read as follows:

1.30 *Tier Two* means the defined benefit pension program for police officers hired on or after the creation of the second tier. Tier Two benefits shall be administered in the same manner as Tier One benefits, except as follows: the normal retirement

benefit for Tier Two Participants shall be calculated using a three percent (3%) multiplier for the first twenty (20) years of service and two percent (2%) for each additional year, up to a maximum benefit of eighty percent (80%). Notwithstanding the eighty percent (80%) cap, benefits shall accrue at a rate of two percent (2%) per year for any active Tier Two participant after forty (40) years of service. Tier Two shall be interpreted at all times as is necessary to comply with all minimum benefits and standards under Chapter 185, Florida Statutes. Notwithstanding anything herein to the contrary, effective October 1, 2025, the normal retirement benefit for Tier Two participants shall be calculated as provided above, except that, upon the completion of twenty (20) years of service, a Tier Two participant's accrued benefit shall equal sixty-five percent (65%) of final average earnings. The member contribution for Tier Two participants is ten percent (10%).

Section 2: Section 3.1(b)(5) of the Town of Davie Police Pension Plan is hereby amended to read as follows:

3.1 Normal Retirement.

(b) Amount of Normal Retirement Benefit.

- (5) Effective October 1, 2010, the multiplier for Tier Two participants shall be three percent (3%) for the first twenty (20) years of service and two percent (2%) for each additional year, up to a maximum benefit of eighty percent (80%). Notwithstanding the eighty percent (80%) cap, benefits shall accrue at a rate of two percent (2%) per year for any active Tier Two participant after forty (40) years of service. Notwithstanding anything herein to the contrary, effective October 1, 2025, the normal retirement benefit for Tier Two participants shall be calculated as provided above, except that, upon the completion of twenty (20) years of service, a Tier Two participant's accrued benefit shall equal sixty-five percent (65%) of final average earnings.

Section 3: Section 4.3.1(d) of the Town of Davie Police Pension Plan is hereby amended to read as follows:

- 4.3 Deferred Retirement Option Plan. Subject to Federal and State Laws, participants may elect a Deferred Retirement Option Plan as described below. This option is made part of the plan.

4.3.1 Eligibility.

(d) Members may enter the Deferred Retirement Option Plan (DROP) after reaching their Normal Retirement date. Effective October 1, 2010, DROP Participants may remain in the DROP for up to five (5) years. In no event can the total of the sum of years of creditable service and years of DROP participant exceed thirty (30) years for a member who enters the DROP. Effective October 1, 2020, the maximum period of DROP participation shall increase from five (5) to six (6) years for members who enter DROP on or after October 1, 2020; provided that a DROP participant's total years of creditable service and years of DROP participation shall not exceed thirty (30) years. Effective October 1, 2025, the maximum period of DROP participation shall increase to eight (8) years for all members. Members participating in the DROP on October 15, 2025 may elect to extend their DROP participation period by submitting to the Board a signed acknowledgement confirming their new DROP termination date. The maximum period of service for all members and DROP participants shall increase from 30 years to 32 years, inclusive of DROP participation. DROP participation shall cease and the member shall separate upon the completion of 32 years of service. The 8-year maximum DROP participation period and the 32-year maximum service limit shall apply to all Tier One and Tier Two members employed on October 1, 2025, including members who are participating in the DROP on that date.

Section 4: Section 7.2 of the Town of Davie Police Pension Plan is hereby amended to read as follows:

7.2 Employee Contributions.

Commencing on October 9, 2003, the employee contribution will be increased to seven percent (7%) of compensation as defined by Section 1.7(a). Effective October 1, 2000, through October 8, 2003, the employee contribution shall be six and one-half percent (6.5%) of base pay. Effective May 18, 1994, as a condition of participation in the Plan, each Participant must contribute (via employer "pick up") for each payroll period, through payroll deductions, an amount equal to five percent of his base pay. Between May 1, 1976, and September 30, 1977, each participant was required to contribute an amount equal to three percent of base pay. Between October 1, 1977, and July 19, 1983, each Participant was required to contribute an amount equal to three percent of base pay. Between July 20, 1983, and May 30, 1983, each Participant was required to contribute an amount equal to 6-1/4 percent of base pay. Between June 1, 1983, and September 30, 1983, each Participant was required to contribute an amount equal to 4-1/4 percent of base pay. Between October 1, 1983, and May 18, 1994, each Participant was required to contribute an amount equal to 6-1/4 percent of base pay. Each

Participant will be deemed to have consented to such payroll deductions. Commencing on the first full pay period after the ratification of the 2025-2028 CBA, the Tier Two employee contribution shall be ten percent (10%) and the Tier One employee contribution shall remain at nine percent (9%).

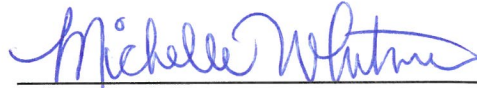
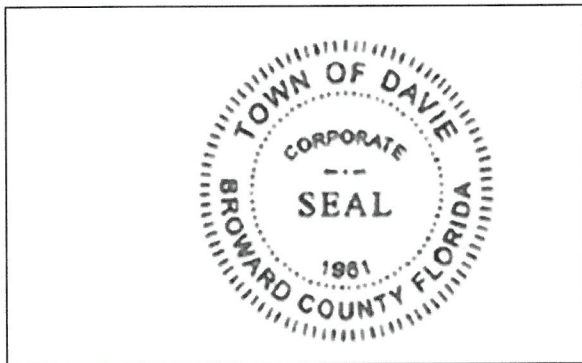
Section 5: If any clause, section, or other part or application of this Ordinance shall be held in any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered as eliminated and shall not affect the validity of the remaining portions or applications which shall remain in full force and effect.

Section 6: All ordinances or parts of ordinances, resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 7: This Ordinance shall become effective immediately upon adoption, unless otherwise provided.

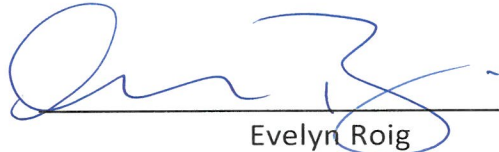
PASSED FIRST READING THIS 7th DAY OF JANUARY, 2025.

PASSED SECOND READING THIS 21st DAY OF JANUARY, 2025.



Vice Mayor Michelle Whitman


Authentication:



Evelyn Roig
Town Clerk

Motion: <u>Councilmember Luis</u>		
Second: <u>Councilmember Starkey</u>		
<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Denied	<input type="checkbox"/> Approved
Subject To		
Vote	Yea	Nay
Mayor Paul <u>A</u>	<u> </u>	<u> </u>
Vice Mayor Whitman	<u>✓</u>	<u> </u>
Councilmember Hattan <u>A</u>	<u> </u>	<u> </u>
Councilmember Starkey	<u>✓</u>	<u> </u>
Councilmember Luis	<u>✓</u>	<u> </u>

Approved by the Town Attorney as to form
and legal sufficiency:


Allan T. Weinthal