

ORDINANCE NO. 512

AN ORDINANCE OF THE TOWN OF INDIAN RIVER SHORES, FLORIDA, AMENDING ORDINANCE 511 AND PREVIOUS RELATED ORDINANCES RELATING TO THE TOWN'S DEFINED BENEFIT PENSION PLAN FOR GENERAL EMPLOYEES; ALLOWING EMPLOYEES WHO WERE ENROLLED IN THE PLAN PRIOR TO ITS CLOSING ON MAY 1, 2013, INCLUDING THE RETIREES ALREADY COLLECTING BENEFITS TO REMAIN IN THE PLAN; PROVIDING FOR THE TOWN MANAGER'S NORMAL RETIREMENT DATE AND BENEFIT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Indian River Shores closed its General Employees' Defined Benefit Plan to new participants in Ordinance 511; and

WHEREAS, two currently enrolled active employees in the Defined Benefit General Employee Pension Plan desire to remain in this plan; and

WHEREAS, the Town Council wholly agrees that since the employees who are currently enrolled in the Defined Benefit Pension Plan for General Employees chose this option at the time of eligibility following their initial employment with the Town, they have the right to remain in said plan; and

WHEREAS, the Town Council has the authority to amend the Plan, in whole or in part, either retroactively or prospectively, by delivering to the Administrator a written amendment in accordance with the limitations set out in that section;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF INDIAN RIVER SHORES AS FOLLOWS:

Section 1. The Town Council of the Town of Indian River Shores hereby approves the changes to the Town of Indian River Shores General Employees (Group A) Defined Benefit Plan as set forth herein, with additions to the Adoption Agreement indicated by underlining (underlining) and deletions by strike through (stricken through).

B. PLAN

The Plan represents the Full Time General (Group A) Employees who enrolled prior to the Plan's closing on May 1, 2013; the Town Manager; and the retirees who have been collecting benefits since or before 2006.

G. BENEFIT AMOUNTS AND ELIGIBILITY (Section 6)

G1) Normal Retirement Date (Section 6.01)

The normal retirement date shall be the first day of the month coincident with, or next following attainment of age Sixty-two (62) and Seven (7) years of service for General Employees.

For the Town Manager, the Normal Retirement Date shall be the first day of the month coincident with or next following attainment of age 55 and Five (5) years of service.

G2) Normal Retirement Benefit (Section 6.02)

The retirement benefit for General Employees shall be equal to the number of years of credited service multiplied by 2.75% and multiplied by Average Final Compensation.

For the Town Manager, the Normal Retirement Benefit will be based on a current derived calculation from the actuary.

G7) Optional Normal Retirement Benefit:

~~For current active plan participants as of May 1, 2013, no new benefits will accrue under this plan. Current active plan participants shall have all funds in this plan transferred to the Town's 401 (a) Defined Contribution Plan.~~

G7-8 Current Retiree Benefits:

Employees who retired prior to the effective date of this ordinance who are drawing benefits will continue to receive the monthly benefit payment without future options for a lump sum payment.

Section 2. This ordinance shall remain in force until supplemented, amended, repealed or otherwise altered.

Section 3. If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications, and to this end, the provisions of this Ordinance are hereby declared severable.

Section 4. This ordinance hereby repeals all Ordinances in conflict herewith.

Section 5. This Ordinance shall take effect upon its final reading and approval.

Passed 1st Reading: September 12, 2013

Published: September 18, 2013

PASSED AND ADOPTED upon second and final reading at a regular meeting of the Town Council of the **Town of Indian River Shores**, Florida, on this 25th day of September, 2013.

By:

Attest:

SEAL

/s
Gerard A. Weick, Vice Mayor

/s
Laura Aldrich, Town Clerk