

1 Introduced by the Council President at the request of the Mayor and  
2 Co-Sponsored by Council Members Bowman, Salem, R. Gaffney, Ferraro,  
3 Carlucci, Diamond, Pittman, Morgan, DeFoor, Cumber,  
4 White, Hazouri, Wilson, Freeman, Newby, Becton, Dennis, Priestly  
5 Jackson and Boylan :

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8 **ORDINANCE 2020-220**

9 AN ORDINANCE AMENDING SECTION 120.309  
10 (VESTING, TERMINATION, AND RE-EMPLOYMENT),  
11 PART III (CORRECTIONS OFFICERS' RETIREMENT  
12 PLAN), CHAPTER 120 (GENERAL EMPLOYEES AND  
13 CORRECTIONS OFFICER PENSION PLANS AND ALL  
14 EMPLOYEES DEFINED CONTRIBUTION RETIREMENT  
15 PLANS), *ORDINANCE CODE*, TO ADD PROVISIONS FOR  
16 TEMPORARY CORRECTIONS OFFICERS; PROVIDING FOR  
17 CODIFICATION INSTRUCTIONS; WAIVING, PURSUANT  
18 TO GOVERNOR DESANTIS' EXECUTIVE ORDER NUMBER  
19 20-52, THE REQUIREMENT IN STATE LAW AND  
20 CHAPTER 120 (GENERAL EMPLOYEES AND CORRECTION  
21 OFFICERS PENSION PLANS AND ALL EMPLOYEES  
22 DEFINED CONTRIBUTION RETIREMENT PLANS), PART  
23 I (PROVISIONS APPLICABLE TO THE SYSTEM AS A  
24 WHOLE), SECTION 120.102 (V) (ADMINISTRATION OF  
25 THE RETIREMENT SYSTEM), *ORDINANCE CODE*;  
26 REQUESTING EMERGENCY PASSAGE UPON  
27 INTRODUCTION; PROVIDING AN EFFECTIVE DATE.

28  
29 **BE IT ORDAINED** by the Council of the City of Jacksonville:

30 **Section 1. Amending Section 120.309 (Vesting,**  
31 **Termination, and Re-employment), Ordinance Code.** Section 120.309

1 (Vesting, Termination, and Re-employment), Part III (Corrections  
2 Officers' Retirement Plan), Chapter 120, (General Employees and  
3 Corrections Officer Pension Plans and All Employees Defined  
4 Contribution Retirement Plans), *Ordinance Code*, is hereby amended  
5 to read as follows:

6 **CHAPTER 120. GENERAL EMPLOYEES AND CORRECTIONS OFFICER PENSION**  
7 **PLANS AND ALL EMPLOYEES DEFINED CONTRIBUTION RETIREMENT PLANS.**

8 \* \* \*

9 **PART III. CORRECTIONS OFFICERS' RETIREMENT PLAN.**

10 \* \* \*

11 **Sec. 120.309. - Vesting, Termination, and Re-employment.**

12 \* \* \*

13 (c) Except as set forth in subsection (d) and (e), if a retiree  
14 or separated vested member re-enters City service in a position  
15 covered by this Plan, benefit payments shall cease and the  
16 retiree or separated vested member shall again become an active  
17 member of the Plan. Upon subsequent retirement, the new pension  
18 benefit shall be computed with the original final monthly  
19 compensation and credit given for the additional service at the  
20 percentage accrual rate provided in Section 120.306(b). For  
21 periods of re-employment equal to or greater than four years, the  
22 final monthly compensation shall be computed based on the average  
23 monthly salary at the percentage rate provided in Section  
24 120.306(b). In no instance shall total benefit exceed 80 percent  
25 of final monthly compensation.

26 \* \* \*

27 (e) The provisions of subsection (a) through (c) shall not apply to  
28 the re-employment of any retiree of the Corrections Officers  
29 Retirement Plan as a temporary corrections officer if:

30 (1) the re-employment assists the emergency response  
31 associated with Emergency Executive Proclamation 2020-001

1 issued by the Mayor on March 13, 2020; and  
2 (2) the Sheriff has determined that the Emergency has caused,  
3 or is likely to cause, a significant reduction in the  
4 number of full-time corrections officers available for  
5 duty and temporary corrections officers are needed to  
6 provide sufficient law enforcement and corrections  
7 services to the City of Jacksonville.

8 The re-employment of such retirees shall be at the pleasure of the  
9 Sheriff and may continue until sixty days after the expiration of  
10 Emergency Executive Proclamation 2020-001, or any extension  
11 thereof.

12  
13 To be eligible for re-employment, retirees must have a current  
14 Florida Department of Law Enforcement corrections officer  
15 certification.

16  
17 Being employed as a temporary corrections officer shall not prevent  
18 a retiree of this plan from continuing to receive such retirement  
19 benefits as would be available had the retiree not begun employment  
20 as a temporary corrections officer. Being employed as a temporary  
21 corrections officer shall not permit or require a retiree of this  
22 plan to be a member of one of the pension plans created by Part II  
23 or III of this Chapter 120 or a member of the pension plan created  
24 pursuant to Chapter 121. Being employed as a temporary  
25 corrections officer shall not permit a retiree to acquire, accrue  
26 or exercise any of the rights or benefits provided to active and  
27 employed members of the City of Jacksonville General Employees  
28 Retirement Plan in any one of the pension plans created by Part II  
29 or III of this Chapter or created pursuant to Chapter 121  
30 including but not limited to accrual of time service benefits or  
31 credits, the right to purchase time connections, disability

1 benefits, death benefits, children's benefits, participation in  
2 BACKDROP, PLOP, etc.

3 \* \* \*

4 **Section 2. Codification Instructions.** The Codifier and  
5 the Office of General Counsel are authorized to make all chapter  
6 and division "tables of contents" consistent with the changes set  
7 forth herein. Such editorial changes and any others necessary to  
8 make the *Ordinance Code* consistent with the intent of this  
9 legislation are approved and directed herein, and changes to the  
10 *Ordinance Code* shall be made forthwith and when inconsistencies are  
11 discovered.

12 **Section 3. Waiver, pursuant to Governor DeSantis'**  
13 **Executive Order Number 20-52, of requirement contained in Section**  
14 **112.63(3), *Florida Statutes*, Chapter 120 (General Employees and**  
15 **Corrections Officers Pension Plans and all Employees Defined**  
16 **Contribution Retirement Plans), Part I (Provisions Applicable to**  
17 **System as a Whole), Section 120.102 (Administration of the**  
18 **Retirement System), subsection (v), *Ordinance Code*, that requires**  
19 **an actuarial report be filed with the State Division of Retirement**  
20 **before final reading and adoption of legislation.** Pursuant to  
21 Governor DeSantis' Executive Order Number 20-52, the City hereby  
22 waives the requirement in Section 112.63(3), *Florida Statutes*,  
23 Chapter 120 (General Employees and Corrections Officers Pension  
24 Plans and all Employees Defined Contribution Retirement Plans),  
25 Part 1 (Provisions Applicable to the System as a Whole), Section  
26 120.102 (Administration of the retirement system), subsection (v),  
27 *Ordinance Code*, that requires the filing of an actuarial report  
28 with the State Division of Retirement prior to adoption of  
29 legislation affecting the General Employees and Corrections  
30 Officers Pension Plans and all Employees Defined Contribution  
31 Retirement Plans. This waiver is necessary because, due to the

1 COVID-19 emergency, the City must have the immediate ability to  
2 hire temporary corrections officers to ensure adequate corrections  
3 services to the citizens of Jacksonville. However, the City will  
4 file any actuarial report required by law concerning the General  
5 Employees and Corrections Officers Pension Plans and all employees  
6 Defined Contribution Retirement Plans as soon as practicable.

7 **Section 4. Requesting Emergency Passage upon Introduction**  
8 **pursuant to Council Rule 4.901.** Emergency passage of this  
9 legislation upon introduction is requested. The nature of the  
10 emergency is that the immediate ability to hire temporary  
11 corrections officers is needed for the City's COVID-19 emergency  
12 response associated with Emergency Executive Proclamation 2020-001  
13 issued by the Mayor on March 13, 2020.

14 **Section 5. Effective Date.** This ordinance shall become  
15 effective upon signature by the Mayor or upon becoming effective  
16 without the Mayor's signature.

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18 Form Approved:

19  
20 /s/ Margaret M. Sidman

21 Office of General Counsel

22 Legislation Prepared By: Sean B. Granat

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