

1 Introduced by Council Member Howland and Co-Sponsored by Council
2 Members Diamond, Lahnen, Salem, Freeman, Arias, Peluso, Carrico,
3 Johnson and Miller:
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6 **ORDINANCE 2024-874-E**

7 AN ORDINANCE AMENDING SECTION 121.113
8 (CALCULATION OF PENSION CONTRIBUTIONS FOR POLICE
9 AND FIRE PENSION FUND), PART 1 (POLICE AND FIRE
10 PENSION FUND ADMINISTRATION) AND SECTION 121.201
11 (RETIREMENT BENEFITS), PART 2 (PENSION
12 BENEFITS), CHAPTER 121 (POLICE AND FIREFIGHTERS
13 PENSION PLAN), *ORDINANCE CODE*, TO CLARIFY THE
14 TERM "SALARY" AND THE CONTRIBUTIONS PAYABLE
15 WHILE MEMBERS ARE ON MILITARY LEAVE OF ABSENCE;
16 PROVIDING FOR SEVERABILITY; PROVIDING FOR
17 CODIFICATION INSTRUCTIONS; PROVIDING AN
18 EFFECTIVE DATE.
19

20 **WHEREAS**, Section 116.501 of the Ordinance Code sets forth
21 various benefits for employees who are on military leaves of absence;
22 and

23 **WHEREAS**, this Ordinance is intended to clarify the term
24 "salary" and the member contributions payable to the Police and
25 Firefighters Pension Plan while members are on military leave of
26 absence; now therefore

27 **BE IT ORDAINED** by the Council of the City of Jacksonville:

28 **Section 1. Recitals.** The recitals above are true and
29 correct and incorporated herein by this reference.

30 **Section 2. Amending Section 121.113 (Calculation of pension**
31 **contributions for Police and Fire Pension Fund), Part 1 (Police and**

1 **Fire Pension Fund Administration) and Section 121.201 (Retirement**
2 **benefits), Part 2 (Pension Benefits), Chapter 121 (Police and**
3 **Firefighters Pension Plan), Ordinance Code.** Section 121.113
4 (Calculation of pension contributions for Police and Fire Pension
5 Fund), Part 1 (Police and Fire Pension Fund Administration) and
6 Section 121.201 (Retirement benefits), Part 2 (Pension Benefits),
7 Chapter 121 (Police and Firefighters Pension Plan), *Ordinance Code*,
8 are hereby amended as follows:

9 **CHAPTER 121 - POLICE AND FIREFIGHTERS PENSION PLAN**

10 **PART 1. - POLICE AND FIRE PENSION FUND ADMINISTRATION**

11 * * *

12 **Sec. 121.113. - Calculation of pension contributions for Police and**
13 **Fire Pension Fund.**

14 The Pension Fund created by Laws of Fla. Ch. 18615 (1937), as
15 amended, shall consist of moneys derived as follows:

- 16 (a) *Salary Deductions.* A deduction of ten percent per annum
17 from all salaries (base salary, longevity, City college
18 incentive, enhanced certification pay, emergency operation
19 and hazardous duty pay; shift differential, and "upgrade"
20 pay; and excluding all overtime, State incentive pay,
21 reimbursed expenses and allowances such as
22 cleaning/clothes allowances, and payments for unused
23 accrued time), of all Members, to be deducted in
24 installments from each periodical paycheck of each Member.
25 While on military leave of absence pursuant to the
26 Jacksonville Heroes' Act, Section 116.501, Members shall
27 not be required to make contributions to this Pension Plan,
28 except for those contributions that originate from the
29 Members' use of annual leave balances during such military
30 leave of absence and from compensation paid by the City
31 while remaining on the active payroll for up to 90 days

1 following the departure for active duty, as provided in
2 Section 116.501(g). No Member contributions are payable
3 and shall not be deducted from the supplemental payments
4 paid by the City pursuant to Section 116.501(c).

5 * * *

6 **PART 2. - PENSION BENEFITS**

7 **Sec. 121.201. - Retirement benefits.**

8 Notwithstanding any provisions to the contrary in Chapter 18615,
9 Laws of Fla. Ch. 18615 (1937), retirement benefits shall be:

10 (a) *Time service retirement.* Members shall be entitled to a
11 time service retirement benefit equal to a maximum of 80
12 percent of the average salary (as defined in Section
13 121.113(a)) received by the Member for the 52 pay periods
14 immediately preceding the time of retirement, upon the
15 completion of 30 years of credited service. For each year
16 prior to the thirtieth year of service that a Member
17 retires, the 80 percent retirement benefit shall be reduced
18 by two percent, of the average salary (as defined in
19 Section 121.113(a)) received by the Member for the 52 pay
20 periods immediately preceding the time of retirement, with
21 the minimum normal retirement benefit being 60 percent
22 after completion of 20 years of credited service. For
23 Members on "military leave of absence" as defined in the
24 Jacksonville Heroes' Act, Section 116.501, "salary", as
25 used in this subsection (a), shall be the salary, as
26 defined above, paid by the City while such Members remain
27 on the City's active payroll during the first 90 days of
28 their military leave of absence, pursuant to Section
29 116.501(b), and, thereafter, "salary" shall be the total
30 of their military pay plus the supplemental payments paid
31 by the City pursuant to Section 116.501(c), not to exceed

1 the salary that the Member would otherwise have received
2 if not on military leave of absence.

3 * * *

4 **Section 3. Severability.** If any part, section, subsection
5 or other portion of this Ordinance or any application thereof to any
6 person or circumstances is declared to be void, unconstitutional or
7 invalid for any reason, such part, section, subsection or other
8 portion, or the proscribed application thereof, shall be severable
9 and the remaining provisions of this ordinance and all applications
10 thereof not having been declared void, unconstitutional or invalid
11 shall remain in full force and effect. The Council declares that no
12 invalid or proscribed provision of application was an inducement to
13 the enactment of this Ordinance and that it would have enacted this
14 ordinance regardless of the invalid or proscribed provision or
15 application.

16 **Section 4. Codification Instructions.** The Codifier and the
17 Office of General Counsel are authorized to make all chapter and
18 division "tables of contents" consistent with the changes set forth
19 herein. Such editorial changes and any other changes necessary to
20 make the Ordinance Code consistent with the intent of this legislation
21 are approved and directed herein, and changes to the Ordinance Code
22 shall be made forthwith and when inconsistencies are discovered.

23 **Section 5. Effective Date.** This Ordinance shall become
24 effective upon signature by the Mayor or upon becoming effective
25 without the Mayor's signature.

26 Form Approved:

27
28 /s/ Mary E. Staffopoulos

29 Office of General Counsel

30 Legislation Prepared By: Dylan Reingold

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