

1 Introduced by Council Member Dennis & Co-Sponsored by Council  
2 Members Newby, Gaffney, Priestly Jackson, Hazouri, Morgan, Pittman,  
3 Cumber, Salem and Freeman & Substituted by the Neighborhoods,  
4 Community Services, Public Health & Safety Committee and amended by  
5 the Finance Committee:  
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8 **ORDINANCE 2020-529-E**

9 AN ORDINANCE REGARDING CHAPTER 120 (GENERAL  
10 EMPLOYEES AND CORRECTIONS OFFICER PENSION  
11 PLANS AND ALL EMPLOYEES DEFINED CONTRIBUTION  
12 RETIREMENT PLANS), PART II (THE GENERAL  
13 EMPLOYEES RETIREMENT PLAN), *ORDINANCE CODE*;  
14 CREATING A NEW SECTION 120.216 (2021 LIMITED  
15 RETIREMENT OPTION), *ORDINANCE CODE*, TO PROVIDE  
16 A SIX MONTH WINDOW FOR NORMAL OR EARLY  
17 RETIREMENT AS FOLLOWS: (1) NORMAL RETIREMENT  
18 AT THE AGE OF 60 WITH 5 YEARS OF CREDITED  
19 SERVICE; (2) NORMAL RETIREMENT AT THE AGE OF  
20 55 WITH 10 YEARS OF CREDITED SERVICE; AND (3)  
21 EARLY RETIREMENT UPON COMPLETION OF 20 YEARS  
22 OF CREDITED SERVICE REGARDLESS OF AGE, WITH A  
23 REDUCED BENEFIT; REQUIRING CONDITIONS AND  
24 RESTRICTIONS; PROVIDING FOR CODIFICATION  
25 INSTRUCTIONS; REQUIREMENT OF ACTUARIAL REPORT;  
26 PROVIDING FOR JEA COLLECTIVE BARGAINING;  
27 PROVIDING FOR COLLECTIVE BARGAINING WITH THE  
28 CITY UNIONS AND JACKSONVILLE HOUSING  
29 AUTHORITY; PROVIDING AN EXCEPTION TO THE  
30 PREREQUISITE THAT THE PLAN BE AT LEAST 90

PERCENT ACTUARILLY FUNDED; PROVIDING AN  
EFFECTIVE DATE.

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

**Section 1. Creating a new Section 120.216, Ordinance Code.** A new Section 120.216 (2021 Limited Retirement Option), Part II (The General Employees Retirement Plan), Chapter 120 (General Employees and Corrections Officer Pension Plans and All Employees Defined Contribution Retirement Plans), *Ordinance Code*, is hereby created to read as follows:

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

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**PART II. THE GENERAL EMPLOYEES RETIREMENT PLAN**

\* \* \*

**Sec. 120.216. 2021 Limited Retirement Option**

1. City Employee Members and Jacksonville Housing Authority Members.

(a) Notwithstanding any other provision in this Part II to the contrary, a member, excluding JEA employees, may retire between April 1, 2021, and September 30, 2021, if on the date of such retirement the member has attained: (1) age 55 with 10 years of credited service, or (2) age 60 with 5 years of credited service. A member who retires pursuant to this subsection (a) must retire between April 1, 2021 and September 30, 2021 and shall receive a benefit of 2.5 percent per year of credited service based on final monthly compensation and credited service, defined by Sections 120.201 (i) and (n), as of the date of termination.

1 (b) Notwithstanding any other provision in this Part II to the  
2 contrary, early retirement shall be available to a member,  
3 excluding JEA employees, between April 1, 2021, and September  
4 30, 2021, if on the date of early retirement the member has  
5 completed 20 or more years of credited service, but less than  
6 30 years of credited service, regardless of age. A member who  
7 retires pursuant to this subsection (b) must retire between  
8 April 1, 2021 and September 30, 2021 and shall receive a  
9 benefit of two percent per year of credited service, based on  
10 final monthly compensation and credited service, defined by  
11 Sections 120.201 (i) and (n), as of the date of termination.

12 (c) To be eligible for retirement under subsections (a) or (b)  
13 above, in addition to meeting the age and/or time service  
14 credit requirements, a member must submit written or  
15 electronic notice of the retirement election and the date of  
16 retirement to the Board between April 1, 2021 and May 31,  
17 2021. Such election shall be binding on the member and  
18 irrevocable. In the event of the death of a member after  
19 providing notice of election but before the date of  
20 retirement, the provisions of subsections (a) and (b) shall  
21 not apply. All time service credit purchases, whether  
22 existing prior to or initiated during the early retirement  
23 period, must be completed no later than the date of  
24 retirement in order for the service purchased to be included  
25 in the member's benefit calculation.

26 (d) Any member who elects to retire pursuant to subsections (a) or  
27 (b) above shall be prohibited from being re-employed by the  
28 City for a period of one year from the date of retirement,  
29 except that such member may be re-employed on a part-time or  
30 temporary basis pursuant to Sec. 120.209(d). If a member who

1 elects to retire pursuant to subsections (a) or (b) above is  
2 re-employed by the City on a full-time basis more than one  
3 year after retirement, the member shall be prohibited from  
4 becoming an active member of the General Employees Retirement  
5 Plan and shall not accrue any additional benefits, service,  
6 pensionable compensation, plan amendment or any other benefit  
7 from the General Employees Retirement Plan, and payment of  
8 retirement benefits except accrual of COLA benefits shall be  
9 suspended for the period of re-employment.

10 (e) In lieu of retirement under the General Employees Retirement  
11 Plan, members meeting the age and/or time service credit  
12 requirements of subsections (a) or (b) may elect to convert  
13 to the GEDC Plan in accordance with section 120.202(e), and  
14 shall be subject to all of the terms, requirements, and  
15 restrictions of subsections (c) and (d) above.

16 2. JEA Members.

17 (a) Notwithstanding any other provision in this Part II to the  
18 contrary, a JEA member may retire between May 1, 2021, and  
19 October 31, 2021, if on the date of such retirement the  
20 member has attained: (1) age 55 with 10 years of credited  
21 service, or (2) age 60 with 5 years of credited service. A  
22 member who retires pursuant to this subsection (a) must  
23 retire between May 1, 2021 and October 31, 2021 and shall  
24 receive a benefit of 2.5 percent per year of credited service  
25 based on final monthly compensation and credited service,  
26 defined by Sections 120.201 (i) and (n), as of the date of  
27 termination.

28 (b) Notwithstanding any other provision in this Part II to the  
29 contrary, early retirement shall be available to a JEA member  
30 between May 1, 2021, and October 31, 2021, if on the date of

1 early retirement the member has completed 20 or more years of  
2 credited service, but less than 30 years of credited service,  
3 regardless of age. A member who retires pursuant to this  
4 subsection (b) must retire between May 1, 2021 and October  
5 31, 2021 and shall receive a benefit of two percent per year  
6 of credited service, based on final monthly compensation and  
7 credited service, defined by Sections 120.201 (i) and (n), as  
8 of the date of termination.

9 (c) To be eligible for retirement under subsections (a) or (b)  
10 above, in addition to meeting the age and/or time service  
11 credit requirements, a member must submit written or  
12 electronic notice of the retirement election and the date of  
13 retirement to the Board between May 1, 2021 and June 30,  
14 2021. Such election shall be binding on the member and  
15 irrevocable. In the event of the death of a member after  
16 providing notice of election but before the date of  
17 retirement, the provisions of subsections (a) and (b) shall  
18 not apply. All time service credit purchases, whether  
19 existing prior to or initiated during the early retirement  
20 period, must be completed no later than the date of  
21 retirement in order for the service purchased to be included  
22 in the member's benefit calculation.

23 (d) Any member who elects to retire pursuant to subsections (a) or  
24 (b) above shall be prohibited from being re-employed by the  
25 City for a period of one year from the date of retirement,  
26 except that such member may be re-employed on a part-time or  
27 temporary basis pursuant to Sec. 120.209(d). If a member who  
28 elects to retire pursuant to subsections (a) or (b) above is  
29 re-employed by the City on a full-time basis more than one  
30 year after retirement, the member shall be prohibited from

1 becoming an active member of the General Employees Retirement  
2 Plan and shall not accrue any additional benefits, service,  
3 pensionable compensation, plan amendment or any other benefit  
4 from the General Employees Retirement Plan, and payment of  
5 retirement benefits except accrual of COLA benefits shall be  
6 suspended for the period of re-employment.

7 (e) In lieu of retirement under the General Employees Retirement  
8 Plan, members meeting the age and/or time service credit  
9 requirements of subsections (a) or (b) may elect to convert  
10 to the GEDC Plan in accordance with section 120.202(e), and  
11 shall be subject to all of the terms, requirements, and  
12 restrictions of subsections (c) and (d) above.

13 **Section 2. Codification Instructions.** The Codifier and  
14 the Office of General Counsel are authorized to make all chapter  
15 and division "tables of contents" consistent with the changes set  
16 forth herein. Such editorial changes and any others necessary to  
17 make the *Ordinance Code* consistent with the intent of this  
18 legislation are approved and directed herein, and changes to the  
19 *Ordinance Code* shall be made forthwith and when inconsistencies are  
20 discovered.

21 **Section 3. Requirement of Actuarial Report to be filed**  
22 **with the State Division of Retirement before final reading and**  
23 **adoption of legislation.** Pursuant to Section 112.63(3), *Florida*  
24 *Statutes*, and Chapter 120 (General Employees and Corrections  
25 Officer Pension Plans and all Employees Defined Contribution  
26 Retirement Plans), Part I (Provisions Applicable to the System as a  
27 Whole), Section 120.102 (Administration of the Retirement System),  
28 subsection (v), *Ordinance Code*, the City must have prepared and  
29 file an actuarial report with the State Division of Retirement  
30 before final reading and adoption of this Ordinance.

1           **Section 4.           JEA Collective Bargaining.** As required, the  
2 JEA will collectively bargain with unions representing covered  
3 bargaining unit employees of JEA.

4           **Section 5.           City Unions and Jacksonville Housing Authority**  
5 **Collective Bargaining.** The City has collectively bargained with  
6 unions representing covered bargaining unit employees of City.  
7 Copies of the Memorandum of Understandings with the City Unions and  
8 Jacksonville Housing Authority with which the City has collectively  
9 bargained are **On File** with the Legislative Services Division.

10           **Section 6.           Exception to prerequisite.** Pursuant to  
11 Sec. 106.108 (c) and (d), this ordinance hereby excepts the  
12 prerequisite requiring the plan to be at least 90 percent  
13 actuarially funded at the time of approval of legislation affecting  
14 pension benefits. This exception was initiated by the Mayor and  
15 requires approval by two-thirds vote of all City Council Members.

16           **Section 7.           Effective Date.** This ordinance shall become  
17 effective upon signature by the Mayor or upon becoming effective  
18 without the Mayor's signature.

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20 Form Approved:

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22 /s/ Margaret M. Sidman

23 Office of General Counsel

24 Legislation prepared by: Sean B. Granat

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