

ORDINANCE NO. 1535

AN ORDINANCE OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING ARTICLE V, NORTH MIAMI POLICE PENSION PLAN (ORD. NO. 748); AMENDING SECTION 15-121 TO PROVIDE FOR A 9.51% MEMBER CONTRIBUTION; AMENDING SECTION 15-129 TO PROVIDE FOR A 3.75% MULTIPLIER, RETROACTIVE TO JUNE 1, 2010, FOR MEMBERS EMPLOYED ON THE EFFECTIVE DATE; AMENDING SECTION 15-129 TO PROVIDE FOR THE CONSOLIDATION OF THE POLICE "SHARE PLAN" INTO THE POLICE PENSION PLAN AND THE RECOGNITION OF VOLUNTARY CONTRACTUAL RIGHTS BY THE MEMBERSHIP; AMENDING SECTION 15-173 TO PROVIDE FOR THE ADMINISTRATION OF THE SHARE PLAN BY THE BOARD OF TRUSTEES OF THE POLICE PENSION PLAN; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of North Miami established the North Miami Police Pension Plan ("Plan 748"), a defined benefit plan for police members, is set forth in Chapter 15, Article V, of the City Code; and

WHEREAS, the City of North Miami established the North Miami Police Officers' Retirement Fund ("Plan 592"), also known as the Special Police Officers' Fund, a defined contribution "share" plan, is set forth in Chapter 15, Article VII, of the City Code; and

WHEREAS, both Plan 748 and 592 were closed to new members when the City joined the Florida Retirement System; and

WHEREAS, labor and management negotiated pension amendments which are required to be implemented by ordinance; and

WHEREAS, the City Council finds that it is in the best interest of the City and its employees to amend the City Code to implement the aforementioned changes.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, THAT:

Section 1. Recitals. The above-stated recitals are true and correct and are incorporated herein by reference.

Section 2. City Code Amended. That Section 15-121, "Member contributions" of Division 4 "Eligibility and Member Contributions" of Article V, "North Miami Police Pension Plan" of the City Code of Ordinances, is hereby amended to read as follows:

Sec. 15-121. - Member contributions.

(a) *Mandatory contribution rate.*

(1) Each member shall contribute to the fund at the rate of nine ~~eleven~~ and fifty-one hundredths (9.51% ~~11.51~~) percent of the member's annual compensation ~~for the period October 1, 2018, through September 30, 2024.~~

(2) Effective August 1, 2011, when a member's accrued normal retirement benefit equals one hundred (100) percent of the member's average final compensation, the member's contribution rate shall be reduced to one-half (0.5) of one (1) percent of the member's annual compensation or the then-required state required minimum.

Section 3. City Code Amended. That Section 15-129(1), "Retirement benefits" of Division 5 "Benefits" of Article V, "North Miami Police Pension Plan" of the City Code of Ordinances, is hereby amended to read as follows:

Sec. 15-129. – Retirement benefits.

The retirement benefits for members shall be:

- (1) *Normal retirement benefits.* The regular monthly normal retirement benefit shall be one-twelfth (1/12) of one (1) percent of final average compensation multiplied by the number of years of credited service earned prior to July 1, 1979; one-twelfth (1/12) of three (3) percent of final average compensation multiplied by the number of years of credited service earned from July 1, 1979 through December 31, 1997; and one-twelfth (1/12) of three point five (3.5) percent of final average compensation multiplied by the number of years of credited service earned on or after January 1, 1998. Effective [June 15, 2026 - place holder] the multiplier for all members employed by the City [on the ratification date - place holder] shall be three and three quarters percent (3.75%) for all years of credited service in the Plan, on or after June 1, 2010. The cost of this negotiated benefit is to be funded with all Chapter 185 premium tax revenues received by the Plan each year and all accumulated excess Chapter 185 premium tax revenues, which will be used to offset the City's annual required contribution, along with the employee contribution of 9.51%. The 3.75% multiplier is deemed a voluntary and contractual benefit enhancement, which will be memorialized with individual contracts for the membership reflecting the 9.51% employee contribution and the use of premium tax revenue to fund the 3.75% multiplier. Unless an option is selected, the normal form of benefit shall be monthly for life commencing on the first day of the first month immediately following the member's retirement date and the last payment will be the payment next preceding the member's death; except that, in the event the member dies after retirement but before receiving retirement benefits for a period of ten (10) years, the same monthly benefit will be paid to the beneficiary (or beneficiaries) as designated by the member for the balance of such ten-year period, or, if no beneficiary is designated, to

the estate of the member, as provided in F.S. § 185.162.

(5) Share Plan. The Police Officers' Retirement Fund ("Share Plan" or "Special Fund"), codified in Article VII, shall be consolidated into the North Miami Police Pension Plan. The duties and powers previously held by the trustees of the Police Officers' Retirement Fund shall be assumed by the Board of Trustees of the 748 Plan, which shall administer the Share Plan and the individual member accounts which hold previously distributed premium tax revenue. The consolidation of the Share Plan into the 748 Plan is not intended to impair or diminish accrued benefits, which are deemed contractual.

Section 4. City Code Amended. That Section 15-173, "Special police officers' fund created" of Article VII, "North Miami Police Officers' Retirement Fund Amendment; ORD. No. 592.1.1" of the City Code of Ordinances, is hereby amended to read as follows:

Sec. 15-173. – Special police officers' fund created

There is hereby created in the city a special fund to be known as the special police officers' fund, into which shall be paid all monies received by the city under the provisions of Laws of Florida, 1953, chapter 28230, and all monies which are hereafter paid to the city under the provisions of chapter 28230. Effective [June 15, 2026 - place holder for ratification date] the Special Police Officers' Fund is consolidated with the North Miami Police Pension Plan, which shall administer the "share plan" consistent with the requirements of Chapter 185, Florida Statutes.

Section 5. Conflicts. All ordinances or parts of ordinances in conflict or inconsistent with the provisions of this Ordinance are hereby repealed.

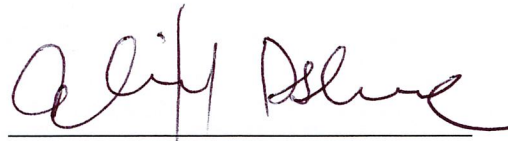
Section 6. Severability. The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 7. Codification. The provisions of this Ordinance may become and be made a part of the Code of Ordinances of the City of North Miami, Florida. The sections of the Ordinance may be renumbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section," "article" or any other appropriate word.

Section 8. Effective Date. This Ordinance shall become effective immediately upon adoption on second reading.

PASSED AND ADOPTED by a 5 - 0 vote of the Mayor and City Council of the City of North Miami, Florida, on first reading this 26th day of August, 2025.

PASSED AND ADOPTED by a 5 - 0 vote of the Mayor and City Council of the City of North Miami, Florida, on second reading this 9th day of September, 2025.



ALIX DESULME, Ed.D.
MAYOR

ATTEST :



VANESSA JOSEPH, ESQ.
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



JEFF P. H. CAZEAU, ESQ.
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: Burns

Seconded by: Desulme

Vote:

Mayor Alix Desulme, Ed.D.	<u>X</u>	(Yes)	_____	(No)
Vice Mayor Kassandra Timothe, MPA	<u>X</u>	(Yes)	_____	(No)
Councilman Kevin A. Burns	<u>X</u>	(Yes)	_____	(No)
Councilwoman Mary Estimé-Irvin	<u>X</u>	(Yes)	_____	(No)
Councilman Pierre Frantz Charles, M.Ed.	<u>X</u>	(Yes)	_____	(No)

Coding: Words in ~~strikeout~~ type are deletions from existing text.
Words in underline type are additions.