

ORDINANCE NO. 3-19

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF TEQUESTA, FLORIDA, ADOPTING A ONE TIME OPPORTUNITY FOR POLICE OFFICERS HIRED AFTER FEBRUARY 1, 2013 TO OPT OUT OF PARTICIPATION IN THE DEFINED BENEFIT PENSION PLAN AND REMAIN A PARTICIPANT IN THE DEFINED CONTRIBUTION PROGRAM; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the state of Florida Municipal Police Officers and Firefighters Retirement Trust Funds Office has approved the Public Safety Officers Pension Trust Fund to again receive "Chapter 185" money in conjunction with participation in a defined benefits plan with the restoration of all benefits for police officers who are in the Village's current defined contribution plan and who were hired after February 1, 2013; and

WHEREAS, the state of Florida Municipal Police Officers and Firefighters Retirement Trust Funds Office has also approved a one-time opt out from participation in the defined benefits plan for any police officers who choose to remain in the defined contribution plan; and

WHEREAS, as a result of negotiations between the Village and the police union, the Village Council of the Village of Tequesta desires to amend the Public Safety Officers' Pension Trust Fund by incorporating provisions of the recently negotiated and approved police officers collective bargaining agreement, including participation in the defined benefit plan, and including the one-time opt out opportunity; and

WHEREAS, the Village Council of the Village of Tequesta desires to permit any Police Officers hired after February 1, 2013 to exercise a one-time only opt out of

participation in the Public Safety Officers' Pension Trust Fund (defined benefit plan);
and

WHEREAS, the Village Council has determined that providing the one time opportunity to opt out of the defined benefit plan as described herein is in the best interest of the police officer employees and the citizens of the Village.

**NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE
VILLAGE OF TEQUESTA, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:**

Section 1: During the period from the effective date of this Ordinance up to and including March 1, 2019, Police Officers hired after February 1, 2013 may affirmatively opt not to participate in the defined benefit Public Safety Officers' Pension Trust Fund and continue to participate in the Village's defined contribution plan. This is a one-time opportunity. All Police Officers who do not affirmatively and voluntarily opt out of participation will be moved in the Public Safety Officers Pension Trust Fund as provided for in Ordinance 2-19, adopted simultaneously with this Ordinance.

Section 2: All Ordinances or parts of Ordinances in conflict herewith be and the same are hereby repealed.

Section 3: Should any Section or provision of this Ordinance or any portion thereof, any paragraph, sentence, or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

Section 4: This Ordinance shall take effect June 1, 2018.