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AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF BOYNTON BEACH, FLORIDA; AMENDING CHAPTER 18, ARTICLE IV, “PENSIONS FOR FIREFIGHTERS,” SECTION 18-185 “NORMAL RETIREMENT DATE,” OF THE CITY CODE TO PERMIT NORMAL RETIREMENT AT TWENTY YEARS OF SERVICE BY REMOVING THE SECOND TIER ADOPTED IN 2019; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Boynton Beach desires to amend Chapter 18 of the Code of Ordinances of the City of Boynton Beach.

WHEREAS, Boynton Beach Firefighters and Paramedics, International Association of Firefighters, Local 1891 has entered into a new collective bargaining agreement.

WHEREAS, an ordinance amending City of Boynton Beach Municipal Firefighters Pension Trust Fund is required.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOYNTON BEACH, FLORIDA, THAT:

SECTION 1. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption.

SECTION 2. Section 18-185 of the Code of Ordinances of the City of Boynton Beach is hereby amended to read as follows:

Sec. 18-185. Normal retirement date.

The normal retirement date of each firefighter will be the first day of the month coinciding with, or next following, the earlier of the date on which such firefighter has attained and completed twenty (20) years of service, regardless of age, or at fifty-five (55) years of age with ten (10) years of service. There is no age requirement for a normal retirement. ~~For all members first hired on or after February 5, 2019 (hereinafter “Tier 2 members”), the normal retirement date will be the first day of the month coinciding with or next following the date on which the firefighter has attained and completed twenty-five (25) years of service, regardless of age, or at fifty-five (55) years of~~

age with ten (10) years of service. If a Tier 2 member separates from service with less than twenty five (25) years of service the normal retirement date shall be the first day of the month coinciding with, or next following, attainment of age fifty five (55).

SECTION 3. It is the intention of the City Commission, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Boynton Beach, that the sections of the Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate words.

SECTION 4. If any clause, section, or other part or application of this Ordinance shall be held in any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered eliminated and shall not affect the validity of the remaining portions or applications which shall remain in full force and effect.

SECTION 5. All ordinances or parts of ordinances, resolutions, or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 6. This Ordinance shall become effective immediately upon adoption unless otherwise provided.

[SIGNATURES ON THE FOLLOWING PAGE]

FIRST READING this 3rd day of September, 2024.

SECOND, FINAL READING AND PASSAGE THIS 1st day of October, 2024.

CITY OF BOYNTON BEACH, FLORIDA

	YES	NO
Mayor – Ty Penserga	<u>✓</u>	<u> </u>
Vice Mayor – Aimee Kelley	<u>✓</u>	<u> </u>
Commissioner – Angela Cruz	<u>✓</u>	<u> </u>
Commissioner – Woodrow L. Hay	<u>✓</u>	<u> </u>
Commissioner – Thomas Turkin	<u>✓</u>	<u> </u>

VOTE

5-0

ATTEST:

Maylee De Jesús, MPA, MMC
City Clerk

Ty Penserga
Mayor

10/1/2024

(Corporate Seal)



APPROVED AS TO FORM:

Shawna G. Lamb
Shawna G. Lamb
City Attorney