

Introduced by Council Member Howland and Co-Sponsored by Council Members Diamond, Lahnen, Salem, Freeman, Arias, Peluso, Carrico, Johnson and Miller:

**ORDINANCE 2024-874-E**

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

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

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

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

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

**Section 2. Amending Section 121.113 (Calculation of pension contributions for Police and Fire Pension Fund), Part 1 (Police and Fire Pension Fund Administration) and Section 121.201 (Retirement**

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

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

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

\* \* \*

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

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

- (a) *Salary Deductions.* A deduction of ten percent per annum from all salaries (base salary, longevity, City college incentive, enhanced certification pay, emergency operation and hazardous duty pay; shift differential, and "upgrade" pay; and excluding all overtime, State incentive pay, reimbursed expenses and allowances such as cleaning/clothes allowances, and payments for unused accrued time), of all Members, to be deducted in installments from each periodical paycheck of each Member. While on military leave of absence pursuant to the Jacksonville Heroes' Act, Section 116.501, Members shall not be required to make contributions to this Pension Plan, except for those contributions that originate from the Members' use of annual leave balances during such military leave of absence and from compensation paid by the City while remaining on the active payroll for up to 90 days following the departure for active duty, as provided in Section 116.501(g). No Member contributions are payable

1                   and shall not be deducted from the supplemental payments  
2                   paid by the City pursuant to Section 116.501(c).

3                   \* \* \*

4                   **PART 2. - PENSION BENEFITS**

5                   **Sec. 121.201. - Retirement benefits.**

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

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

32                  \* \* \*

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

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

20           **Section 5.           Effective Date.** This Ordinance shall become  
21 effective upon signature by the Mayor or upon becoming effective  
22 without the Mayor's signature.

23 Form Approved:

24  
25                     /s/ Mary E. Staffopoulos          

26 Office of General Counsel

27 Legislation Prepared By: Dylan Reingold

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