

ORDINANCE NO. 3034

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, AMENDING CHAPTER 14, ARTICLE IV, SEC. 14-76(6) ENTITLED RETIREMENT MONTHLY INCOME OF THE CODE OF ORDINANCES OF THE CITY OF RIVIERA BEACH RELATING TO THE POLICE PENSION PLAN BY PROVIDING FOR A SUPPLEMENTAL RETIREMENT BENEFIT AT NORMAL RETIREMENT DATE FOR ACTIVE POLICE OFFICERS AND RETIREES WHO ATTAIN TWENTY (20) YEARS OF SERVICE; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 185.35(1)(b), Florida Statutes mandates that, after all minimum benefits are provided, "additional premium tax revenues" be used only to provide extra benefits for police officers; and

WHEREAS, the Board of Trustees of the Police Pension Plan, in order to comply with the aforementioned statute, recommends providing such extra benefits in the form of a supplemental retirement benefit for certain participants; and

WHEREAS, the Police Pension Plan's actuary has prepared a Statement of Actuarial Impact, which the City Council has received and considered; and

WHEREAS, the City Council deems it to be in the public interest to provide this improved pension plan benefit for its police officers.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA:

SECTION 1. That Chapter 14 Article IV, Section 14-76, of the Riviera Beach Code of Ordinances is hereby amended as follows:

There is hereby provided for all police officers and for eligible retirees who attained normal retirement age and credited service of twenty (20) or more years, in addition to all other benefits provided in this Article, an annual supplemental retirement benefit. Entitlement to such supplemental retirement benefit shall be

determined annually based upon the receipt by the Fund of any "additional premium tax revenues," as defined in sub-section 185.35(1) (b), of the Florida Statutes. There is no minimum benefit guaranteed by this section. The benefits provided are limited to the amount of available "additional premium tax revenues" if any.

The City bears no actuarial responsibility for, nor makes any contractual guarantee of, benefits under this section. Payment of such supplemental retirement benefit shall be made annually to each police officer or eligible retiree, (defined for this subsection only, as active police officers and retirees who have reached normal retirement age and attained twenty (20) years of credited service, excluding joint survivors, beneficiaries and disability benefit recipients who left service prior to reaching normal retirement age and the attainment of twenty (20) years of credited service) no later than the 1st of December after receipt of the "additional premium tax revenues" from the state, provided that it has been confirmed in writing that the police officer or eligible retiree was alive on September 30 of such year, beginning with the year 2000. The amount of such supplemental retirement benefit shall be equal to the quotient of: the total amount of all "additional premium tax revenues" received by the Fund during that calendar year (regardless of the year to which the revenues relate), divided by the number of eligible police officers and retirees in pay status. Such supplemental benefit for active police officers shall be credited to an account to be maintained by the Fund, which shall be credited or debited with the actual rate of investment return (less expenses) of the Fund and shall be rolled over to a designated qualified plan on retirement. In the event of death of a police officer, who has attained an entitlement to a benefit under this Article prior to retirement such account balance shall be paid to a designated beneficiary. Such supplemental retirement benefit for eligible retirees shall be added to the next monthly benefit payment or paid separately as the trustees may from time to time decide. Should a retiree die between September 30th and that year's payment date, payment shall be made to the retiree's designated beneficiary. No benefits shall be payable to a beneficiary following the death of a retiree or member, except as otherwise specifically provided in this section.

SECTION 2. It is the intention of the City Council 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 Riviera Beach, and the sections of this ordinance may be renumbered to accomplish such intentions.

SECTION 3. If any word, phrase, clause, subsection, or section of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this ordinance.

SECTION 4. That all sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

SECTION 5. Specific authority is hereby granted to codify this Ordinance.

SECTION 6. This ordinance shall be in full force and effective immediately upon its final passage and adoption.

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PASSED AND APPROVED on first reading this 5th day of
December, 2007.

PASSED AND ADOPTED on second and final reading this 19th day of
December, 2007.

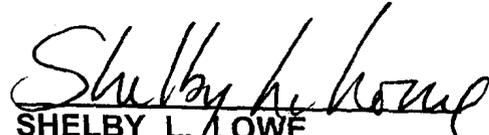
APPROVED:


THOMAS A. MASTERS
MAYOR

(MUNICIPAL SEAL)

ATTEST:

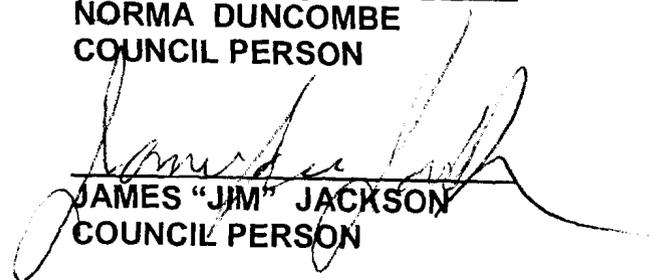

CARRIE E. WARD,
MASTER MUNICIPAL CLERK
CITY CLERK


SHELBY L. LOWE
CHAIRPERSON


LYNNE L. HUBBARD
CHAIR PRO TEM


CEDRICK A. THOMAS
COUNCIL PERSON


NORMA DUNCOMBE
COUNCIL PERSON


JAMES "JM" JACKSON
COUNCIL PERSON

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1ST READING

MOTIONED BY: J. Jackson

SECONDED BY: L. Hubbard

S. LOWE aye

L. HUBBARD aye

C. THOMAS aye

N. DUNCOMBE aye

J. JACKSON aye

2ND & FINAL READING

MOTIONED BY: C. Thomas

SECONDED BY: J. Jackson

S. LOWE aye

L. HUBBARD aye

C. THOMAS aye

N. **DUNCOMBE** aye

J. **JACKSON** aye

REVIEWED AS TO LEGAL SUFFICIENCY

Pamela H. Rya
PAMALA HANNA RYA, City Attorney

Date: 11/27/07

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CERTIFICATION OF PUBLICATION

I hereby certify that notice of the proposed enactment of this Ordinance was duly published in a newspaper of general circulation within the City of Riviera Beach as required by the applicable Florida Statutes.

12/19/2007
DATE


Carrie E. Ward, Master Municipa Clerk
City Clerk

ORDINANCE NO: 3035 __ __

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AN AMENDMENT TO THE INLET HARBOR CITY OF RIVIERA BEACH REDEVELOPMENT PLAN MODIFICATION 2001; FINDING THAT THE PLAN CONFORMS TO SECTIONS 163.360,163.361,163.362, AND 166.041, FLORIDA STATUTES; DIRECTING THAT THE PLAN BE CARRIED OUT IN ACCORDANCE WITH ITS TERMS; PROVIDING FOR SEVERABILITY, AND CONFLICTS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Riviera Beach Community Redevelopment Agency (the "Agency"), a duly created community redevelopment agency, created and established pursuant to Part III of Chapter 163, Section 163.356, Florida Statutes; has prepared a Modification of the 2001 Inlet Harbor Redevelopment Plan, in accordance with Sections 163.355, 163.360, 163.361 and 163.362, Florida Statutes (2007); and

WHEREAS, the Agency will forward a copy of the modified 2001 Inlet Harbor Redevelopment Plan to the Taxing Authorities that levies ad valorem taxes on taxable real property contained within the geographical boundaries of the redevelopment area: and

WHEREAS, the amendments meet the requirements for approval as contained in Chapter 163 of the Florida Statutes; and

WHEREAS, the Agency submitted the Plan to the City of Riviera Beach's Planning and Zoning Board which serves as the Local Planning Agency; and

WHEREAS, the Local Planning Agency held a public hearing, duly noticed, on September 13, 2007 with respect to said conformity with the Comprehensive Plan and voted to recommend approval of the amendments; and

WHEREAS, the Agency Board of Commissioners having reviewed the recommendation of the Local Planning Agency, and including the Local Planning Agency's recommendation for approval, submitted the Plan to the City Council of the City of Riviera Beach for its review.

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NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

SECTION 1. The City Council finds that the amendment to the 2001 Inlet Harbor City of Riviera Beach Redevelopment Plan which is attached and incorporated into this Ordinance, meets the requirements of Chapter 163, Florida Statutes. The CRA Master Plan Map amendment and changes to table 8.2-09, which modifies the parcels and acreage will be incorporated in all applicable CRA tables is attached as Exhibit A to combine current parcels S3a, S3b, and S1, into S1 and S1a.

SECTION 2. The City Council, having held a public hearing as required by law and having received the comments from the public, the Planning and Zoning Board acting as the Local Planning Agency, and from the Agency Board of Commissioners, hereby approves the amendment to the 2001 Inlet Harbor City of Riviera Beach Redevelopment Plan as provided in Table 8.2-09 and all other applicable CRA Plan Tables and maps combining parcels S3a, S3b, and S1, into S1 and S1a.

SECTION 3. The amendment to the 2001 Inlet Harbor City of Riviera Beach Redevelopment Plan, having been approved by the City Council is therefore deemed to be in full force and effect and the Community Redevelopment Agency is directed to carry out the Plan in accordance with its terms.

SECTION 4. The amended Community Redevelopment Plan shall serve as the Land Development Regulations for the CRA, and any variations granted pursuant to this Plan shall control the development of real property within the Community Redevelopment Area.

SECTION 5. Should anyone or more of the provisions of this Ordinance be held invalid, such provision shall be null and void and shall be deemed separate from the remaining provisions and shall in no way affect the validity of any of the remaining provisions of the Ordinance.

SECTION 6. All Ordinances or parts of Ordinances in conflict are hereby repealed.

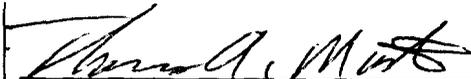
SECTION 7. This Ordinance shall take effect immediately upon its final adoption.

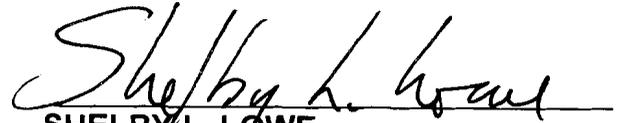
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PAGE 3

PASSED AND APPROVED on the first reading this 5th day of December
---=2007

PASSED AND ADOPTED on second and final reading this 19 day of
December, 2007.

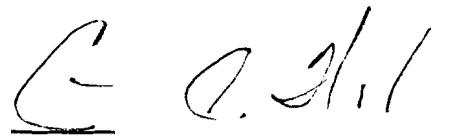
APPROVED:


THOMAS A. MASTERS
MAYOR

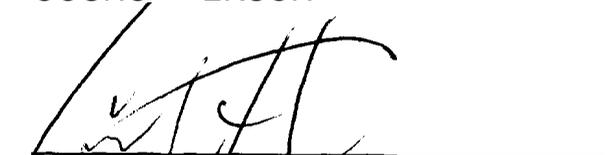

SHELBY L. LOWE
CHAIRPERSON

ATTEST:


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