

ORDINANCE NO. 2023 - 1757

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING CHAPTER 2. – ADMINISTRATION, ARTICLE V. – EMPLOYEE BENEFITS, DIVISION 2. - PENSION PLAN, OF THE TOWN OF SURFSIDE CODE OF ORDINANCES REGARDING THE RETIREMENT PLAN FOR EMPLOYEES OF THE TOWN OF SURFSIDE; AMENDING SECTION 2-193 OF THE TOWN CODE TO EXTEND PARTICIPATION IN THE DROP PLAN FOR CURRENT AND FUTURE GENERAL AND SENIOR MANAGEMENT DROP MEMBERS WHO ARE NOT COVERED BY A COLLECTIVE BARGAINING AGREEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Surfside (“Town”) sponsors a defined benefit retirement plan for employees of the Town (the “Retirement Plan”); and

WHEREAS, the Pension Board periodically reviews the Retirement Plan along with amendments adopted by other public retirement systems around the state;

WHEREAS, the Pension Board discussed and approved recommendations based on impact studies by the Pension Board’s actuary; and

WHEREAS, the Town Commission finds that the adoption of these Code amendments to the Retirement Plan are in the best interests of the Town and its employees.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA:<sup>1</sup>

Section 1. Recitals Adopted. That the above-stated recitals are hereby adopted and confirmed.

<sup>1</sup> Coding: ~~Strikethrough~~ words are deletions to the existing words. Underlined words are additions to the existing words. Changes between first and second reading are indicated with highlighted ~~strikethrough~~ and double underline.

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**Section 2.** Section 2-193, "Deferred retirement option plan (DROP)", of Division 2. – "Pension Plan", of Article V. – "Employee Benefits", of Chapter 2. – "Administration", of the Town Code is hereby amended, as follows:

Chapter 2 – Administration

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Article V. – Employee Benefits

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Division 2. – Pension Plan

\* \* \*

**Sec. 2-193. – Deferred retirement option plan.**

49 A deferred retirement option plan ("DROP") is hereby created as follows:

- 50 (1) *Eligibility.* A member of the plan who reaches normal retirement age shall be
- 51 eligible to participate in the DROP ("eligible member"). An eligible member
- 52 may participate in the DROP for a maximum of 60 months from the date the
- 53 member reaches his or her normal retirement date. Anything herein to the
- 54 contrary notwithstanding, if an eligible member has reached his or her normal
- 55 retirement date on or before the date the DROP plan is implemented, then the
- 56 eligible member shall have 60 days from the date the DROP plan is
- 57 implemented to elect in writing to participate in the DROP for the maximum
- 58 DROP participation period of 60 months. Effective October 1, 2022, the
- 59 maximum period of DROP participation shall be 72 months for sworn law
- 60 enforcement officers and communications operators. Effective October 1,
- 61 2023, the maximum period of DROP participation shall be 72 months for
- 62 general and senior management members, including current DROP
- 63 participants, who are not members of a collective bargaining unit.

\* \* \*

65 **Section 3. Conflicts.** All sections or parts of sections of the Town Code, all  
66 ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict  
67 herewith, be and the same, are hereby repealed to the extent of such conflict.

68 Section 4. Severability. Should this ordinance or any part thereof be declared  
69 invalid by a Court of competent jurisdiction, the invalidity of any part of this ordinance shall  
70 not otherwise affect the validity of the remaining provisions of this ordinance, which shall  
71 be deemed to have been enacted without the invalid provision.

72 Section 5. Codification. It is the intention of the Town Commission that the  
73 provisions of this ordinance shall become and be made a part of the Code of the Town of  
74 Surfside, and that the word "ordinance" may be changed to "section," "article," or such  
75 other appropriate word or phrase in order to accomplish such intentions.

76 Section 6. Effective Date. This ordinance shall become effective upon  
77 adoption at second reading.

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79 **PASSED** on first reading this 12th day of September, 2023.  
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81 **PASSED** and **ADOPTED** on second reading this 10th day of October, 2023.  
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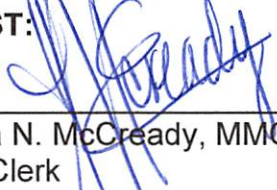
83 **First Reading:**  
84 Motion by: Vice Mayor Rose  
85 Second by: Commissioner Landsman  
86

87 **Second and Final Reading:**  
88 Motion by: Vice Mayor Rose  
89 Second by: Commissioner Landsman  
90

91 **FINAL VOTE ON ADOPTION**  
92 Commissioner Fred Landsman Yes  
93 Commissioner Marianne Meischoid Yes  
94 Commissioner Nelly Velasquez Yes  
95 Vice Mayor Jeffrey Rose Yes  
96 Mayor Shlomo Danzinger Yes  
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Shlomo Danzinger, Mayor

**ATTEST:**   
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Sandra N. McCready, MMC  
Town Clerk



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**APPROVED AS TO FORM AND LEGALITY FOR THE USE  
AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:**

  
\_\_\_\_\_  
Weiss Serota Helfman Cole & Bierman, P.L.  
Town Attorney



September 25, 2023

Ms. Mayte Gamiotea  
Pension Administrator  
Retirement Plan for Employees of the  
Town of Surfside  
9293 Harding Avenue  
Surfside, Florida 33154-3009

**Re: Retirement Plan for Employees of the Town of Surfside  
Actuarial Impact Statement**

Dear Mayte:

As requested, we have performed an actuarial review of the attached proposed Ordinance.

Based upon our review, the proposed Ordinance:

1. Amends Section 2-193 to extend the maximum DROP participation period to 72 months for general and senior management members, including current DROP participants, who are not members of a collective bargaining unit.
2. Repeals all Ordinances or parts of Ordinances in conflict herewith.
3. Provides for severability.
4. Provides for codification.
5. Provides for an effective date.

In our opinion, based upon the actuarial assumptions and methods employed in the October 1, 2022 Actuarial Valuation, the proposed Ordinance is a *no cost* Ordinance under State funding requirements.

If you should have any question concerning the above, please do not hesitate to contact us.

Sincerest regards,  
Gabriel, Roeder, Smith & Company

A handwritten signature in black ink that reads 'Jennifer Borregard'. The signature is written in a cursive, flowing style.

Jennifer M. Borregard, E.A.  
Consultant and Actuary

Enclosure

cc: Ms. Yamileth Slate-McCloud  
Adam Levinson, Esq.

1 ORDINANCE NO. 2023 - \_\_\_\_  
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3 AN ORDINANCE OF THE TOWN COMMISSION OF THE  
4 TOWN OF SURFSIDE, FLORIDA, AMENDING CHAPTER 2.  
5 – ADMINISTRATION, ARTICLE V. – EMPLOYEE  
6 BENEFITS, DIVISION 2. - PENSION PLAN, OF THE TOWN  
7 OF SURFSIDE CODE OF ORDINANCES REGARDING THE  
8 RETIREMENT PLAN FOR EMPLOYEES OF THE TOWN OF  
9 SURFSIDE; AMENDING SECTION 2-193 OF THE TOWN  
10 CODE TO EXTEND PARTICIPATION IN THE DROP PLAN  
11 FOR CURRENT AND FUTURE GENERAL AND SENIOR  
12 MANAGEMENT DROP MEMBERS WHO ARE NOT  
13 COVERED BY A COLLECTIVE BARGAINING  
14 AGREEMENT; PROVIDING FOR SEVERABILITY;  
15 PROVIDING FOR CODIFICATION; AND PROVIDING FOR  
16 AN EFFECTIVE DATE.  
17

18 WHEREAS, the Town of Surfside (“Town”) sponsors a defined benefit retirement  
19 plan for employees of the Town (the “Retirement Plan”); and

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21 with amendments adopted by other public retirement systems around the state;

22 WHEREAS, the Pension Board discussed and approved recommendations based  
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24 WHEREAS, the Town Commission finds that the adoption of these Code  
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28 TOWN OF SURFSIDE, FLORIDA:<sup>1</sup>

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Chapter 2 – Administration

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Article V. – Employee Benefits

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Division 2. – Pension Plan

\* \* \*

**Sec. 2-193. – Deferred retirement option plan.**

A deferred retirement option plan ("DROP") is hereby created as follows:

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\* \* \*

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77 adoption at second reading.

78

79           **PASSED** on first reading this \_\_\_\_ day of \_\_\_\_\_ 2023.  
80           **PASSED and ADOPTED** on second reading this \_\_\_\_\_ day of \_\_\_\_\_  
81 2023.

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83 **First Reading:**

84 Motion by: \_\_\_\_\_

85 Second by: \_\_\_\_\_

86

87 **Second and Final Reading:**

88 Motion by: \_\_\_\_\_

89 Second by: \_\_\_\_\_

90

91 **FINAL VOTE ON ADOPTION**

92 Commissioner Fred Landsman           \_\_\_\_\_

93 Commissioner Marianne Meisheid           \_\_\_\_\_

94 Commissioner Nelly Velasquez           \_\_\_\_\_

95 Vice Mayor Jeffrey Rose           \_\_\_\_\_

96 Mayor Shlomo Danzinger           \_\_\_\_\_

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Shlomo Danzinger, Mayor

100 **ATTEST:**

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Sandra N. McCreedy, MMC

104 Town Clerk

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106 **APPROVED AS TO FORM AND LEGALITY FOR THE USE**

107 **AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:**

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111 Weiss Serota Helfman Cole & Bierman, P.L.  
112 Town Attorney