

**ORDINANCE NO. 014-2024**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 82 OF THE TOWN CODE OF ORDINANCES RELATING TO PERSONNEL, AT ARTICLE II, EMPLOYEE BENEFITS, DIVISION 2, RETIREMENT SYSTEM; AMENDING SUBDIVISION I, IN GENERAL, BY AMENDING SECTION 82-52, DEFINITIONS; AMENDING SUBDIVISION III, FIREFIGHTERS; AMENDING SECTION 82-94, RETIREMENT AGE AND SERVICE CONDITIONS FOR FIREFIGHTERS; AMENDING SECTION 82-95, AMOUNT OF PENSION – FIREFIGHTERS; AMENDING SECTION 82-99, DEFERRED RETIREMENT OPTION PROGRAM FOR FIREFIGHTERS; AMENDING SUBDIVISION IV, POLICE OFFICERS; AMENDING SECTION 82-114, RETIREMENT AGE AND SERVICE CONDITIONS FOR POLICE OFFICERS; AMENDING SECTION 82-115, AMOUNT OF PENSION – POLICE OFFICERS; AMENDING SECTION 82-119, DEFERRED RETIREMENT OPTION PROGRAM FOR POLICE OFFICERS; AMENDING SUBDIVISION V, GENERAL EMPLOYEES AND LIFEGUARDS; AMENDING SECTION 82-135, AMOUNT OF PENSION FOR BENEFIT GROUP GENERAL AND BENEFIT GROUP LIFEGUARD; AMENDING SECTION 82-139, DEFERRED RETIREMENT OPTION PROGRAM FOR MEMBERS OF BENEFIT GROUP GENERAL AND BENEFIT GROUP LIFEGUARD; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:**

**Section 1.** The Code of Ordinances of the Town of Palm Beach is hereby amended at Chapter 82, Personnel; Article II, Employee Benefits; Division 2, Retirement System; Subdivision I. – In General; by amending Section 82-52 to read as follows:

Sec. 82-52. Definitions.

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Vesting or vested status means the attainment of ten or more years of credited service. Notwithstanding the preceding sentence, all members of the retirement system who did not attain normal retirement eligibility based on credited service as of May 1, 2012, excluding credited service purchased pursuant to section 82-54, and who were employed by the town and not participating in the DROP on that date shall be 100 percent vested in their frozen accrued benefit as of May 1, 2012, regardless of length of credited

service. Notwithstanding the preceding sentences, vesting or vested status for firefighters and police officers employed by the Town on June 1, 2024 or hired on or after that date means the attainment of eight or more years of credited service. Vesting or vested status for general employees and lifeguards employed by the Town on June 1, 2024 or hired on or after that date means the attainment of five or more years of credited service.

**Section 2.** The Code of Ordinances of the Town of Palm Beach is hereby amended at Chapter 82, Personnel; Article II, Employee Benefits; Division 2, Retirement System; Subdivision III. – Firefighters; by amending Section 82-94 to read as follows:

Sec. 82-94. Retirement age and service conditions for firefighters.

\* \* \*

(b) The age and service conditions for normal retirement are as follows:

(1) Members who attained normal retirement eligibility based on credited service as of May 1, 2012, excluding credited service purchased pursuant to section 82-54, and who were employed by the town and not participating in the DROP on that date, shall be eligible for normal retirement upon attaining age 50 with ten or more years of credited service; or when the member's age to last completed month at termination of service plus credited service totals 65 years or more and the member has ten or more years of credited service; or when the member has 20 or more years of credited service.

(2) Members who did not attain normal retirement eligibility based on credited service as of May 1, 2012, excluding credited service purchased pursuant to section 82-54, and who were employed by the town and not participating in the DROP on that date, shall be eligible for normal retirement upon attaining age 50, or when the member's age to last completed month plus credited service totals 65 years or more, or upon completion of 20 years of credited service regardless of age, and upon such retirement shall be eligible to receive the frozen accrued benefit based on credited service and average final compensation on April 30, 2012. Such members shall be eligible to receive the accrued benefit based on credited service on and after May 1, 2012 upon attaining age 65 with ten or more years of credited service.

(3) Members hired on or after May 1, 2012, shall be eligible for normal retirement upon attaining age 65 with ten or more years of credited service.

(4) Notwithstanding the provisions of paragraphs (2) and (3) above, effective October 1, 2016, non-bargaining unit members who did not

attain normal retirement eligibility based on credited service as of May 1, 2012, excluding credited service purchased pursuant to section 82-54, and who were employed by the town and not participating in the DROP on that date, and non-bargaining unit members hired on or after May 1, 2012, shall be eligible to receive the accrued benefit based on credited service on and after May 1, 2012 upon attaining age 56 with ten or more years of credited service. The provisions of this paragraph shall apply to non-bargaining unit members who are participating in the DROP on October 1, 2016, and to non-bargaining unit members who retire or enter the DROP on or after that date, but shall not apply to non-bargaining unit members who retired or separated from employment before October 1, 2016.

(5) Notwithstanding the provisions of paragraphs (2) and (3) above, effective August 12, 2017 bargaining unit members who did not attain normal retirement eligibility based on credited service as of May 1, 2012, excluding credited service purchased pursuant to section 82-54, and who were employed by the town and not participating in the DROP on that date, and bargaining unit members hired on or after May 1, 2012, shall be eligible to receive the accrued benefit based on credited service on and after May 1, 2012 upon attaining age 56 with ten or more years of credited service.

(6) Notwithstanding the provisions of subsections (2), (3) and (4) above, effective October 1, 2019, non-bargaining unit members who did not attain normal retirement eligibility based on credited service as of May 1, 2012, excluding credited service purchased pursuant to section 82-54, and who were employed by the town and not participating in the DROP on that date, and non-bargaining unit members hired on or after May 1, 2012, shall be eligible to receive the accrued benefit based on credited service on and after May 1, 2012 upon attaining age 55 with ten or more years of credited service, or age 52 with 25 years of credited service. The preceding sentence shall apply to non-bargaining unit members who are participating in the DROP on October 1, 2019, and to non-bargaining unit members who retire or enter the DROP on or after that date, but shall not apply to members who retired or separated from employment before October 1, 2019.

(7) Notwithstanding the provisions of subsections (2), (3) and (5) above, effective November 2, 2019, bargaining unit firefighter members who did not attain normal retirement eligibility based on credited service as of May 1, 2012, excluding credited service purchased pursuant to section 82-54, and who were employed by the town and not participating in the DROP on that date, and bargaining unit firefighter members hired on or after May 1, 2012, shall be eligible to receive the accrued benefit based on credited service on and after May 1, 2012 upon attaining age 55 with ten or more years of credited service, or age 52 with 25 years of credited service. The preceding sentence shall apply to bargaining unit firefighter members who are participating in the

DROP on November 2, 2019, and to bargaining unit firefighter members who retire or enter the DROP on or after that date, but shall not apply to members who retired or separated from employment before November 2, 2019.

(8) Notwithstanding the provisions of subsections (2), (3), (4) and (6) above, effective June 1, 2024, non-bargaining unit firefighter members who did not attain normal retirement eligibility based on credited service as of May 1, 2012, excluding credited service purchased pursuant to section 82-54, and who were employed by the town and not participating in the DROP on that date, and non-bargaining unit firefighter members hired on or after May 1, 2012, shall be eligible to receive the accrued benefit based on credited service on and after May 1, 2012 upon attaining age 55 with eight or more years of credited service or attaining 25 years of credited service regardless of age. The preceding sentence shall apply to non-bargaining unit firefighter members who are participating in the DROP on June 1, 2024, and to non-bargaining unit firefighter members who retire or enter the DROP on or after that date, but shall not apply to members who retired or separated from employment before June 1, 2024.

(9) Notwithstanding the provisions of subsections (2), (3), (5), and (7) above, effective June 1, 2024, bargaining unit firefighter members who did not attain normal retirement eligibility based on credited service as of May 1, 2012, excluding credited service purchased pursuant to section 8254, and who were employed by the town and not participating in the DROP on that date, and bargaining unit firefighter members hired on or after May 1, 2012, shall be eligible to receive the accrued benefit based on credited service on and after May 1, 2012 upon attaining age 55 with eight or more years of credited service or attaining 25 years of credited service regardless of age. The preceding sentence shall apply to bargaining unit firefighter members who are participating in the DROP on June 1, 2024, and to bargaining unit firefighter members who retire or enter the DROP on or after that date, but shall not apply to members who retired or separated from employment before June 1, 2024. Notwithstanding the preceding sentences, the provisions of this subsection shall not apply to bargaining unit firefighters until such time as the provisions of this section are implemented through the collective bargaining process.

**Section 3.** The Code of Ordinances of the Town of Palm Beach is hereby amended at Chapter 82, Personnel; Article II, Employee Benefits; Division 2, Retirement System; Subdivision III. – Firefighters; by amending Section 82-95 to read as follows:

Sec. 82-95. Amount of pension—Firefighters.

\* \* \*

(c) The benefit formula for firefighters is:

(1) For pension payments payable after October 1, 2005 to firefighters who were actively employed on and after October 1, 2005 and who retired, entered the DROP, or terminated employment with ten or more years of credited service prior to May 1, 2012, and to firefighters who attained normal retirement eligibility based on credited service as of May 1, 2012, excluding credited service purchased pursuant to section 82-54, and who were employed by the town and not participating in the DROP on that date, the benefit formula shall be, average final compensation multiplied by the sum of 3.5 percent of credited service to a maximum of 87.5 percent, plus two percent of average final compensation for credited service, if any, in excess of 43.75 years. The standard form of payment for such benefit shall be life and ten years certain (i.e., unless a retirant chooses an optional form of payment under section 82-96, payments for the benefit of a retirant who dies within ten years of retirement shall continue to the retirant's designated beneficiary until the tenth anniversary of the retirant's retirement date.

(2) For firefighters who did not attain normal retirement eligibility based on credited service as of May 1, 2012, excluding credited service purchased pursuant to section 82-54, and who were employed by the town and not participating in the DROP on that date, the benefit formula shall be 3.5 percent of average final compensation on April 30, 2012, multiplied by credited service on that date. The accrued benefit of all such firefighters shall be frozen on May 1, 2012. The standard form of payment for the frozen accrued benefit shall be life and ten years certain.

(3) For credited service on and after May 1, 2012, except as such service may be credited to members who qualify under subsection 82-95(c)(1) above, the benefit formula shall be 1.25 percent of average final compensation multiplied by years of credited service on and after that date. The standard form of payment for benefits based on credited service on and after May 1, 2012 shall be a straight life annuity, payable for the member's lifetime.

(4) Firefighters who did not attain normal retirement eligibility based on credited service as of May 1, 2012, excluding credited service purchased pursuant to section 82-54, and who were employed by the town and not participating in the DROP on May 1, 2012 shall, upon retirement, be eligible to receive a retirement benefit consisting of two parts: (1) the frozen accrued benefit based on credited service prior to May 1, 2012, payable upon entry into the DROP or termination of employment and attaining eligibility for receipt of retirement benefits under the provisions of the system in effect on April 30, 2012; and (2) the accrued benefit based on credited service on and after May 1, 2012, payable upon attaining age 65 with ten or more years of credited service and entry into the DROP or termination of employment.

(5) Notwithstanding the provisions of paragraphs (3) and (4) above, effective October 1, 2016, the benefit formula for non-bargaining unit firefighters who did not attain normal retirement eligibility based on credited service as of May 1, 2012, excluding credited service purchased pursuant to section 82-54, and who were employed by the town and not participating in the DROP on that date, and non-bargaining unit firefighters hired on or after May 1, 2012, shall be 2.75% of average final compensation multiplied by credited service on and after October 1, 2016, payable upon attaining age 56 with ten or more years of credited service and entry into the DROP or termination of employment.

(6) Notwithstanding the provisions of paragraphs (3) and (4) above, effective August 12, 2017, the benefit formula for bargaining unit firefighters who did not attain normal retirement eligibility based on credited service as of May 1, 2012, excluding credited service purchased pursuant to section 82-54, and who were employed by the town and not participating in the DROP on that date, and bargaining unit firefighters hired on or after May 1, 2012, shall be 2.75 percent of average final compensation multiplied by credited service on and after August 12, 2017, payable upon attaining age 56 with ten or more years of credited service and entry into the DROP or termination of employment.

(7) Notwithstanding the provisions of paragraphs (3), (4) and (5) above, effective June 1, 2024, the benefit formula for non-bargaining unit firefighters who did not attain normal retirement eligibility based on credited service as of May 1, 2012, excluding credited service purchased pursuant to section 82-54, and who were employed by the town and not participating in the DROP on that date, and non-bargaining unit firefighters hired on or after May 1, 2012, shall be 1.25 percent of average final compensation multiplied by years of credited service between May 1, 2012 and September 30, 2016; and 2.75 percent of average final compensation multiplied by years of credited service between October 1, 2016 and May 31, 2024; and 3.0 percent of average final compensation multiplied by years of credited service on and after June 1, 2024, payable upon attaining age 55 with eight (8) or more years of credited service or upon attaining 25 years of service regardless of age, and entry into the DROP or termination of employment.

(8) Notwithstanding the provisions of paragraphs (3), (4) and (6) above, effective June 1, 2024, the benefit formula for bargaining unit firefighters who did not attain normal retirement eligibility based on credited service as of May 1, 2012, excluding credited service purchased pursuant to section 82-54, and who were employed by the town and not participating in the DROP on that date, and bargaining unit firefighters hired on or after May 1, 2012, shall be 1.25 percent of average final compensation multiplied by years of credited service between May 1, 2012 and September 30, 2016; 2.75 percent of average final compensation multiplied by years of credited service

between October 1, 2016 and May 31, 2024; and 3.0 percent of average final compensation multiplied by years of credited service on and after June 1, 2024, payable upon attaining age 55 with eight (8) or more years of credited service or upon attaining 25 years of service regardless of age, and entry into the DROP or termination of employment. Notwithstanding the preceding sentences, the provisions of this subsection shall not apply to bargaining unit firefighters until such time as the provisions of this section are implemented through the collective bargaining process.

**Section 4.** The Code of Ordinances of the Town of Palm Beach is hereby amended at Chapter 82, Personnel; Article II, Employee Benefits; Division 2, Retirement System; III. – Firefighters; by amending Section 82-99 to read as follows:

Sec. 82-99. Deferred retirement option program for firefighters.

\* \* \*

(b) Eligibility of member to participate in the DROP. Retirement system members are eligible to elect participation in the DROP provided that they elect to retire as of a date certain and provided that:

(1) Election to participate may be made when the member first reaches normal retirement date or age, as follows:

a. Members who were employed by the town and not participating in the DROP on May 1, 2012, shall be eligible to participate in the DROP upon attaining age 50; or the date on which the member's age to last completed month plus credited service totals 65 years or more; or 20 years of credited service regardless of age. Upon entry into the DROP the benefit payable to such member's DROP account shall be the frozen accrued benefit based on credited service prior to May 1, 2012. The accrued benefit based on credited service on and after May 1, 2012 shall be payable to the member's DROP account, or directly to the member if DROP participation has ceased, upon attaining age 65. Such member who fails to make an election within 84 months after the member has 20 years of credited service shall forfeit all rights to participate in the DROP. Notwithstanding the preceding two sentences, effective October 1, 2019 for non-bargaining unit members who are participating in the DROP on that date or who enter the DROP after that date, and effective November 2, 2019 for bargaining unit members who are participating in the DROP on that date or who enter the DROP after that date, the accrued benefit based on credited service on and after May 1, 2012 shall be payable to the member's DROP account upon attaining age 55 with ten years of service or age 52 with 25 years of service, and such members who fail to make an election within 84 months after the member attains 20 years of credited service shall not forfeit the right to participate in the DROP. Notwithstanding the preceding three sentences, effective June 1, 2024 for

non-bargaining unit members and bargaining unit members who are participating in the DROP on that date or who enter the DROP after that date, the accrued benefit based on credited service on and after May 1, 2012 shall be payable to the member's DROP account upon attaining age 55 with 8 years of credited service or attaining 25 years of credited service regardless of age, and such members who fail to make an election within 84 months after the member attains 20 years of credited service shall not forfeit the right to participate in the DROP. Notwithstanding the preceding sentences, the provisions of this subsection shall not apply to bargaining unit firefighters until such time as the provisions of this section are implemented through the collective bargaining process.

b. Members hired on or after May 1, 2012, shall be eligible to participate in the DROP upon attaining age 55 with ten or more years of service or age 52 with 25 years of service. Notwithstanding the preceding sentence, effective June 1, 2024, members hired on or after May 1, 2012, shall be eligible to participate in the DROP upon attaining age 55 with eight or more years of credited service or 25 years of credited service regardless of age. Notwithstanding the foregoing, the provisions of the preceding sentence shall not apply to bargaining unit firefighters until such time as they are implemented through the collective bargaining process.

(2) There is no break in service to the town between the member's last working day prior to DROP participation and the member's first day as a DROP participant.

(c) Participation in the DROP.

(1) The date on which participation in the DROP must terminate is within 120 months of the commencement of the election period provided in subsection (b)(1) of this section. ~~Except as provided in subsection (c)(4) below, participation in the DROP may not exceed a maximum of 60 months.~~ For those members who enter to DROP prior to June 1, 2024, the maximum DROP period is 60 months unless extended as provided in subsection (c)(4). For members who enter the DROP on or after June 1, 2024, the maximum DROP period is 96 months. No DROP participant may participate in the DROP for more than ~~60 months~~ 96 months or for any time after 120 months following the date on which the member first reaches normal retirement age or date, ~~except as provided in subsection (c)(4) below,~~ unless the member first reached normal retirement age or date prior to the effective date of the ordinance from which this section derives. Notwithstanding the preceding sentence, effective October 1, 2016 for non-bargaining unit members who are participating in the DROP on that date or who enter the DROP after that date, the maximum DROP participation period shall be 60 months unless extended under subsection (c)(4) below, or 96 months on or after June 1, 2024, but such members may continue

to participate in the DROP beyond 120 months following the date on which the member first reaches normal retirement age or date. Notwithstanding the foregoing, the provisions of this paragraph providing a maximum DROP period of 96 months shall not apply to bargaining unit firefighters until such time as the 96 month maximum DROP period is implemented through the collective bargaining process.

(2) Submission of required information. Upon electing to participate in the DROP, the member shall submit on forms required by the retirement system:

a. A written election to retire effective no more than ~~60 months~~ 96 months after entering participation in the DROP;

b. A written election to participate in the DROP;

c. An irrevocable resignation from service to the town and withdrawal from the DROP, both effective after no more than ~~60 months~~ 96 months participation in the DROP;

d. A properly completed DROP application for service retirement as provided in this section; and

e. Any other information required by the retirement system.

f. Notwithstanding the foregoing, the provisions of this paragraph providing a maximum DROP period of 96 months shall not apply to bargaining unit firefighters until such time as the 96 month maximum DROP period is implemented through the collective bargaining process.

(3) Re-employed retirants. Re-employed retirants of the town's retirement system are not eligible to participate in DROP.

(4) Effective on and after January 1, 2019 until January 1, 2022, Members who are participating in the DROP may, if authorized by the Town Manager, extend their DROP participation for up to 36 months, in 12 month increments, beyond the 60 month maximum DROP participation period. Effective June 1, 2024, members who are participating in the DROP may extend their DROP participation for up to 36 months beyond the 60 month maximum DROP participation period. Notwithstanding the preceding sentence, the option to extend DROP participation by up to 36 months shall not apply to bargaining unit firefighters until such time as the 96 month maximum DROP period is implemented through the collective bargaining process. Members who seek to extend their DROP participation must submit, at least 30 days before the termination of the current DROP period, the following information ~~to the town manager~~ on forms provided by the town:

- a. A revised, written election to retire effective up to ~~42~~ 36 months after the end of the current DROP period;
- b. A written election to extend DROP participation by up to ~~42~~ 36 months;
- c. The member's new DROP termination date (not more than ~~42~~ 36 months after the end of the current DROP period);
- d. The member's new DROP termination date;
- e. A revised, irrevocable resignation from service to the town and withdrawal from the DROP, effective on or before the new DROP termination date; and
- f. Any other information required by the town or retirement system.

The town manager's decision to authorize the extension of a member's DROP period prior to January 1, 2022 shall be based on the operational needs of the town, and shall not be subject to grievance or other review. Extended DROP participation is not a guarantee of continued employment for any specified period. ~~DROP participants who have not been approved for the 36 month extended DROP participation period pursuant to this subsection (c)(4) by January 1, 2022 are not eligible for extended DROP.~~ All provisions of the DROP shall continue to apply during any period of extended DROP participation.

(1) (d) Compensation for work performed while participating in the DROP. Starting pay shall be at the base pay rate in effect on the employee's last working day of employment, prior to participation in the DROP. Job performance will be evaluated under the town's pay for performance system, and performance pay increases will be permitted as established by town policy. General pay increases shall also be awarded, as approved by the town council and the town manager. ~~The base pay rate for DROP participants who are authorized by the town manager to extend DROP participation for up to 36 calendar months beyond the 60 month period shall be the rate of pay in effect at the end of 60 month DROP period; and that rate shall not be eligible for performance pay increase, general pay increases approved by the town council, or future Longevity Pay or Longevity Bonuses.~~ Performance pay increases and general pay increases awarded to DROP participants will be reflected in their salary but will not be reflected in pension payments made to DROP accounts or made after DROP participation. Effective with the date of DROP participation, the member's initial normal monthly pension benefit, calculated in accordance with section

8295 and based on creditable service and average final compensation and the effective date of retirement, shall be fixed. Retirement system amendments which become effective after the establishment date of participation in the DROP will not be applicable to the DROP participant, unless so stated by the amendment. The monthly pension benefit (minus any reduction as determined by the board of trustees as provided by subsection (h) of this section), cost of living adjustments, interest and earnings thereon, if any, shall accrue monthly in the retirement system. Interest under the system investment method only shall accrue at an effective quarterly rate to be determined hereunder as set forth in subsection (h) of this section, and will be compounded quarterly, on the prior quarter's accumulated ending balance, up to the end of the quarter coincident with/or immediately following the DROP or death.

(2) The monthly pension benefits calculated upon entry into the DROP (minus any reduction as determined by the board of trustees as provided by subsection (h)) and interest thereon, if any, shall continue to accrue in the DROP until the established termination date of the DROP, or until the DROP participant terminates employment or dies prior to such date, but not to exceed ~~60~~ 96 months.

(3) Except as otherwise provided in this subsection (d), employee benefits, other than benefits under the retirement system, which are normally granted to employees, will be provided to DROP participants. Such DROP participants are members of the retirement system.

(4) At the conclusion of the participant's DROP, any credits made to a DROP participant's account will cease. Membership in the DROP will automatically terminate ~~60~~ 96 months after the effective date of participation in the DROP, except as provided in subsections (c)(1) and (c)(4) above. DROP participants may elect to discontinue membership in the DROP at any time, provided a two-week written notice of termination of employment has been submitted to the town and notice has been submitted to the plan administrator.

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**Section 5.** The Code of Ordinances of the Town of Palm Beach is hereby amended at Chapter 82, Personnel; Article II, Employee Benefits; Division 2, Retirement System; Subdivision IV. – Police Officers; by amending Section 82-114 to read as follows:

Sec. 82-114. Retirement age and service conditions for police officers.

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(b) The age and service conditions for normal retirement are as

follows:

(1) Members who attained normal retirement eligibility based on credited service as of May 1, 2012, excluding credited service purchased pursuant to section 82-54, and who were employed by the town and not participating in the DROP on that date, shall be eligible for normal retirement upon attaining age 50 with ten or more years of credited service; or when the member's age to last completed month at termination of service plus credited service totals 65 years or more and the member has ten or more years of credited service; or when the member has 20 or more years of credited service.

(2) Members who did not attain normal retirement eligibility based on credited service as of May 1, 2012, excluding credited service purchased pursuant to section 82-54, and who were employed by the town and not participating in the DROP on that date, shall be eligible for normal retirement upon attaining age 50, or when the member's age to last completed month plus credited service totals 65 years or more, or upon completion of 20 years of credited service regardless of age, and upon such retirement shall be eligible to receive the frozen accrued benefit based on credited service and average final compensation on April 30, 2012. Effective October 1, 2016, such members shall be eligible to receive the accrued benefit based on credited service on and after May 1, 2012 upon attaining age 56 with ten or more years of credited service. The preceding sentence shall apply to members who are participating in the DROP on October 1, 2016, and to members who retire or enter the DROP on or after that date, but shall not apply to members who retired or separated from employment before October 1, 2016.

(3) Members hired on or after May 1, 2012, shall be eligible for normal retirement upon attaining age 56 with ten or more years of credited service.

(4) Notwithstanding the provisions of subsections (1), (2) and (3) above, effective October 1, 2019, members who did not attain normal retirement eligibility based on credited service as of May 1, 2012, excluding credited service purchased pursuant to section 82-54, and who were employed by the town and not participating in the DROP on that date, and members hired on or after May 1, 2012, shall be eligible to receive the accrued benefit based on credited service on and after May 1, 2012 upon attaining age 55 with ten or more years of credited service, or age 52 with 25 years of service. The preceding sentence shall apply to members who are participating in the DROP on October 1, 2019, and to members who retire or enter the DROP on or after that date, but shall not apply to members who retired or separated from employment before October 1, 2019.

(5) Notwithstanding the provisions of subsections (1), (2), (3), and (4) above, effective June 1, 2024, members who did not attain normal retirement eligibility based on credited service as of May 1, 2012, excluding credited service purchased pursuant to section 82-54, and who were employed by the town and not participating in the DROP on that date, and members hired on or after May 1, 2012, shall be eligible to receive the accrued benefit based on credited service on and after May 1, 2012 upon attaining age 55 with 8 or more years of credited service, or 25 years of credited service regardless of age.

**Section 6.** The Code of Ordinances of the Town of Palm Beach is hereby amended at Chapter 82, Personnel; Article II, Employee Benefits; Division 2, Retirement System; Subdivision IV. – Police Officers; by amending Section 82-115 to read as follows:

Sec. 82-115. Amount of pension—Police officers.

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(c) The benefit formula for police officers is:

(1) For pension payments payable after October 1, 2005 to police officers who were actively employed on and after October 1, 2005 and who retired, entered the DROP, or terminated employment with ten or more years of credited service prior to May 1, 2012, and to police officers who attained normal retirement eligibility based on credited service as of May 1, 2012, excluding credited service purchased pursuant to section 8254, and who were employed by the town and not participating in the DROP on that date, the benefit formula shall be average final compensation multiplied by the sum of 3.5 percent of credited service rendered to a maximum of 87.5 percent, plus two percent of average final compensation for credited service, if any, in excess of 43.75 years. The standard form of payment for such benefit shall be life and ten years certain (i.e., unless a retirant chooses an optional form of payment under section 82-96, payments for the benefit of a retirant who dies within ten years of retirement shall continue to the retirant's designated beneficiary until the tenth anniversary of the retirant's retirement date.

(2) For police officers who did not attain normal retirement eligibility based on credited service as of May 1, 2012, excluding credited service purchased pursuant to section 82-54, and who were employed by the town and not participating in the DROP on that date, the benefit formula shall be 3.5 percent of average final compensation on April 30, 2012 multiplied by credited service on that date. The accrued benefit of all such police officers shall be frozen on May 1, 2012. The standard form of payment for the frozen accrued benefit shall be life and ten years certain.

(3) For credited service on and after May 1, 2012, except as such service may be credited to members who qualify under subsection 82-115(c)(1) above, the benefit formula shall be: 1.25 percent of average final

compensation multiplied by years of credited service between May 1, 2012 and September 30, 2016; and 2.75 percent of average final compensation multiplied by years of credited service on and after between October 1, 2016 and May 31, 2024; and 3.0 percent of average final compensation multiplied by years of credited service on and after June 1, 2024. The standard form of payment for benefits based on credited service on and after May 1, 2012 shall be a straight life annuity, payable for the member's lifetime.

(4) Police officers who did not attain normal retirement eligibility based on credited service as of May 1, 2012, excluding credited service purchased pursuant to section 82-54, and who were employed by the town and not participating in the DROP on May 1, 2012 shall, upon retirement, be eligible to receive a retirement benefit consisting of two parts: (1) the frozen accrued benefit based on credited service and average final compensation prior to May 1, 2012, payable upon entry into the DROP or termination of employment and attaining eligibility for receipt of retirement benefits under the provisions of the system in effect on April 30, 2012; and (2) the accrued benefit based on credited service on and after May 1, 2012, payable, effective October 1, 2016, upon attaining age 56 with ten or more years of credited service, and termination of employment or entry into the DROP. Effective June 1, 2024, the accrued benefit based on credited service on and after May 1, 2012, shall be payable upon attaining age 55 with eight (8) or more years of credited service or 25 years of credited service regardless of age, and termination of employment or entry into the DROP.

**Section 7.** The Code of Ordinances of the Town of Palm Beach is hereby amended at Chapter 82, Personnel; Article II, Employee Benefits; Division 2, Retirement System; Subdivision IV. – Police Officers; by amending Section 82-119 to read as follows:

Sec. 82-119. Deferred retirement option program for police officers.

\* \* \*

(b) Eligibility of member to participate in the DROP.

Retirement system members are eligible to elect participation in the DROP provided that they elect to retire as of a date certain and provided that:

(1) Election to participate may be made when the member first reaches normal retirement date or age as follows:

a. Members who were employed by the town and not participating in the DROP on May 1, 2012, shall be eligible to participate in the DROP upon attaining age 50; or the date on which the member's age to last completed month plus credited service totals 65 years or more; or 20 years of credited service regardless of age; and upon entry into the DROP the benefit payable to such member's DROP account shall be the frozen

accrued benefit based on credited service prior to May 1, 2012. The accrued benefit based on credited service on and after May 1, 2012 shall be payable to the member's DROP account, or directly to the member if DROP participation has ceased, upon attaining age 55. Such member who fails to make an election within 84 months after the member has 20 years of credited service shall forfeit all rights to participate in the DROP. Notwithstanding the preceding two sentences, effective October 1, 2019 for members who are participating in the DROP on that date or who enter the DROP after that date, the accrued benefit based on credited service on and after May 1, 2012 shall be payable to the member's DROP account upon attaining age 55 with ten years of service or age 52 with 25 years of service, and such members who fail to make an election within 84 months after the member attains 20 years of credited service shall not forfeit the right to participate in the DROP. Notwithstanding the preceding sentences, effective June 1, 2024 for members who are participating in the DROP on that date or who enter the DROP after that date, the accrued benefit based on credited service on and after May 1, 2012 shall be payable to the member's DROP account upon attaining age 55 with eight (8) years of credited service or 25 years of credited service regardless of age, and such members who fail to make an election within 84 months after the member attains 20 years of credited service shall not forfeit the right to participate in the DROP.

b. Members hired on or after May 1, 2012, shall be eligible to participate in the DROP upon attaining age 55 with ten or more years of service or age 52 with 25 years of service. Notwithstanding the preceding sentence, effective June 1, 2024, members hired on or after May 1, 2012, shall be eligible to participate in the DROP upon attaining age 55 with eight (8) or more years of credited service or 25 years of credited service regardless of age.

(2) There is no break in service to the town between the

member's last working day prior to DROP participation and the member's first day as a DROP participant.

(c) Participation in the DROP.

(1) The date on which participation in the DROP must terminate is within 120 months of the commencement of the election period provided in subsection (b)(1) of this section. ~~Except as provided in subsection (c)(4) below, participation in the DROP may not exceed a maximum of 60 months.~~ For those members who entered the DROP prior to June 1, 2024, the maximum DROP period is 60 months unless extended as provided in subsection (c)(4). For members who enter the DROP on or after June 1, 2024, the maximum DROP period is 96 months. No DROP participant may participate in the DROP for more than 96 months or for any time after 120

months following the date on which the member first reaches normal retirement age or date, except as provided in subsection (c)(4) below, unless the member first reached normal retirement age or date prior to the effective date of the ordinance from which this section derives. Notwithstanding the preceding sentence, effective October 1, 2016 for members who are participating in the DROP on that date or who enter the DROP after that date, the maximum DROP participation period shall be 60 months, or 96 months on or after June 1, 2024, but such members may continue to participate in the DROP beyond 120 months following the date on which the member first reaches normal retirement age or date.

(2) Submission of required information. Upon electing to participate in the DROP, the member shall submit on forms required by the retirement system:

- a. A written election to retire effective no more than ~~60~~ 96 months after entering participation in the DROP;
- b. A written election to participate in the DROP;
- c. An irrevocable resignation from service to the town and withdrawal from the DROP, both effective after no more than ~~60~~ 96 months participation in the DROP;
- d. A properly completed DROP application for service retirement as provided in this section; and
- e. Any other information required by the retirement system.

(3) Re-employed retirants. Re-employed retirants of the town's retirement system are not eligible to participate in DROP.

(4) Effective on and after January 1, 2019 until January 1, 2022, Members who are participating in the DROP may, if authorized by the town manager, extend their DROP participation for up to 36 months, in 12 month increments, beyond the 60 month maximum DROP participation period. Effective June 1, 2024, members who are participating in the DROP may extend their DROP participation for up to 36 months beyond the 60 month maximum DROP participation period. Members who seek to extend their DROP participation must submit, at least 30 days before the termination of the current DROP period, the following information ~~to the town manager~~ on forms provided by the town:

- a. A revised, written election to retire effective upon termination of the member's participation in the DROP;

b. A written election to extend DROP participation, ~~approved and signed by the town manager;~~

c. The maximum term of the extended DROP participation;

d. The member's new DROP termination date;

e. A revised, irrevocable resignation from service to the town and withdrawal from the DROP, effective on or before the end of the maximum DROP participation period as extended; and

f. Any other information required by the retirement system. The town manager's decision to authorize the extension of a member's DROP period prior to January 1, 2022 shall be based on the operational needs of the town, and shall not be subject to grievance or other review. Extended DROP participation is not a guarantee of continued employment for any specified period. ~~DROP participants who have not been approved for the 36 month extended DROP participation period pursuant to this subsection (c)(4) by January 1, 2022 are not eligible for extended DROP.~~ All provisions of the DROP shall continue to apply during any period of extended DROP participation.

(d) Compensation for work performed while participating in the DROP. Starting pay shall be at the base pay rate in effect on the employee's last working day of employment, prior to participation in the DROP. Job performance will be evaluated under the town's pay for performance system, and performance pay increases will be permitted as established by town policy. General pay increases shall also be awarded, as approved by the town council and the town manager. ~~The base pay rate for DROP participants who are authorized by the town manager to extend DROP participation for up to 36 calendar months beyond the 60 month period shall be the rate of pay in effect at the end of 60 month DROP period; and that rate shall not be eligible for performance pay increase, general pay increases approved by the town council, or future Longevity Pay or Longevity Bonuses.~~ Performance pay increases and general pay increases awarded to DROP participants will be reflected in their salary but will not be reflected in pension payments made to DROP accounts or made after DROP participation.

(1) Effective with the date of DROP participation, the member's initial normal monthly pension benefit, calculated in accordance with section 82-115 and based on creditable service and average final compensation and the effective date of retirement, shall be fixed. Retirement system amendments which become effective after the establishment date of participation in the DROP will not be applicable to the DROP participant, unless so stated by the amendment. The monthly pension benefit (minus any reduction as determined by the board of trustees as provided by subsection (h) of this section), cost of living adjustments, interest and earnings thereon,

if any, shall accrue monthly in the retirement system. Interest under the system investment method only shall accrue at an effective quarterly rate to be determined hereunder as set forth in subsection (h) of this section, and will be compounded quarterly, on the prior quarter's accumulated ending balance, up to the end of the quarter coincident with/or immediately following the DROP or death.

(2) The monthly pension benefits calculated upon entry into the DROP (minus any reduction as determined by the board of trustees as provided by subsection (h) of this section) and interest thereon, if any, shall continue to accrue in the DROP until the established termination date of the DROP, or until the DROP participant terminates employment or dies prior to such date, but not to exceed ~~60~~ 96 months. Although individual DROP accounts shall not be established under the system investment method described above in subsection (a)(1), a separate accounting of each DROP participant's accrued benefits under the DROP shall be calculated and provided to DROP participants annually.

(3) Except as otherwise provided in this subsection (d), employee benefits, other than benefits under the retirement system, which are normally granted to employees, will be provided to DROP participants. Such DROP participants are members of the retirement system.

(4) At the conclusion of the participant's DROP, any credits made to a DROP participant's account will cease. Membership in the DROP will automatically terminate ~~60~~ 96 months after the effective date of participation in the DROP, except as provided in subsections (c)(1) and (c)(4) above. DROP participants may elect to discontinue membership in the DROP at any time, provided a two-week written notice of termination of employment has been submitted to the town, and notice has been submitted to the plan administrator.

\* \* \*

**Section 8.** The Code of Ordinances of the Town of Palm Beach is hereby amended at Chapter 82, Personnel; Article II, Employee Benefits; Division 2, Retirement System; Subdivision V. – General Employees and Lifeguards; by amending Section 82135 to read as follows:

Sec. 82-135. Amount of pension for benefit group general and benefit group lifeguard.

\* \* \*

(c) The benefit formulas are:

(1) For benefit group general.

a. For members who attained normal retirement eligibility based on credited service as of May 1, 2012, excluding credited service purchased pursuant to section 82-54, and who were employed by the town and not participating in the DROP on that date: average final compensation multiplied by the sum of 2.75 percent of credited service rendered after September 30, 1990, to a maximum of 82.5 percent, plus 2.35 percent of credited service rendered prior to October 1, 1990, plus 1.0 percent of credited service, if any, in excess of 30 years, provided that years of credited service under the first two clauses of this subsection shall not exceed 30 and provided further that the second clause shall apply only to the extent that years of credited service under the first clause are less than 30.

b. Effective May 1, 2012, the accrued benefits of all members who did not attain normal retirement eligibility based on credited service as of May 1, 2012, excluding credited service purchased pursuant to section 82-54, and who were employed by the town and not participating in the DROP on that date, shall be frozen. The value of each member's frozen accrued benefit shall be calculated in accordance with subparagraph a., above, based on credited service and average final compensation on April 30, 2012.

c. For credited service on and after May 1, 2012, except as such service may be credited to members who qualify under subsection 82-135(c)(1)a. above, the benefit formula shall be 1.25 percent of average final compensation multiplied by years of credited service between May 1, 2012 and April 30, 2017; ~~and 1.70 percent of average final compensation multiplied by years of credited service on and after~~ between May 1, 2017 and May 31, 2024; and 2.0 percent of average final compensation multiplied by years of credited service on and after June 1, 2024.

d. Members who did not attain normal retirement eligibility based on credited service as of May 1, 2012, excluding credited service purchased pursuant to section 82-54, and who were employed by the town and not participating in the DROP on that date, shall, upon retirement, be eligible to receive a retirement benefit consisting of two parts: (1) the frozen accrued benefit based on credited service and average final compensation on April 30, 2012, payable upon attaining age 55 or completion of 30 years of credited service regardless of age, and termination of town employment or entry into the DROP; and (2) the accrued benefit based on credited service on and after May 1, 2012, payable upon attaining age 62 with ~~ten~~ five or more years of credited service, and termination of town employment or entry into the DROP.

e. For benefits based on credited service prior to May 1, 2012, an early retirement reduction of 0.3 percent (0.3%) shall apply for each month that early retirement under subsection 82-134(b)(1)b. precedes a date the member would have met age and service conditions for normal

retirement under subsection 82-134(b)(1)a., if the member had not elected early retirement.

f. For benefits based on credited service prior to May 1, 2012, an early retirement reduction of 0.6 percent (0.6%) shall apply for each month that early retirement under subsection 82-134(b)(1)c. precedes a date the member would have met age and service conditions for normal retirement under subsection 82-134(b)(1)a., if the member had not elected early retirement.

g. An early retirement reduction equal to the full actuarial cost of each month that early retirement under subsection 82-134(b)(1)d. precedes a date the member would have met the applicable age and service conditions for normal retirement under subsection 82-134(b)(1)a., if the member had not elected early retirement.

(2) For benefit group lifeguard.

a. For members who attained normal retirement eligibility based on credited service as of May 1, 2012, excluding credited service purchased pursuant to section 82-54, and who were employed by the town and not participating in the DROP on that date: average final compensation multiplied by the sum of 2.85 percent of credited service to a maximum of 71.25 percent, plus 1.0 percent of credited service, if any, in excess of 25 years for benefit group lifeguard.

b. Effective May 1, 2012, the accrued benefits of all members who did not attain normal retirement eligibility based on credited service as of that date, excluding credited service purchased pursuant to section 8254, and who were employed by the town and not participating in the DROP on that date, shall be frozen. The value of each member's frozen accrued benefit shall be calculated in accordance with subparagraph a., above, based on credited service and average final compensation on April 30, 2012.

c. For credited service on and after May 1, 2012, the benefit formula shall be 1.25 percent of average final compensation multiplied by years of credited service between May 1, 2012 and April 30, 2017; ~~and 1.70~~ 1.70 percent of average final compensation multiplied by years of credited service ~~on and after between~~ on and after between May 1, 2017 and May 31, 2024; ~~and 2.0~~ 2.0 percent of average final compensation multiplied by years of credited service on and after June 1, 2024.

d. Members who did not attain normal retirement eligibility based on credited service as of May 1, 2012, excluding credited service purchased pursuant to section 82-54, and who were employed by the town and not participating in the DROP on that date, shall be eligible to receive a retirement benefit consisting of two parts: (1) the frozen accrued benefit based on credited

service and average final compensation on April 30, 2012, payable upon attaining age 50 or the date on which the member's age to last completed month plus credited service totals 65 years or more, and termination of town employment or entry into the DROP; and (2) the accrued benefit based on credited service on and after May 1, 2012, payable upon attaining age 62 with ~~ten~~five or more years of credited service, and termination of town employment or entry into the DROP.

e. Benefit group lifeguard age 60 early retirement option. Members who did not attain normal retirement eligibility based on credited service as of May 1, 2012, excluding credited service purchased pursuant to section 82-54, and who were employed by the town and not participating in the DROP on that date, and members hired on or after May 1, 2012, may elect to retire at age 60 and receive a benefit based on credited service on and after May 1, 2012, subject to an early retirement reduction equal to the full actuarial cost of each month that early retirement precedes the date the member would have met the applicable age and service conditions for normal retirement under subsection 82-134(b)(2)d., if the member had not elected early retirement.

**Section 9.** The Code of Ordinances of the Town of Palm Beach is hereby amended at Chapter 82, Personnel; Article II, Employee Benefits; Division 2, Retirement System; Subdivision V. – General Employees and Lifeguards; by amending Section 82139 to read as follows:

Sec. 82-139. Deferred retirement option program for members of benefit group general and benefit group lifeguard.

\* \* \*

(b) Eligibility of member to participate in the DROP.

Retirement system members are eligible to elect participation in the DROP provided that they elect to retire as of a date certain and provided that:

(1) Election to participate may be made at any time following

the date on which the member first reaches normal retirement date or age as follows:

a. Members of benefit group general who were employed by the town and not participating in the DROP on May 1, 2012, shall be eligible to participate in the DROP upon attaining age 55 or upon completion of 30 years of credited service regardless of age. The benefit payable to such member shall be the frozen accrued benefit based on credited service prior to May 1, 2012. The accrued benefit based on credited service on and after May 1, 2012, shall

be payable to such member's DROP account, or directly to the member if DROP participation has ceased, upon attaining age 62.

b. Members of benefit group lifeguard who were employed by the town and not participating in the DROP on May 1, 2012, shall be eligible to participate in the DROP upon attaining age 50 or the date on which the member's age to last completed month plus credited service totals 65 years or more. The benefit payable to such member shall be the frozen accrued benefit based on credited service prior to May 1, 2012. The accrued benefit based on credited service on and after May 1, 2012, shall be payable to such member's DROP account, or directly to the member if DROP participation has ceased, upon attaining age 62.

c. Members of benefit group general and benefit group lifeguard hired on or after May 1, 2012, shall be eligible to participate in the DROP upon attaining age 62 with ~~ten~~ five or more years of credited service.

(c) Participation in the DROP.

(1) ~~Except as provided in subsection (c)(4) below, participation in the DROP may not exceed a maximum of 60 months. For those members who enter the DROP prior to June 1, 2024, the maximum DROP period is 60 months unless extended as provided in subsection (c)(4). For members who enter the DROP on or after June 1, 2024, the maximum DROP period is 96 months.~~

(2) Submission of required information. Upon electing to participate in the DROP, the member shall submit on forms required by the retirement system:

a. A written election to retire effective no more than ~~60~~ 96 months after entering participation in the DROP;

b. A written election to participate in the DROP;

c. An irrevocable resignation from service to the town and withdrawal from the DROP, both effective after no more than ~~60~~ 96 months participation in the DROP;

d. A properly completed DROP application for service retirement as provided in this section; and

e. Any other information required by the retirement system.

(3) Re-employed retirants. Re-employed retirants of the town's retirement system are not eligible to participate in DROP.

(4) Effective on and after January 1, 2019 until January 1, 2022, Members who are participating in the DROP may, if authorized by the town manager, extend their DROP participation for up to 36 months, in 12 month increments, beyond the 60 month maximum DROP participation period. Effective June 1, 2024, members who are participating in the DROP may extend their DROP participation for up to 36 months beyond the 60 month maximum DROP participation period. Members who seek to extend their DROP participation must submit, at least 30 days before the termination of the current DROP period, the following information ~~to the town manager~~ on forms provided by the town:

- a. A revised, written election to retire effective upon termination of the member's participation in the DROP;
- b. A written election to extend DROP participation, ~~approved and signed by the town manager;~~
- c. The maximum term of the extended DROP participation;
- d. The member's new DROP termination date;
- e. A revised, irrevocable resignation from service to the town and withdrawal from the DROP, effective on or before the end of the maximum DROP participation period as extended; and
- f. Any other information required by the retirement system.

The town manager's decision to authorize the extension of a member's DROP period ~~prior to January 1, 2022~~ shall be based on the operational needs of the town, and shall not be subject to grievance or other review. Extended DROP participation is not a guarantee of continued employment for any specified period. ~~DROP participants who have not been approved for the 36 month extended DROP participation period pursuant to this subsection (e)(4) by January 1, 2022 are not eligible for extended DROP.~~ All provisions of the DROP shall continue to apply during any period of extended DROP participation.

(d) Compensation for work performed while participating in the DROP. Starting pay shall be at the base pay rate in effect on the employee's last working day of employment, prior to participation in the DROP. Job performance will be evaluated under the town's pay for performance system, and performance pay increases will be permitted as established by town policy. General pay increases shall also be awarded, as approved by the town council and the town manager. ~~The base pay rate for DROP participants who are authorized by the Town Manager to extend DROP participation for up to 36 calendar months beyond the 60 month period shall be the rate of pay in effect at the end of 60 month DROP period; and that rate shall not be eligible~~

~~for performance pay increase, general pay increases approved by the town council, or future Longevity Pay or Longevity Bonuses.~~ Performance pay increases and general pay increases awarded to DROP participants will be reflected in their salary but will not be reflected in pension payments made to DROP accounts or made after DROP participation.

(1) Effective with the date of DROP participation, the member's initial normal monthly pension benefit, calculated in accordance with section 82-135 and based on creditable service and average final compensation and the effective date of retirement, shall be fixed. Retirement system amendments which become effective after the establishment date of participation in the DROP will not be applicable to the DROP participant, unless so stated by the amendment. The monthly pension benefit (minus any reduction as determined by the board of trustees as provided by subsection (h) of this section), cost of living adjustments, interest and earnings thereon, if any, shall accrue monthly in the retirement system or the individual investment account as applicable. Interest under the system investment method only shall accrue at an effective annual rate to be determined hereunder as set forth in subsection (h) of this section, and will be compounded monthly, on the prior month's accumulated ending balance, up to the month of termination of the DROP or death. Provided, however the monthly pension benefit payable to members of benefit group general or benefit group lifeguard who entered the DROP before May 1, 2012, or who were employed on that date and attained normal retirement based on credited service as of May 1, 2012, excluding credited service purchased pursuant to section 82-54, and who elect to become DROP participants shall be reduced by two percent to fund the probability of increased cost to the retirement system of members of such employment group electing to participate in DROP, which reduced amount shall thereafter be such participants' normal retirement or pension benefits, The monthly pension benefit payable to members of benefit group general or benefit group lifeguard who did not attain normal retirement based on credited service as of May 1, 2012, excluding credited service purchased pursuant to section 82-54, and who enter the DROP on or after May 1, 2012, shall not be reduced, The reduction in the DROP benefit provided in this paragraph will be reviewed by the board of trustees from time to time as other actuarial assumptions are reviewed and may be modified by the town council.

(2) The monthly pension benefits calculated upon entry into the DROP (minus any reduction as determined by the board of trustees as provided by subsection (h) of this section) and interest thereon, if any, shall continue to accrue in the DROP until the established termination date of the DROP, or until the DROP participant terminates employment or dies prior to such date, but not to exceed ~~60~~ 96 months.

(3) Except as otherwise provided in this subsection (d), employee benefits, other than benefits under the retirement system, which are normally granted to employees, will be provided to DROP participants. Such DROP participants are members of the retirement system.

(4) At the conclusion of the participant's DROP, any credits made to a DROP participant's account will cease. Membership in the DROP will automatically terminate ~~60~~ 96 months after the effective date of participation in the DROP, except as provided in subsections (c)(1) and (c)(4) above. DROP participants may elect to discontinue membership in the DROP at any time, provided a two-week written notice of termination has been submitted to the plan administrator.

**Section 10.** Severability.

If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are hereby declared severable.

**Section 11.** Repeal of Ordinances in Conflict.

All other ordinances of the Town of Palm Beach, Florida, or parts thereof which conflict with this or any part of this Ordinance are hereby repealed.

**Section 12.** Codification.

This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach.

**Section 13.** Effective Date.

This Ordinance shall take effect immediately upon its passage and approval, as provided by law.

**PASSED AND ADOPTED** in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this 9<sup>th</sup> day of April, 2024, and for second and final reading on this 14th day of May, 2024.

\_\_\_\_\_  
Danielle H. Moore, Mayor

\_\_\_\_\_  
Bobbie D. Lindsay, Town Council President

\_\_\_\_\_  
Lewis S.W. Crampton, Council President Pro Tem

\_\_\_\_\_  
Julie Araskog, Town Council Member

ATTEST:

\_\_\_\_\_  
Edward A. Cooney, Town Council Member

\_\_\_\_\_  
Kelly Churney, Acting Town Clerk

\_\_\_\_\_  
Bridget Moran, Town Council Member