

ORDINANCE NO. 13-2003

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA CREATING A TRUST FUND FOR THE PURPOSE OF PAYING PENSION, DISABILITY AND SURVIVOR BENEFITS FOR RETIREES OF THE LAKE PARK POLICE PENSION FUND; CREATING A TRUST FUND AS PART OF THE PLAN; PROVIDING FOR AN ORDERLY TRANSFER OF FUNDS TO THE FUND; PROVIDING FOR THE ESTABLISHMENT OF A BOARD OF TRUSTEES; PROVIDING A SAVINGS CLAUSE; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Lake Park previously established a pension plan, known as the Town of Lake Park Police Pension Plan ("Predecessor Plan") for the benefit of police officers who have retired from the Town on a service or disability pension and their survivors; and

WHEREAS, effective November 20, 2002, the Town Commission terminated the Predecessor Plan because all of the active Predecessor Plan members had terminated employment; and

WHEREAS, there are seven remaining service and disability retirees entitled to pension and survivor benefits;

WHEREAS, the new plan is to be known as The Town of Lake Park Retired Police Officers' Trust Fund ("Plan"); and

WHEREAS, the Town Commission and administration, and members of the Police Department upon extensive examination of the proposed Town of Lake Park Police Officers Pension Plan are desirous of adopting a new Plan.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE

TOWN OF LAKE PARK, FLORIDA, AS FOLLOWS:

Section 1. All of the wherefore clauses set forth above are incorporated as if fully set forth herein

Section 2. Retirement System created
The Town of Lake Park Retired Police Officers' Trust Fund is hereby created for the purpose of providing retirement income to police officers retired from the Town of Lake Park on service and disability retirements, certain former police officers and survivor income to beneficiaries.

Section 3. Definitions.
As used herein unless otherwise defined or required by the context, the following words and phrases shall have the meaning indicated:

1. Accrued Benefit means the retirement benefit payable from the Plan. For purposes of computing this normal retirement benefit, the Member's Credited Service and Average Monthly Earnings as of the date of determination shall be used.
2. Accumulated Contributions means a Member's own contributions plus interest credited thereto, if any, by the Board.
3. Actuarial Equivalence or Actuarially Equivalent means that any benefit payable under the terms of this Plan in a Form other than the normal form of benefit shall have the same actuarial present value on the date payment commences as the normal form of benefit. For purposes of establishing the actuarial present value of any form of payment, other than a lump sum distribution, all future payments shall be discounted for interest and mortality by using 7% interest and the 1983 Group Annuity Mortality Table for Males, with ages set ahead five years in the case of

disability retirees.

4. Average Monthly Earnings means one-sixtieth (1/60th) of Earnings of a Member during the five consecutive years of his employment, within the last ten (10) years of his employment, which is greater than the total during any other five consecutive years during said ten (10) year period provided that if a Member shall have been employed for fewer than five years, such average shall be taken over the period of actual employment.
5. Beneficiary means the person or persons entitled to receive benefits hereunder at the death of a Member who has or have been designated in writing by the Member and filed with the Board. If no such designation is in effect at the time of death of the member, or if no person so designated is living at that time, the Beneficiary shall be the estate of the Member.
6. Board means the Board of Trustees, which shall administer and manage the Plan herein provided and serve as Trustee of the Fund.
7. Credited Service means the total number of years and fractional parts of years of service of employment of any police officer, omitting intervening years and fractional parts of years, when such police officer was not employed by the Town. No member shall receive credit for years or fractional parts of years of service for which the member has withdrawn his or her contributions to the fund.
8. Earnings means a Member's total cash compensation from the Town, exclusive of any lump sum payments for unused sick or vacation time, which compensation is subject to tax for Social Security benefits without regard to the dollar limitation on

such compensation subject to F.I.C.A. taxes.

9. Effective Date means the date on which this Ordinance and Plan became effective.
10. Fund means the Trust Fund established herein as part of the Plan.
11. Member means a Police Officer who has fulfilled the prescribed participation requirements.
12. Normal Retirement Date means for each Member the first day of the month coincident with or next following the earlier of:
 - (a) The completion of twenty (20) years of Credited Service, or
 - (b) The attainment of his sixtieth (60th) birthday and the completion of ten (10) years of Credited Service.

A Member may retire on this Normal Retirement Date or on the first day of any month thereafter. A former member who is entitled to a vested deferred retirement may retire on the date on which he or she would otherwise be eligible to retire.

13. Ordinance means this written instrument setting forth the provisions of the Pension Plan.
14. Plan means the Town of Lake Park Police Officers Pension Plan as contained herein and all amendments thereto.
15. Plan Year means each year commencing on October 1 and ending on September 30.
16. Police Officer shall mean any person who is elected, appointed, or employed full-time by the Town, who is certified or required to be certified as a law enforcement officer in compliance with §943.14, Florida Statutes, who is vested with authority to bear arms and make arrests, and whose primary responsibility is the prevention and