

ORDINANCE NO. 01-26

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING TITLE III, "ADMINISTRATION," CHAPTER 33 "POLICE AND FIRE-RESCUE DEPARTMENTS", OF THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH, FLORIDA, BY AMENDING SECTION 33.74, "DEFINITIONS", TO IMPLEMENT PENSION CHANGES CONTAINED IN THE 2023-2026 COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY AND THE PROFESSIONAL FIRE FIGHTERS OF DELRAY BEACH LOCAL 1842, IAFF, INC.; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

WHEREAS, the City of Delray Beach negotiated a collective bargaining agreement with the Professional Fire Fighters of Delray Beach Local 1842, IAFF, Inc. ("Union") for the period October 1, 2023 through September 30, 2026; and

WHEREAS, the collective bargaining agreement provides certain modifications to the City of Delray Beach Firefighters' Retirement System; and

WHEREAS, to implement the modifications to the Firefighters' Retirement System, it is necessary to adopt an ordinance amending the City's Code of Ordinances.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. The recitations set forth above are incorporated herein.

Section 2. Title III, "Administration," Chapter 33, "Police and Fire-Rescue Departments", Section 33.74, "Definitions", of the Code of Ordinances of the City of Delray Beach, Florida, is hereby amended to read as follows:

**Sec. 33.74. – DEFINITIONS.**

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

[...]

*Earnings.* Earnings shall mean base wages paid to the member, including state education compensation and fire career education compensation but excluding overtime, bonuses, and any other payments. Pursuant to the terms of the collective bargaining agreement between the City and the

firefighters' union, earnings shall also include EMS Supervisor Pay, EMT certification pay, base salary adjustments for members working a 40-hour work week, paramedic certification pay, and holiday pay.

[...]

Section 3. All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

Section 4. Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence, or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part thereof other than the part declared to be invalid.

Section 5. Specific authority is hereby given to the City Clerk to codify this Ordinance.

Section 6. This Ordinance shall become effective immediately upon its passage on second and final reading.

PASSED AND ADOPTED in regular session on second and final reading on this the \_\_\_\_\_ day of \_\_\_\_\_, 2026.

ATTEST:

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Alexis Givings, City Clerk

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Thomas F. Carney, Jr., Mayor

First Reading \_\_\_\_\_

Second Reading \_\_\_\_\_

Approved as to form and legal sufficiency:

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Lynn Gelin, City Attorney