

**SUPPLEMENTAL RETIREMENT PLAN AND TRUST FOR THE  
MANAGEMENT EMPLOYEES OF  
THE CITY OF PANAMA CITY  
Summary Plan Description**

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**Plan Trustee**

Florida Municipal Pension Trust Fund

**Plan Administrator**

Florida League of Cities, Inc.  
P.O. Box 1757  
Tallahassee, FL 32302-1757

**Plan**

The Plan represents the Panama City's Supplemental Pension for Designated Management Employees.

**Agent for Legal Process**

City Attorney

**Effective Date**

10/1/2003

**Plan Anniversary Date**

October 1 each year

**Plan Year**

Fiscal Year: Twelve-month period beginning 10/01 and ending 09/30.

**Eligibility**

Employees shall become participants in the plan effective immediately when hired into certain categories:

Category I - All general employees with a Paygrade classification of 24 or higher, except Police Department personnel and Fire Department Personnel

Category II – City Commissioners, Assistant City Manager and City Clerk

Effective 5/26/2015, the Assistant City Manager position will maintain an option of participating.

Category III – City Manager

**Salary**

Base annual compensation effective October 1 of each fiscal year.

**Credited Service**

Total number of years and fractional parts of years of service as measured from date of entrance into the category listed above.

**Final Average Compensation**

One-twelfth of the highest average earnings during the five best years out of the last ten years.

**Normal Form of Annuity**

The normal form of annuity payments is a single life annuity.

**Normal Retirement Date**

Category I                      The first day of the month coincident with, or next following attainment of age fifty-nine (59) with ten (10) years of credited service.

Category II & III              The first day of the month coincident with, or next following attainment of age fifty-nine (59) with six (6) years of credited service.

**Normal Retirement Benefit**

Category I & II              The greater of an accrued benefit of 1% of average final compensation times credited service or a minimum benefit of \$50 per month for each year of service up to a maximum of 20 years of service paid for the member's lifetime ceasing upon death.

Category III                  The greater of an accrued benefit of 1% of average final compensation times credited service or a minimum benefit of \$100 per month for each year of service up to a maximum of 10 years of service paid for the member's lifetime ceasing upon death.

## **Early Retirement**

N/A

## **Death Benefits**

In the event that a Member dies after he is vested, but prior to the commencement of supplemental retirement benefit payments, the designated beneficiary will receive a lump sum refund of the Member's Accumulated Contributions without interest.

Payments to a Member's beneficiary will be made according to the payment method elected by the Member. Regardless of the method of payment chosen, the amount of benefits payable on the Member's behalf will at least be equal to the amount of the Member's contributions to the plan without interest.

## **Termination of Employment and Vesting**

If a Member terminates his employment as a General Employee, either voluntarily or by discharge, and is not eligible for any other benefits under this System, the Member shall be entitled to the following:

1. If the Member is not yet vested pursuant to the vesting schedule, the Member shall be entitled to a refund of his Accumulated Contributions without interest or the Member may leave it deposited with the Fund.
2. If the Member is vested pursuant to the vesting schedule, the Member shall be entitled to a monthly retirement benefit, determined in the same manner as for normal retirement and based upon the member's Credited Service, Average Final Compensation and the benefit accrual rate as of the date of termination, payable to him upon the attainment of age 59, provided he does not elect to withdraw his Accumulated Contributions and provided the Member survives to age 59. If the Member does not withdraw his Accumulated Contributions and does not survive to age 59, his designated Beneficiary shall be entitled to a lump sum refund of the Member's Accumulated Contributions without interest.
3. Vesting Schedule:
  - a. Category I General Employee Members:

i. 5 or less years of Credited Service	0%
ii. 6 years of Credited Service	60%
iii. 7 years of Credited Service	70%
iv. 8 years of Credited Service	80%
v. 9 years of Credited Service	90%
vi. 10 years of Credited Service	100%
  - b. Category II and Category III General Employee Members:

i. Less than 6 years	0%
ii. 6 or more years	100%

## **Employee Contributions**

Members of the Plan shall be required to make regular contributions to the Fund in the amount of 4.5% of their salary on a pre-tax basis.

## **Cost of Living Adjustment (COLA)**

All Category I Retirees who attain fifteen (15) or more continuous years of Credited Service and/or Previous Service Credit and all Category II and Category III Retirees who attain a total of ten (10) or more continuous years of Credited Service and/or Previous Service Credit, will receive on the first January 1<sup>st</sup> following one (1) full year of Retirement, and each January 1<sup>st</sup> thereafter, a two percent (2%) cost-of-living adjustment.

## **Forfeiture of Pension**

Any Participant who is convicted of the any of the following offenses committed prior to retirement, or whose employment is terminated by reason of his admitted commission, aid or abetment of the following specified offenses, shall forfeit all rights and benefits under this Fund, except for the return of his accumulated contributions as of the date of termination.

- (A) Specified offenses are as follows:
  - (1) The committing, aiding or abetting of an embezzlement of public funds;
  - (2) the committing, aiding or abetting of any theft by a public officer or employee from employer;
  - (3) bribery in connection with the employment of a public officer or employee;
  - (4) any felony specified in Chapter 838, Florida Statutes;
  - (5) the committing of an impeachable offense.
- (B) The committing of any felony by a public officer or employee who willfully and with intent to defraud the public or the public agency, for which he acts or in which he is employed, of the right to receive the faithful performance of his duty as

a public officer or employee, realizes or obtains or attempts to obtain a profit, gain, or advantage for himself or for some other person through the use or attempted use of the power, rights, privileges, duties or position of his public office or employment position.

- (1) Conviction shall be defined as follows: An adjudication of guilt by a court of competent jurisdiction; a plea of guilty or a nolo contendere; a jury verdict of guilty when adjudication of guilt is withheld and the accused is placed on probation; or a conviction by the Senate of an impeachable offense.
- (2) Court shall be defined as follows: Any state or federal court of competent jurisdiction which is exercising its jurisdiction to consider a proceeding involving the alleged commission of a specified offense. Prior to forfeiture, the Board shall hold a hearing on which notice shall be given to the Participant whose benefits are being considered for forfeiture. Said Participant shall be afforded the right to have an attorney present. No formal rules of evidence shall apply, but the Participant shall be afforded a full opportunity to present his case against forfeiture.

Any Participant who has received benefits from the Plan in excess of his accumulated contributions after Participant's rights were forfeited pursuant to this section shall be required to pay back to the Fund the amount of the benefits received in excess of his accumulated contributions. The Board may implement all legal action necessary to recover such funds.

**Source of Financing Plan**

The Plan is funded through contributions made by the City and the participating members.

**Applicable Regulations Governing Establishment, Operation and Administration of the Plan**

Chapter 112, Part VII, Florida Statutes; Chapter 60T-1, FAC, Internal Revenue Code.

**Board of Trustees**

Tim Prather  
Henry Hooks  
Chris Moser, Chair  
Mike Johnson  
Brandy Waldron

**Mailing Address for Board of Trustees:**

City of Panama City  
P.O. Box 1880  
Panama City, FL 32402

**The following documents are attached:**

1. Claims procedures
2. Report of actuarial summary