

RESOLUTION NO. 20-184

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING MEMBERSHIP IN THE FLORIDA RETIREMENT SYSTEM ELECTED OFFICERS CLASS FOR ELECTED OFFICIALS OF THE CITY, AND PROVIDING FOR SEVERABILITY, RESCISSION OF CONFLICTING RESOLUTION PROVISIONS, AND AN EFFECTIVE DATE.

WHEREAS, by separate Resolution, the City Commission has determined that it is in the best interest of the City and its general employees for all city employees other than police officers and firefighters (collectively known as "general employees") to join the Florida Retirement System on January 1, 2021, or soon thereafter as administratively feasible; and

WHEREAS, the City Commission of the City of Fort Lauderdale has determined that it is in the best interest of the City and its Mayor and City Commissioners (collectively known as "elected officials") to join the Florida Retirement System Elected Officers' Class for its elected officials; and

WHEREAS, by Resolution No. 19-117, adopted on June 18, 2019, the City Commission resolved that, "in the event the City of Fort Lauderdale participates in the Florida Retirement System, such participation will encompass the Mayor and City Commissioners of the next City Commission following the November 3, 2020, election"; and

WHEREAS, the City Commission has determined that it is consistent with the policy and purpose of the City to extend to the City's elected officials, not excluded by law, the benefits of the Florida Retirement System, on the basis of applicable State laws and amendments thereto, and rules and regulations, and hereby authorize and direct the City Manager to execute agreements thereto with the Florida Department of Management Services, for coverage of said elected officials under the Florida Retirement System. This agreement provides for the withholding from salaries and wages of the elected officials of the City of Fort Lauderdale so covered to be made and paid over as provided by applicable State laws or regulations and further provides that the City shall appropriate and pay over employer contributions and assessments as provided by applicable State laws or regulations and shall keep records and make reports as required by applicable State laws or regulations.; and

WHEREAS, the City's decision to join FRS is irrevocable unless the state legislature allows such revocation in the future;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, THAT:

SECTION 1. The foregoing "Whereas" clauses are confirmed as true and incorporated herein.

SECTION 2. It is hereby declared to be the policy and purpose of the City of Fort Lauderdale, Florida, that its elected officials except those excluded by law, shall participate in the Florida Retirement System Elected Officers' Class as authorized by Chapter 121, Florida Statutes, effective January 1, 2021, or upon the seating of the City Commission following the November 3, 2020, City of Fort Lauderdale municipal election, if later; or as soon thereafter as administratively feasible. All then elected officials who elect to participate in the Florida Retirement System shall become members of the Florida Retirement System Elected Officers' Class, and all future elected officials of the City except those excluded by law shall be compulsory members of the Florida Retirement System Elected Officers' Class beginning on the date that they take office. As members of the FRS Elected Officers' Class, each elected officer will be able to opt-out of FRS entirely, or make other elections within FRS, within a specified period after assuming office.

SECTION 3. The City Manager is hereby authorized and directed to execute all necessary agreements and amendments thereto with the Administrator of the Florida Retirement System for the purpose of extending the benefits provided by the Florida Retirement System to the elected officials of the City of Fort Lauderdale, which agreement shall provide for such methods of administration of the plan by said City of Fort Lauderdale as are found by the Administrator of the Florida Retirement System to be necessary and proper, and shall be effective with respect to any period of elected office covered by such agreement on and after the effective date set forth in Section 2 of this Resolution.

SECTION 4. Withholding from salaries, wages, or other compensation of elected officials for the purposes provided in Section 2 hereof are hereby authorized to be made, and shall be made, in the amounts and at such times as may be required by applicable State laws or regulations, and shall be paid over to the Administrator designated by said laws or regulations to receive such amounts.

SECTION 5. There shall be appropriated from available City funds, derived from City taxes, charges for services, and other revenues, such amounts and at such times as may be required to pay promptly the contributions and assessments required of the City, by applicable State laws or regulations, which shall be paid over to the lawfully designated Administrator of the Florida Retirement System at the times and in the manner provided by law and regulation.

SECTION 6. The City shall keep such records and make such reports as may be required by applicable State laws or regulations, and shall adhere to all laws and regulations relating to the Florida Retirement System.

SECTION 7. The City does hereby adopt the terms, conditions, requirements, reservations, benefits, privileges, and other conditions thereunto appertaining, of the Florida Retirement System, for and on behalf of all elected officials of the City to be covered under the agreement.

SECTION 8. The Finance Director of the City of Fort Lauderdale is hereby designated the custodian of all sums withheld from the compensation of the elected officials as authorized herein and of the appropriated funds for the employer's contributions as provided in Section 5 hereof. The Finance Director is further designated the withholding and reporting agent and charged with the duty of maintaining records for the purpose of implementing this Resolution.

SECTION 9. A copy of this Resolution fully executed as in original, duly attested by the City Clerk, shall be furnished to the Administrator of the Florida Retirement System.

SECTION 10. All resolutions or parts of resolutions in conflict herewith are hereby rescinded to the extent of such conflict.

SECTION 11. If any clause, section, or other part of this Resolution shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Resolution shall not be affected thereby, but shall remain in full force and effect.

SECTION 12. This Resolution shall take effect immediately upon its passage and adoption.

ADOPTED this 6th day of October, 2020.



Mayor
DEAN J. TRANTALIS

ATTEST:



City Clerk
JEFFREY A. MODARELLI