

**RESOLUTION NUMBER 71-20**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AN AGREEMENT WITH THE DEPARTMENT OF MANAGEMENT SERVICES, DIVISION OF RETIREMENT, OF THE STATE OF FLORIDA, ENROLLING CURRENT AND NEW SWORN POLICE PERSONNEL INTO THE FLORIDA RETIREMENT SYSTEM; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE SAID AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the policy and purposes of the City of Riviera Beach, Florida (“the City”), extend to the Police Officers of the City, 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, authorizing and directing the mayor and city clerk to execute agreements thereto with the Department of Management Services, for coverage of said Police Officers of the City; and

**WHEREAS**, the City determines that Police Officers, as provided in Florida Law, shall join in the special risk class of the Florida Retirement System; and

**WHEREAS**, providing for withholding from salaries and wages of Police Officers of the City so covered to be made and paid over as provided by applicable State laws or regulations; and

**WHEREAS**, providing that the City shall appropriate and pay over employer’s contributions and assessments as provided by applicable State Laws or regulations; providing that the City shall keep records and make reports as required by applicable State Laws or regulations.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, as follows:**

**SECTION 1.** It is hereby declared to be the policy and purpose of the City of Rivera Beach, Florida (“the City”) that all its Police Officers except those excluded by law, shall participate in the Florida Retirement System as authorized by Chapter 121 of the Florida Statutes. All Police Officers newly employed or rehired on or after the effective date of the ordinance closing the City’s pension shall be compulsory members of the Florida Retirement System as of the effective date of participation in the Florida Retirement System so stated herein. Police Officers employed before the effective date of the ordinance closing the City’s pension plan may elect to continue participating in the City’s pension plan.

**SECTION 2.** The mayor and city clerk 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 Police Officers of the City as provided by Section 1 & 2 hereof, which agreement shall provide for such methods of administration of the plan by the City as are found by the Administrator of the Florida

Retirement System to be necessary and proper, and shall be effective with respect to any employment covered by such agreement for service performed on and after the 1<sup>st</sup> day of October, 2020.

**SECTION 3.** Withholding from salaries, wages, or other compensation of Police Officers for the purpose provided in Section 1 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 4.** There shall be appropriated from available funds derived from such amounts and at such times as may be required to pay promptly the contributions and assessments required of the City, as employer, 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 5.** 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 6.** 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 Police Officers of its departments and agencies to be covered under the agreement.

**SECTION 7.** The Director of Finance & Administrative Services of is hereby designated the custodian of all sums withheld from the compensation of Police Officers as authorized herein and of the appropriated funds for the employer's contributions as provided in Section 5 hereof. Also, the Director of Finance & Administrative Services is hereby designated the withholding and reporting agent and charged with the duty of maintaining records for the purpose of this resolution.

**SECTION 8.** That the City Council accepts staff's recommendation and authorizes the Police Officers' enrollment into the Florida Retirement System.

**SECTION 9.** This Resolution shall take effect immediately upon its passage and approval by City Council.

**PASSED AND APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2020.**

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**APPROVED:**

\_\_\_\_\_  
**RONNIE L. FELDER**  
**MAYOR**

\_\_\_\_\_  
**JULIA A. BOTEL, Ed.D**  
**CHAIRPERSON**

**ATTEST:**

\_\_\_\_\_  
**CLAUDENE L. ANTHONY,**  
**CERTIFIED MUNICIPAL CLERK**  
**CITY CLERK**

\_\_\_\_\_  
**DOUGLAS A. LAWSON**  
**CHAIR PRO TEM**

\_\_\_\_\_  
**TRADRICK MCCOY**  
**COUNCILPERSON**

\_\_\_\_\_  
**KASHAMBA MILLER-ANDERSON**  
**COUNCILPERSON**

\_\_\_\_\_  
**SHIRLEY D. LANIER**  
**COUNCILPERSON**

**MOTIONED BY:** \_\_\_\_\_

**REVIEWED AS TO LEGAL SUFFICIENCY**

**SECONDED BY:** \_\_\_\_\_

\_\_\_\_\_  
**DAWN S. WYNN, CITY ATTORNEY**

**T. MCCOY:** \_\_\_\_\_

\_\_\_\_\_  
**Date**

**K. MILLER-ANDERSON:** \_\_\_\_\_

**S. LANIER:** \_\_\_\_\_

**J. BOTEL:** \_\_\_\_\_

**D. LAWSON:** \_\_\_\_\_