

CITY OF MARGATE, FLORIDA

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF MARGATE, FLORIDA,
PROVIDING FOR RETIREMENT PLAN CONTRIBUTIONS
FOR CITY COMMISSIONERS INCLUDING
CONTRIBUTIONS TO A SEPARATE RETIREMENT
ACCOUNT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Margate finds that, on occasion, current and future City Commissioners may receive a lower contribution rate than the Elected Officials Contribution (EOC) rate provided by the Florida Retirement System (FRS) due to retiring from a different FRS covered position; and

WHEREAS, as a result of retiring from a different FRS covered position, current and future City Commissioners may not be entitled to receive the same retirement benefit afforded to other City Commissioners due to the provisions of the applicable Florida Statutes related to the operation of the FRS; and

WHEREAS, the City Commission desires to ensure that all City Commissioners from this point forward receive equal opportunity to receive retirement benefits through either the FRS or other available pension plan; and

WHEREAS, City of Margate Charter Section 3.06 provides that the Commission may determine the annual salary of Commissioners provided it does so by ordinance or resolution effective coincident with and at the time of the adoption of the next City budget; and

WHEREAS, the City Commission has interpreted the phrase "the

next City budget" as contained in Charter Section 3.06 to include the annual adoption of the City budget as well as the adoption of any subsequent budget amendment by the City Commission; and

WHEREAS, the City Commission, through the adoption of this Resolution desires to authorize retirement benefits for those City Commissioners who would otherwise, pursuant to state law, be precluded from receiving such benefits; and

WHEREAS, the City Commission finds that this Resolution serves both a municipal and public purpose, and is in the best interest of the City of Margate.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF MARGATE, FLORIDA:

SECTION 1: The above recitals are true and correct and incorporated herein by reference.

SECTION 2: That the City Commission authorizes and directs the City Manager and City Administration to take all steps necessary to implement separate retirement accounts and benefits for any current or future City Commissioner that receives an FRS contribution rate that is less than the FRS EOC rate.

SECTION 3: That the City Commission authorizes the City Administration to fund the aforementioned separate retirement accounts with the difference between a lower FRS contribution rate received by a City Commissioner and the FRS EOC rate for Margate City Commissioners. Funding for the separate retirement accounts

in fiscal year 2022 shall be provided for in the next budget amendment.

SECTION 4: This Resolution shall become effective immediately upon its passage.

PASSED, ADOPTED AND APPROVED THIS _____ day of _____, 2021.

ATTEST:

JOSEPH J. KAVANAGH
CITY CLERK

ANTONIO V. ARSERIO
MAYOR

RECORD OF VOTE

Caggiano _____
Simone _____
Ruzzano _____
Arserio _____
Schwartz _____