

Ordinance 2020-25

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA, AMENDING CHAPTER 66, PENSIONS AND RETIREMENT, ARTICLE II, GENERAL EMPLOYEES' RETIREMENT SYSTEM, DIVISION 1, GENERALLY, OF THE CODE OF ORDINANCES OF THE CITY OF ST. PETE BEACH; AMENDING SECTION 66-27, MEMBERSHIP; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HERewith, TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA, HEREBY ORDAINS:

SECTION 1. Chapter 66, Pensions and Retirement, Article II, General Employees' Retirement System, Division 1, Generally, of the Code of Ordinances of the City of St. Pete Beach, is hereby amended to read as follows:

Sec. 66-27. - Membership.

(a) Conditions of eligibility. Conditions of eligibility of members in the general employees' retirement system shall be as follows:

(1) All members of the system on September 2, 1992 shall continue participating under this article. Beginning October 1, 1992, all current and future new general employees shall become members of this system as a condition of employment unless they are employed as the city manager or as "department directors," or "MAPS employees" as defined in the City [of] St. Pete Beach Personnel Rules and Regulations Manual, and they elect not to participate, pursuant to subsections (1) and (2) below. Effective October 1, 2020, City employees hired after that date who are employed as city manager, positions characterized as "department directors" or "MAPS employees" as defined in the City of St. Pete Beach Personnel Rules and Regulations Manual are not eligible for membership in this plan but shall become eligible for the City's deferred compensation plan under Internal Revenue Code section 457(b).

(2) Effective October 1, 1992 through September 30, 2020, employees in positions characterized as "department directors" were entitled to, upon employment, notify the board and the city, in writing, of their election to not be a member of the system. This election was

is an irrevocable, one-time election. Current employees of the city are not eligible for the opt-out provided for herein. In the event of any such election, they shall be barred from future membership in the system, and they shall become eligible for the city's deferred compensation plan under Internal Revenue Code section 457(b). Contributions to the plan in accordance with section 66-69 shall not be required, they shall not be eligible to be elected as a member trustee on the board or vote for a member trustee, and they shall not be eligible for any other benefits from the plan.

(3) Effective October 1, 1992 through September 30, 2020, employees in positions classified in the St. Pete Beach Personnel Rules and Regulations Manual as "managerial," "administrative," "professional," or "supervisory" (commonly referred to as "MAPS employees") were entitled to, upon employment, notify the board and the city, in writing of their election to opt out of participation in this plan. This election was an irrevocable, one-time election. Current employees of the city are not eligible for the opt-out provided for herein. In the event of any such election, he shall be barred from future membership in the system. Contributions to the plan in accordance with section 66-69 shall not be required, he shall not be eligible to be elected as a member trustee on the board or vote for a member trustee, and he shall not be eligible for any other benefits from the plan.

- SECTION 2. Conflicts. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed to the extent of any conflict with the Ordinance.
- SECTION 3. Severability. The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid, unlawful, or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding of any part.
- SECTION 4. Construction. This Ordinance is to be liberally construed to accomplish its objectives.
- SECTION 5. Publication. This Ordinance shall be published in accordance with the requirements of law.
- SECTION 6. Effective Date. This Ordinance shall become effective immediately upon its passage and adoption.

FIRST READING: November 17, 2020
PUBLISHED: November 18, 2020
SECOND READING: December 1, 2020
PUBLIC HEARING: December 1, 2020

CITY COMMISSION, CITY OF ST. PETE
BEACH, FLORIDA.



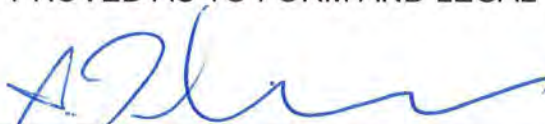
Alan Johnson, Mayor

I, Amber LaRowe, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of applicable law this **1st** day of **December**, 2020.



Amber LaRowe, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



Andrew Dickman, City Attorney

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(2) Notwithstanding paragraph (1) above, Effective October 1, 1992 through September 30, 2020, employees in positions characterized as "department directors" were entitled to may, upon employment, notify the board and the city, in writing, of their election

to not be a member of the system. This election was is an irrevocable, one-time election. Current employees of the city are not eligible for the opt-out provided for herein. In the event of any such election, they shall be barred from future membership in the system, and they shall become eligible for the city's deferred compensation plan under Internal Revenue Code section 457(b). Contributions to the plan in accordance with section 66-69 shall not be required, they shall not be eligible to be elected as a member trustee on the board or vote for a member trustee, and they shall not be eligible for any other benefits from the plan.

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FIRST READING: _____
PUBLISHED: _____
SECOND READING: _____
PUBLIC HEARING: _____

CITY COMMISSION, CITY OF ST. PETE
BEACH, FLORIDA.

Alan Johnson, Mayor

I, Amber LaRowe, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of applicable law this _____ day of _____, 2020.

Amber LaRowe, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Andrew Dickman, City Attorney