

STATE Town of Highland Beach AGREEMENT NO. _____

The Department of Management Services, Division of Retirement, of the State of Florida, under the authority of Chapter 121, Florida Statutes, and Town of Highland Beach of the State of Florida, in order to extend to Firefighters of said Town of Highland Beach (except such as are hereinafter excluded) the benefits of the Florida Retirement System established by Chapter 121, Florida Statutes, hereby agree as follows:

1. Definitions:

For the purpose of the Agreement -

(a) The definitions, words and phrases as set out in Section 121.021, Florida Statutes, shall have the respective meanings set forth therein.

2. Services Covered:

The agreement includes and covers all services performed by Firefighters of this Town of Highland Beach except any service, position, employee, or official excluded by Chapter 121, Florida Statutes, the rules and regulations of the Florida Retirement System, or resolution/ordinance No. _____ adopted by the Town of Highland Beach on the 7th day of February 2023. The Florida Retirement System is not responsible for nor does it assume any local retirement plan liabilities.

3. Contributions by Employees:

The Town of Highland Beach agrees to impose upon its employees covered by this Agreement the required contributions with respect to wages if such services constituted employment within the meaning of Chapter 121, Florida Statutes, and to deduct the amount of such required contributions from the wages as and when paid. Contributions so collected shall be paid to the Administrator of the Florida Retirement System in partial discharge of the liability of said Town of Highland Beach, said payments to be made in accordance with rules and regulations relating to the Florida Retirement System. It is agreed and understood that the failure of said to deduct such contributions shall not relieve it of liability therefore.

4. Contributions by the Town of Highland Beach:

(a) The Town of Highland Beach represents that it has duly and legally adopted, and that there is now in full force and effect, a resolution/ordinance requiring an appropriation from available funds in its general or special funds derived from ad valorem tax or other sources, which shall be in an amount not less than the sums withheld as the contributions of employees covered by the Agreement, the sum to equal the total amount due from said Town of Highland Beach (employer's and employee's contributions) under applicable provisions of Chapter 121, Florida Statutes.

(b) As assurance of its ability to pay its share of the contributions which will become due and payable to the Administrator under the terms of this Agreement and as assurance that said contributions will be adequate, the Town of Highland Beach hereby obligates itself to maintain, and represents that at all times hereafter there will be maintained, in the appropriation provided in paragraph 4.(a), above, a sum fully sufficient to pay its share of the contributions: and that same (together with contributions deducted from salaries, wages, etc., of employees) will be paid promptly when due.

5. Reports-Compliance and Regulations:

The Town of Highland Beach agrees that it will make such reports, in such form and containing such information, as the Administrator may require. The Town of Highland Beach further agrees that it will comply with all provisions of Chapter 121, Florida Statutes, and with all rules and regulations adopted and promulgated by the Administrator of the Florida Retirement System necessary to carry out the purposes of Chapter 121, Florida Statutes. It is further understood and agreed that late payments come under provisions of Section 121.061, paragraphs (2) (a), (b) and (c), Florida Statutes.

6. Termination:

Once this agreement is made and approved it may not be revoked and all present Firefighters electing coverage under this agreement and all future Firefighters shall be compulsory members of the Florida Retirement System.

7. Past Service of Covered Group:

The Town of Highland Beach hereby elects and agrees to provide benefits for past service from 09/01/2022 to 02/28/2023, for its Firefighters covered by the Agreement, who were in its employ on 09/01/2022, in accordance with provisions of Chapter 121, Florida Statutes.

The cost to purchase past service credit is estimated to be \$21,493.20 which the Town of Highland Beach agrees to pay in the following manner: lump sum upon execution of the Agreement. It is further agreed that if an application for retirement benefits or a request for refund is received based in part on past service years, that the total amount of payments for past service credit to be refunded to said employee, shall be made from the payments made by said Town of Highland Beach and if the payments of the Town of Highland Beach are insufficient at the time said benefits or refunds are requested or are due to be paid, the Town of Highland Beach will be required to make an additional payment sufficient to meet these demands prior to the processing of the request or warrant. This will be applicable until the total past service liability has been paid in full. It is understood and agreed that the above described method for liquidating past service liability of the Town of Highland Beach does not preclude payment in part or in full of any amounts prior to the scheduled due dates. The Town of Highland Beach by making this election shall have no right at any time in the future to purchase additional past service credit for its Firefighters. Such statement of intent shall be binding and irrevocable effective with the date of coverage in the Florida Retirement System.

Clerk
(SEAL)

Town of Highland Beach

By _____
Title: _____

This Agreement shall be effective as of the ____ day of _____, 20__.

Approved this ____ day of _____ 20__.

Director of the Division of Retirement