

## **ORDINANCE 2023-24**

**AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, REINSTATING THE CITY'S MEMBERSHIP IN THE FLORIDA RETIREMENT SYSTEM; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on the 10<sup>th</sup> day of July, 1973, the City of Madeira Beach established membership in the Florida Retirement System; and

**WHEREAS**, on the 5<sup>th</sup> day of December, 1995, the City of Madeira Beach revoked its membership in the Florida Retirement System; and

**WHEREAS**, the City of Madeira Beach wishes to reinstate its membership in the Florida Retirement System; and

**WHEREAS**, pursuant to the Laws of Florida, the City of Madeira Beach declares as its policy and purpose, the reinstatement of election to participate in the Florida Retirement System for all employees and officers hired on or after October 1, 2023; and

**WHEREAS**, all General Employees of the City of Madeira Beach who were participants in the Florida Retirement System before January 1, 1996, remained as participants in the system for as long as they were employees or officers of the City of Madeira Beach, and all rights, duties, and obligation of the City of Madeira Beach, the system, and the employees and officers remained in effect; and

**WHEREAS**, all General Employees who are hired or who take office on or after October 1, 2023, shall participate in the Florida Retirement System, and the City of Madeira Beach has obligations to the system with respect to such employees and officers; and

**WHEREAS**, it is the intent of the City of Madeira Beach to reinstate its membership with the Florida Retirement System for General Employees hired on or after January 1, 1996; and

**WHEREAS**, the recommendations for reinstatement of membership in the Florida Retirement System have been found meritorious by the Board of Commissioners; and

**WHEREAS**, the Board of Commissioners has received input from the public at two public hearings.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA, AS FOLLOWS:**

**Section 1.** It is hereby declared to be the policy and purpose of the City of Madeira Beach, Florida, to reinstate the election to participate in the Florida Retirement System for all employees and officers hired on or after October 1, 2023.

**Section 2.** It is hereby declared to be policy and purpose of the City of Madeira Beach, Florida, to reinstate its participation in the Florida Retirement System for all General Employees hired after January 1, 1996.

**Section 3.** This Ordinance shall remain in full force and effect until supplemented, amended, repealed or otherwise altered.

**Section 4.** Ordinances or parts of ordinances in conflict herewith to the extent that such conflict exists are hereby repealed.

**Section 5.** In the event a court of competent jurisdiction finds any part or provision of the Ordinance unconstitutional or unenforceable as a matter of law, the same shall be stricken and the remainder of the Ordinance shall continue in full force and effect.

**Section 6.** A copy of this Ordinance, fully executed and duly attested by the Secretary, shall be furnished to the Administrator of the Florida Retirement System.

**PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY  
OF MADEIRA BEACH, FLORIDA, THIS \_\_\_\_\_ day of \_\_\_\_\_, 2023.**

\_\_\_\_\_  
James "Jim" Rostek, Mayor

**ATTEST:**

\_\_\_\_\_  
Clara VanBlargan, MMC, MSM, City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Thomas J. Trask, City Attorney

PASSED ON FIRST READING: \_\_\_\_\_

PUBLISHED: \_\_\_\_\_

PASSED ON SECOND READING: \_\_\_\_\_