



# MEMORANDUM

Office of the City Attorney

Legistar No. 002121

Phone: 334-5011/Fax 334-2229  
Box 46

**TO:** Mayor and City Commission

**DATE:** February 11, 2002  
RESOLUTION

**FROM:** City Attorney

**SUBJECT:** Resolution relating to membership in the Florida Retirement System

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Recommendation: The City Commission adopt the proposed resolution.

At its meeting of November 13, 2001, the City Commission directed the City Attorney's Office to prepare the appropriate documents necessary to allow the Mayor and members of the City Commission to participate in the Elected Officers' Class in the Florida Retirement System. In order for the Mayor and members of the City Commission to participate in the Florida Retirement System, the City must commit to making contributions, executing agreements, and maintaining records, etc. associated with such participation. The attached Resolution is based upon a "model" form supplied by the Division of Retirement.

Prepared by:

Charles L. Hauck,  
Sr. Assistant City Attorney

Approved and  
Submitted by:

Marion J. Radson,  
City Attorney

MJR:PMC:sw



1           **Section 1.**     It is hereby declared to be the policy of the City of Gainesville,  
2 Alachua County, Florida, that all its elected officials, except those excluded by law, shall  
3 participate in the Florida Retirement System as authorized by Chapter 121, Florida  
4 Statutes.

5           All elected officials shall be compulsory members of the Florida Retirement  
6 System as of the effective date of participation in the Florida Retirement System so stated  
7 herein.

8           **Section 2.**     The City Manager is hereby authorized and directed to execute all  
9 necessary agreements and amendments thereto with the Administrator of the Florida  
10 Retirement System for the purpose of extending the benefits provided by the Florida  
11 Retirement System to the elected officials of this City of Gainesville as provided by  
12 Sections 1 and 2 hereof, which agreement shall provide for such methods of  
13 administration of the Plan by said City of Gainesville as are found by the Administrator  
14 of the Florida Retirement System to be necessary and proper, and shall be effective with  
15 respect to any service performed on and after March 1, 2002.

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17           **Section 3.**     Withholding from salaries, wages, or other compensation of  
18 elected officials for the purposes provided in Section 1 are hereby authorized to be made,  
19 and shall be made, in the amounts and at such times as may be required by applicable  
20 State laws or regulations, and shall be paid over to the Administrator designated by said  
21 laws or regulations to receive such amounts.

22

1           **Section 4.**     There shall be appropriated from available funds, derived from ad  
2 valorem taxes and other appropriate revenue sources such amounts and at such times as  
3 may be required to pay promptly the contributions and assessments required of the City  
4 of Gainesville, Alachua County, Florida, as employer, by applicable State laws or  
5 regulations, which shall be paid over to the lawfully designated Administrator of the  
6 Florida Retirement System at the times and in the manner provided by law and  
7 regulation.

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9           **Section 5.**     The City of Gainesville, Alachua County, Florida, shall keep such  
10 records and make such reports as may be required by applicable State laws or regulations,  
11 and shall adhere to all laws and regulations relating to the Florida Retirement System.

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13           **Section 6.**     The City of Gainesville, Alachua County, Florida, does hereby  
14 adopt the terms, conditions, requirements, reservations, benefits, privileges, and other  
15 conditions thereunto appertaining, of the Florida Retirement System, for and on behalf of  
16 all elected officials covered under the agreement.

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18           **Section 7.**     The City Manager of the City of Gainesville, Alachua County,  
19 Florida, is hereby designated the custodian of all sums withheld from the compensation  
20 of elected officials as authorized herein and of the appropriated funds for the employer's  
21 contributions as provided in Section 4 hereof. Also, the City Manager is hereby  
22 designated the withholding and reporting agent and charged with the duty of maintaining  
23 records for the purposes of this Resolution.

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**Section 8.** This Resolution shall take effect upon its approval and publication as required by law.

**PASSED AND ADOPTED this 11<sup>th</sup> day of February, 2002.**

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THOMAS D. BUSSING,  
MAYOR

ATTEST:

Approved as to Form and Legality:

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KURT M. LANNON,  
CLERK OF THE COMMISSION

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Marion J. Radson, City Attorney

