



Legislation Text

File #: 130122, **Version:** 2

GENERAL EMPLOYEE'S PENSION PLAN AMENDMENTS (B)

Ordinance No. 130122

An ordinance of the City of Gainesville, Florida, amending Chapter 2, Article VII, Division 5 (Employees Pension Plan) of the Code of Ordinances of the City of Gainesville, for federal tax compliance purposes and to amend the investment authority of the board of trustees; amending Section 2-521, Definitions; amending Section 2-522, Establishment of system; amending Section 2-523, Membership and service; amending Section 2-524, Contributions and funding; amending Section 2-526, Benefits; amending Section 2-527, Administration of the plan; amending Section 2-530, Miscellaneous; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

The City Commission adopt the proposed ordinance.

The City Commission, at its meeting of Thursday, August 1, 2013, authorized the preparation and advertisement of this Ordinance. The Ordinance amends the City's General Employees Pension Plan (Plan) for federal tax compliance purposes. In addition to these amendments required by law, additional minor amendments provide the Board of this Plan (members of the City Commission sit as the Board) with broader investment authority. Currently, Section 2-527(w) of the Plan provides "[t]he [B]oard shall have full power to invest and reinvest all funds within its control and to make investment of all kinds except as otherwise provided by statute or ordinance." Under Florida Statute Section 112.661(5)(a), the investment of the assets of the Plan are subject to the limitations and conditions set forth in Florida Statute Section 215.47(1)-(6), (8), (9), (11) and (17), "unless otherwise authorized by law or ordinance." The proposed amendment to the Plan would expressly provide that investments of the Plan's funds are not subject to investment limitations and conditions set forth in Florida Statute Section 215.47, thereby authorizing the Board to invest funds in asset classes or allocations which may be otherwise restricted by Florida Statute Sections 112.661(5)(a) and 215.47.

This ordinance requires two public hearings. If adopted on first reading, second and final reading of the ordinance is scheduled for Thursday, September 19, 2013.