

ORDINANCE NO. 1770 - 2020

AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, AMENDING THE CITY OF ROCKLEDGE FIRE EMPLOYEES RETIREMENT PLAN, SECTION 6.2, DUTIES AND RESPONSIBILITIES OF THE CITY COUNCIL, PROVIDING FOR STAGGERED TRUSTEE TERMS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR THE EFFECTIVE DATE.

**WHEREAS**, the City of Rockledge Fire Employees Retirement Plan's Board of Trustees wishes to establish staggered terms for its trustees; and

**WHEREAS**, the City of Rockledge Fire Employees Retirement Plan (the "Retirement Plan") currently has all trustee terms beginning and ending on the same dates; and

**WHEREAS**, the trustees of the City of Rockledge Fire Employees Retirement Plan have requested and approved such an amendment; and

**WHEREAS**, the trustees of the Retirement Plan have considered such an amendment to be in the best interest of the participants and beneficiaries, improving the administration of the Retirement Plan; and

**WHEREAS**, a Plan amendment is necessary in order to allow such staggered terms; and

**WHEREAS,** the City Council has received, reviewed and considered an actuarial impact statement describing the actuarial impact of the amendment provided for herein; and

**WHEREAS,** the City Council finds the amendment provided in this Ordinance to be in the public interest.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKLEDGE, FLORIDA:**

**SECTION 1.** Section 6.2, DUTIES AND RESPONSIBILITIES OF THE CITY COUNCIL, of the City of Rockledge Fire Employees Retirement Plan, as amended, is hereby amended as follows:

**6.2 DUTIES AND RESPONSIBILITIES OF THE CITY COUNCIL**

**(A) Appointment of the Board of Trustees:**

The Plan shall be administered by a Board of Trustees consisting of two [2] Employee members elected by the vote of the Firefighters participating in the Plan, two [2] legal resident members appointed by the City Council and one [1] member recommended by a majority of all other members of the Board of Trustees and, as a ministerial duty, appointed by the City Council. The term of office for each Firefighter member, ~~and~~ each legal resident member and the fifth trustee seat as recommended by the other trustees shall all be for four [4] years. Notwithstanding, Trustee terms of office shall initially be staggered commencing with the 2020 elections and appointments. ~~At such time,~~ one [1] Employee member elected trustee and one [1] legal resident trustee shall serve a two [2] year term. After the initial staggering, all trustee terms shall be for four [4] years. Any member of the Board of Trustees may resign by delivering his written resignation to the City Council of the City of Rockledge and to the other members of the Board of Trustees. In the event of resignation, or an unreasonable number of unexcused absences, or in the

event of death, of the elected Firefighter member, the Firefighters participating in the Plan shall by a majority vote elect a new Firefighter member to serve the balance of the applicable term of office. In the event of resignation, or an unreasonable number of unexcused absences, or in the event of death, of a legal resident member of the Board of Trustees the City Council shall appoint a new legal resident member to serve the balance of the applicable term of office. In the event of resignation, or an unreasonable number of unexcused absences, or in the event of death, of the member recommended by the other members of the Board of Trustees, the members of the Board of Trustees shall recommend by a majority of all other members of the Board of Trustees a new member to the City Council and he or she shall, as a ministerial duty, be appointed by the City Council.

The Board of Trustees shall have the authority to control and manage the operation and administration of the Plan pursuant to the provisions of Section 6.3.

**SECTION 2.** The Mayor and City Clerk of the City of Rockledge are hereby authorized and directed to execute these amendments for and on behalf of the City of Rockledge.

**SECTION 3.** The provisions of this Ordinance are severable, and if any section, sentence, clause or phrase hereof is for any reason held to be unconstitutional, invalid or ineffective, such holding shall not affect the validity of the remaining portions of this Ordinance, it being expressly declared to be the City Council's intent that it would have

passed the valid portions of this Ordinance without the inclusion therein of any invalid portion or portions.

**SECTION 4.** It is the intention of the City Council of the City of Rockledge that the provisions of this Ordinance hereto shall be made a part of the City of Rockledge Code of Ordinances.

**SECTION 5.** This Ordinance shall be effective immediately upon approval.

**ADOPTED** at a regular meeting of the City Council of the City of Rockledge, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Chairman, City Council of the  
City of Rockledge, Florida

**ATTEST:**

\_\_\_\_\_  
City Clerk

1<sup>st</sup> Reading: 12/18/2019

2<sup>nd</sup> Reading: \_\_\_\_\_