

**RESOLUTION No. 2004 -22-73**

**A RESOLUTION OF THE CITY OF MIAMI GARDENS, FLORIDA, RELATING TO MEMBERSHIP IN THE FLORIDA RETIREMENT SYSTEM; DESIGNATING MEMBERS; PROVIDING A DECLARATION OF THE INTENT; DESIGNATING THE CITY MANAGER AS ADMINISTRATOR; PROVIDING FOR WITHHOLDING OF EMPLOYEE CONTRIBUTIONS; PROVIDING FOR CONTRIBUTIONS TO BE PAID; PROVIDING FOR APPROVAL OF AN AGREEMENT SETTING FORTH TERMS AND CONDITIONS OF MEMBERSHIP; DESIGNATING THE CITY MANAGER AS CUSTODIAN OF FUNDS; AUTHORIZING THE MAYOR TO SIGN THE RESOLUTION AND AGREEMENT; PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the policy and purposes of the City of Miami Gardens of Miami-Dade County Florida, to extend to the employees and officials of said City of Miami Gardens, not excluded by law, the benefits of the Florida Retirement System, on the basis of applicable State laws and amendments thereto, and rules and regulations, authorizing and directing the Chairman (or other chief executive officer) to execute agreements thereto with the Department of Management Services, for coverage of said employees and officials; providing for withholding from salaries and wages of employees and officials of City of Miami Gardens so covered to be made and paid over as provided by applicable State laws or regulations; providing that said City of Miami Gardens shall appropriate and pay over employer's contributions and assessments as provided by applicable State laws or regulations; providing that said City of Miami Gardens shall keep records and make reports as required by applicable State laws or regulations.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA AS FOLLOWS:**

**Section 1:** It is hereby declared to be the policy and purpose of the the City Council of the City of Miami Gardens, Florida that all its officials and employees, except those excluded by law, shall participate in the Florida Retirement System as authorized by Chapter 121, Florida Statutes. All officers and employees shall be compulsory members of the Florida Retirement System as of the effective date of participation in the Florida Retirement System so stated herein.

**Section 2:** The City Manager is hereby authorized and directed to execute all necessary agreements and amendments thereto with the Administrator of the Florida Retirement System for the purpose of extending the benefits provided by the Florida Retirement System to the employees and officials of this City of Miami Gardens as provided by Section 1 & 2 hereof, which agreement shall provide for such methods of administration of the plan by said City of Miami Gardens as are found by the Administrator of the Florida Retirement System to be necessary and proper, and shall be

effective with respect to any employment covered by such agreement for serviced performed on and after the - day of September 29, 2003.

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

**Section 4:** There shall be appropriated from available funds, derived from appropriated revenues of the City, such amounts and at such times as may be required to pay promptly the contributions and assessments required of the City of Miami Gardens of Miami-Dade County, Florida, as employer, by applicable State laws or regulations, which shall be paid over to the lawfully designated Administrator of the Florida Retirement System at the times and in the manner provided by law and regulation.

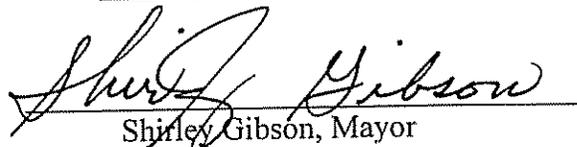
**Section 5:** The City of Miami Gardens of Miami-Dade County, Florida, shall keep such records and make such reports as may be required by applicable State laws or regulations, and shall adhere to all laws and regulations relating to the Florida Retirement System.

**Section 6:** The City of Miami Gardens of Miami-Dade County, Florida, does hereby adopt the terms, conditions, requirements, reservations, benefits, privileges, and other conditions thereunto appertaining, of the Florida Retirement System, for and on behalf of all offices and employees of its departments and agencies to be covered under the agreement, a copy which is attached and incorporated herein as Appendix A.

**Section 7:** The City Manager of the City of Miami Gardens of Miami-Dade County, Florida, is hereby designated the custodian of all sums withheld from the compensation of officers and employees as authorized herein and of the appropriated funds for the employer's contributions as provided in Section 5 hereof. Also, the City Manager is hereby designated the withholding and reporting agent and charged with the duty of maintaining records for the purpose of this ordinance.

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

**PASSED and ADOPTED** this 28<sup>th</sup> day of January, 2004.

  
Shirley Gibson, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Ronetta Taylor, CMC  
City Clerk

**APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:**

  
\_\_\_\_\_  
Hans Ottmøl, Interim City Attorney

Moved by: Councilman Braynon

Seconded by: Councilman Bratton

**VOTE:        7-0**

Mayor Gibson	<u>  x  </u> (Yes)	____ (No)
Vice Mayor Aaron Campbell	<u>  x  </u> (Yes)	____ (No)
Councilman Melvin L. Bratton	<u>  x  </u> (Yes)	____ (No)
Councilman Oscar Braynon, II	<u>  x  </u> (Yes)	____ (No)
Councilwoman Audrey J. King	<u>  x  </u> (Yes)	____ (No)
Councilwoman Sharon Pritchett	<u>  x  </u> (Yes)	____ (No)
Councilwoman Barbara Watson	<u>  x  </u> (Yes)	____ (No)