

ORDINANCE NO. 1074 - 2014

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS AMENDING CODE OF ORDINANCE SECTION 35.52, MEMBERSHIP; TO PROVIDE ANY CHIEF OF POLICE THE OPTION OF JOINING THE CITY'S POLICE AND FIREMAN PENSION PLAN; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; EFFECTIVE DATE

WHEREAS, the current Chief of Police will soon be retiring from his position with the City; and,

WHEREAS, the City is currently advertising the Chief of Police position vacancy in the hope of attracting a number of qualified candidates from which to choose; and,

WHEREAS, the current City Manager and Assistant City Manager have been given the option to participate in the appropriate City Pension Plan or the ICMA Plan upon their hiring with the City; and,

WHEREAS, it is believed that offering participation in the ICMA Pension Plan instead of the City's Plan will attract even more qualified candidates; and,

WHEREAS, due to the nature and stature of the position, it is appropriate to offer the ICMA Pension Plan to the City's new Chief of Police; and,

WHEREAS, the City Council has determined that the amendment of the City's current Police and Fireman Pension Plan Ordinance in order to allow the new Chief of Police the option to participate in the ICMA Pension Plan is both proper and appropriate and in the best interests of the City and its citizens;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS:

Section 1. That Code of Ordinance Section 35-52, Membership, is hereby amended as follows:

ARTICLE II. POLICE AND FIREMAN PENSION PLAN

Sec. 35-50. Establishment of plan.

There is established a pension plan for police officers and regular full-time fireman

Sec. 35-51. Definitions.

For purposes of §§ 35-50 - 35-59, the following words and phrases shall have the following meanings ascribed to them respectively:

- (A)
- (B)
- (C)
- (D)
- (E)
- (F)
- (G)
- (H)
- (I)
- (J)
- (K)
- (L)
- (M)

Sec. 35-52. Membership.

(A) *Conditions of eligibility.*

- (1) All employees as of the effective date, and all future new employees, shall become members of this system immediately upon, and as a condition of employment, except any Chief of Police, who shall have the option of becoming a member of the system.
- (2) All employees as of the effective date who were covered under the City's system immediately preceding the effective date shall continue their membership and coverage hereunder on an uninterrupted basis.

(B)

(C)

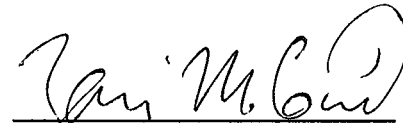
Section 2. Repeal of Conflicting Provisions. That all ordinances or parts of ordinances in conflict herewith, are hereby repealed.

Section 3. Effective Date. That this Ordinance shall take effect immediately upon adoption.

PASSED ON FIRST READING this 25th day of August, 2014, on a motion made by Councilman Bain and seconded by Councilman Windrem.

PASSED AND ADOPTED ON SECOND READING this 13th day of October, 2014, on a motion made by Councilman Lob and seconded by Vice Mayor Petralanda.

Vice Mayor Petralanda	<u>YES</u>
Councilman Windrem	<u>YES</u>
Councilman Bain	<u>YES</u>
Councilman Lob	<u>YES</u>
Mayor Garcia	<u>YES</u>



Zavier M. Garcia, Mayor

ATTEST:



Erika Gonzalez-Santamaria, CMC, City Clerk

APPROVED AS TO LEGALITY AND FORM:



Jan K. Seiden, City Attorney

