

## ORDINANCE 2023-11

**AN ORDINANCE OF THE TOWN OF LONGBOAT KEY, FLORIDA, AMENDING CHAPTER 34, EMPLOYMENT POLICIES, OF THE CODE OF ORDINANCES OF THE TOWN OF LONGBOAT KEY, FLORIDA; AMENDING SECTION 34.101, BOARD OF TRUSTEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town Commission of the Town of Longboat Key (Town) froze the Firefighters and General Employees' Pension Plan effective September 30, 2013 and the Police Officers' Pension Plan effective February 1, 2014, and established a consolidated retirement system; and

**WHEREAS**, the Consolidated Retirement System Board of Trustees (CRSBOT), was created for the purpose of administering the Police Officers' Retirement System, Firefighters' Retirement System, and General Employees' Retirement System, with one Board of Trustees effective October 1, 2014, with the sole and exclusive administration of and responsibility for the proper operation of the system; and

**WHEREAS**, the CRSBOT is responsible for administering the consolidated retirement system and investing all assets of the system in accordance with Section 34.101 and Section 34.102, of the Town Code, for the benefit of the members, vested former members, retirees, and beneficiaries of the system.

**WHEREAS**, due to the time frame for the establishment of CRSBOT, the term expiration dates for members differ from all other established Boards of the Town, specifically the Planning and Zoning Board, the Zoning Board of Adjustment, and the Citizens Tax Oversight Committee; and

**WHEREAS**, with the exception of the CRSBOT, all other Board/Committee terms end in May of each year, specifically "on the second Wednesday of May of the year in which the term is set to expire;" and

**WHEREAS**, by amending the term expiration dates of current and future members of CRSBOT, there may be more applicant interest generated through advertisements for vacancies/seats on all Town Boards/Committees done in April each year, in lieu of the current practice to advertise during the month of August which is the time frame for advertising for CRSBOT seats; and

**WHEREAS**, the Town Code provides for the process to establish the nominating and election procedures for the election of the employee Trustees, which has historically been established by the Board of Trustees.

**NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF LONGBOAT KEY, FLORIDA THAT:**

SECTION 1. The above recitals are true and correct and are hereby incorporated fully by reference.

SECTION 2. Section 34.101, Board of trustees, Subsections (E) and (F), are amended to read as follows:



**34.101. - Board of Trustees.**

- (E) Trustees other than the Town Manager or designee shall serve staggered three-year terms, and may succeed themselves in office. To implement the staggered terms, the first elected employee Trustee who is a Police Officer member shall serve a one-year term; the first elected employee Trustee who is a Firefighter member shall serve a two-year term; and the first elected employee Trustee who is a General Employee member shall serve a three-year term. The staggered terms for the appointed Trustees shall be implemented as follows: two appointed Trustees shall serve an initial term of one year; two appointed Trustees shall serve an initial term of two years; and one appointed Trustee shall serve an initial term of three years; as determined by the Town Commission. Trustees who are elected or appointed following the initial terms shall serve a term of three years. Effective with appointments or reappointments beginning in or after September 2023, term expirations will be extended to the month of May in the following year, until all such appointments or reappointments are consistent with a May term expiration. The terms of appointment shall expire on the second Wednesday of May of the year in which the term is set to expire.
- (F) The Board of Trustees created by this Section 34.101 shall be responsible for the administration and proper operation of the Consolidated Retirement System. The Board is hereby designated as the Plan Administrator. The Town Commission shall designate one of the Trustees it appoints as Chairman of the Board and another Trustee as Vice Chairman, and may change such designations from time to time. The Town Board shall establish the nominating and election procedures, as may be amended, for the election of employee Trustees. The Board shall meet at least quarterly each year. The Board shall be a legal entity with, in addition to other powers and responsibilities contained herein, the power to bring and defend lawsuits of every kind, nature, and description.

SECTION 3. If any section, subsection, sentence, clause or provision of this Ordinance is held to be invalid or ineffective, the validity of the remaining portions of this Ordinance shall not be affected.

SECTION 4. All ordinances and parts of ordinances in conflict herewith shall be and the same are hereby repealed.

SECTION 5. This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Longboat Key upon adoption.

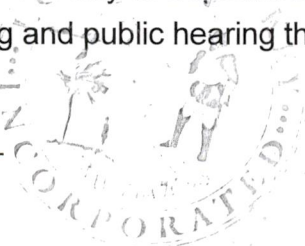
SECTION 6. This Ordinance shall take effect upon second reading in accordance with applicable Florida law and the Charter of the Town of Longboat Key.

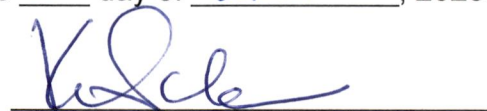
Passed on first reading the 11<sup>th</sup> day of September, 2023.

Adopted on second reading and public hearing the 2<sup>nd</sup> day of October, 2023.

ATTEST:

  
Trish Shinkle, Town Clerk



  
Kenneth Schneier, Mayor