

ORDINANCE NO. 1670

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE V, DIVISION 2 OF THE CODE OF THE TOWN OF SURFSIDE REGARDING THE RETIREMENT PLAN FOR EMPLOYEES OF THE TOWN OF SURFSIDE; AMENDING SECTION 2-171 OF THE TOWN CODE TO CLARIFY THE DEFINITION OF THE TERM SENIOR MANAGEMENT EMPLOYEE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Surfside sponsors a defined benefit retirement plan for employees of the Town of Surfside (“Retirement Plan”);

WHEREAS, the Plan was amended in 2016 to adopt a second tier benefit structure;

WHEREAS, the Plan currently provides for application of benefits by specific titles; and

WHEREAS, the application of benefits by specific title does not address changes in title or the elimination or creation of new positions to which the benefits should apply; and

WHEREAS, the Board of Trustees of the Retirement Plan has recommended the clarification of the term “Senior Management Employee” to include the Assistant Town Manager and all Directors; and

WHEREAS, the Commission of the Town of Surfside believes that the adoption of this amendment is in the best interests of the citizens and taxpayers of the Town;

NOW, THEREFORE, BE IT ORDAINED by the Town Commission of the Town of Surfside:

Section 1. The above Recitals are true and correct and are incorporated herein by this reference:

Section 2. SECTION 2-171, Definitions, is hereby amended and to be read as follows:

Senior management employee: For purposes of the new senior management tier benefit, senior management employee means the town manager, assistant town manager, town attorney, town clerk, town attorney, town clerk, building and zoning department director, code compliance

~~director finance director, human resources director, parks and recreation director, public works director, tourism, economic development and community services director and all directors.~~

Section 3. All sections or parts of sections of the Town Code, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith, be and the same, are hereby repealed to the extent of such conflict.

Section 4. Should this ordinance or any part thereof be declared invalid by a Court of competent jurisdiction, the invalidity of any part of this ordinance shall not otherwise affect the validity of the remaining provisions of this ordinance, which shall be deemed to have been enacted without the invalid provision.

Section 5. It is the intention of the Commission of the Town of Surfside that the provisions of this ordinance shall become and be made a part of the Code of the Town of Surfside, and that the word “ordinance” may be changed to “section,” “article,” or such other appropriate word or phrase in order to accomplish such intentions.

Section 6. This ordinance shall become effective upon final passage.

PASSED AND ADOPTED ON FIRST READING, this 18th day of September, 2017.

PASSED AND ADOPTED ON SECOND READING, this 13th day of February, 2018.

On Final Reading Moved by: Commissioner Karukin

On Final Reading Second by: Commissioner Gielchinsky

FINAL VOTE ON ADOPTION:

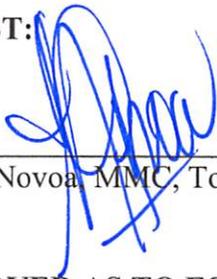
Commissioner Daniel Gielchinsky
Commissioner Michael Karukin
Commissioner Tina Paul
Vice Mayor Barry Cohen
Mayor Daniel Dietch

yes
yes
yes
yes
yes



Daniel Dietch, Mayor

ATTEST:



Sandra Novoa, MMC, Town Clerk

**APPROVED AS TO FORM AND LEGALITY FOR THE USE
AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:**



Weiss Serota Helfman Cole and Bierman, P.L.
Town Attorney