

## ORDINANCE NO. 2017-02

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, AMENDING DIVISION 3, "PENSION AND CERTAIN OTHER BENEFITS FOR GENERAL EMPLOYEES," OF ARTICLE V, "PENSIONS AND RETIREMENT SYSTEMS," OF CHAPTER 2, "ADMINISTRATION," OF THE VILLAGE CODE OF ORDINANCES BY AMENDING SECTION 2-151 TO SPECIFY THE TERMS FOR RESIDENT MEMBERS OF THE GENERAL EMPLOYEES RETIREMENT BOARD; MODIFYING AND STAGGERING THE TERMS OF CURRENT AND FUTURE MEMBERS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 2-151 of the Village Code of Ordinance provides that the Retirement Board of the General Employees Pension Fund ("Board") shall consist of five members, two of whom shall be residents of the Village selected by the Village Council; and

WHEREAS, resident members of the Board serve terms of two-years, and the Village Council wishes to make these terms coextensive with the terms served by residents serving on other Village boards and commissions and to stagger the terms of the two resident members; and

WHEREAS, the Village Council determines that the adoption of this Ordinance is in the best interests of the residents and citizens of the Village of North Palm Beach.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF NORTH PALM BEACH, FLORIDA as follows:

Section 1. The foregoing recitals are hereby ratified as true and correct and incorporated herein.

Section 2. The Village Council hereby amends Division 3, "Pension and Certain Other Benefits for General Employees," of Article V, "Pensions and Retirement Systems," of Chapter 2, "Administration," of the Village Code of Ordinances by amending Section 2-151 to read as follows:

### **Sec. 2-151. Retirement board, establishment.**

(a) There is hereby created a general employees retirement board of the Village which shall consist of five (5) members.

Two (2) members of the Board shall be employees of the Village. The employee members of the Board shall be elected at large by full-time Village employee Members of the Plan. Employees who are elected cannot work in the same departments of the Village. The term of service of employees on the general retirement board shall be three (3) years, unless the employee member of the retirement board is sooner retired, disabled, resigns, terminates Village employment, is removed for misconduct by majority vote of the employees or the Village Council or is removed for nonparticipation by missing two (2) or more consecutive meetings.

The election to the Board shall be arranged by the Village clerk, who shall give reasonable notice of the election to the eligible voters. Two (2) members of the general retirement Board shall be residents of the Village, selected by the Village Council to serve terms of two (2) years. The terms of the resident members appointed by the Village Council shall commence on May 1<sup>st</sup> and shall terminate on April 30<sup>th</sup>. The two (2) employee members of the Board and the two (2) Council-appointed members of the Board shall annually appoint a member of the general public who has never been employed by the Village to serve as the fifth member of the Board. This fifth member shall serve a term of one-year. All members of the Board shall be voting members.

(b) Should a vacancy occur in the position of a member serving as an employee member, the Village employees shall, within thirty (30) days, hold an election and elect a successor to serve. Should the member appointed by Village council resign or relinquish his duties on the general retirement board, his successor shall be appointed by the Village council within thirty (30) days to serve the remainder of the term or as otherwise determined by the Village Council. Should a vacancy occur in the position of the fifth member, the Board shall appoint a replacement within thirty (30) days.

\* \* \*

Section 3. The term of Jim Peterson, appointed by the Village Council on September 22, 2016, shall expire on April 30, 2018, and the term of the resident member appointed by the Village Council in January 2017 shall expire on April 30, 2019.

Section 4. The provisions of this Ordinance shall become and be made part of the Code of Ordinances for the Village of North Palm Beach, Florida.

Section 5. If any section, paragraph, sentence, clause, phrase or word of this Ordinances is for any reason held by a court of competent jurisdiction to be unconstitutional, inoperative or void, such holding shall not affect the remainder of the Ordinance.

Section 6. All ordinances and resolutions, or parts of ordinances and resolutions, in conflict herewith are hereby repealed to the extent of such conflict.

Section 7. This Ordinance shall be effective immediately upon adoption.

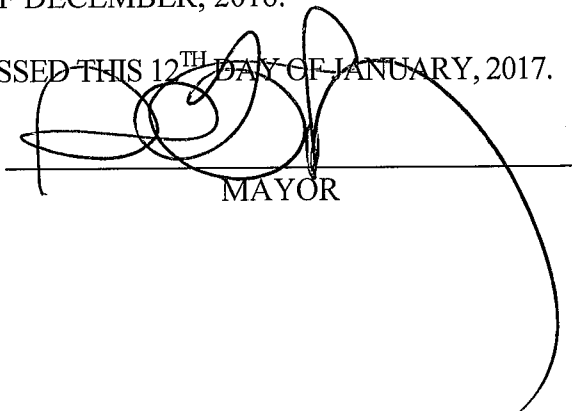
PLACED ON FIRST READING THIS 8<sup>TH</sup> DAY OF DECEMBER, 2016.

PLACED ON SECOND, FINAL READING AND PASSED THIS 12<sup>TH</sup> DAY OF JANUARY, 2017.

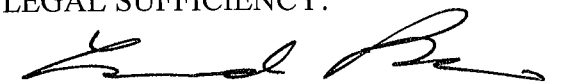
(Village Seal)

ATTEST:

  
VILLAGE CLERK

  
MAYOR

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

  
VILLAGE ATTORNEY