

## House Bill No. 1545

An act relating to the City of Lakeland, Polk County; amending the Charter of the City of Lakeland; providing for replacing all current members of the civil service board; increasing membership of the board; deleting an obsolete provision; providing that the civil service director shall be a city employee and supervised by the city manager; providing membership of the pension board; providing qualification of members; providing that the board may employ a retirement services director; providing duties of the retirement services director; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Sections 2, 3, 6, and 8 of Article I of Division II and section 22.1 of Article II of that division of the Charter of the City of Lakeland are amended, and sections 22.3, 22.4, and 22.5 are added to Article II, to read:

## ARTICLE I.

## CIVIL SERVICE BOARD

Section 2. Appointment of initial members.

On June 1, 2008, or as soon thereafter as practical ~~As of the effective of this section, in addition to those members then serving on the present civil service board who shall continue to serve for the terms for which they were appointed,~~ the city commission shall appoint three (3) two (2) persons and the full-time employees of the city shall appoint three (3) two (2) persons to the board. The ~~six (6) four (4)~~ new members shall be appointed in the following manner: Two (2) One (1) to serve a one-year terms term; two (2) one (1) to serve a two-year terms term; and two (2) to serve three-year terms. Upon taking office, those members shall select a seventh member. That member shall serve a three-year term.

Section 3. Appointment of subsequent members; terms.

Upon the expiration of the terms described above, successor members shall be appointed for terms of three (3) years. Each year the city commission shall appoint one member and the full-time employees of the city shall appoint one member. Successors to the seventh member serving as the selection of the other members of the board shall be selected by the other members of the board. Beginning January 1, 1977, and each third year thereafter, or upon any earlier vacancy in the membership by the member appointed by the members of the board, the board shall appoint one member. The method of election of members to the civil service board by full-time employees of the City of Lakeland under this section and the previous section shall be prescribed by ordinance.

Section 6. Authority to employ civil service director, clerk, etc., and prescribe their duties.

The civil service board is authorized on behalf of the City of Lakeland, with the concurrence of the City Manager, to employ, as a City of Lakeland employee, a director of civil service. The City of Lakeland, who shall employ such staff of employees as may be reasonably necessary for the proper performance of the duties of the board. The board shall prescribe the duties to be performed by the director of civil service, who shall be supervised on a day-by-day basis by the City Manager or his or her designee.

Section 8. Election of chairman; term; filling of vacancy.

Upon initial appointment of the board and immediately after the first of January each year, the board shall organize by electing one of its members as chairman to hold office until the election and qualification of his or her successor at the next organization meeting of the said board. In the event the office of the board member, who shall be chairman, shall become vacant, a new chairman shall be elected by the board immediately after such vacancy shall be filled.

## ARTICLE II.

### CITY OF LAKE LAND EMPLOYEES' PENSION AND RETIREMENT SYSTEM

Section 22.1. Board of trustees, members, terms of office.

(a) The City of Lakeland Employee Pension System shall be administered by a pension board consisting of seven (7) trustees. Those trustees serving on May 31, 2008, shall continue to serve until the expiration of the terms for which they were appointed. Subsequent appointments shall be made in accordance with Section 22.3. The present members of the civil service board and their successors in office shall serve also on the pension board. Before entering upon his or her duties as a member of the board, each member shall take and subscribe to the oath of office required by the city charter, which oath shall be administered and filed by the city clerk.

(b) Immediately after the first of January each year, the board shall, by majority vote, elect from the trustees a chairman. The chairman shall serve for the calendar year. In the event the office shall become vacant, a new officer shall immediately be elected by the board from among the board members. The retirement civil services director shall serve as secretary of the board and shall keep a complete minute book of the actions, proceedings or hearings of the board. The retirement civil services director shall also be the custodian of all records and files of said board.

(c) The trustees shall not receive any compensation as such but may receive reimbursement for reasonable expenses incurred in connection with their duties as a trustee, provided such reimbursement is approved by the board.

(d) Any action by the board shall require the vote of at least four (4) trustees present and eligible to vote. Four (4) trustees present and eligible to vote shall constitute a quorum. Any action by the board shall require the vote of at least four (4) trustees.

(e) Those board members serving on the effective date of this article are hereby continued in office for the remainder of their terms.

(f) The board shall meet as often as is necessary, upon the call of the chairman or any member thereof, or upon the request of the retirement services director of civil service.

(g) The board shall promulgate rules of procedure as may be required for the conduct of its business.

Section 22.3. Appointment of subsequent trustees; terms.

Upon the expiration of the terms described in Section 22.1, successor members of the pension board shall be appointed for terms of three (3) years each as follows: Each year the city commission shall appoint one trustee and the full-time employees of the city shall appoint one trustee. Successors to the seventh trustee serving as the selection of the other members of the board shall be selected by the other members of the board. The method of election of members to the pension board by full-time employees of the City of Lakeland under this section shall be prescribed by ordinance.

Section 22.4. Qualification of members.

Any qualified voter residing in the City of Lakeland who is over the age of twenty-one (21) years shall be eligible to hold office as a member of the pension board, provided that no person who has been convicted of a felony and, except as provided in this section, no person who is or has been within one (1) year prior to his or her election or appointment an officer or employee of the city shall be eligible for election or appointment to such office. The city commission may appoint one person to the pension board who is or has been within one (1) year prior to his or her election or appointment an officer or employee of the city and the full-time employees of the City of Lakeland may appoint one such individual to the board, provided that no more than two such individuals may serve on the board at any one time.

Section 22.5. Authority to employ retirement services director and prescribe duties.

The pension board is authorized on behalf of the City of Lakeland, with the concurrence of the City Manager, to employ, as a City of Lakeland employee, a retirement services director. The City of Lakeland shall employ such staff of employees as may be reasonably necessary for the proper performance of the duties of the board. The board shall prescribe the duties to be performed by the retirement services director.

Section 2. This act shall take effect upon becoming a law.

Approved by the Governor June 10, 2008.

Filed in Office Secretary of State June 10, 2008.