

By Senator Dockery

15-1273A-07

See HB

1 A bill to be entitled  
 2 An act relating to the City of Lakeland, Polk  
 3 County; amending the Charter of the City of  
 4 Lakeland; providing for the appointment of  
 5 members and providing for the appointment of  
 6 their successors; providing that the director  
 7 of civil service shall be a city employee and  
 8 supervised by the city manager; providing for  
 9 future appointments and terms of pension board  
 10 trustees; providing appointee qualifications;  
 11 providing for a retirement services director,  
 12 who shall be a city employee; providing for  
 13 staff; providing duties; providing an effective  
 14 date.

15  
 16 Be It Enacted by the Legislature of the State of Florida:

17  
 18 Section 1. Sections 2, 3, 6, and 8 of Article I of  
 19 Division II of the Charter of the City of Lakeland, are  
 20 amended to read:

21 ARTICLE I.

22 CIVIL SERVICE BOARD

23 Sec. 2. Appointment of initial members.

24 On June 1, 2007 ~~As of the effective date of this~~  
 25 ~~section, in addition to those members then serving on the~~  
 26 ~~present civil service board who shall continue to serve for~~  
 27 ~~the terms for which they were appointed, the city commission~~  
 28 shall appoint three (3) ~~two (2)~~ persons and the full-time  
 29 employees of the city shall appoint three (3) ~~two (2)~~ persons.  
 30 The six (6) ~~four (4)~~ new members shall be appointed in the  
 31 following manner: Two (2) ~~One~~ to serve a one-year terms term;

1 ~~two (2) one~~ to serve a two-year ~~terms~~ term; and two (2) to  
2 serve three-year terms. Upon taking office, those members  
3 shall select a seventh member who shall be appointed by the  
4 Lakeland City Commission. The seventh member shall serve a  
5 3-year term.

6 Sec. 3. Appointment of subsequent members; terms.

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

21 Sec. 6. Authority to employ civil service director,  
22 clerk, etc., and prescribe their duties.

23 The civil service board is authorized on behalf of the  
24 City of Lakeland, with the concurrence of the city manager,  
25 to employ, as a City of Lakeland employee, a director of civil  
26 service. The City of Lakeland, who shall employ such staff of  
27 employees as may be reasonably necessary for the proper  
28 performance of the duties of the board. The board shall  
29 prescribe the duties to be performed by the director of civil  
30 service, who shall be supervised on a day-by-day basis by the  
31 city manager or his or her designee.

1           Sec. 8. Election of chairman; term; filling of  
2 vacancy.

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

11           Section 2. Subsections (a), (b), and (f) of section  
12 22.1 of Article II of Division II of the Charter of the City  
13 of Lakeland are amended, and sections 22.3, 22.4, and 22.5 are  
14 added to that Article, to read:

15   ARTICLE II.

16           CITY OF LAKE LAND EMPLOYEES' PENSION AND RETIREMENT SYSTEM

17           Sec. 22.1. Board of trustees, members, terms of  
18 office.

19           (a) The City of Lakeland Employee Pension System shall  
20 be administered by a pension board consisting of seven (7)  
21 trustees. Those trustees serving on May 31, 2007, shall  
22 continue to serve until the expiration of their appointed  
23 terms. Subsequent appointments shall be made in accordance  
24 with Section 22.3. ~~The present members of the civil service~~  
25 ~~board and their successors in office shall serve also on the~~  
26 ~~pension board.~~ Before entering upon his duties as a member of  
27 the board, each member shall take and subscribe to the oath of  
28 office required by the city charter, which oath shall be  
29 administered and filed by the city clerk.

30           (b) Immediately after the first of January each year,  
31 the board shall, by majority vote, elect from the trustees a

1 chairman. The chairman shall serve for the calendar year. In  
2 the event the office shall become vacant, a new officer shall  
3 immediately be elected by the board from among the board  
4 members. The retirement services ~~civil service~~ director shall  
5 serve as secretary of the board and shall keep a complete  
6 minute book of the actions, proceedings or hearings of the  
7 board. The retirement services ~~civil service~~ director shall  
8 also be the custodian of all records and files of said board.

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

13 Sec. 22.3. Appointment of subsequent trustees; terms.

14 Upon the expiration of the terms described in Section  
15 22.1, successor members of the pension board shall be  
16 appointed for terms of three (3) years. Each year the city  
17 commission shall appoint one successor trustee and the  
18 full-time employees of the city shall appoint one successor  
19 trustee. Successors to the seventh trustee serving as the  
20 selection of the other members of the board shall be selected  
21 by the other members of the board and appointed by the  
22 Lakeland City Commission.

23 Sec. 22.4. Qualification of members.

24 Any qualified voter residing in the City of Lakeland  
25 who is 21 years of age or older shall be eligible to hold  
26 office as a member of the pension board, provided that no  
27 person who has been convicted of a felony, or who is or has  
28 been within 1 year prior to his or her election or appointment  
29 an officer or employee of the city, shall be eligible for  
30 election or appointment to such office.

1           Sec. 22.5. Authority to employ retirement services  
2 director and prescribe duties.

3           The pension board is authorized on behalf of the City  
4 of Lakeland, with the concurrence of the city manager, to  
5 employ, as a City of Lakeland employee, a retirement services  
6 director. The City of Lakeland shall employ such staff of  
7 employees as may be reasonably necessary for the proper  
8 performance of the duties of the board. The board shall  
9 prescribe the duties to be performed by the retirement  
10 services director.

11           Section 3. This act shall take effect upon becoming a  
12 law.