

By Senator Dockery

15-03041-08

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1 A bill to be entitled

2 An act relating to the City of Lakeland, Polk County;  
3 amending the amended Charter of the City of Lakeland,  
4 1976; increasing the membership of the Civil Service  
5 Board; providing for the director of civil service to be a  
6 city employee; revising the manner of appointment of  
7 members of the Board of Trustees of the City of Lakeland  
8 Employee Pension System; providing for qualification of  
9 members; authorizing the board to employ a retirement  
10 services director, who shall be a city employee, and  
11 additional staff; providing an effective date.

12  
13 Be It Enacted by the Legislature of the State of Florida:

14  
15 Section 1. Sections 2 and 3, Division II, Article I, of the  
16 Amended Charter of the City of Lakeland, 1976, as amended by  
17 chapter 77-590, Laws of Florida, is amended to read:

18 Section 2. APPOINTMENT OF INITIAL MEMBERS.

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

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## 30 Section 3. APPOINTMENT OF SUBSEQUENT MEMBERS; TERMS.

31 Upon the expiration of the terms described above, successor  
32 members shall be appointed for terms of three years. Each year  
33 the City Commission shall appoint one member and the full-time  
34 employees of the City shall appoint one member. Successors to the  
35 seventh member serving as the selection of the other members of  
36 the board shall be selected by the other members of the board.  
37 ~~Beginning January 1, 1977, and each third year thereafter, or~~  
38 ~~upon any earlier vacancy in the membership by the member~~  
39 ~~appointed by the members of the board, the board shall appoint~~  
40 ~~one member.~~ The method of election of members to the Civil  
41 Service Board by full-time employees of the City of Lakeland  
42 under this section and the previous section shall be prescribed  
43 by ordinance.

44 Section 2. Sections 6 and 8, Division II, Article I, of the  
45 Amended Charter of the City of Lakeland, 1976, are amended to  
46 read:

47 Section 6. AUTHORITY TO EMPLOY CIVIL SERVICE DIRECTOR,  
48 CLERK, ETC., AND PRESCRIBE THEIR DUTIES.

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

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58           Section 8. Upon initial appointment of the board and  
59 immediately after the first of January of each year, the board  
60 shall organize by electing one of its members as chairman to hold  
61 office until the election and qualification of his successor at  
62 the next organization meeting of the said board. In the event the  
63 office of the board member, who shall be chairman, shall become  
64 vacant, a new chairman shall be elected by the board immediately  
65 after such vacancy shall be filled.

66           Section 3. Section 22.1, Division II, Article II, of the  
67 Amended Charter of the City of Lakeland, 1976, is amended to  
68 read:

69           Section 22.1 BOARD OF TRUSTEES, MEMBERS, TERMS OF OFFICE.

70           (a) The City of Lakeland Employee Pension System shall be  
71 administered by a pension board consisting of seven (7) trustees.  
72 Those trustees serving on May 31, 2008, shall continue to serve  
73 until the expiration of the terms for which they were appointed.  
74 Subsequent appointments shall be made in accordance with Section  
75 22.3. ~~The present members of the civil service board and their~~  
76 ~~successors in office shall serve also on the pension board.~~

77 Before entering upon his duties as a member of the board, each  
78 member shall take and subscribe to the oath of office require by  
79 the city charter, which oath shall be administered and filed by  
80 the city clerk.

81           (b) Immediately after the first of January each year, the  
82 board shall, by majority vote, elect from the trustees a  
83 chairman. The chairman shall serve for the calendar year. In the  
84 event the office shall become vacant, a new officer shall  
85 immediately be elected by the board from among the board members.  
86 The retirement services ~~civil service~~ director shall serve as

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87 secretary of the board and shall keep a complete minute book of  
88 the actions, proceedings, or hearings of the board. The  
89 retirement services ~~civil service~~ director shall also be the  
90 custodian of all records and files of said board.

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

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

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

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

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

108 Section 4. Sections 22.3, 22.4, and 22.5 are added to  
109 Division II, Article II, of the Amended Charter of the City of  
110 Lakeland, 1976, to read:

111 Section 22.3 APPOINTMENT OF SUBSEQUENT TRUSTEES;  
112 TERMS.

113 Upon the expiration of the terms described in Section  
114 22.1, successor members of the pension board shall be  
115 appointed for terms of three years as follows: Each year the

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116 city commission shall appoint one trustee and the full-time  
117 employees of the city shall appoint one trustee. Successors  
118 to the seventh trustee serving as the selection of the other  
119 members of the board shall be selected by the other members  
120 of the board. The method of election of members to the  
121 pension board by full-time employees of the City of Lakeland  
122 under this section and the previous section shall be  
123 prescribed by ordinance.

124 Section 22.4 QUALIFICATION OF MEMBERS.

125 Any qualified voter residing in the City of Lakeland,  
126 Florida, over the age of 21 years, shall be eligible to hold  
127 office as a member of the pension board, provided that no  
128 person who has been convicted of a felony, and, except as  
129 provided in this section, no person who is or has been  
130 within one year prior to his or her election or appointment  
131 an officer or employee of the said city shall be eligible  
132 for election or appointment to such office. The City  
133 Commission may appoint one person to the pension board who  
134 is or has been within one year prior to his or her election  
135 or appointment an officer or employee of the city and the  
136 full-time employees of the City of Lakeland may appoint one  
137 such individual to the board, provided that no more than two  
138 such individuals may serve on the board at any one time.

139 Section 22.5 AUTHORITY TO EMPLOY RETIREMENT SERVICES  
140 DIRECTOR AND PRESCRIBE THEIR DUTIES.

141 The pension board is authorized on behalf of the City  
142 of Lakeland, with the concurrence of the City Manager, to  
143 employ, as a City of Lakeland employee, a retirement services  
144 director. The City of Lakeland shall employ such staff of

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145 employees as may be reasonably necessary for the proper  
146 performance of the duties of the board. The board shall  
147 prescribe the duties to be performed by the retirement  
148 services director.

149 Section 5. This act shall take effect upon becoming a law.