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APR 26 2010

Sunrise Police Retirement Plan

## MEETING OF THE SUNRISE CITY COMMISSION

Sunrise City Hall, 10770 West Oakland Park Blvd. Sunrise, Florida 33351 (954)746-3250, [www.sunrisefl.gov](http://www.sunrisefl.gov)

### CITY COMMISSION MEETING AGENDA

Tuesday, April 27, 2010 6:30 PM

1) Call To Order

2) Roll Call

3) Invocation and Pledge of Allegiance

4) Special Items

A) Presentation -

Presentation recognizing Sunrise volunteers' participation in the Adopt-A-Street Program. Chuck Meeks, Public Works Director.

B) Presentation -

Presentation of Gift/Payment to the City of Sunrise from resident Ms. Shirley L. Sumner. Lourdes Lawrence, Administrative Aide.

5) Open Discussion

6) Commission/Mayor Reports

7) City Manager's Report

8) City Items

9) Consent Agenda - (ANY ITEM SHALL BE REMOVED FROM THE CONSENT

**AGENDA FOR DISCUSSION OF SEPARATE VOTE AT THE REQUEST OF ONE (1) COMMISSIONER).**

**A) Amendment (C10110) -**

A Resolution of the City of Sunrise, Florida, approving an amendment to the Interlocal Agreement between Broward County and the City of Sunrise providing for the division and distribution of the Local Option Gas Tax imposed by the Broward County Local Option Gas Tax Ordinance; and providing an effective date. City Manager Bruce J. Moeller. Laura Toebe, Finance Director.

**B) Amendment (C10108) -**

A Resolution of the City of Sunrise, Florida, approving an amendment to the Interlocal Agreement between Broward County and the City of Sunrise providing for the division and distribution of the proceeds of the Broward County Fifth Cent additional Local Option Gas Tax on Motor Fuel for Transit; and providing an effective date. City Manager Bruce J. Moeller. Laura Toebe, Finance Director.

**C) Amendment (C10109) -**

A Resolution of the City of Sunrise, Florida, approving an amendment to the Interlocal Agreement between Broward County and the City of Sunrise providing for the division and distribution of the proceeds from the Broward County additional Local Option Gas Tax on Motor Fuel Ordinance; and providing an effective date. City Manager Bruce J. Moeller. Laura Toebe, Finance Director.

**D) Agreement (C10099) -**

A Resolution of the City of Sunrise, Florida, approving an agreement between the City of Sunrise and The Resource Recovery Board of the Broward Solid Waste Disposal District for Recycling Grant Funds; and providing an effective date. City Manager Bruce J. Moeller. Caryl Ungerer, Leisure Services Director.

**E) Agreement (C10095) -**

A Resolution of the City of Sunrise, Florida, approving the Mental Illness (Baker Act) Memorandum of Understanding (MOU) and authorizing the Chief of Police as the authorized official to execute the MOU with the Broward General Medical Center for the transportation and receiving of persons for involuntary examination; and providing an effective date. City Manager Bruce J. Moeller. John E. Brooks, Police Chief.

**F) Agreement (C10102) -**

A Resolution of the City of Sunrise, Florida, approving a contract between the City of Sunrise and Guidant Management Group, LLC. for Golf Course Management Services; and providing an effective date. City Manager Bruce J. Moeller. Caryl Ungerer, Leisure Services Director.

**G) New Account (C10101) -**

A Resolution of the City of Sunrise, Florida, creating a new line item account in the Police Confiscation/Forfeiture Fund (Fund 610); and providing an effective date. City Manager Bruce J. Moeller. Tariq Riaz, Central Services Director.

**H) Utility Easement Subordination (C10105) -**

A Resolution of the City of Sunrise, Florida, granting a subordination of City Utility interests to the Florida Department of Transportation; and providing an effective date. City Manager Bruce J. Moeller. Timothy Welch, Acting Utilities Director.

**I) Agreement (C10107) -**

A Resolution of the City of Sunrise, Florida, approving Project Agreement No. 10-001-CH between the City and CH2M Hill, Inc., for Design and Bidding Services for Fire Hydrant Installations for Interstate 595 Fire Suppression System; and providing an effective date. City Manager Bruce J. Moeller. Timothy Welch, Acting Utilities Director.

**J) Agreement (C10097) -**

A Resolution of the City of Sunrise, Florida, approving Project Agreement No. 10-004-CH between the City and CH2M Hill, inc., for Design/Build Services for the Southwest Wastewater Treatment Plant Percolation Pond Repair Project; and providing an effective date. City Manager Bruce J. Moeller. Timothy Welch, Acting Utilities Director.

**K) Elevators (C10098) -**

A Resolution of the City of Sunrise, Florida, to Award Bid No. 10(08)31-01-03-24-A for the refurbishment of city hall elevators to Oracle Elevator of Fort Lauderdale, Florida; and providing an effective date. City Manager Bruce J. Moeller. Tariq Riaz, Central Services Director.

**L) Change Order (C10104) -**

A Resolution of the City of Sunrise, Florida, approving Change Order No. 2 to the contract between the City of Sunrise and QGS Development, Inc., for the Springtree Golf Club Renovation Project; and providing an effective date. City Manager Bruce J. Moeller. Mark S. Lubelski, Community Development Director.

**M) Agreement (C10106) -**

A Resolution of the City of Sunrise, Florida, approving a Utility Work Agreement with the Florida Department of Transportation for Fire Hydrant Installations along the Interstate 595 Fire Suppression System; and providing an effective date. City Manager Bruce J. Moeller. Timothy Welch, Acting Utilities Director.

**N) Equipment (C10094) -**

A Resolution of the City of Sunrise, Florida, approving the purchase and installation of law enforcement equipment for Police and Code Vehicles from Law Enforcement Supply Co., Inc. of Charlotte, North Carolina, using Dade City Contract No. 10-1; and providing an effective date. City Manager Bruce J. Moeller. John E. Brooks, Police Chief.

**O) Vehicles (C10100) -**

A Resolution of the City of Sunrise, Florida, approving the purchase of eleven vehicles with Associated Equipment for the Utilities Department, under the terms of the Florida Sheriffs Association Bid No. 09-17-0908; and providing an effective date. City Manager Bruce J. Moeller. Tariq Riaz, Central Services Director.

**10) Quasi Judicial Consent Agenda - (ANY ITEM SHALL BE REMOVED FROM THE CONSENT AGENDA BY A MAJORITY VOTE OF THE CITY COMMISSION, THE STAFF, THE APPLICANT, OR AN AFFECTED PARTY). ANY ITEM REMOVED FROM THE CONSENT AGENDA SHALL BE TABLED TO THE NEXT REGULARLY SCHEDULED COMMISSION MEETING).**

**11) Public Hearings**

**A) Amendment - (C09455) -**

Commission discussion and/or action re: Second Reading of an Ordinance of the City of Sunrise, Florida, amending Section 7-51 of the City Code; revising the City's Local Business Tax Receipt Fee Schedule; providing for conflict; providing

for severability; providing for inclusion in the City code; and providing an effective date. City Manager Bruce J. Moeller. Laura Toebe, Finance Director. (First Reading, CCM 3/23/10, Passed 4-1 Sofield Nay). (Second Reading tabled, CCM 4/13/10, Passed 5-0).

**B) Election - (C10066) -**

Commission discussion and/or action re: Second Reading of an Ordinance of the City of Sunrise, calling for a Municipal Election to be held on Tuesday, November 2, 2010, for City Commission seats Group "C" and "D"; authorizing the City Clerk to proceed with all aspects of the election; providing for conflict; providing for severability; and providing for an effective date. City Manager Bruce J. Moeller. Felicia M. Bravo, City Clerk. (First Reading, CCM 4/13/10, Passed 5-0).

**C) Amendment - (C10079) -**

Commission discussion and/or action re: Second Reading of an Ordinance of the City of Sunrise, Florida, an Ordinance of the City of Sunrise, Florida, amending Fiscal Year 2009/2010 Budget Ordinance No. 505 to amend the fuel & roadway fund (fund 191); providing for conflict; providing for severability; and providing an effective date. City Manager Bruce J. Moeller. Tariq Riaz, Central Services Director. (First Reading, CCM 4/13/10, Passed 5-0).

**D) Amendment - (C10077) -**

Commission discussion and/or action re: Second Reading of an Ordinance of the City of Sunrise, Florida, an Ordinance of the City of Sunrise, Florida, amending Chapter 8 "Miscellaneous Offenses;" Section 8-13 "Sexual Offenders and Sexual Predators Residency Prohibition;" providing for conflict; providing for severability; providing for inclusion in the City Code; and providing an effective date. City Manager Bruce J. Moeller. Stuart R. Michelson, City Attorney. (First Reading, CCM 4/13/10 Passed 5-0).



**E) Amendment - (C10078) -** Commission discussion and/or action re: Second Reading of an Ordinance of the City of Sunrise, Florida, an Ordinance of the City of Sunrise, Florida, amending Chapter 11 "Retirement and Pensions\*;" amending Section 11-3, "Definitions;" amending Section 11-15 "Investment Policy;" amending Section 11-36 "Optional Benefits;" amending Section 11-40 "Designated Beneficiary;" creating a new Section 11-64 "Termination of Police or Firefighter Plan and Distribution of Fund;" providing for conflict; providing for severability; providing for inclusion in the Code; and providing an effective date. City Manager Bruce J. Moeller. Stuart R. Michelson, City Attorney. (First Reading, CCM 4/13/10 Passed 5-0).

**F) Operation of Pain Management Clinics - (C10103) -**

Commission discussion and/or action re: First Reading of an Ordinance of the City of Sunrise, Florida, establishing a moratorium on the issuance of business tax receipts for the operation of Pain Management Clinics for one (1) year; providing for conflict; providing for severability; and providing for an effective date. City Manager Bruce J. Moeller. Mark S. Lubelski, Community Development Director.

**12) Quasi-Judicial Hearings**

**13) City Clerk's Report**

**14) City Attorney's Report**

**15) Old Business**

**A) Insurance - (C10085) -**

A Resolution of the City of Sunrise, Florida, approving Employee Group Dental DHMO/PPO insurance plans through Metropolitan Life Insurance Company and Safeguard Health Plans, Inc.; for the contract period of July 1, 2010 through June 30, 2011; providing for funding; and providing an effective date. City Manager Bruce J. Moeller. Tariq Riaz, Central Services Director. (Tabled on CCM 4/13/10 Passed 5-0).

**16) New Business**

**A) Opposing Local Bill - (C10080) -**

A Resolution of the City of Sunrise, Florida, opposing the local bill proposing to create the Broward Independent Fire District; directing the City Clerk to transmit a certified copy of this resolution to the Broward Legislative Delegation, President of the Florida Senate, the Speaker of the Florida House of Representatives, the Florida Governor, the Florida League of Cities, the Board of County Commissioners for Broward County, the Broward League of Cities, the Broward City County Management Association and all municipalities in Broward County; and providing an effective date. Mayor Roger B. Wishner.

**Adjournment**

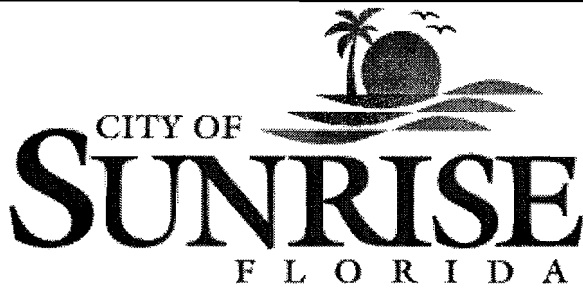
If a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he

will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based F.S.S. 286.0105

Policy of non-discrimination with regard to race, color, religion, national origin, sex, age or physical or mental disabilities; equal opportunity employer.

Any person who believes he or she has a disability requiring the use of auxiliary aids and services at this meeting may call the City Commission office at (954) 746-3250 at least 48 hours prior to the meeting to advise of his/her special requirements.

If you plan to distribute written documents at the meeting, you must provide 12 copies to the City Clerk prior to the start of the meeting.



## AGENDA ITEM REQUEST

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**Originating Department:** City Attorney

**Item Title:** Amendment

**Item Number:** 11E

**Meeting Date:** 4/27/2010

**City Reference Number (C#):** C10078

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**Item Description:**

An Ordinance of the City of Sunrise, Florida, amending Chapter 11 "Retirement and Pensions\*;" amending Section 11-3, "Definitions;" amending Section 11-15 "Investment Policy;" amending Section 11-36 "Optional Benefits;" amending Section 11-40 "Designated Beneficiary;" creating a new Section 11-64 "Termination of Police or Firefighter Plan and Distribution of Fund;" providing for conflict; providing for severability; providing for inclusion in the Code; and providing an effective date.

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**Funding:** N/A

**Amount:** N/A

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**Attachments:**

CAO Ordinance

Legal Ad



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**Background:**

Through Session Law 2009-97, the Florida legislature required certain mandatory amendments be adopted to retirement plans. The majority of the amendments relate to only the police and firefighter pension plans; however, one amendment relates to all the plans. The City is revising Chapter 11 to include those mandatory items as follows:

- Section 11-15 which allows investment in foreign securities is being revised from an amount that is not more than 10 percent of the assets to an amount that is not more than 25 percent of the assets. This amendment applies to all plans.
- Section 11-15 is being revised to require the boards to divest themselves of any publicly traded securities in any scrutinized company (i.e., those companies identified by the Florida State Board of Administration as conducting certain business activities in Iran or Sudan) by September 30, 2010. This amendment is only applicable to the police and firefighter pension plans.
- Sections 11-36 and 11-40 regarding the designation of joint pensioner by police officers and firefighters are being revised to allow retired police officers and firefighters the ability to change their joint pensioner or beneficiary two times following retirement. This amendment is only applicable to the police and firefighter pension plans.
- Section 11-64 is a new section that addresses the requirements for termination of police and firefighter pension plans and is only applicable to those two pension plans.

In addition to the mandatory changes, Section 11-36 and the definition of actuarial equivalent in Section 11-3 are being revised to ensure that any change in a new joint pensioner is the actuarial equivalent of the present value of the member's current benefit and that there is no impact to the plan.

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**Department Head Recommendation:**

Approval

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**Person With Additional Information:**

Name: Laura Toebe

Phone: (954) 746-3217

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**Department Head Name and Title:**

Stuart R. Michelson, City Attorney

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**City Manager:**

Authorized for agenda placement

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