

**CITY OF MIRAMAR
PROPOSED CITY COMMISSION AGENDA ITEM**

Meeting Date: November 6, 2019

Second Reading Date: November 13, 2019

Presenter's Name and Title: Randy Cross, Human Resources Director

Temp. Ord. Number: O1737

Item Description: SECOND READING of Temp. Ord. No. 1737, AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF MIRAMAR, FLORIDA, AMENDING ORDINANCE NO. 16-11 ESTABLISHING THE SALARY AND BENEFITS OF THE CITY'S ELECTED OFFICIALS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. ***(Requested by Commissioner Maxwell B. Chambers) (Human Resources Director Randy Cross)***

Consent ☐ Resolution ☐ Ordinance ☒ Quasi-Judicial ☐ Public Hearing ☐

Instructions for the Office of the City Clerk:

Public Notice – As Required by the Sec. _____ of the City Code and/or Sec. 166.041, Florida Statutes, public notice for this item was provided as follows: on October 8, 2019, in a legal display ad in the Sun-Sentinel; by the posting the property on _____ and/or by sending mailed notice to property owners within _____ feet of the property on _____. (Fill in all that apply)

Special Voting Requirement – As required by Sec. _____, of the City Code and/or Sec. _____ Florida Statutes, approval of this item requires a _____ (unanimous 4/5ths etc. vote of the City Commission).

Fiscal Impact: Yes ☒ No ☐

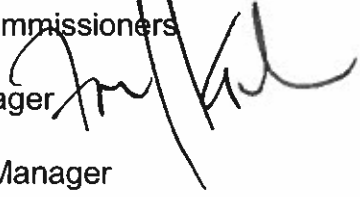
REMARKS:

Content:

- **Agenda Item Memo from the City Manager to City Commission**
- **Ordinance TO 1737**



**CITY OF MIRAMAR
INTEROFFICE MEMORANDUM**

TO: Mayor, Vice Mayor, & City Commissioners
FROM: Vernon E. Hargray, City Manager 
THRU: Shaun Gayle, Assistant City Manager
BY: Randy Cross, Human Resources Director
DATE: November 7, 2019
RE: Second Reading of Temp. Ord. No. 1737, Amending Ordinance No. 16-11

RECOMMENDATION: The City Manager recommends approval of Temp. Ord. 1737, amending Ordinance No. 16-11 establishing the salary and benefits for elected officials.

ISSUE: City Commission approval is required for any amendments to Ordinance No. 16-11.

BACKGROUND: Ordinance No. 16-11 provides the salary and benefits and elected officials. The Mayor is currently paid an annual salary of \$43,411 and each City Commissioner is paid an annual salary of \$34,175. In addition, each elected official receives an annual stipend in the amount of \$2,500 and has the option of electing either the use of a City vehicle or the receipt of a monthly vehicle allowance.

This Ordinance amends Ordinance No. 16-11, adjusting the compensation for each elected official in the following way:

1. Provides an annual Business Stipend of \$10,000 and allows each elected official to take the stipend as monthly compensation, subject to all applicable taxes, or have the funds placed within an operating expenses line in the elected official's budget.
2. Aligns the monthly vehicle allowance to match the vehicle allowance afforded to the City Manager.

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**CITY OF MIRAMAR
MIRAMAR, FLORIDA**

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF MIRAMAR, FLORIDA, AMENDING ORDINANCE NO. 16-11 ESTABLISHING THE SALARY AND BENEFITS OF THE CITY'S ELECTED OFFICIALS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City's Charter allows the City Commission to establish the salary and benefits of the Mayor and City Commissioners (sometimes referred to herein as the Elected Officials); and

WHEREAS, the City Commission desires to adopt this Ordinance to amend certain provisions in Ordinance No. 16-11 related to the compensation of Elected Officials; and

WHEREAS, words with single underline shall constitute additions to the original text and ~~strike through~~ text shall constitute deletions to the original text.

.NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF MIRAMAR, FLORIDA, AS FOLLOWS:

Section 1: That the foregoing "**WHEREAS**" clauses are ratified and confirmed as being true and correct and are made a specific part of this Ordinance.

Section 2: PURPOSE. AMENDEMENT OF SECTION ORDINANCE 16-11(2).
That the following salary and benefits are available to the City's Elected Officials:

Reso. No. _____

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A. Salaries. The Mayor shall receive an annual salary of \$43,411. Each City Commissioner shall receive an annual salary of \$34,175.

B. Stipend. The Mayor and each City Commissioner shall receive an annual stipend of \$2,500, payable in equal installments in accordance with the City Commission payroll structure.

C. Business Stipend. The Mayor and each City Commissioner shall receive an annual business stipend of \$10,000 to be available at the option of each elected official either as: 1. payable in equal installments in accordance with the City Commission payroll structure and subject to all applicable taxes, or 2) included within the operating budget of each elected official to be used in accordance with applicable policies and procedures for business related expenditures.

~~C.D.~~ Vehicle. Elected Officials may opt for the use of a City vehicle consistent with the City's environmental enhancement initiative and so long as that Elected Official certifies that he/she will fully comply with IRS personal use vehicle requirements, or may opt for a monthly vehicle allowance in lieu₁ of the use of a City vehicle₁ ~~in the amount of \$450 per month~~ in the same amount as the City Manager.

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D E. Educational Reimbursement: The City shall reimburse each Elected Official for their participation in courses offered by the Florida League of Cities or other similar entities that exist as an educational resource for local governments. The City shall also reimburse each Elected Official for his or her participation in continuing education courses aimed at informing and educating elected officials about their involvement in elected office and issues facing local government. In order to obtain reimbursement, the Elected Official must provide proof of the successful completion of the course and proof of attending the course (e.g., a receipt and a certificate of attendance or similar documentation).

E F. Pension. The Mayor and City Commissioners may participate in the Florida Retirement System ("FRS"). For any Elected Official who is in office as of June 1, 2016 and is ineligible to participate in the FRS, the City shall make a contribution for each month the Elected Official is in office, on the Non-FRS Elected Official's behalf, in an amount equal to the percentage of salary paid by the City for each of the Elected Officials in FRS (currently 42.47%, equal to \$14,445.79). For any Elected Official who takes office after June 1, 2016, and is ineligible to participate in the FRS, the City shall make a contribution for each month the Elected Official is in office on the non-FRS Elected Official's behalf, in an amount equal to the percentage of salary given under the Management Pension Plan (currently 24.2%, equal to \$8,270.36). The contributions shall be made to an authorized 401, 457 and/or individual retirement account (IRA), or any other legal deferred

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compensation, annuity plan and/or retirement-related tax sheltered plan as may be designated by the Non-FRS Elected Official in accordance with, and subject to the limits of, applicable federal and state law. For non-FRS members, the City shall make a required contribution established by FRS for the unfunded actuarial liability portion related to the Elected Official, and such contribution shall be effective as of the date that the Elected Official took office.

FG. Deferred Compensation Plan. The City will contribute 9% of the salary of Elected Officials to an authorized Deferred Compensation Plan (457) and/or other approved tax deferred program provided that they shall contribute an amount of at least 3%. This is in addition to any defined benefit program.

GH. Insurance. The Mayor and City Commissioners shall receive the same insurance as Department Directors.

HI. Technology. The Mayor and City Commissioners shall receive the same technology benefits as Department Directors.

J. IRS. The assignment of a City take home vehicle, stipend and business stipend payments and reimbursements may result in taxable income to the Mayor and City Commissioners.

Section 5: That all sections or parts of sections of the City Code, all ordinances or parts of ordinances and all resolutions or parts of resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

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Section 6: That should any section or provision of this Ordinance, or any paragraph, section or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof, as a whole or part hereof, other than the part declared to be invalid.

Section 7: That it is the intention of the City Commission of the City of Miramar that the provisions of this Ordinance shall become and be made part of the Code of the City of Miramar, and that the sections of this Ordinance may be renumbered or relettered and the word "Ordinance" may be changed to "Chapter", "Section", "Article" or such other appropriate word or phrase, the use of which shall accomplish the intentions herein expressed.

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Section 8: That this Ordinance shall take effect immediately upon adoption on second reading.

PASSED FIRST READING: _____

PASSED AND ADOPTED ON SECOND READING: _____

Mayor, Wayne M. Messam

Vice Mayor, Alexandra P. Davis

ATTEST:

City Clerk, Denise A. Gibbs

I HEREBY CERTIFY that I have approved
this ORDINANCE as to form:

City Attorney,
Austin Pamies Norris Weeks Powell, PLLC

| <u>Requested by Comm. Chambers</u> | <u>Voted</u> |
|---|---------------------|
| Commissioner Winston F. Barnes | _____ |
| Commissioner Maxwell B. Chambers | _____ |
| Commissioner Yvette Colbourne | _____ |
| Vice Mayor Alexandra P. Davis | _____ |
| Mayor Wayne M. Messam | _____ |

Ord. No. _____