



## Legislation Details (With Text)

**File #:** ID 24-3599    **Version:** 1    **Name:**  
**Type:** Ordinance    **Status:** Second Reading  
**File created:** 4/26/2024    **In control:** City Council  
**On agenda:** 5/6/2024    **Final action:**  
**Title:** Ordinance - First Reading - Amending Chapter 22 "Fire Prevention and Protection" Article III in Accordance with Secure Act 2.0 and Authorized Investment Procedures Set Forth in Section 175.071 F.S - Joan Taylor, City Clerk

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance 24-13

Date	Ver.	Action By	Action	Result
5/6/2024	1	City Council	approved on first reading	Pass

Agenda Item: 11(B)2	Prepared By: Joan Taylor, City Clerk
Business: Ordinance - First Reading	Department: Executive

**Subject:**

Ordinance - First Reading - Amending Chapter 22 "Fire Prevention and Protection" Article III in Accordance with Secure Act 2.0 and Authorized Investment Procedures Set Forth in Section 175.071 F.S - Joan Taylor, City Clerk

**BACKGROUND:**

In 2022, the Biden Administration signed the Securing a Strong Retirement Act of 2022 (SECURE 2.0 Act) as part of the Consolidated Appropriations Act of 2023. The SECURE 2.0 Act introduces several changes to the Internal Revenue Code that affect qualified retirement plans, which include the City of Marco Island Firefighters' Pension Plan (the Pension Plan). This amendment complies with the mandates in the SECURE 2.0 Act by increasing the applicable age required for minimum distribution requirements. To ensure conformity with the SECURE 2.0 Act, the proposed ordinance amendment has been prepared. Additionally, the Board of Trustees for the Pension Plan desires to modify the investment procedures set forth in Section 175.071, Florida Statutes, by requesting a variance to permit it to invest up to eighty percent (80%) of the fund in stocks at market value. Further, the Board will be authorized under the amendment to invest up to twenty-five percent (25%) of plan assets in foreign securities on a market-value basis. This amendment has been reviewed by the General Counsel for the Pension Plan, as well as the City Attorney's Office.

The amendment ensures conformity with federal regulations and, as it relates to the changes to the Board's investment authority, allows for flexibility in investing public monies to potentially decrease the need for City aid in providing retirement benefits.

**FUNDING SOURCE / FISCAL IMPACT:** The City of Marco Island's general fund is the source of funding for the pension plans and the associated administrative costs.

Prior to second reading, an actuarial impact statement will be issued by the Plan's actuary addressing the financial impact of the amendment, if any, on the Pension Plan.

**PUBLIC NOTICE REQUIREMENTS:** F.S. 166.041 (3)(a). Ordinance read by title on at least 2 separate days and shall be noticed in a newspaper of general circulation at least 10 days prior to the second reading.

**NOTICE APPEARANCE DATE(S):** N / A

**RECOMMENDATION:** Adopt ordinance 24-13 on first reading.

**POTENTIAL MOTION:** "I move to adopt on first reading Ordinance 24-13."