

1. ACTION REQUESTED/PURPOSE: Approve a resolution to place 27 upper level positions in the Senior Management Service Class of the Florida Retirement System.

2. WHAT ACTION ACCOMPLISHES: Provides a more competitive compensation structure for recruiting and retaining senior level managers.

3. MANAGEMENT RECOMMENDATION: Approve.

4. Departmental Category: 6

CLA

5. Meeting Date: **11-29-2005**

6. Agenda:
 Consent
 Administrative
 Appeals
 Public
 Walk-On

7. Requirement/Purpose: (specify)
 Statute
 Ordinance
 Admin. Code
 Other

8. Request Initiated:
 Commissioner _____
 Department Human Resources
 Division _____
 By: _____

9. Background:

Florida Retirement System provides the option of designating senior level managers to participate in the Senior Management Service Class.

ATTACHMENTS: Lee County Proposed Senior Management Class Resolution
 Notice of Intent
 Proposed Senior Management Service Class Chart

10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
					Analyst	Risk	Grants	Mgr.	
					RK 11/17	11/17/05	11/17/05	11/17/05	

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY COUNTY ADMIN:
11-17-05
3/m
COUNTY ADMIN FORWARDED TO:
11-17-05
SPT

LEE COUNTY RESOLUTION NO. _____

A RESOLUTION OF LEE COUNTY, FLORIDA, FOR THE PURPOSE OF DESIGNATING CERTAIN COUNTY EMPLOYEE POSITIONS FOR INCLUSION IN THE SENIOR MANAGEMENT SERVICE CLASS OF THE FLORIDA RETIREMENT SYSTEM; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature created a uniform system for attracting, retaining, and developing highly competent senior-level managers at the highest executive management level agency positions in order for the highly complex programs and departments of local governments to function effectively, efficiently, and productively; and

WHEREAS, the Legislature adopted Florida Statutes, Section 121 in recognition that senior level management is an established profession and that the public interest is best served by developing and refining the management skills of Senior Management designated employees; and

WHEREAS, Florida Statutes, Sections 121.021 and 121.055, defines and governs membership within the Florida "Senior Management Service Class" of the Florida Retirement System, enabling local agency employers to designate a specific number of non-

elected positions within their respective agencies for inclusion within the Senior Management Service Class; and

WHEREAS, Florida Statutes, Section 121.055(1)(b)1.b provides for the designation of up to ten (10) positions and one (1) additional position for every one hundred employees as being in the Senior Management Service Class for each local agency employer which reports to the Division of Retirement; and

WHEREAS, Florida Statutes 121.055(1)(b)1.c provides that each position a local agency designates as being within the Senior Management Service Class must be a managerial or policy-making position, filled by an employee not subject to a continuing contract or given Civil Service protection; and who either heads an organizational unit or has responsibility to effect or recommend personnel, budget, expenditure or policy decisions in that employee's area of responsibility; and

WHEREAS, the Lee County Board of County Commissioners is a local agency employer pursuant to Section 121.021(42)(a), Florida Statutes.

NOW THEREFORE, BE IT RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF LEE

Parks & Recreation Director, Port Authority Deputy Executive Director, Public Safety Director, Public Works Director, Smart Growth Director, Solid Waste Director, Sports Development Director, Transit Director, Transportation Director, Transportation Deputy Director, Utilities Director, And Visitor & Convention Bureau Director meet the requirement established by Section 121.055, Florida Statutes, for designation of positions within a local agency as being within the Senior Management Service Class.

3. Section 121.055(1)(b)1.a Florida Statutes requires a Notice of Intent to designate positions for inclusion in the Senior Management Class which shall be published once a week for two (2) consecutive weeks in a newspaper of general circulation published in Lee County. In accordance with that requirement Lee County acknowledges the Notice of Intent to designate positions for inclusion in the Senior Management Class was published for two (2) consecutive weeks in a newspaper of general circulation (Exhibit "A", hereto).

4. In accordance with Section 121.055, Florida Statutes, Lee County hereby elects to adopt this Resolution. Likewise, Lee County hereby declares that this Resolution shall be its official notice to the Florida Retirement System of Lee County's designation of certain positions within the Senior Management Service Class.

SECTION TWO: REPEAL OF CONFLICTING RESOLUTIONS

All Ordinances or parts of Ordinances, and all Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION THREE: SEVERABILITY

The provisions of this Resolution are declared to be severable and if any section, sentence, clause, or phrase of this Resolution shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses and phrases of this Resolution but shall remain in effect, it being the legislative intent that this Resolution shall stand notwithstanding the invalidity of any part.

SECTION FOUR: EFFECTIVE DATE

This Resolution shall be effective immediately upon its passage by the Board of County Commissioners at a Regular Meeting.

(Balance of Page Left Intentionally Blank)

The foregoing Resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and, being put to vote, the vote was as follows:

BOB JANES	_____
DOUGLAS ST. CERNY	_____
RAY JUDAH	_____
TAMMARA HALL	_____
JOHN E. ALBION	_____

DULY PASSED AND ADOPTED THIS _____ day of _____, 2005.

ATTEST: CHARLIE GREEN
CLERK OF COURTS

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

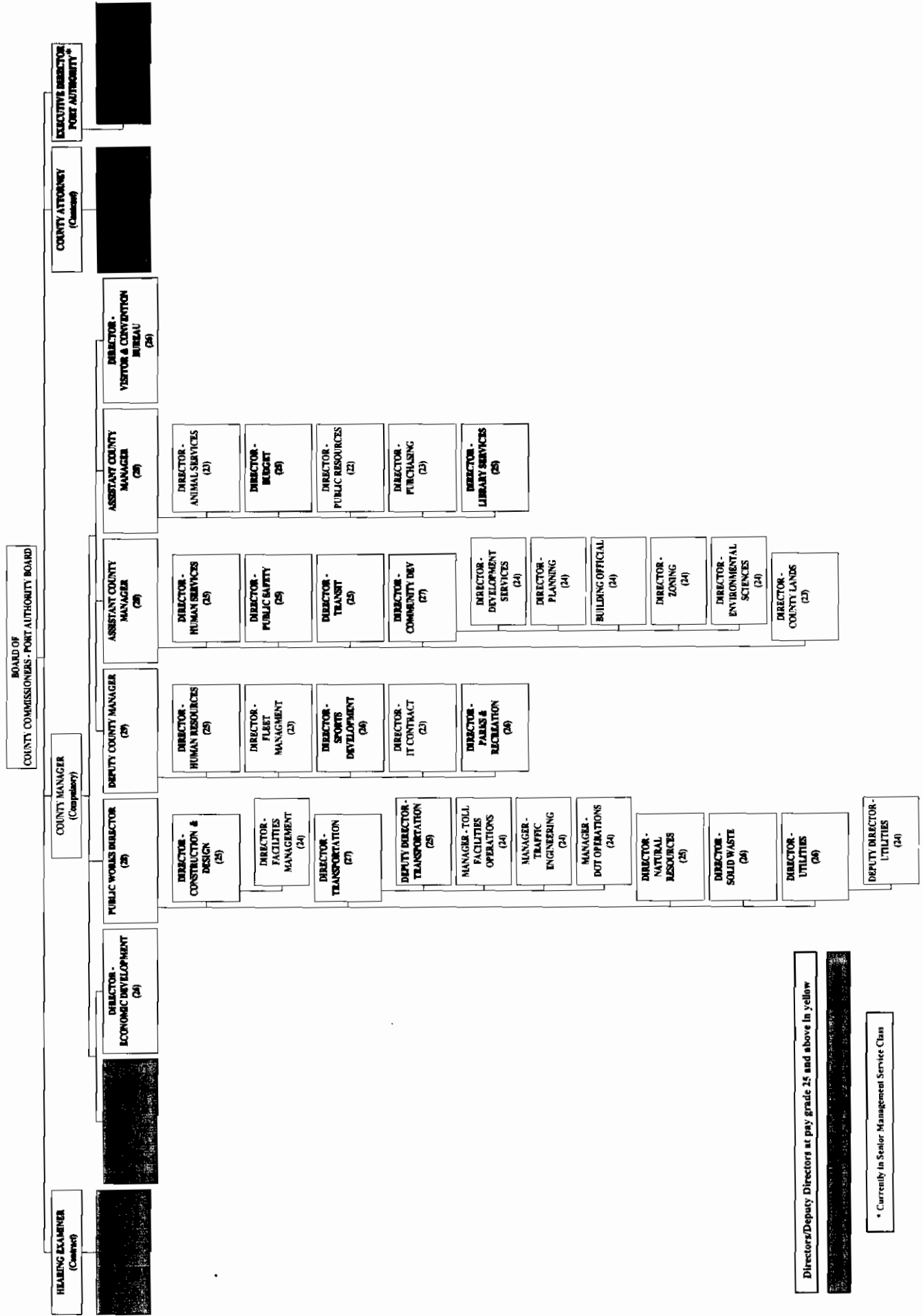
BY: _____
Deputy Clerk

BY: _____
Tammara Hall, Chairwomen

APPROVED AS TO FORM:

BY: _____
Office of the County Attorney

PROPOSED SENIOR MANAGEMENT SERVICE CLASS



Directors/Deputy Directors at pay grade 25 and above in yellow

* Currently in Senior Management Service Class

* Currently in Senior Management Service Class