

Sec. 2-281. Board designated as administrator; composition.

The sole and exclusive administration and responsibility for the proper operation of the system and for making effective the provisions of this article are hereby vested in the board which shall be designated as the plan administrator for the system. The board shall consist of five (5) persons as follows:

- (a) Two (2) legal residents of the city who shall be appointed by the city council to serve for a period of two (2) years unless sooner replaced by the city council. The City Council may appoint the City Manager to serve as one of the two legal residents of the City and such appointment shall constitute ex officio duties on the City Manager. An appointed board member may succeed himself or herself;
- (b) Two (2) employee members, each to be elected by the actively employed members for a two (2) year term in a manner to be determined by the board; and
- (c) A fifth member, elected by the other four (4) members of the board, to be appointed by the city council as a ministerial duty for a two (2) year term. Such fifth member shall be allowed to succeed himself or herself in office if reelected.

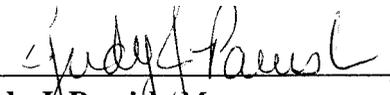
Section 3. Repeal of Prior Inconsistent Ordinances and Resolutions. All prior inconsistent ordinances and resolutions adopted by the City Council, or parts of prior ordinances and resolutions in conflict herewith, are hereby repealed to the extent of the conflict.

Section 4. Incorporation Into Code. This ordinance shall be incorporated into the Cocoa City Code and any section or paragraph number or letter and any heading may be changed or modified as necessary to effectuate the foregoing.

Section 5. Severability. If any section, subsection, sentence, clause, phrase, word or provision of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

Section 6. Effective Date. This Ordinance shall become effective immediately upon adoption by the City Council of the City of Cocoa, Florida.

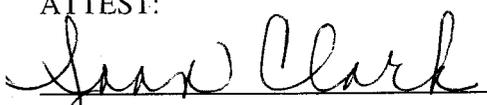
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Judy J. Parrish, Mayor

ADOPTED by the City Council of the City of Cocoa, Florida, in a regular meeting assembled on the 13th day of April, 2004.

ATTEST:



Joan Clark, City Clerk

First Reading: **March 23, 2004**

Second Reading:	<u>April</u>	<u>13</u>	<u>2004</u>
Effective Date:	<u>April</u>	<u>13,</u>	<u>2004</u>