**THE FOLLOWING ORDINANCE WAS MOVED FOR INTRODUCTION BY COUNCIL MEMBER ZUCKERMAN SECONDED FOR INTRODUCTION BY COUNCIL MEMBER BUSH**

**ORDINANCE NO. 21-39**

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF MANDEVILLE AMENDING SECTION 2-8 OF CHAPTER 2 OF THE CITY OF MANDEVILLE CODE OF ORDINANCES AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH**

 **WHEREAS,** theCity Council of Mandeville approved and codified as Section 2-8 of Chapter 2 of the City of Mandeville Code of Ordinances to address the compensation of the Mayor of the City of Mandeville via Ordinance 19-33 on November 21, 2019;

 **WHEREAS**, Section 2-8 (c) states that the “Mayor *may* participate in the Muncipal Employee Retirement System (MERS) provided to other eligible municipal employees, except that the mayor *will* *be responsible for contributing the employee percentage due for retirement benefits*

 **WHEREAS,** at the time the City Council passed Ordinance 19-33, which is now codified as Section 2-8, the City Council was unaware that the Mayor does not have discretionary participation in MERS. Rather, because the Mayor is a full-time employee, the Mayor is required to participate in MERS by La. R.S.: 11:1751; and

**WHEREAS,** the City Council desires to amend Section 2-8 (c) of the Code of Ordinances to allow for City coverage of the Mayor’s participation in MERS in the same manner provided to each full-time City employee;

 **NOW, THEREFORE, BE IT ORDAINED,** by the City Council of the City of Mandeville, that Section 2-8 (c) of City of Mandeville Code of Ordinances be amended to read:

*Sec. 2-8 Compensation of the Mayor.*

### (C) Mayor shall participate in the Municipal Employee Retirement System (MERS) provided to other eligible municipal employees, and the City shall pay the Mayor’s contribution based upon the same percentage due for all full-time employees due for retirement benefits.

**BE IT FURTHER ORDAINED** that this Ordinance shall take effect immediately upon the signature of the Mayor;

 **BE IT FURTHER ORDAINED** that the Clerk of this Council be, and she is hereby authorized and empowered to take any and all actions which she, in the exercise of her discretion, deems necessary to promulgate the provisions of this Ordinance. :

 The Ordinance being submitted to a vote, the vote thereon was as follows:

 AYES: 3 ( McGuire, Zuckerman, Bush)

 NAYS: 2 ( Danielson, Kreller)

 ABSTENTIONS: 0

 ABSENT: 0

and the Ordinance was declared adopted this 14th day of October, 2021.

/s/ /s/

Kristine Scherer Jason Zuckerman

Clerk of Council Council Chairman

 **SUBMITTAL TO MAYOR**

 The foregoing Ordinance was **SUBMITTED** by me to the Mayor of the City of Mandeville this 15th day of October, 2021 at 1:45p.m.

/s/

**CLERK OF COUNCIL**

 **APPROVAL OF ORDINANCE**

The foregoing Ordinance is by me hereby **APPROVED**, this18th day of October, 2021 at 9:30 o’clock a.m.

 /s/

 **L. Clay Madden, Mayor**

 **RECEIPT FROM MAYOR**

The foregoing Ordinance was **RECEIVED** by me from the Mayor of the City of Mandeville this 18th day of October, 2021 at 10 a.m.

/s/

**CLERK OF COUNCIL**

 **CERTIFICATE**

**I, THE UNDERSIGNED** Clerk of the City Council of the City of Mandeville do hereby certify that the foregoing is a true and correct copy of an ordinance adopted by the City Council of the City of Mandeville at a duly noticed, called and convened meeting of said City Council held on the 14th day of October, 2021, at which a quorum was present and voting. I do further certify that said Ordinance has not thereafter been altered, amended, rescinded, or repealed.

**WITNESS MY HAND** and the seal of the City of Mandeville this 15th day of October, 2021.

 /s/

**CLERK OF COUNCIL**