

ORDINANCE NO. 20-06

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING CHAPTER 63 OF THE CODE OF ORDINANCES ENTITLED "PENSIONS AND RETIREMENT PLANS," BY AMENDING SECTION 46-63 TO PROVIDE FOR TRUSTEE TERMS OF FOUR YEARS COMMENCING AT THE END OF CURRENT TERMS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of Trustees of the Retirement System for General Employees has recommended certain revisions to the plan; and

WHEREAS, the City Commission finds that the recommendations are in the best interest of the City, the taxpayers, and the plan participants;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KEY WEST:

Section 1. That Chapter 46, Article II, Section 46-63 of the Key West City Code is hereby amended to read as follows*:

Sec. 46-63. Terms; vacancy.

(a) The elected active employee representative position expiring next after the passage of this ordinance shall be appointed for a term of four years ~~three years~~. The two ~~remaining~~ elected active employee representatives shall be elected to a term of four years ~~two years~~. The member appointed by the mayor and city commission shall be appointed to a term of four years ~~three years~~. The member appointed by a majority of the board shall be appointed to a term of four years ~~two years~~. Future elections and appointments for members of the board of trustees shall each be for a four-year term. This subsection shall not operate retroactively to extend any existing member's term.

*(Coding: Added language is underlined; deleted language is ~~struck through~~ at first reading. Added language is double underlined and ~~double struck through~~ at second reading.)

(b) If a vacancy shall occur prior to the expiration of a trustee's term, a replacement trustee shall be chosen in the same manner as the trustee who has left office. A replacement trustee shall serve a full term measured from the date of replacement.

(c) All trustees shall serve until their replacements are selected.

Section 2: If any section, provision, clause, phrase, or application of this Ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, the remaining provisions of this Ordinance shall be deemed severable therefrom and shall be construed as reasonable and necessary to achieve the lawful purposes of this Ordinance.

Section 3: All Ordinances or parts of Ordinances of said City in conflict with the provisions of this Ordinance are hereby superseded to the extent of such conflict.

Section 4: This Ordinance shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Commission.

Read and passed on first reading at a regular meeting held this 19th day of May, 2020.

Read and passed on final reading at a regular meeting held this 2nd day of June, 2020.

Authenticated by the presiding officer and Clerk of the Commission on the 3rd day of June, 2020.

Filed with the Clerk June 3, 2020.

Mayor Teri Johnston	<u>Yes</u>
Vice Mayor Sam Kaufman	<u>Yes</u>
Commissioner Gregory Davila	<u>Yes</u>
Commissioner Mary Lou Hoover	<u>Yes</u>
Commissioner Clayton Lopez	<u>Yes</u>
Commissioner Billy Wardlow	<u>Yes</u>
Commissioner Jimmy Weekley	<u>Yes</u>


TERI JOHNSTON, MAYOR

ATTEST:


CHERYL SMITH, CITY CLERK