

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING CHAPTER 46, SECTION 246 OF THE CODE OF ORDINANCES TO INCREASE THE POST RETIREMENT SUPPLEMENT PAID TO RETIREES OF THE POLICE OFFICERS' AND FIREFIGHTERS' RETIREMENT PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the Board of Trustees of the Police Officers' and Firefighters' Retirement Plan has recommended increasing and extending the current post retirement supplement paid; and

WHEREAS the City Commission finds that this ordinance will best serve the interest of the citizens of Key West.

NOW, THEREFORE, BE IT ORDAINED by the City of Key West, Florida:

**Section 1:** That Section 46-246 of the Code of Ordinances is hereby amended to read as follows:

**Section 46-246 Post Retirement Supplement**

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- (a) In addition to the monthly retirement benefits provided by this plan, there shall be a supplemental payment of ~~\$269.00~~**\$308.00** per month. This benefit shall commence on the first day of the month following separation from service, providing the retiree is in pay status with the plan, and shall cease ~~in the month immediately preceding the member's 65th birthday.~~ upon the retiree's death. This benefit shall apply ~~on a retroactive basis to all retirees. who had attained the age of 62 prior to July 1, 2007, including retroactive payments for the retirees back to the time they had reached age 62.~~
- (b) The board, by uniform rule, shall establish a procedure for the distribution of this benefit. The board may, in its discretion, provide for the direct payment of this benefit to an insurance provider or other tax qualified method of distribution.

**Section 2:** It is the intention of the City Commission, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of the City of Key West,

that the sections of the Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

**Section 3:** If any clause, section, or other part or application of this Ordinance shall be held in any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered as eliminated and shall not affect the validity of the remaining portions or applications which shall remain in full force and effect.

**Section 4:** All ordinances or parts of ordinances, resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

**Section 5:** This Ordinance shall be effective as of September 30, 2022.

Read and passed on first reading at a regular meeting held this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Read and passed on final reading at a regular meeting held this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Authenticated by the presiding officer and the Clerk of the Commission on this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Filed with the Clerk on this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Terri Johnston, MAYOR

ATTEST:

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CHERYL SMITH, CITY CLERK