ORDINANCE 08-12213

AN ORDINANCE PERTAINING TO THE POLICE OFFICERS' PENSION AND RETIREMENT SYSTEM; AMENDING SECTION 7 OF ORDINANCE 08-12124; PROVIDING A SEVERABILITY CLAUSE, A REPEALER PROVISION AND AN EFFECTIVE DATE.

WHEREAS, on June 18, 2008, City Council approved Ordinance 08-12124 pertaining to the Police Officers' Pension and Retirement System which amended the definitions, maintenance of fund, contributions and requirements for retirement; and

WHEREAS, it was intended that the right to purchase credits be generally available and not limited to a window period; and

WHEREAS, Section 7 provided a limited period of time which is not consistent with the Agreement between the Union and the City;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NAPLES, FLORIDA:

Section 1. That Section 7 of Ordinance 08-12124 is hereby amended to read as follows:

Section 7. This ordinance shall take effect immediately upon adoption at second reading. Any police officers who retired or applied for retirement on or after October 1, 2006 but before the effective date hereof shall have their monthly retirement benefits retroactively increased to the amount set forth in section 4 hereof, and, any police officer who was employed on or after September 28, 2007 shall, if eligible, be allowed to purchase the additional benefit provided in section 4 hereof by September 1, 2008.

Section 2. If any word, phrase, clause, subsection or section of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this ordinance.

Section 3. That all sections or parts of sections of the Code of Ordinances, City of Naples, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

Section 4. This ordinance shall take effect immediately upon adoption at second reading.

APPROVED AT FIRST READING THIS 17TH DAY OF SEPTEMBER, 2008.
Ordinance 08-12213


approved as to form and legality:

[Signature]
Robert D. Pritt, City Attorney

Attest:

[Signature]
Tara A. Norman, City Clerk

Date filed with City Clerk: 10-14-08