AN ORDINANCE RELATING TO THE FIREFIGHTERS’ PENSION AND RETIREMENT SYSTEM; ADDING SUBSECTION 9 TO SECTION 29-232, REQUIREMENTS FOR RETIREMENT; PROVIDING FOR A ONE TIME SUPPLEMENTAL RETIREMENT BENEFIT FOR ELIGIBLE FIREFIGHTER RETIREES; PROVIDING A SEVERABILITY CLAUSE, A REPEALER PROVISION AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Naples, Florida, has made it known that the people of the City of Naples, Florida desire an adequate retirement system for the firefighters of their city, and:

WHEREAS, the City Council recognizes the requirement to maintain an employee retirement system that complies with all State and Federal laws and regulations, and:

WHEREAS, the City Council recognizes the requirement to amend the employee retirement system to comply with current collective bargaining agreements; and

WHEREAS, the current retirement system is in need of amendment in order to meet the above objectives; and

WHEREAS, the City Council has received and reviewed an actuarial impact statement related to these changes; and

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

SECTION 1. That Subsection 9 is hereby added to Section 29-232 of the Code of Ordinances, City of Naples, to read as follows (with underlining indicating additions):

Sec. 29-232. Requirements for Retirement

(9) Supplemental Retirement Benefit: There is hereby provided for all firefighter retirees who retired prior to or on March 31, 2000, in addition to all other benefits provided in this Article, a one-time supplemental retirement benefit to be paid from the accrued “additional premium tax revenues” currently held in reserve, as defined in sub-section 175.351(1), of the Florida Statutes. Payment of such one time supplemental retirement benefit shall be made to each such eligible firefighter retiree within sixty (60) days of the adoption of this ordinance. The amount of such supplemental retirement benefit shall be the monthly benefit paid to each participant for the month during which this ordinance is adopted. Such one time supplemental retirement benefit for eligible retirees shall be added to the next monthly benefit payment or paid separately as the trustees
may decide. Should a retiree die between the adoption of this ordinance and that year's payment date, payment shall be made to the retiree's designated beneficiary.

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 19TH DAY OF NOVEMBER, 2008.


Bill Barnett, Mayor

Attest: Approved as to form and legality:

Tara A. Norman, City Clerk Robert D. Pritt, City Attorney

Date filed with City Clerk: 12-11-08