



## Cover Memorandum/Staff Report

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**File #:** 23-1560

**Agenda Date:** 11/14/2023

**Item #:** 9.G.

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**TO:** Mayor and Commissioners  
**FROM:** Lynn Gelin, City Attorney  
**DATE:** November 14, 2023

**ORDINANCE NO. 42-23:** AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH, CHAPTER 35 "EMPLOYEE POLICIES AND BENEFITS", SUBHEADING "RETIREMENT PLAN", BY CREATING A NEW SECTION 35.111, "BIENNIAL REVIEW," TO PROVIDE AN OPPORTUNITY FOR THE CITY COMMISSION TO REVIEW THE RETIREMENT AND DISABILITY BENEFITS PROVIDED TO RETIRED AND CURRENT EMPLOYEES EVERY ODD-NUMBERED YEAR; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES. (FIRST READING)

**Recommended Action:**

Motion to Approve Ordinance 42-23.

**Background:**

Pursuant to the direction of the City Commission, this Ordinance was prepared to create a procedure for the City Commission to consider retirement and disability benefits for current and retired employees through the General Employees' Retirement Plan every other year commencing October 2025. Specifically, the Commission would determine if the benefits provided have been seriously eroded by the cost of living.

**City Attorney Review:**

Approved as to form and legal sufficiency.