

PROPOSED  
ORDINANCE NO. 48-16

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

AN ORDINANCE AMENDING THE CODE OF THE CITY OF PENSACOLA, FLORIDA; PROVIDING FOR CONTINUED INSURANCE COVERAGE AFTER EMPLOYMENT; AMENDING SECTION 9-7-2; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

**SECTION 1.** Section 9-7-2 of the Code of the City of Pensacola, Florida is hereby amended to read as follows:

Sec. 9-7-2. - Participants; persons insured.

The following persons may be participants or persons insured in any plan of group health, dental, life or other insurance, unless by action of the city council plan participation is otherwise limited:

- a. The mayor and any active, permanent, full-time city employee who is regularly scheduled to work forty (40) hours or more per week on a full-time basis and part-time employees as required under the Affordable Care Act.
- b. Any other active city employee whose written employment contract with the mayor provides for participation in such insurance plan.
- c. Any former employee, as described in subsection a. or b. and city council member as described in f., employed by the city prior to January 1, 1994, who while an active employee was a member of the City General Pension and Retirement plan, Firemen's Relief and Pension Plan, ~~or~~ Police Officers Retirement Plan or Florida Retirement System and who was actively employed by the city for a continuous period of six (6) years, or whose written employment contract provided for participation in such insurance plan following termination of active employment.
- d. Any former employee, as described in subsection a. or b., employed by the city ~~prior to January 1, 1994~~ as of October 1, 2016, who while an employee was a member of one of the city's defined contribution pension or deferred compensation plans, and who was actively employed by the city for a continuous period of ~~ten (10)~~ six (6) years, or whose written employment contract provided for participation in such insurance plan following termination of active employment.

- e. Any former employee, as described in subsection a. or b., whose employment has been terminated due to a total disability due to an accident, injury or occupational disease arising out of and in the course of city employment which is compensable under the workers' compensation laws of Florida in effect at the time that such accident, injury or occupational disease occurs, for so long as such employee remains totally disabled.
- f. City council members and their eligible dependents are eligible to participate in the group health and dental plans only provided that the council members pay one hundred (100) percent of the health and dental insurance premiums. City council members and their eligible dependents will not be eligible to participate in any other city group benefit plans. The mayor, city council members and any eligible dependents will continue to be eligible to participate in the group health plan and dental plans only in the manner as specified in c. above.~~and dental plans only in the manner as specified in c. above.~~during their term(s) in office.
- g. Insurance coverage shall be extended to the eligible dependents of any of the above-described employees, former employees, or mayor or city council members provided that the employee, or city council member, while in the active service of the city or while holding office, enrolls such eligible dependents for coverage during an authorized enrollment period or special enrollment period.
- h. Any surviving spouse and/or eligible dependent children of an employee or former employee eligible to receive retirement benefits under one of the retirement plans described in subsection c., provided that such surviving spouse and/or eligible dependent children were enrolled for coverage prior to the deceased employee's last day of active service with the city.

**SECTION 2.** If any word, phrase, clause, paragraph, section or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provision or applications of the ordinance which can be given effect without the invalid or unconstitutional provisions or application, and to this end the provisions of this ordinance are declared severable.

**SECTION 3.** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 4.** It is the intention of the City Council of the City of Pensacola that the provisions of the Ordinance shall become and be made a part of the Pensacola City Code; and the sections of this Ordinance may be encumbered or relettered and the word “ordinance” may be changed to “section”, “article” or other such phase in order to accomplish such intentions.

**SECTION 5.** The provisions of this Ordinance shall take effect as of the date reflected in each of the Plan documents, unless otherwise noted.

**SECTION 6.** This Ordinance shall on the fifth business day after adoption, unless otherwise provided pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Passed: \_\_\_\_\_

Approved: \_\_\_\_\_  
President of City Council

Attest:

\_\_\_\_\_  
City Clerk