



CITY COMMISSION ORDINANCE/RESOLUTION

TITLE: Ordinance 24-22 (Commission)

DATE: September 17, 2024

DESCRIPTION: AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA RATIFYING AND CONFIRMING A RETIREMENT HEALTH INSURANCE BENEFIT FOR CERTAIN FORMER MEMBERS OF THE CITY COMMISSION; CONFIRMING A RETIREMENT HEALTH INSURANCE BENEFIT FOR CURRENT AND FUTURE MEMBERS OF THE CITY COMMISSION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

RECOMMENDATION:

Ordinance 24-22 is recommended for passing on 1st reading, ratifying, and confirming retirement health insurance benefits for certain former members of the City Commission, confirming retirement health insurance benefits for current and future members of the City Commission.

BACKGROUND OF ITEM:

On June 29, 1999, the City Commission adopted Resolution 99-6-3, approving a Manual of Personnel Policies (the "July 1999 Manual") and establishing policies for the City to manage its personnel matters.

Sec 14.06 of the July 1999 Manual provides "Retirement Health Insurance" for certain department heads, elected officials, and any eligible spouse of elected officials who meet specific enumerated criteria under the policy. The retirement health insurance benefit may have also been adopted by the City Commission before 1999 and included in prior versions of the City's personnel manuals.

On August 28, 2002, the City Commission adopted Ordinance No. 2002-08-07 (the "Ordinance"), thereby proposing an amendment to Section 3.06 of the City Charter, providing that any benefit plans established for the City Commission be adopted by ordinance. The City's electorate approved the Charter amendment referendum proposed by the ordinance on November 5, 2002.

The Retirement Health Insurance benefits established according to the July 1999 Manual predate the ordinance requirements approved by the voters in November 2002.

On October 28, 2008, the City Commission adopted Resolution No. 08-10-9, approving a revised Manual of Personnel Policies (the "October 2008 Manual"), providing an updated set of policies for the City to manage its personnel matters.

Similar to the July 1999 Manual, Sec. 14.06 of the October 2008 Manual provides for "Retirement Health Insurance" for certain department heads, elected officials, and any eligible spouses of elected officials who meet specific enumerated criteria.

On April 10, 2012, the City Commission adopted Resolution No. 12-4-1, thereby approving a further revised Manual of Personnel Policies for the City (the "March 2012 Manual"). Sec. 2.1(B) of the March 2012 Manual states, in part, as follows:

"Elected Officials and Department Directors hired or elected prior to January 1, 2012, and who have met the criteria (in accordance with policy 14.06 of the *2008 edition of the Manual of Personnel Policies*) shall receive: (1) fully paid health insurance coverage and associated benefits; and (2) the Medicare supplement offered by the City as the City's Code. This provision does not apply to anyone first elected or hired after January 1, 2012" (emphasis added).

The Retirement Health Insurance benefit was not required to be established by ordinance when it was conferred according to the July 1999 Manual, and an ordinance would have been legally required to establish such a benefit according to the 2008 Manual. Since the ordinance would have been required to establish a Retirement Health Insurance benefit for members of the City Commission in 2008, an ordinance would have also been required to eliminate such a benefit as outlined in the March 2012 Manual.

ANALYSIS:

The adoption of the March 2012 Manual according to Resolution No. 12-4-1 conflicted with the City Charter, and the Commission now seeks to ratify and confirm the Retirement Health Insurance benefit for certain eligible former elected officials, as well as current and future elected, in accordance with Sec. 3.06 of the City Charter, as amended.

Publicly ratifying and confirming the Retirement Health Insurance benefits for former, current, and future members of the City Commission by passing Ordinance 24-22 is in the best interest of the health, safety, and welfare of its citizens and residents.

ATTACHMENTS:

1. Ordinance 24-22