

ORDINANCE NO. 25-02

AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA REPEALING ORDINANCE NO. 24-22, ADOPTED ON OCTOBER 22, 2024; 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.

WHEREAS, on October 22, 2024, the City Commission of the City of Cooper City adopted Ordinance No. 24-22 (the “Ordinance”), thereby ratifying and confirming a retirement health insurance benefit for certain former members of the City Commission in accordance with Sec. 3.06 of the City Charter; and

WHEREAS, the City Commission now seeks to repeal the Ordinance and further ratify, by ordinance, the City’s prior policy and long-standing custom and practice in place prior to the Ordinance’s adoption, subject to certain amendments, as set forth herein; and

WHEREAS, on June 29, 1999, the City Commission of the City of Cooper City (the “City”) adopted Resolution No. 99-6-3, thereby approving a Manual of Personnel Policies (the “July 1999 Manual”) and establishing a set of policies in order for the City to manage its personnel matters; and

WHEREAS, Sec. 14.06 of the July 1999 Manual provides for “Retirement Health Insurance” for certain department heads and elected officials, and any spouses of elected officials, who meet certain enumerated criteria under the policy; and

WHEREAS, on August 28, 2002, the City Commission adopted Ordinance No. 2002-08-07 , 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; and

WHEREAS, the Charter amendment referendum proposed by the Ordinance was approved by the City's electorate on November 5, 2002; and

WHEREAS, since the adoption of Sec. 3.06 of the City Charter by the electorate in 2002, no ordinance has been adopted ratifying, confirming or conferring any Retirement Health Insurance benefit for former, current or future elected officials until the commission adopted the Ordinance; and

WHEREAS, despite the requirements of Sec. 3.06 of the City Charter the City has been providing former elected officials the Retirement Health Insurance benefit in violation of the City Charter; and

WHEREAS, the Ordinance provided for retiree health insurance benefits for certain former elected officials and their spouses, established a cap on benefits for certain former elected officials, and set forth additional revisions to the City's prior policy, which was embraced through the longstanding custom and practice of the City; and

WHEREAS, the City Commission now seeks to repeal the Ordinance, re-confirm and ratify the City's prior policy related to retiree health insurance benefits, and establish additional conditions for such benefits; and

WHEREAS, the City Commission finds that repealing the Ordinance, and publicly ratifying and confirming the prior Retirement Health Insurance benefit for former, current and future members of the City Commission, by ordinance, is in the best interest of the health, safety, and welfare of its citizens and residents.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA:

Section 1. **RECITALS ADOPTED.** That each of the above-stated recitals is hereby adopted and confirmed.

Section 2. **ORDINANCE 24-22 REPEALER.** The City Commission hereby repeals Ordinance No. 24-22, adopted on October 22, 2024, in its entirety.

Section 3. **RATIFICATION & ADOPTION OF BENEFIT PLAN.** In accordance with Section 3.06 of the City Charter, the City Commission hereby ratifies, confirms and adopts the following Retirement Health Insurance benefits:

RETIREMENT HEALTH INSURANCE:

Pursuant to the provisions of §112.0801, Florida Statutes, the City will provide eligible elected officials, and any spouses of eligible elected officials, upon completion of their terms of office, city health insurance coverage until age Sixty-five (65) years. When a participant becomes eligible for Medicare the City shall provide basic individual supplementary insurance coverage. Further, eligible elected officials may elect dependent health insurance coverage at his/her own expense.

Eligibility: In order to qualify as an eligible participant, an individual must have been elected to three (3) terms as a Cooper City elected official, and completed the third term of office prior to the effective date of this ordinance.

Section 5. Nothing contained herein shall be deemed to ratify, validate, address or approve any benefits or rights relating to current or former Department Directors.

Section 6. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Section 7. If any clause, section, or other part or application of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered as eliminated and so not

affecting the validity of the remaining portions or applications remaining in full force and effect.

Section 8. This Ordinance shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED on First Reading this _____ day of _____, 2025.

PASSED AND FINAL ADOPTION on Second Reading this _____ day of _____, 2025.

ATTEST:

JAMES CURRAN
Mayor

Tedra Allen
City Clerk

Approved As To Form:

JACOB G. HOROWITZ
City Attorney

ROLL CALL

Mayor Curran _____
Commissioner Shrouder _____
Commissioner Katzman _____
Commissioner Mallozzi _____
Commissioner Smith _____