

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2451.16

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA; PROVIDING FOR THE PROVISION OF HEALTH INSURANCE BENEFITS FOR CURRENT AND RETIRED TOWN COUNCILMEMBERS AND THEIR ELIGIBLE DEPENDENTS UNDER THE TOWN'S GROUP HEALTH INSURANCE PLAN; PROVIDING FOR ELIGIBILITY REQUIREMENTS; PROVIDING CRITERIA FOR VESTED RIGHTS IN CONTINUED PARTICIPATION IN TOWN INSURANCE PLAN AT THE EXPENSE OF THE TOWN; SUPERCEDING ALL PRIOR RESOLUTIONS; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on March 10, 2010, the Town Council adopted Resolution No. 2085.10 authorizing Councilmembers and their eligible dependents to participate in the group health insurance plan that is offered to Town employees (the "Plan") in the same manner as Town employees, provided that cost of participation in the Plan was paid solely by the Councilmember electing to participate; and

WHEREAS, Resolution No. 2085.10 further authorized Councilmembers and their eligible dependents to continue their participation in the Plan by upon their retirement; and

WHEREAS, on February 19th, 2013, the Town Council adopted Resolution No. 2290.13, providing that the Town would pay for the cost of the participation of Councilmembers and their eligible dependents in the Plan to the same extent that the cost was paid for general Town employees; and

WHEREAS, on April 19, 2016 this Council adopted Resolution No. 2448.16, providing that the Town would pay for the cost of the participation of retired

Councilmembers and their eligible dependents in the Plan if the Councilmember has served a minimum of ten years in office; and

WHEREAS, in accordance with Section 166.021, Fla. Stat. and s. 2(b), Art. VIII of the State Constitution, municipalities have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, this Council has determined that the provision of Town sponsored health insurance benefits to serving and qualified retired Councilmembers incentivizes a greater pool of qualified candidates to participate in the governance of the Town, and as such serves a valid and important municipal purpose; and

WHEREAS, this Council desires to clarify the parameters of the participation of both serving and retired Councilmembers and their eligible dependents in the Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:

Section 1. Recitals Adopted. That each of the above stated recitals is hereby adopted and confirmed.

Section 2. Participation of Councilmembers and their dependents in the Plan. That to the extent that coverage is available, Town Councilmembers (including the Mayor) and eligible dependents are hereby authorized to participate in Plan in the same manner as general Town employees. "Eligible Dependents" shall include those dependents authorized to participate in the Plan by the insurer providing the Plan. The

election to participate in the Plan shall be made at the discretion of each individual Councilmember.

Section 3. Participation of Retired Council Members and their dependents in the Town's Group Health Insurance Plan; Eligibility. That to the extent that coverage is available, Councilmembers that have completed a minimum of ten years in office and are no longer in office ("Qualified Retired Councilmembers") and their Eligible Dependents are hereby authorized to participate in the Plan in the same manner as general Town employees. A Qualified Retired Councilmember shall be eligible to participate in the Plan commencing on the date that s/he leaves office.

Section 4. Payment of Cost Plan Participation Costs. The Town shall pay for the cost of participation in the Plan by all Councilmembers and their Eligible Dependents to the same extent that the Town pays for the cost of participation by the Town's general employees in the Plan. The Town shall pay for the cost of participation in the Plan by Qualified Retired Councilmembers and their respective Eligible Dependents to the same extent that the Town pays for participation of the Town's general employees in the Plan. In the event that the Town amends the manner in which it pays for the participation of general employees in the Plan the manner in which the Town pays for the participation in the Plan by Councilmembers and/or Qualified Retired Councilmembers shall be amended accordingly.

Section 5. Vested Right To Participate in the Plan, Payment of Costs. That in the event that the Town Council elects to disallow participation in the Plan by, or elects to cease payment of the cost of participation in the Plan by Councilmembers, Qualified Retired Councilmembers and/or their Eligible Dependents as provided in Section 4 of this

Resolution, those Qualified Retired Councilmembers and their respective Eligible Dependents who are enrolled in the Plan on the effective date of the Town Council action disallowing participation in the Plan and/or payment of the cost of participation in Plan (the "Termination Date") shall be deemed to have a vested right to continue participation in the Plan and the Town's payment of the cost of participation. Councilmembers and Qualified Retired Councilmembers who are not enrolled in the Plan on the Termination Date shall not have a vested right to participate in the Plan or to the Town's payment of the cost of participation in accordance with Section 4 of this Resolution.


Section 6. Implementation. The Town Mayor and Town Manager are hereby directed to take all steps necessary to implement this Resolution, including the execution of the Proposal.

Section 7. Effective Date. This Resolution shall be effective immediately upon adoption.

The Motion to adopt the foregoing Resolution was offered by Councilmember Lusskin, seconded by Vice Mayor Bernstein and on roll call the following vote ensued:

Mayor Glenn Singer	<u>Aye</u>
Vice Mayor Kenneth Bernstein	<u>Aye</u>
Councilmember Judy Lusskin	<u>Aye</u>
Councilmember Bernard Einstein	<u>Aye</u>
Councilmember Amy Isackson-Rojas	<u>Absent</u>

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida, this 24th day May, 2016




MAYOR GLENN SINGER

ATTEST:


LISSETTE PEREZ
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


STEPHEN J. HELFMAN
TOWN ATTORNEY