



Item No. 2d

AGENDA ITEM REQUEST FORM

Town Manager

Connie Hoffmann

Department Submitting Request

Dept Head's Signature

REGULAR
COMMISSION MTG
Meeting Dates - 7:00 PM

DEADLINE TO
Town Clerk

ROUNDTABLE
MEETING
Meeting Dates - 7:00 PM

DEADLINE TO
Town Clerk

- Nov 9, 2010
- Dec 7, 2010
- Jan 25, 2011
- Feb 22, 2011
- Mar 22, 2011

- Oct 29 (5:00 pm)
- Nov 30 (5:00 pm)
- Jan 14 (5:00 pm)
- Feb 11 (5:00 pm)
- Mar 11 (5:00 pm)

- Nov 22, 2010
- Dec 14, 2010
- Jan 11, 2011
- Feb 8, 2011
- Mar 8, 2011

- Nov 12 (5:00 pm)
- Dec 3 (5:00 pm)
- Dec 30 (5:00 pm)
- Jan 28 (5:00 pm)
- Feb 25 (5:00 pm)

SUBJECT TITLE: REPEAL OF 1994 RESOLUTION #1222 RETIRED EMPLOYEE HEALTH INSURANCE OPTION

EXPLANATION: A Resolution adopted in 1994 provides that retired Town employees may continue medical benefits under the Florida Municipal Health Trust Fund Insurance Plan at no cost to the Town. It is recommended that the Resolution be repealed for several reasons.

First, Florida Statutes already requires the Town to offer an even more comprehensive insurance option to retirees *and* their eligible dependents. Section 112.0801 of the Florida Statutes provides that retirees, and their eligible dependents, may continue on the Town's health insurance, life insurance, accident, hospitalization, annuity or "all of any kinds of such insurance" plans and specifies that, for health and hospitalization plans, the premium cost shall be no more than the premium cost applicable to active employees.

Second, retiree is defined under the State Statute, but is not defined in the 1994 Town resolution.

When this item was scheduled for adoption earlier this year, it was deferred and, before placing it back on a regular agenda for adoption, I wanted to make sure that the Commission does wish to proceed with repealing the Town resolution and relying on the state statute instead.

EXHIBITS: Resolution #1222
Florida Statutes Section 112.0801
Repealing resolution

Reviewed by Town Attorney
 Yes No

Town Manager Initials CH

FLORIDA STATUTES

Title X PUBLIC OFFICERS, EMPLOYEES, AND RECORDS

Chapter 112 PUBLIC OFFICERS AND EMPLOYEES: GENERAL PROVISIONS

Section 112.0801 Group insurance; participation by retired employees.--

(1) Any state agency, county, municipality, special district, community college, or district school board which provides life, health, accident, hospitalization, or annuity insurance, or all of any kinds of such insurance, for its officers and employees and their dependents upon a group insurance plan or self-insurance plan shall allow all former personnel who have retired prior to October 1, 1987, as well as those who retire on or after such date, and their eligible dependents, the option of continuing to participate in such group insurance plan or self-insurance plan. Retirees and their eligible dependents shall be offered the same health and hospitalization insurance coverage as is offered to active employees at a premium cost of no more than the premium cost applicable to active employees. For the retired employees and their eligible dependents, the cost of any such continued participation in any type of plan or any of the cost thereof may be paid by the employer or by the retired employees. To determine health and hospitalization plan costs, the employer shall commingle the claims experience of the retiree group with the claims experience of the active employees; and, for other types of coverage, the employer may commingle the claims experience of the retiree group with the claims experience of active employees. Retirees covered under Medicare may be experience-rated separately from the retirees not covered by Medicare and from active employees, provided that the total premium does not exceed that of the active group and coverage is basically the same as for the active group.

(2) For purposes of this section, "retiree" means any officer or employee who retires under a state retirement system or a state optional annuity or retirement program or is placed on disability retirement and who begins receiving retirement benefits immediately after retirement from employment. In addition to these requirements, any officer or employee who retires under the Public Employee Optional Retirement Program established under part II of chapter 121 shall be considered a "retired officer or employee" or "retiree" as used in this section if he or she:

(a) Meets the age and service requirements to qualify for normal retirement as set forth in s. 121.021(29); or

(b) Has attained the age specified by s. 72(t)(2)(A)(i) of the Internal Revenue Code and has 6 years of creditable service.

History.--s. 2, ch. 76-151; s. 1, ch. 79-88; s. 1, ch. 80-304; s. 5, ch. 81-103; s. 1, ch. 83-294; s. 1, ch. 87-373; s. 1, ch. 2007-92; s. 1, ch. 2007-100.

RESOLUTION NO. 1222

A RESOLUTION ALLOWING RETIRED EMPLOYEES OF THE TOWN OF LAUDERDALE-BY-THE-SEA THE OPTION OF CONTINUING THE FLORIDA MUNICIPAL HEALTH TRUST FUND INSURANCE PLAN AT THEIR OWN EXPENSE.

WHEREAS, the Town Commission of the Town of Lauderdale-By-The-Sea, Florida has determined that it is feasible to allow retired employees the continuation of coverage under the Medical Benefit Plan at no cost to the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA IN REGULAR SESSION CONVENED,

Section I. That all expense of the insurance premium shall be the responsibility of the retiree.

Section II. That this Resolution shall take effect immediately upon adoption.

Section III. Passed and adopted by the Town Commission of the Town of Lauderdale-By-The-Sea, Florida this 25th day of January, 1994.

Ken Woodhouse
Mayor

ATTEST:

Terese Green
Town Auditor-Clerk

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RESOLUTION 2010-14

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**A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-
THE-SEA, FLORIDA, REPEALING TOWN RESOLUTION
NO. 1222 REGARDING FLORIDA MUNICIPAL HEALTH
TRUST FUND INSURANCE PLAN ELIGIBILITY FOR
TOWN RETIREES; PROVIDING FOR CONFLICT AND AN
EFFECTIVE DATE.**

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WHEREAS, Town Resolution No. 1222, adopted by the Town Commission of the Town of Lauderdale-By-The-Sea, Florida on January 25, 1994, found that it was feasible to allow retired employees of the Town the option to continue coverage under the Medical Benefit Plan, if such employees paid the premium for coverage at their own expense; and

WHEREAS, the Town Commission desires to repeal Resolution No. 1222, in order to discontinue a Town option for retired Town employees to continue on the Town's health insurance plan at their own expense; and

WHEREAS, henceforth, the Town will allow its retirees to continue to participate in its health or other insurance plans only as may be required by Section 112.0801, Florida Statutes, or other applicable laws, and such participation shall be at the retiree's own expense.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA THAT:

SECTION 1. The foregoing "WHEREAS" clauses are true and correct, and hereby ratified and confirmed by the Town Commission and incorporated herein.

SECTION 2. Resolution No. 1222, adopted January 25, 1994, is hereby repealed.

SECTION 3. All Resolutions or parts of Resolutions in conflict herewith, be and the same are repealed to the extent of such conflict.

