

ORDINANCE No. 2021-45

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, ESTABLISHING A RETIREMENT HEALTH INSURANCE PROGRAM FOR THE CITY OF DORAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCORPORATION INTO THE CODE AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City's Human Resources Department in conjunction with the Finance Department have identified the need to review and update the retirement benefits currently being offered; and

WHEREAS, staff is proposing a health insurance program for City employees that retire after a minimum of ten years of employment with the City for which the City would subsidize a portion of the insurance cost to the employee based on their years of service; and

WHEREAS, the purpose of the proposed Retirement Health Insurance Program seeks to offer competitive benefits to retain a knowledgeable and professional staff; and

WHEREAS, the proposed Retirement Health Insurance Program would only cover those employees who are not part of the collective bargaining agreement and are retiring between the ages of 62 thru 65 with a minimum of ten years of service; and

WHEREAS, once the employee reaches age 65 and is eligible for Medicare (a Federal program) the City would no longer pay a portion of that employee's insurance.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The recitals and findings contained in the Preamble to this Ordinance are adopted and incorporated as if fully set forth in this Section.

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Section 2. Code Amended. Chapter 2 – “Retirement Health Insurance Program”
the Code of Ordinances of the City of Doral is hereby amended as follows:

CHAPTER 2. ADMINISTRATION

Article XI – Retirement Health Insurance Program

Sec. 2-454. - Program established; purpose; name.

A retirement health insurance program for employees of the City of Doral is hereby established to provide retirement benefits for Doral employees retiring between the ages of 62 thru 65 with a minimum of ten years of service and shall be known as the "City of Doral Retirement Health Insurance Program".

Sec. 2.455. - Definitions.

Unless a different meaning is plainly required by the context, the following words and phrases as used in this division shall have the following meaning:

Beneficiary shall mean any person receiving a benefit from the retirement health insurance program provided by this article.

Benefits shall mean the retirement payment provided by this article.

Contribution shall mean the sum of all amounts contributed by the city on behalf of a retired employee of the City of Doral.

Employee shall mean any regular, permanent, and full-time employee of the city, other than a police officer who is covered by a Collective Bargaining Agreement with the city.

Retirement age shall mean the first day of the month coincident with or next following the 62nd anniversary of birth.

Service shall mean active employment as an employee of the city.

Trustee shall mean the Director of Finance Department of the City of Doral or professional consultants retained by the city for the purposes of administering this article and calculating contributions and benefits.

Vesting shall mean the vesting of rights to future benefits after a minimum of ten years of Service under section 3-01.

Sec. 2-456. - Benefits.

Any employee who has been employed for a minimum period of ten years and who has reached the Retirement age shall upon retirement from the city be

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entitled to a credit towards the health insurance premium. The cost of the program would be extended to the employee and spouse for the coverage at the time of retirement. The City's contribution would be pro-rated based on the employee's years of service as follows:

- 10 years of service - 30% City contribution
- 20 years of service - 40% City contribution
- 30 years of service - 50% City contribution

Sec. 2-457. - Administrative committee.

(a) Administration of the retirement health insurance program, the exclusive power to interpret it, and the responsibility for carrying out its provisions are vested in an administrative committee.

(b) Membership. The administrative committee shall be made up of three members as follows:

- (1) City Manager or designee;
- (2) The Director of the Finance Department or designee; and
- (3) The Director of Human Resources.

(c) Meetings. The administrative committee shall hold meetings, determining the notice, time, and place of each. The affirmative vote of at least two members of the administrative committee at any meeting of the committee shall be required to take any action. The committee shall elect one member as chairperson and one member as secretary. The secretary shall keep complete minutes of the proceedings of the committee. The decisions of the administrative committee as to interpretation and application of the retirement system shall be final.

(d) Term of office; resignation; removal of committee members. Any appointed administrative committee member; shall serve a two-year term. Any appointed committee member may be subsequently reappointed as a committee member. A committee member who does not attend two or more consecutive committee meetings not excused by the committee may be removed by majority vote of the committee. A committee member who resigns or is removed shall be replaced in the same manner as that member was selected, and the new member shall serve the remainder of that member's term.

(e) Retirement plan records. The administrative committee shall maintain appropriate accounts and records and shall keep in convenient form the data necessary for actuarial valuations.

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(f) Committee liability. Administrative committee members shall use reasonable and ordinary care and diligence in performing their duties; but no member shall be personally liable by virtue of any contract, agreement, bond, or other instrument made or executed by or for him or her as a committee member nor for any loss, unless due to his own willful misconduct.

Section 3. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 4. Inclusion in Code. It is the intention of the City Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made part of the Code of the City of Doral, Florida; that the sections of this Ordinance may be re-numbered or re-lettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 5. Effective Date. This Ordinance shall take effect immediately upon adoption on second reading.

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The foregoing Ordinance was offered by Councilmember Mariaca who moved its adoption. The motion was seconded by Vice Mayor Cabral upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Digna Cabral	Yes
Councilman Pete Cabrera	Yes
Councilwoman Claudia Mariaca	Yes
Councilman Oscar Puig-Corve	Yes

PASSED AND ADOPTED on FIRST READING this 8 day of December, 2021.

PASSED AND ADOPTED on SECOND READING this 12 day of January, 2022.



JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



CONNIE DIAZ, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
FOR THE USE AND RELIANCE OF THE CITY OF DORAL ONLY:



LUIS FIGUEREDO, ESQ.
CITY ATTORNEY

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