

**ITEM 1 ATTACHMENT
RESOLUTION NO. 2021-1723**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CALABASAS, CALIFORNIA, AMENDING RESOLUTION
NO. 2017-1571 REGARDING THE EXISTING AMOUNT
AND PROCEDURE FOR THE CITY'S EXISTING HEALTH
BENEFIT REIMBURSEMENT FOR MANAGEMENT
RETIREES.**

WHEREAS, the City desires to adjust the rules and regulations governing the City's existing program for paying medical insurance premiums for Management Retirees who meet certain eligibility requirements, without changing the list of persons eligible for the program.

NOW THEREFORE, effective July 1, 2021, Resolution 2017-1571 is hereby amended to read as follows:

Section 1. Definitions.

- a. City. The City of Calabasas, California
- b. Dependent. The term used synonymously with the Internal Revenue Service's (IRS's) definition of a "spouse" or a "permanently and totally disabled" person. Dependent shall also include a domestic partner or domestic partnership, as defined in Section 297 of the California Family Code, and all rights and responsibilities granted to a spouse or surviving spouse shall be granted equally to a domestic partner to the extent provided by Section 297.5 of the California Family Code. Proper legal documentation verifying a legal marriage or registered domestic partnership, or a permanent and total disability, is required. Recognition of a "dependent" is determined at the time the Management Retiree ends employment with the City.
- c. Management Retiree. An individual who was employed by the City in one of the following salary classifications according to the City Council's Resolution Approving a Salary Schedule for Permanent Employees in effect at the time the individual's employment with the City ended: City Council, City Manager, or Management Classification.

- d. Eligible Health and Welfare Benefits Costs. Health and welfare benefits costs eligible for reimbursement, under the terms and conditions of this Resolution, shall include the following: medical insurance premium or copayment costs paid by the Management Retiree or qualifying dependent; Medicare supplement medical insurance premium or copayment costs paid by the Management Retiree or qualifying dependent; dental, vision, or other medical insurance premium, copayment, or other health and welfare benefits costs paid by the Management Retiree or qualifying dependent.
- e. PERS. California Public Employees Retirement System.

Section 2. Eligibility to receive health and welfare benefit costs reimbursement payments after retiring from PERS is limited to the persons listed in this Resolution. A Management Retiree is eligible to receive health and welfare benefit costs reimbursement payments if the Management Retiree:

- a. Has been employed full-time by the City for a minimum of five (5) years; and
- b. Retires from the PERS System. Eligibility shall be suspended during any period of reinstatement at any PERS Agency, then shall be restored upon subsequent retirement from the PERS System.

Section 3. Provision for Health and Welfare Benefit Costs Reimbursement Payments after Retiring from PERS.

The City shall reimburse each eligible Management Retiree for the eligible Management Retiree's health and welfare benefits costs, in an amount not to exceed the "Supplement/Managed Medicare Monthly Rate (M)" listed under "Employee & 1 Dependent" for the "PERS Choice Medical Supplement" coverage identified on the rate sheet entitled: "*CalPERS 20__ Regional Health Premiums (Actives and Annuitants)*" for the Los Angeles area provided by PERS for each year.

In the event that the Management Retiree dies, the qualifying dependent, if one exists, shall receive a reduced health and welfare benefits costs reimbursement payment, in an amount not to exceed the "Supplement/Managed Medicare Monthly Rate (M)" listed under "Employee Only" for the "PERS Choice Medical Supplement" coverage identified on the rate sheet entitled: "*CalPERS 20__ Regional Health Premiums (Actives and Annuitants)*" for the Los Angeles area provided by PERS for each year, until the time of his/her death, or until he/she re-marries. This "Dependent Benefit" shall only be provided to Management Retirees who retire after January 25, 2017.

As these cited rates are adjusted by PERS, likewise will the maximum reimbursement amount to the Management Retiree or qualifying dependent be adjusted so that the maximum reimbursement amount and the cost identified by PERS are identical.

The health and welfare benefit costs reimbursement payment will be made by the City directly to the Management Retiree or his/her qualifying dependent on at least a quarterly basis. Neither concurrent retirement from PERS and the City, nor a minimum age requirement is necessary to receive this benefit, however health and welfare benefit costs reimbursement payments will begin only after retirement from PERS has occurred, under the conditions specified above in Section 2.

This is a reimbursement program only. On regular basis as required by the City, the Management Retiree is responsible to provide documentary proof to the City that the Management Retiree incurred health and welfare benefit costs eligible for reimbursement.

The City Manager and Chief Financial Officer are authorized to promulgate regulations and a required reimbursement request form to implement this Resolution and to document compliance that all reimbursement payments made by the City are authorized under this Resolution.

Section 4. Effective Date.

This Resolution shall take effect on July 1, 2021.

Section 5. Conflict with Other Documents.

Should any provision herein conflict with any applicable memorandum of understanding or employment agreement, the provisions of those other documents shall prevail. All other and former retirement health benefits contrary to, or inconsistent with any provisions hereof are amended to conform herewith.

Section 6. The City Clerk shall certify to the adoption of this resolution and shall cause the same to be processed in the manner required by law.

PASSED, APPROVED, AND ADOPTED this 31st day of March, 2021.

James R. Bozajian, Mayor

ATTEST:

APPROVED AS TO FORM:

Maricela Hernandez, City Clerk
Master Municipal Clerk
California Professional Municipal Clerk

Scott H. Howard
Colantuono, Highsmith & Whatley, PC
City Attorney