

ORDINANCE NO. _____

AN ORDINANCE TO AMEND SECTIONS 82-150 AND 82-153; OF ARTICLE VI OF CHAPTER 82, PERSONNEL, OF THE CODE OF ORDINANCES OF THE CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, TO MODIFY PROVISIONS GOVERNING SURVIVING SPOUSE ELIGIBILITY FOR SUPPLEMENTAL MEDICAL AND DEATH BENEFITS, AND TO REPEAL CONFLICTING ORDINANCES.

THE CITY OF ROCHESTER HILLS ORDAINS:

Section 1. Section 82-150 of the Code of Ordinances of the City of Rochester Hills shall be amended, as follows:

Sec. 82-150. – Insurance Premiums.

Insurance premiums under the supplemental program shall be paid from the trust in accordance with this section.

A participant's supplemental benefit will be paid to the participant and/or the participant's spouse ~~directly to an insurance carrier providing benefits as part of the city's group health insurance benefit program or effective January 1, 2009, to~~ reimburse the cost of any individual medical plan premium payment including Medicare Advantage plans. ~~The maximum benefit paid or reimbursed shall not exceed the participant's supplemental benefit amount. The participant will be required to provide the administrator with annual proof of coverage (subject to periodic audits) and notify the administrator immediately of any changes in coverage or termination of coverage.~~

Effective January 1, 2022, a participant's supplemental benefit will be paid to the participant and/or the participant's spouse to reimburse the cost of any individual medical plan premium payment including Medicare Advantage plans.

The maximum benefit paid or reimbursed shall not exceed the participant's supplemental benefit amount. The participant will be required to provide the administrator with annual proof of coverage (subject to periodic audits) and notify the administrator immediately of any changes in coverage or termination of coverage.

Section 2. Section 82-153 of the Code of Ordinances of the City of Rochester Hills shall be amended, as follows:

Sec. 82-153. – Death Benefits.

Upon the death of the participant, his/her surviving spouse and/or dependent are eligible to receive the participant's supplemental benefit for a maximum of 36 months, commencing when the participant would have attained 70 points of combined age and years of service. Years of service shall be established as of the date of the participant's death. If the participant retired prior to the date of his/her death, his/her surviving spouse and/or dependent is eligible to receive

the participant's supplemental benefit for the remainder of the period during which the participant would have received the supplemental benefit to a maximum of 36 months after the death of the participant. If the participant's surviving spouse or dependent become totally and permanently disabled during the life of the participant, they may receive the full supplemental benefit for which the participant is entitled.

Effective January 1, 2022, the participant's surviving spouse will be eligible to receive the participant's supplemental benefit, commencing when the participant would have attained 70 points of combined age and years of service. Years of service shall be established as of the date of the participant's death. This benefit shall be payable to the surviving spouse for the same duration as it would have been payable to the participant. If the participant retired prior to the date of his/her death, his/her surviving spouse will be eligible to receive the participant's supplemental benefit for the remainder of the period during which the participant would have received the supplemental benefit.

Section 3. Severability. This ordinance and each article, section, subsection, paragraph, subparagraph, part, provision, sentence, word and portion thereof are hereby declared to be severable, and if they or any of them are declared to be invalid or unenforceable for any reason by a court of competent jurisdiction, it is hereby provided that the remainder of this ordinance shall not be affected thereby

Section 4. Penalty. All violations of this ordinance shall be misdemeanors and upon conviction thereof shall be punishable by a sentence of not more than ninety (90) days of confinement to jail or by a fine of not more than \$500, or both, in the court's discretion.

Section 5. Repeal, Effective Date, Adoption.

(1) Repeal. All regulatory provisions contained in other City ordinances, which are inconsistent with the provisions of this ordinance, are hereby repealed.

(2) Effective Date. This ordinance shall become effective on _____, the day following its publication in the *Oakland Press* on _____, 2021.

(3) Adoption. This ordinance was adopted by the City Council of the City of Rochester Hills at a meeting thereof held on _____, 2021.

Bryan K. Barnett, Mayor
City of Rochester Hills

CERTIFICATE

I HEREBY CERTIFY THAT THE FOREGOING ORDINANCE WAS ADOPTED BY THE CITY COUNCIL OF THE CITY OF ROCHESTER HILLS AT A MEETING THEREOF ON _____, 2021.

Leanne Scott, Clerk
City of Rochester Hills