

**RESOLUTION NO. 2021-207**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE AMENDMENT NO. 1 TO THE AGREEMENT BETWEEN THE CITY OF COCONUT CREEK AND OPTUMHEALTH CARE SOLUTIONS, LLC REGARDING THE USE OF COCONUT CREEK FITNESS FACILITIES FOR OPTUM FITNESS PASSPORT PROGRAM CLIENTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, OptumHealth Care Solutions, LLC (“Optum”) and the City of Coconut Creek entered into an agreement, dated November 28, 2017 (the “Agreement”), to allow Optum to utilize Coconut Creek fitness facilities for Optum’s Medicare Advantage Plan members to participate in the Optum Fitness Passport Program (“Program”); and

**WHEREAS**, the Agreement renews automatically unless terminated by one of the parties and remains in effect; and

**WHEREAS**, Optum has proposed amending the Agreement to allow additional individuals to utilize the Program and to provide technical revisions to change the annual renewal date, update definitions, and update the termination provisions consistent with the renewal date change; and

**WHEREAS**, the City of Coconut Creek strives to improve and expand the availability of fitness opportunities.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA:**

**Section 1:** That the foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this resolution. All exhibits attached hereto are incorporated herein and made a specific part of this resolution.

**Section 2:** That the City Commission has reviewed and hereby approves Amendment No.1 to the Agreement between the City of Coconut Creek and OptumHealth

Care Solutions, LLC for the use of City fitness facilities for clients of the Optum Fitness Passport Program.

**Section 3:** That the City Manager, or designee, is hereby authorized to execute the attached Amendment No. 1 to the Agreement between the City of Coconut Creek, and OptumHealth Care Solutions, LLC for the use of City fitness facilities for clients of the Optum Fitness Passport Program.

**Section 4:** That if any clause, section, other part or application of this resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or in application, it shall not affect the validity of the remaining portion or applications of this resolution.

**Section 5:** That this resolution shall be in full force and effect immediately upon its adoption.

Adopted this 28<sup>th</sup> day of October, 2021.

\_\_\_\_\_  
Rebecca A. Tooley, Mayor

Attest:

\_\_\_\_\_  
Marianne Bowers, Interim City Clerk

Tooley	<u>Aye</u>
Rydell	<u>Aye</u>
Sarbone	<u>Aye</u>
Welch	<u>Aye</u>
Railey	<u>Aye</u>