

RESOLUTION NO. 2022-034

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE HEALTHY CONTRIBUTIONS TERMS AND CONDITIONS OF SERVICE TO REPLACE AND SUPERSEDE THE PROGRAM AGREEMENT BETWEEN THE CITY OF COCONUT CREEK AND HEALTHY CONTRIBUTIONS LLC, DATED DECEMBER 14, 2017, PROVIDING FOR PROCESSING OF THE REIMBURSEMENT OF FITNESS MEMBERSHIP FEES FOR THE OPTUM FITNESS PASSPORT PROGRAMS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, OptumHealth Care Solutions (“Optum”) and the City of Coconut Creek entered into an agreement, dated November 28, 2017 (the “Optum 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 Optum Agreement was amended on October 28, 2021, to allow additional individuals to utilize the Program (“Optum Programs”) and to provide technical revisions to the terms and conditions (“Amended Optum Agreement”); and

WHEREAS, participants in the Optum Programs receive a free, standard City of Coconut Creek Fitness membership, which fees are reimbursed to the City by Optum; and

WHEREAS, Healthy Contributions, LLC is the third party vendor utilized by Optum for reporting and payment processing; and

WHEREAS, Healthy Contributions, LLC and the City originally entered into an agreement, dated December 14, 2017 (“HC Agreement”), to provide for reporting and payment processing, which renews automatically unless terminated by one of the parties and remains in effect; and

WHEREAS, Healthy Contributions has updated their terms and conditions to

include all OptumHealth programs the City may participate in and address operational changes; and

WHEREAS, the proposed agreement will replace and supersede the HC Agreement and the updated terms and conditions will apply to processing for all Optum programs in which the City participates.

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 the Healthy Contributions Terms and Conditions of Service for processing of reimbursement of fitness membership fees for the Optum Fitness Passport Programs.

Section 3: That the City Manager, or designee, is hereby authorized to execute the Healthy Contributions Terms and Conditions of Service for reimbursement of fees 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 24th day of February, 2022.

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>