

Resolution No. RS2010- 1397

A resolution approving an Intergovernmental Agreement Amendment by and between The Metropolitan Government of Nashville and Davidson County, Tennessee and the Metropolitan Nashville Hospital Authority to change the Metropolitan Nashville Hospital Authority employee benefits system.

WHEREAS, on April 6, 1999 the Metropolitan Nashville Hospital Authority (the "Hospital Authority") was created by Ordinance 99-1577, and Resolutions SR99-1410, and R99-1411 through R99-1413 of the Metropolitan Council.

WHEREAS, on April 26, 1999 an Intergovernmental Agreement (the "Agreement") was made and entered into between The Metropolitan Government of Nashville and Davidson County (the "Metropolitan Government") and the Hospital Authority.

WHEREAS, Section 1, subsection c, of the Agreement provides that the Metropolitan Government will continue to provide to the Hospital Authority services of the Metropolitan Government, including, but not limited to, employee benefits administration services.

WHEREAS, for all new employees hired after November 1, 2010, the Hospital Authority plans to replace Metropolitan Government administered pension and retiree/pension medical benefits with a different system of benefits administered by the Hospital Authority.

WHEREAS, the Hospital Authority has the authority to contract to provide a system of benefits to Hospital Authority employees pursuant to T.C.A. § 7-57-301 and T.C.A. § 50-6-106.

WHEREAS, Agreement may be amended by Resolution of the Metropolitan Council pursuant to Agreement approved by Ordinance 99-1577.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That the Intergovernmental Agreement between The Metropolitan Government of Nashville and Davidson County, Tennessee and the Metropolitan Nashville Hospital Authority, section 1(c) and section 2(c), is amended by permitting the Hospital Authority, for all new employees hired after November 1, 2010, to replace Metropolitan Government administered pension and retiree/pension medical benefits with a different system of benefits administered by the Hospital Authority. A copy of this amendment is attached hereto as Exhibit A and incorporated herein.

Section 3. Officers and employees of the Metropolitan Government are authorized to take all actions that are necessary and appropriate to comply with the terms of this amendment to the Intergovernmental Agreement.

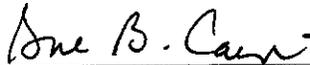
Section 4. That this resolution shall take effect from and after its adoption, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

APPROVED AS TO AVAILABILITY
OF FUNDS:



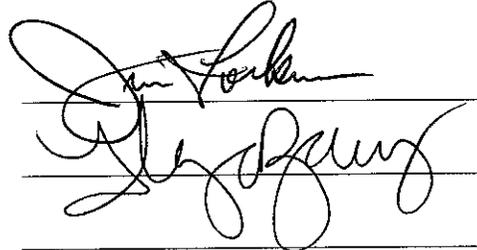
Richard M. Riebeling, Director
Department of Finance

APPROVED AS TO FORM AND
LEGALITY:



Sue B. Cain
Director of Law

INTRODUCED BY:



MEMBERS OF COUNCIL

Exhibit A

AMENDMENT NO. 3 TO THE INTERGOVERNMENTAL AGREEMENT
BETWEEN
THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON
COUNTY, TENNESSEE
AND
THE METROPOLITAN NASHVILLE HOSPITAL AUTHORITY

The Intergovernmental Agreement entered into the 26th day of April, 1999 and approved by the Metropolitan Council by Ordinance 99-1577, is hereby amended by:

Designating the current section 1 ("Duties of the Metropolitan Government") subsection "c." as subsection "c. (i)" and adding the following new subsection "c. (ii)":

- (ii) All qualifying Hospital Authority employees hired after November 1, 2010, will:
 - A. Not receive pension benefits, including, but not limited to, retiree medical benefits for a pensioner administered by the Metropolitan Government.
 - B. Receive those benefits not mentioned in c(ii)(A) (above) which are administered by the Metropolitan Government.

Inserting a new section 2 ("Duties of the Authority") subsection "c." and renumbering the remaining subsections accordingly. The new subsection "2. c." shall be as follows:

c. Employee Benefits.

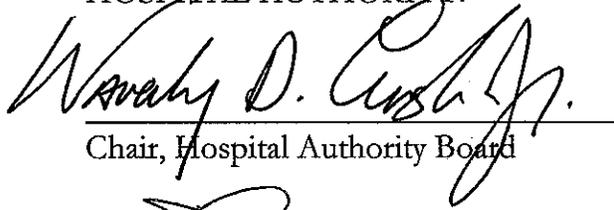
- (i) All qualifying Hospital Authority employees hired after November 1, 2010, will receive:
 - A. Retirement benefits administered by the Hospital Authority.
 - B. All other benefits offered and administered by the Metropolitan Government except pension benefits including, but not limited to, retiree medical benefits for a pensioner.
 - C. A Hospital Authority employee who ceases employment with the Hospital Authority after November 1, 2010 and who is then hired again by the Hospital Authority shall receive the same benefits as other employees hired after November 1, 2010 and shall not be entitled to participate in the benefits administered by the Metropolitan Government except as provided in Subsection c.(i)(B), above. Benefits previously accrued for service with the Metropolitan Government will remain frozen as of the time of the employee's prior departure.

- (ii) Procurement, insurance, and legal services required to administer or handle claims, including claims resulting in litigation, related to providing the employee benefits in Subsections c.(i)(A) and (C) will be supplied and administered by the Hospital Authority.

All other parts of the Inter Governmental Agreement remain unchanged.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized officers as of the day and year first above-written.

THE METROPOLITAN NASHVILLE
HOSPITAL AUTHORITY:



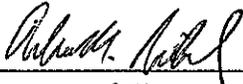
Chair, Hospital Authority Board



Chief Executive Officer

Metropolitan clerk

APPROVED AS TO AVAILABILITY
OF FUNDS:

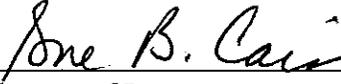


Director of Finance



Secretary

APPROVED AS TO FORM AND
LEGALITY:



Director of Law

APPROVED AS TO INSURANCE:



Director, Division of Insurance