

RESOLUTION NO. R2015-15

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE RANCHO MURIETA COMMUNITY SERVICES DISTRICT ELECTING TO BE SUBJECT TO GOVERNMENT CODE SECTION 22893 TO ESTABLISH HEALTH VESTING REQUIREMENTS FOR FUTURE ANNUITANTS UNDER THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT WITH RESPECT TO A RECOGNIZED EMPLOYEE ORGANIZATION

WHEREAS, Government Code Section 22893 provides that a contracting agency subject to the Public Employees' Medical and Hospital Care Act (the "Act") may file a Resolution with the Board of the California Public Employees' Retirement System (PERS) to provide a post-retirement health benefits vesting requirement to employees who retire for service in accordance with Government Code Section 22893; and

WHEREAS, Rancho Murieta Community Services District is a contracting agency under Government Code Section 22920 and subject to the Act for participation by represented members; and

WHEREAS, Rancho Murieta Community Services District certifies some employees are represented by a bargaining unit and there is an applicable memorandum of understanding; and

WHEREAS, the credited service of an employee for purposes of determining the percentage of employer contribution applicable under Government Code Section 22893 shall mean service as defined in Government Code Section 20069, except that not less than five (5) years of that service shall be performed entirely with the Rancho Murieta Community Services District; and

WHEREAS, the employer contribution for active employees cannot be less than what is defined in Government Code Section 22892(b);

NOW, THEREFORE BE IT RESOLVED,


- a. That Employees first hired on or after the effective date of this Resolution shall be subject to the requirements defined in Government Code Section 22893, except that the employer may, once each year without discrimination, allow all employees who were first employed before Government Code Section 22893 became applicable to the employer to individually elect to be subject to the provisions of Government Code Section 22893, and the employer shall notify the Board which employees have made that election; and be it further resolved
- b. That the employer contribution shall be necessary to pay the full cost of his/her enrollment, including the enrollment of family members, in a health benefits plan or plans up to a maximum of the amounts prescribed by

Government Code Section 22893(a)(1), plus Administrative fees and Contingency Reserve assessments; and be it further resolved

- c. That the percentage of employer contribution payable for post-retirement health benefits for each annuitant shall be based on the employee's completed years of credited service based upon the table in Government Code Section 22893; and be it further resolved
- d. Rancho Murieta Community Services District has fully complied with any and all applicable provisions of Government Code Section 7507 in electing the benefits set forth above; and be it further resolved
- e. That the participation of the employees and annuitants of Rancho Murieta Community Services District shall be subject to determination of its status as an "agency or instrumentality of the state or political subdivision of a State" that is eligible to participate in a governmental plan within the meaning of Section 414(d) of the Internal Revenue Code, upon publication of final Regulations pursuant to such Section. If it is determined that Rancho Murieta Community Services District would not qualify as an agency or instrumentality of the state or political subdivision of a State under such final Regulations, the California Public Employees' Retirement System may be obligated, and reserves the right, to terminate the health coverage of all participants of the employer; and be it further resolved
- f. That the executive body appoint and direct, and it does hereby appoint and direct, Darlene J. Gillum, General Manager, to file with the Board a verified copy of this resolution, and to perform on behalf of Rancho Murieta Community Services District all functions required of it under the Act; and be it further resolved
- g. That coverage under the Act be effective on January 1, 2016.


Adopted at a Regular meeting of the Governing Board at Rancho Murieta Community Services District, this 18th day of November, 2015, by the following vote:

Ayes: Pasek, Ferraro, Graf, Martel, Pecotich
Noes: None
Abstain: None
Absent: None



Gerald Pasek, President of the Board
Rancho Murieta Community Services District

Attest:



Suzanne Lindenfeld
District Secretary