

## RESOLUTION NO.

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CUPERTINO FIXING THE EMPLOYER CONTRIBUTION AT AN EQUAL AMOUNT FOR EMPLOYEES AND ANNUITANT SUNDER THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT

WHEREAS, (1) City of Cupertino is a contracting agency under Government Code Section 22920 and subject to the Public Employees' Medical and Hospital Care Act (the "Act"); and

WHEREAS, (2) Government Code Section 22892(a) provides that a contracting agency subject to Act shall fix the amount of the employer contribution by resolution; and

WHEREAS, (3) Government Code Section 22892(b) provides that the employer contribution shall be an equal amount for both employees and annuitants, but may not be less than the amount prescribed by Section 22892(b) of the Act; and

RESOLVED, (a) That the employer contribution for each employee or annuitant shall be the amount necessary to pay the full cost of his/her enrollment, including the enrollment of family members, in a health benefits plan up to a maximum of:

| Medical Group             | Monthly Employer Contribution |            |            |
|---------------------------|-------------------------------|------------|------------|
|                           | Single                        | Two-Party  | Family     |
| 001 Management            | \$733.39                      | \$1,246.59 | \$1,620.57 |
| 002 Confidential          | \$733.39                      | \$1,246.59 | \$1,620.57 |
| 003 Employees Association | \$733.39                      | \$1,246.59 | \$1,620.57 |
| 004 Operating Engineers   | \$733.39                      | \$1,246.59 | \$1,620.57 |
| 005 City Attorney         | \$733.39                      | \$1,246.59 | \$1,620.57 |

Plus administrative fees and Contingency Reserve Fund assessments; and be it further

RESOLVED, (b) City of Cupertino 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, (c) That the participation of the employees and annuitants of City of Cupertino 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 City of Cupertino would not qualify as an agency or instrumentality of the state or political subdivision of a State under such final Regulations, CalPERS may be obligated, and reserves the right to terminate the health coverage of all participants of the employer.

RESOLVED, (d) That the executive body appoint and direct, and it does hereby appoint and direct,  
  
Position Title or Name of Person to file with the Board a verified copy of this resolution, and to perform on behalf of City of Cupertino all functions required of it under the Act.

Passed and Adopted at a regular meeting of the City Council of Cupertino, this 18th day of October, 2016, by the following vote:

Vote: Members of the City Council

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

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Grace Schmidt, City Clerk

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Barry Chang, Mayor, City of Cupertino