

## RESOLUTION NO. 19-

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

- WHEREAS, 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, Government Code Section 22892(a) provides that a contracting agency subject to the Act shall fix the amount of the employer contribution by resolution; and
- WHEREAS, Government Code Section 22892(b) provides that the employer contribution shall be an equal amount for both employees and retired annuitants, but may not be less than the amount prescribed by Section 22892(b) of the Act;
- RESOLVED, (1) That the employer contribution for each employee or retired annuitant (annuitants hired **prior** to August 2004) 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	\$891.32	\$1,515.24	\$1,969.81
002 Confidential	\$891.32	\$1,515.24	\$1,969.81
003 Employees Association	\$891.32	\$1,515.24	\$1,969.81
004 Operating Engineers	\$891.32	\$1,515.24	\$1,969.81
005 City Attorney	\$891.32	\$1,515.24	\$1,969.81

That the employer contribution for each retired annuitant (hired **after** August 2004) under the 100/90 Vesting Requirement 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	\$798.00	\$1,519.00	\$1,937.00
002 Confidential	\$798.00	\$1,519.00	\$1,937.00
003 Employees Association	\$798.00	\$1,519.00	\$1,937.00
004 Operating Engineers	\$798.00	\$1,519.00	\$1,937.00

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

RESOLVED, (2) 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, (3) That the participation of the employees and retired 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, (4) That the executive body appoint and direct, and it does hereby appoint and direct, City Clerk to file with City Council 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 of Cupertino City Council, this 20th day of October 2020, by the following vote.

Members of the City Council

AYES:

NOES:

ABSENT:

ABSTAIN:

SIGNED: _____ Steven Scharf, Mayor City of Cupertino	_____ Date
ATTEST: _____ Kirsten Squarcia, City Clerk	_____ Date