

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CUPERTINO CITY COUNCIL  
FIXING THE EMPLOYER CONTRIBUTION FOR PUBLIC AGENCY VESTING  
UNDER SECTION 22893 OF THE PUBLIC EMPLOYEES' MEDICAL AND  
HOSPITAL CARE ACT  
(Retired Annuitants hired on/after August 1, 2004)**

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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, City of Cupertino is a contracting agency has filed a resolution with the Board of the California Public Employees' Retirement System to provide a postretirement health benefits vesting requirement to employees who retire for service in accordance with Government Code Section 22893;

NOW, THEREFORE, BE IT RESOLVED that the employer contribution for each annuitant subject to vesting 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 Health Contribution		
	Self	Self + 1	Self + Family
001 Management	\$816.00	\$1548.00	\$1983.00
002 Confidential	\$816.00	\$1548.00	\$1983.00
003 Employees Association	\$816.00	\$1548.00	\$1983.00
004 Operating Engineers	\$816.00	\$1548.00	\$1983.00
005 City Attorney	\$816.00	\$1548.00	\$1983.00

but not less than the amounts prescribed by Government Code Section 22893(a)(1), plus administrative fees and Contingency Reserve Fund assessments; and

BE IT FURTHER RESOLVED that:

1. The employer contribution for each annuitant subject to vesting 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 the amounts prescribed by Government Code Section 22893(a)(1), plus administrative fees and Contingency Reserve assessments; and
2. The 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
  3. 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, 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
  4. The City Council appoints and directs the City Clerk to file with City Council, 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; and
  5. Coverage under the Act be effective on January 1, 2022.

PASSED AND ADOPTED at a regular meeting of the City of Cupertino City Council at Cupertino, CA, this 16th day of November, 2021 by the following vote:

Members of the City Council

AYES:

NOES:

ABSENT:

ABSTAIN:

<p>SIGNED:</p> <p>_____</p> <p>Darcy Paul, Mayor City of Cupertino</p>	<p>_____</p> <p>Date</p>
<p>ATTEST:</p> <p>_____</p> <p>Kirsten Squarcia, City Clerk</p>	<p>_____</p> <p>Date</p>