

**RESOLUTION 2004-12 ELECTING TO BE SUBJECT TO
PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT
AND
FIXING THE EMPLOYER'S CONTRIBUTION FOR EMPLOYEES AND THE
EMPLOYER'S CONTRIBUTION FOR RETIREES AT DIFFERENT AMOUNTS**

- WHEREAS, (1) Government Code Section 22850 extends the benefits of the Public Employees' Medical and Hospital Care Act to employees of contracting agencies on proper application by an agency; and
- WHEREAS, (2) Government Code Section 22857 provides that a contracting agency may fix the amount of the employer's contribution for employees and the employer's contribution for retired employees and survivors at different amounts provided that the monthly contribution for retired employees and survivors shall be annually increased by an amount not less than 5 percent of the monthly contribution for employees, until such time as the amounts are equal; and
- WHEREAS, (3) Government Code Section 22754 (g) defines any Special District as a contracting agency, and
- WHEREAS, (4) A Special District is hereby defined as a non-profit, self-governed public agency within the State of California, and comprised solely of public employees performing a governmental rather than proprietary function, and
- WHEREAS, (5) Indian Valley Community Services District, hereinafter referred to as Special District is an entity meeting the above definition; and
- WHEREAS, (6) The Special District desires to obtain for its employees, retired employees, and survivors the benefit of the Act and to accept the liabilities and obligations of an employer under the Act and Regulations; now, therefore, be it
- RESOLVED, (a) That the Special District elect, and it does hereby elect, to be subject to the provisions of the Act; and be it further
- RESOLVED, (b) That the employer's contribution for each employee, shall be the amount necessary to pay 80% of the single party Blue Shield premium basic plan, including the enrollment of his/her family members in a health benefits plan up to a maximum of 80% of the single party Blue Shield Basic premium, whichever is greater per month; and be it further;
- RESOLVED, (c) That the employer's contribution for each retired employee or survivor shall be the amount necessary to pay the cost of his enrollment, including the enrollment of his family members, in a health benefits plan up to a maximum of \$1.00 per month; and be it further

INSTRUCTIONS -- RESOLUTION ELECTING UNEQUAL CONTRIBUTIONS

This resolution form is the approved form designated by the Public Employees' Retirement System. It should be used by a Special District to assure proper filing with the Public Employees' Retirement System for the combined purpose of:

1. Contracting for coverage under the Public Employees' Medical and Hospital Care Act, and
2. Fixing the employer's contribution toward employees' health insurance at one amount and the contribution for the retired employees and survivors at another amount with annual increases of at least 5% until the amounts are equal.

WHEREAS (5) should be completed with the Special District name.

RESOLVED (b) should be completed to specify the amount of the employer's (district's) contribution toward the cost of its active employees' enrollments. The amount specified by this Resolution would be an amount equal to or greater than that specified in Section 22825 as authorized by Section 22825.6 of the Government Code. Minimum employer contributions as prescribed in Section 22825 is as follows:

2003	\$16.00
2004	\$32.20
2005	\$48.40
2006	\$64.60
2007	\$80.80
2008	\$97.00

Section 22825.6 of PEMHCA provides that a contracting agency may fix the amount of the employer's contribution from time to time by resolution. The amount shall not be less than the amount required under Section 22825. The resolution will be effective on the first day of the second month following the month in which the resolution is received.

RESOLVED (c) should be completed to specify the amount of the employer's contribution, a minimum of \$1.00, toward the cost of its retired employees and survivors' enrollment.

RESOLVED (d) should be completed to specify the percentage factor of the annual increase to the contribution for retired employees and survivors. The increased amount will be calculated by PERS staff based on the agency's contribution for its employees multiplied by this percentage factor to be effective with the January coverage each year.

RESOLVED (e) requests the position title of the individual who handles the Public Employees' Retirement System contract for the Special District.

RESOLVED (f) provides that if a Resolution is filed in the office of the Board **on or before the tenth day of any month**, the coverage is to become effective on the first of the following month.

Because resolutions serve as our legal contract we require either the original resolution, certified copy with original signatures or a copy of the resolution with the agency's raised seal.

The certification shown following the Resolution is to be completed by those individuals authorized to sign for the Special District in legal actions and is to include the name of the executive body; i.e., Board of Directors, Board of Trustees, etc. the location and date of signing