

DRAFT 10/16/19 MCT

RESOLUTION NO. _____

**A RESOLUTION OF THE COUNCIL OF THE CITY OF
SUNNYVALE FIXING THE EMPLOYER'S
CONTRIBUTION AT AN EQUAL AMOUNT FOR
EMPLOYEES AND ANNUITANTS UNDER THE PUBLIC
EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT
("PEMHCA")**

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

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 annuitants, but may not be less than the amount prescribed by Section 22892(b) of the Act; and;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SUNNYVALE DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. (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:

<u>Code</u>	<u>Bargaining Unit</u>	<u>Contribution per Month</u>
003	Sunnyvale Employees Association	\$921.31
005	Management	\$921.31
006	Service Employees International Union, Local 715	\$506.75

Plus administrative fees and Contingency Reserve Fund Assessments; and

(b) That the City of Sunnyvale has fully complied with any and all applicable provisions of Government Code Section 7507 in electing the benefits set forth above; and

(c) That the participation of the employees and annuitants of the City of Sunnyvale 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 the City of Sunnyvale 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.

(d) That the executive body appoint and direct, and it does hereby appoint and direct the City's Director of Human Resources or her designee to file with the Board a verified copy of this resolution, and to perform on behalf of the City of Sunnyvale all functions required of it under the Act.

Section 2. This Resolution shall become effective immediately upon adoption by the City Council, however, the employer's contribution specified above will be effective on January 1, 2020.

Adopted by the City Council at a regular meeting held on _____, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

RECUSAL:

ATTEST:

APPROVED:

City Clerk
(SEAL)

Mayor

MELISSA C. TRONQUET
Assistant City Attorney