

RESOLUTION NO. 2017-380

FIXING THE EMPLOYER CONTRIBUTION AT AN EQUAL AMOUNT FOR  
EMPLOYEES AND ANNUITANTS UNDER THE PUBLIC EMPLOYEES'  
MEDICAL AND HOSPITAL CARE ACT

- WHEREAS, (1) **South San Luis Obispo County Sanitation District** 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 the **PEMHCA Minimum** per month, plus administrative fees and Contingency Reserve Fund assessments; and be it further
- RESOLVED (b) **South San Luis Obispo County Sanitation District** 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 **South San Luis Obispo County Sanitation District** 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 **South San Luis Obispo County Sanitation District** 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, Secretary to the Board to file with the Board a verified copy of this resolution, and to perform on behalf of **South San Luis Obispo County Sanitation District** all functions required of it under the Act.

**PASSED AND ADOPTED** at a regular meeting of the South San Luis Obispo County Sanitation District Board of Directors held this 15<sup>th</sup> day of November, 2017.

On the motion of Director Brown seconded by Director White, and by the following roll call vote:

AYES: Directors Brown, White, Shoals

NOES:

ABSENT:

CONFLICTS:

**CERTIFICATION**

I do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the South San Luis Obispo County Sanitation District held on November 15, 2017.



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**PAUL J. KARP OR RICHARD SWEET  
TECHNICAL CONSULTANTS**



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**JOHN SHOALS  
CHAIR, BOARD OF DIRECTORS,  
SOUTH SAN LUIS OBISPO COUNTY  
SANITATION DISTRICT**



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**GILBERT A. TRUJILLO  
DISTRICT CO-LEGAL COUNSEL**