

2019 SEP -5 PM 11:16 OAKLAND CITY COUNCIL


Oakland City Attorney's Office

RESOLUTION NO. _____ C.M.S.

**FIXING THE EMPLOYER CONTRIBUTION AT AN EQUAL AMOUNT
FOR EMPLOYEES AND ANNUITANTS UNDER THE PUBLIC
EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT WITH RESPECT
TO A RECOGNIZED EMPLOYEE ORGANIZATION (FOR 006 FIRE
UNIT)**

WHEREAS, City of Oakland is a contracting agency under Government Code Section 22920 and subject to the Public Employees' Medical and Hospital Care Act (the "Act") for participation by members of 006 Sworn Fire Unit and

WHEREAS, 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, 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; now, therefore, be it

RESOLVED, 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

FURTHER RESOLVED, City of Oakland 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

FURTHER RESOLVED, That the participation of the employees and annuitants of City of Oakland 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 Oakland 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, and be it further

FURTHER RESOLVED, That the executive body appoint and direct, and it does hereby appoint and direct, The City Administrator to file with the Board a verified copy of this resolution, and to perform on behalf of City of Oakland all functions required of it under the Act.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES – FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND PRESIDENT KAPLAN

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____

LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

DATE OF ATTESTATION. _____