**RESOLUTION NO. 2018-143**

**RESOLUTION OF THE NAPA COUNTY BOARD OF SUPERVISORS, STATE OF CALIFORNIA, ELECTING TO BE SUBJECT TO THE PUBLIC EMPLOYEES’ MEDICAL AND HOSPITAL CARE ACT AT AN EQUAL AMOUNT FOR EMPLOYEES AND ANNUITANTS WITH RESPECT TO A RECOGNIZED EMPLOYEE ORGANIZATION**

**(NonPERS Elected Officials)**

**WHEREAS**, a contracting agency meeting the eligibility requirements set forth in Government Code Section 22920, may obtain health benefit plan(s), as defined under Government Code Section 22777, by submitting a resolution to the Board of Administration of the California Public Employees’ Retirement System (the “Board”), and upon approval of such resolution by the Board, become subject to the Public Employees' Medical and Hospital Care Act (the “Act”); and

**WHEREAS**, County of Napa (“County”) is a contracting agency eligible to be subject to the Act under Government Code Section 22920; and

**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

**WHEREAS**, County desires to obtain for its employees and annuitants who are members of NonPERS Elected Officialsthe benefit of the Act, and to accept the liabilities and obligations of an employer under the Act.

**NOW, THEREFORE, BE IT RESOLVED**, that the Napa County Board of Supervisors hereby declares the following:

1. County elects to be subject to the provisions of the Act; and
2. That the employer contribution for each employee or annuitant who are members of NonPERS Elected Officials shall be the amount necessary to pay the full cost of their enrollment, including the enrollment of family members, in a health benefits plan up to a maximum of the Public Employees’ Medical and Hospital Act’s minimum per month, plus administrative fees and Contingency Reserve Fund assessments; and
3. County has fully complied with any and all applicable provisions of Government Code Section 7507 in electing the benefits set forth above; and
4. That the participation of the above-referenced employees and annuitants of County 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 County 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.
5. That the Board does hereby appoint and direct the Director of Human Resources to file with the Board a verified copy of this resolution, and to perform on behalf of County all functions required of it under the Act; and
6. That coverage under the Act be effective on January 1, 2019.

**THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED** by the Napa County Board of Supervisors, State of California, at a regular meeting of the Board held on the 30th day of October, 2018, by the following vote:

AYES: SUPERVISORS GREGORY, RAMOS, DILLON,

PEDROZA and WAGENKNECHT

NOES: SUPERVISORS NONE

ABSTAIN: SUPERVISORS NONE

ABSENT: SUPERVISORS NONE

NAPA COUNTY, a political subdivision of

the State of California

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

BRAD WAGENKNECHT, Chair of the

Board of Supervisors

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| APPROVED AS TO FORM  Office of County Counsel  By: *Jennifer Yasumoto*  Chief Deputy County Counsel  Date: September 12, 2018 | APPROVED BY THE NAPA COUNTY  BOARD OF SUPERVISORS  Date: October 30, 2018  Processed By:    Deputy Clerk of the Board | ATTEST: JOSE LUIS VALDEZ  Clerk of the Board of Supervisors  By: |