TOWN OF PARADISE
RESOLUTION NO. 16-66
ELECTING TO RESCIND HEALTH BENEFIT VESTING UNDER SECTION 22893 OF THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT WITH RESPECT TO A RECOGNIZED EMPLOYEE ORGANIZATION

WHEREAS, (1) **Town of Paradise** 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 **Paradise Firefighters Association**; and

WHEREAS, (2) **Town of Paradise** is a contracting agency has filed a resolution with the Board of the California Public Employees' Retirement System to provide a postretirement health benefits vesting requirement to employees who retire for service in accordance with Government Code Section 22893; and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUCIL OF THE TOWN OF PARADISE AS FOLLOWS:

(a) **Town of Paradise** elects to rescind postretirement health benefits vesting requirements; and be it further

(b) That employees first hired on or after February 1, 2011 will no longer be subject to vesting as established by Resolution 10-52; and be it further

(c) **Town of Paradise** 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

(d) That the participation of the employees and annuitants of **Town of Paradise** 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 **Town of Paradise** would not qualify as an agency or instrumentality of the state or political subdivision of a State under such final Regulations, the California Public Employees' Retirement System may be obligated, and reserves the right to terminate the health coverage of all participants of the employer; and be it further

(e) That the Town Council appoints and directs, and it does hereby appoint and direct, the Town Manager to file with the Board a verified copy of this resolution, and to perform on behalf of **Town of Paradise** all functions required of it under the Act.

PASSED AND ADOPTED at regular meeting of the Town Council of the Town of Paradise, at Paradise, CA this 13th day of September, 2016.

AYES: Greg Bolin, Steve "Woody" Culleton, Scott Lotter and Jody Jones, Mayor
NOES: None
ABSENT: John J. Rawlings
NOT VOTING: None

September 14, 2016

SIGNED: [redacted]
Jody Jones, Mayor

ATTEST: [redacted]
Dina Volenski, CMC, Town Clerk

APPROVED AS TO FORM: [redacted]
Dwight L. Moore, Town Attorney