

RESOLUTION NO. 2014-44

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
TO ESTABLISH AN IRS APPROVED SECTION 115 IRREVOCABLE TRUST TO
PREFUND OTHER POST EMPLOYMENT BENEFIT (OPEB) HEALTH CARE COSTS
USING PUBLIC AGENCY RETIREMENT SERVICES (PARS) FOR TRUST FUND
ADMINISTRATION SERVICES**

WHEREAS, it is determined to be in the best interest of the City of Elk Grove (the "City") to participate in the PARS Public Agencies Post-Retirement Health Care Plan Trust (the "Program") to fund post-employment benefits for its employees as specified in the City's policies and/or applicable collective bargaining agreements; and

WHEREAS, the City is eligible to participate in the Program, a tax-exempt trust and plan performing an essential governmental function within the meaning of Section 115 of the Internal Revenue Code, as amended, and the Regulations issued thereunder, and is a tax-exempt trust under the relevant statutory provisions of the State of California; and

WHEREAS, the City's adoption and operation of the Program does not, and is not intended to, create any vested rights to City-provided post-employment benefits; and, no person or entity may claim otherwise; and

WHEREAS, the City's adoption and operation of the Program has no effect whatsoever on any current or former employee's entitlement to post-employment benefits, and the terms and conditions of their post-employment benefit entitlement, if any, are governed by documents separate from and independent of the Program; and

WHEREAS, the City reserves the right to make contributions to the Program of any amount (or no contributions), at the time and in the manner determined by the City in its sole discretion.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby:

- 1) Adopts the PARS Public Agencies Post-Retirement Health Care Plan Trust, including the PARS Public Agencies Post-Retirement Health Care Plan, effective February 26, 2014; and
- 2) Appoints the Director of Finance and Administrative Services, or his/her successor or his/her designee as the City's Plan Administrator for the Program; and
- 3) Authorizes the City's Plan Administrator to execute the PARS legal and administrative documents on behalf of the City and to take whatever additional actions are necessary to maintain the City's participation in the Program and to maintain compliance of any relevant regulation issued or as may be issued; therefore, authorizing him/her to take whatever additional actions are required to administer the City's Program.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 26th day of February 2014.




GARY DAVIS, MAYOR of the
CITY OF ELK GROVE

ATTEST:

APPROVED AS TO FORM:



JASON LINDGREN, CITY CLERK



JONATHAN P. HOBBS,
CITY ATTORNEY

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**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2014-44**

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) ss
CITY OF ELK GROVE)

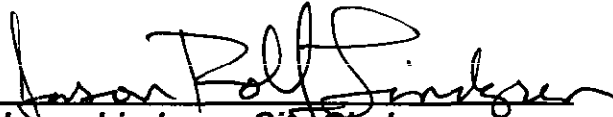
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on February 26, 2014 by the following vote:

AYES : COUNCILMEMBERS: Davis, Cooper, Hume, Trigg

NOES: COUNCILMEMBERS: None

ABSTAIN : COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: Detrick


**Jason Lindgren, City Clerk
City of Elk Grove, California**