

RESOLUTION NO. 51-2016

**ELECTING TO BE SUBJECT TO THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT
AT AN EQUAL AMOUNT FOR EMPLOYEES AND ANNUITANTS**

- WHEREAS, (1) 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, (2) The Redevelopment Agency of the City and County of San Francisco ("Redevelopment Agency") elected, by Resolution No. 59-75 (April 1, 1975), to provide under the Act health coverage for its employees and annuitants. This resolution, as amended from time to time, has remained in effect (the "Redevelopment Resolution"); and
- WHEREAS, (3) On February 1, 2012, state law dissolved the Redevelopment Agency and required that successor agencies assume certain rights and obligations of the former redevelopment agencies, including contractual obligations relating to their employees; and
- WHEREAS, (4) Successor Agency to the Redevelopment Agency of the City and County of San Francisco was established on February 1, 2012 and has continued to provide health coverage under the Redevelopment Resolution; and
- WHEREAS, (5) Successor Agency to the Redevelopment Agency of the City and County of San Francisco is a contracting agency eligible to be subject to the Act under Government Code Section 22920; and
- WHEREAS, (6) 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, (7) 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, (8) Successor Agency to the Redevelopment Agency of the City and County of San Francisco desires to obtain for its employees and annuitants the benefit of the Act and to accept the liabilities and obligations of an employer under the Act; now, therefore, be it
- RESOLVED, (a) Successor Agency to the Redevelopment Agency of the City and County of San Francisco elects to be subject to the provisions of the Act; and be it further
- RESOLVED, (b) 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 100/90 State Annuitant Contribution Amounts defined by Government Code Section 22871, plus administrative fees and Contingency Reserve Fund assessments; and be it further

- RESOLVED, (c) Successor Agency to the Redevelopment Agency of the City and County of San Francisco 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, (d) That the participation of the employees and annuitants of Successor Agency to the Redevelopment Agency of the City and County of San Francisco 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 Successor Agency to the Redevelopment Agency of the City and County of San Francisco 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
- RESOLVED, (e) That the executive body appoint and direct, and it does hereby appoint and direct Tiffany Bohee, Executive Director, to file with the Board a verified copy of this resolution, and to perform on behalf of Successor Agency to the Redevelopment Agency of the City and County of San Francisco all functions required of it under the Act; and be it further
- RESOLVED, (f) That coverage under the Act for the Successor Agency to the Redevelopment Agency of the City and County of San Francisco shall be effective on January 1, 2017 and shall be a continuation of the coverage provided under the Redevelopment Resolution.

Adopted at a regular meeting of the Successor Agency Commission at San Francisco, this 18th day of October, 2016

Signed: _____

President

Signed: _____

Executive Director