

**RESOLUTION NO. 8-2021**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF  
THE TAHOE-TRUCKEE SANITATION AGENCY  
ELECTING TO ADOPT PUBLIC AGENCY VESTING UNDER SECTION 22893 OF  
THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT**

WHEREAS, (1) Tahoe-Truckee Sanitation Agency is a contracting agency under Government Code Section 22920 and subject to the Public Employees' Medical and Hospital Care Act (the "Act"); and

WHEREAS, (2) Government Code Section 22893 provides that a contracting agency subject to the Act may file a resolution with the Board of the California Public Employees' Retirement System (the "Board") to provide a postretirement health benefits vesting requirement to employees who retire for service in accordance with Government Code Section 22893; and

WHEREAS, (3) Tahoe-Truckee Sanitation Agency certifies some or all employees are not represented by a bargaining unit and there is no applicable memorandum of understanding; and

WHEREAS, (4) The credited service of an employee for purposes of determining the percentage of employer contribution applicable under Government Code Section 22893 shall mean service as defined in Government Code Section 20069, except that not less than five years of that service shall be performed entirely with the Tahoe-Truckee Sanitation Agency; and

WHEREAS, (5) The employer contribution for active employees cannot be less than what is defined in Government Code Section 22892(b); now, therefore be it

RESOLVED, (a) That employees first hired on or after the effective date of this resolution shall be subject to the requirements defined in Government Code Section 22893, except that the employer may, once each year without discrimination, allow all employees who were first employed before Government Code Section 22893 became applicable to the employer to individually elect to be subject to the provisions of Government Code Section 22893, and the employer shall notify the Board which employees have made that election; and be it further

RESOLVED, (b) That the employer contribution for each annuitant subject to vesting shall be the amount necessary to pay the full cost of his/her enrollment, including the enrollment of family members, in health benefits plan up to a maximum of the amounts prescribed by Government Code Section 22893(a)(1), plus administrative fees and Contingency Reserve assessments; and be it further

RESOLVED, (c) That the percentage of employer contribution payable for post-retirement health benefits for each annuitant shall be based on the employee's completed years of credited service based upon the table in Government Code Section 22893(a)(1), plus administrative fees and Contingency Reserve assessments; and be it further

RESOLVED, (d) Tahoe-Truckee Sanitation Agency 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, (e) That the participation of the employees and annuitants of Tahoe-Truckee Sanitation Agency 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 Tahoe-Truckee Sanitation Agency 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

RESOLVED, (f) That the executive body appoint, and it does hereby appoint and direct, LaRue Griffin, General Manager, to file with the Board a verified copy of this resolution, and to perform on behalf of Tahoe-Truckee Sanitation Agency all functions required of it under the Act; and be it further

RESOLVED, (g) That the coverage under the Act be effective on August 1, 2021.

PASSED AND ADOPTED by the Board of Directors of Tahoe-Truckee Sanitation Agency this 16<sup>th</sup> day of June 2021, at Truckee, California, by the following vote:

AYES: Directors Wilkins, Smelser, Tresan, Lewis, and President Cox  
NOES: None  
ABSTAIN: None  
ABSENT: None

Signed:



Dale Cox, President  
Board of Directors  
TAHOE-TRUCKEE SANITATION AGENCY

Attest:



Secretary of the Board of Directors  
TAHOE-TRUCKEE SANITATION AGENCY