

CITY OF ALAMEDA RESOLUTION NO. _____

AUTHORIZING PARTICIPATION IN PUBLIC AGENCIES
RETIREMENT SERVICES (PARS) POST-EMPLOYMENT BENEFITS
TRUST TO BE USED FOR PREFUNDING OF PENSION AND OTHER
POST-EMPLOYMENT BENEFITS (OPEB) OBLIGATIONS

WHEREAS, City of Alameda ("City") is currently participating in the Public Agencies Post-Retirement Health Care Plan Trust for the pre-funding of its retiree health benefits and other post-employment benefits other than pension benefits ("OPEB"); and

WHEREAS, the City desires to set aside funds for the purpose of pre-funding its CalPERS pension obligation that will be held in trust for the exclusive purpose of making future contributions of the City's required pension contributions and any employer contributions in excess of such required contributions at the discretion of the City; and

WHEREAS, PARS has made available the PARS Public Agencies Post-Employment Benefits Trust (the "Program") for the purpose of pre-funding pension obligations and/or OPEB obligations as specified in the City's plans, policies and/or applicable collective bargaining agreements; and

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

WHEREAS, the City can manage the pre-funding of its pension and OPEB obligations in a single trust under this Program, thereby gaining administrative and cost efficiencies; and

WHEREAS, the City's adoption and operation of the Program has no effect on any current or former employee's entitlement to post-employment benefits; and

WHEREAS, the terms and conditions of post-employment benefit entitlement, if any, are governed by contracts separate from and independent of the Program; and

WHEREAS, the City's funding of the Program does not, and is not intended to, create any new vested right to any benefit nor strengthen any existing vested right; and

WHEREAS, the City reserves the right to make contributions, if any, to the Program

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Alameda that:

1. the City Council hereby adopts the PARS Public Agencies Post-Employment Benefits Trust, effective March 1, 2017;
2. the City Council hereby appoints the City Manager, or her/his successor or designee, as the City's Plan Administrator for the Program; and
3. the City's Plan Administrator is hereby authorized 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 her/him to take whatever additional actions are required to administer the City's Program; and
4. The City Council, hereby authorizes the Plan Administrator, in accordance with Section 3.3 of the Public Agencies Post-Retirement Health Care Plan Trust adopted effective March 1, 2014 to withdraw from said Trust and direct the transfer of assets held in said Trust to the OPEB Account established in the name of the City under the Public Agencies Post-Employment Benefits Trust, adopted herewith.

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I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Council of the City of Alameda in a regular meeting assembled on 21st day of February, 2017 by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 22nd day of February, 2017.

Lara Weisiger, City Clerk
City of Alameda

Janet C. Kern, City Attorney
City of Alameda