RESOLUTION - ACTION REQUESTED 2020-579

MEETING: September 22, 2020

TO: The Board of Supervisors

FROM: Keith Williams, Treasurer/Tax Collector

RE: PARS - OPEB Agreement

RECOMMENDATION AND JUSTIFICATION:
Adopt a resolution approving the Agreement with Public Agency Retirement Services for the Purpose of Pre-Funding Pension Obligations And/Or Other Post-Employment Benefits (OPEB); Designate the Treasurer as Plan Administrator; and authorize the Treasurer to sign all required documents.
The County is eligible to participate in a tax-exempt trust under Section 115 of the Internal Revenue Code for the purposes pre-funding pension obligations or other post-employment benefits such as medical premiums. The Trust allows investments in instruments outside of the County’s pooled investments. Attached is an updated presentation with details about the plan.

The Board has received presentations from PARS in the past and during preliminary budget hearings this year the CAO discussed the county’s pension liabilities, and other post-employment benefits. In addition, the Auditor and Treasurer concurred that a trust account should be established.

The action today is to authorize the opening of a trust account with PARS and designate the Treasurer as plan administrator. A separate item will be brought back to the Board to select investment type and a budget action transferring the funds to the trust.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
The Board has supported actions to help with the retirement liabilities.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
Do not approve the action and establish and internal account within the pooled investments.

FINANCIAL IMPACT:
None at this time.

ATTACHMENTS:
Resolution - Action Requested 2020-579

Mariposa County Presentation (PDF)
Agreement for Administrative Services_Signed by PARS (TXT)
Resolution PARS - OPEB (DOCX)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Marshall Long, District III Supervisor
SECONDER: Rosemarie Smallcombe, District I Supervisor
AYES: Smallcombe, Jones, Long, Cann, Menetrey
MARIPOSA COUNTY RESOLUTION NUMBER 2020-579
A RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF MARIPOSA
APPROVING THE ADOPTION OF THE
PUBLIC AGENCIES POST-EMPLOYMENT BENEFITS TRUST
ADMINISTERED BY PUBLIC AGENCY RETIREMENT SERVICES (PARS)

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; and

WHEREAS, the County of Mariposa (“County”) 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 County’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 County’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

NOW, THEREFORE BE IT RESOLVED:

1. The Board of Supervisors hereby adopts the PARS Public Agencies Post-Employment Benefits Trust, effective September 22, 2020; and

2. The Board of Supervisors hereby appoints the ______ Mariposa County Treasurer _______, or his/her successor or his/her designee as the County’s Plan Administrator for the Program; and

3. The County’s Plan Administrator is hereby authorized to execute the PARS legal and administrative documents on behalf of the County and to take whatever additional actions are necessary to maintain the County’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 County’s Program.

PASSED AND ADOPTED by the Board of Supervisors of Mariposa County this 22nd Day of September 22, 2020 by the following vote:

AYES: SMALLCOMBE, JONES, LONG, CANN, MENETREY
NAYES: NONE
ABSTAIN: NONE
ABSENT: NONE

KEVIN CANN, District IV Supervisor

APPROVAL AS TO LEGAL FORM:

STEVE DAHLEM, County Counsel

ATTEST:

RENE LAROCHE, Clerk of the Board