

**HUMBOLDT BAY HARBOR, RECREATION,  
AND CONSERVATION DISTRICT**

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**RESOLUTION NO. 2023-19**

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

**WHEREAS,** 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,** The Humboldt Bay Harbor, Recreation and Conservation District is a contracting agency eligible to be subject to the Act under Government Code Section 22920; and

**WHEREAS,** Government Code Section 22892(a) provides that a contracting agency subject to the Act shall fix the amount of the employer contribution by resolution; and

**WHEREAS,** 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 Sections 22892(b) of the Act; and

**WHEREAS,** The Humboldt Bay Harbor, Recreation and Conservation District 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, THE BOARD OF COMMISSIONERS OF THE HUMBOLDT BAY HARBOR, RECREATION, AND CONSERVATION DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:**

**SECTION 1.** The Humboldt Bay Harbor, Recreation and Conservation District elects to be subject to the provisions of the Act; and be it further

**SECTION 2.** 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 PEMHCA Minimum per month, plus administrative fees and Contingency Reserve Fund assessments; and be it further

**SECTION 3.** The Humboldt Bay Harbor, Recreation and Conservation District 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

**SECTION 4.** That the participation of the employees and annuitants of the Humboldt Bay Harbor, Recreation and Conservation District 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 the Humboldt Bay Harbor, Recreation and Conservation District 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

**SECTION 5.** That the executive body appoint and direct, and it does hereby appoint and direct Christopher Mikkelsen, Deputy Executive Director to file with the Board a verified copy of this resolution, and to perform on behalf of The Humboldt Bay Harbor, Recreation and Conservation District all functions required of it under the Act; and be it further

**SECTION 6.** That coverage under the Act will be effective on January 1, 2024.

**PASSED AND ADOPTED** by the Humboldt Bay Harbor, Recreation and Conservation District Board of Commissioners at a duly called meeting at 601 Startare Drive, Eureka CA 95501, held on the 9<sup>th</sup> day of November 2023 by the following polled vote:


**AYES:** Benson, Dale, Higgins, Kullmann

**NOES:** Ø

**ABSENT:** Newman

**ABSTAIN:** Ø

**ATTEST:**



Aaron Newman, Secretary  
Board of Commissioners



Greg Dale, President  
Board of Commissioners

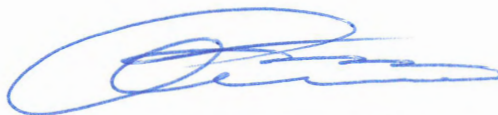
## **CERTIFICATE OF SECRETARY**

The undersigned, duly qualified and acting Secretary of the HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT, does hereby certify that the attached Resolution is a true and correct copy of RESOLUTION NO. **2023-19** entitled,

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as regularly adopted at a legally convened meeting of the Board of Commissioners of the HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT, duly held on the **9<sup>th</sup> day of November 2023**; and further, that such Resolution has been fully recorded in the Journal of Proceedings in my office, and is in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand this **9<sup>th</sup> day of November 2023**.



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**Aaron Newman, Secretary  
Board of Commissioners**