

RESOLUTION NO. _____

**RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF SAN BENITO
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 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

WHEREAS, the County reserves the right to make contributions, if any, to the Program.

NOW THEREFORE, BE IT RESOLVED, ORDERED AND FOUND by the Board of Supervisors of the County of San Benito, State of California as follows:

1. The Board of Supervisors of the County hereby adopts the PARS Public Agencies Post-Employment Benefits Trust, effective May 17, 2016, or as soon thereafter as administratively possible; and
2. The Board of Supervisors of the County hereby appoints the Auditor of San Benito County, 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 San Benito County Board of Supervisors, State of California, at the meeting of said Board held on the 17th day of May, 2016 by the following vote:

AYES:

NOES:

ABSENT OR NOT VOTING:

ROBERT RIVAS, CHAIR
San Benito County Board of Supervisors

APPROVED AS TO LEGAL FORM:

San Benito County Counsel's Office

Barbara Thompson
Assistant County Counsel

STATE OF CALIFORNIA
COUNTY OF SAN BENITO

Louie Valdez, the Clerk of the Board of Supervisors of the County of San Benito, State of California, hereby certifies that the above foregoing resolution was duly and regularly adopted by said County at a special meeting thereof held on the 17th day of May, 2016, and passed by a _____ vote of said Board.

IN WITNESS WHEREOF I have hereunto set my hand and seal this _____, 2016.

Clerk of the Board of Supervisors