

**RESOLUTION NO. 2024-015**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
DISPENSING WITH THE FORMAL REQUEST FOR PROPOSAL PROCEDURE  
PURSUANT TO ELK GROVE MUNICIPAL CODE SECTION 3.42.140(B)(3) AND  
ESTABLISHING AN IRS-APPROVED SECTION 115 IRREVOCABLE TRUST WITH  
PUBLIC AGENCY RETIREMENT SERVICES (PARS) TO PRE-FUND PENSION  
OBLIGATIONS, DESIGNATING THE CITY'S FINANCE DIRECTOR OR DESIGNEE  
AS THE PLAN ADMINISTRATOR, AND AUTHORIZING THE PLAN  
ADMINISTRATOR TO EXECUTE ALL DOCUMENTS AND TAKE WHATEVER  
ADDITIONAL ACTIONS ARE NECESSARY TO ESTABLISH AND MAINTAIN THE  
CITY'S PARTICIPATION IN THE PROGRAM AND ENSURE COMPLIANCE WITH  
ALL RELEVANT REGULATIONS**

**WHEREAS**, the City of Elk Grove (City) desires to set aside funds for the purpose of pre-funding its CalPERS pension obligation, which funds shall 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**, the City is currently participating in the Public Agency Retirement Services' (PARS) Post-Employment Benefits Trust for the pre-funding of its retiree health benefits and other post-employment benefits other than pension benefits ("OPEB"); 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 thereunder, 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 City reserves the right to make contributions, if any, to the Program.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Elk Grove does hereby take the following actions:

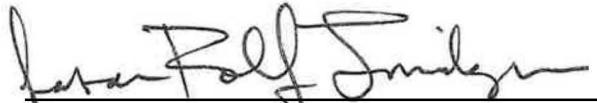
1. Establishes the Public Agencies Post-Employment Benefits Trust, an irrevocable trust within the meaning of Section 115 of the Internal Revenue Code, as amended, and the Regulations issued thereunder, effective February 14<sup>th</sup>, 2024; and
2. Designates the Finance Director, or successor or designee as the City's Plan Administrator for the Program; and
3. Authorizes the City's Plan Administrator to execute the Trust Agreement with Public Agencies Retirement Services, in substantially the form presented, as well as any other legal and administrative documents, and to take whatever additional actions are necessary to administer the City's program, maintain the City's participation in the Program, and to maintain compliance with any relevant regulation issued or as may be issued in the future.

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 14<sup>th</sup> day of February 2024



BOBBIE SINGH-ALLEN, MAYOR of the  
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,  
CITY ATTORNEY

**CERTIFICATION**  
**ELK GROVE CITY COUNCIL RESOLUTION NO. 2024-015**

STATE OF CALIFORNIA        )  
COUNTY OF SACRAMENTO    )        ss  
CITY OF ELK GROVE         )

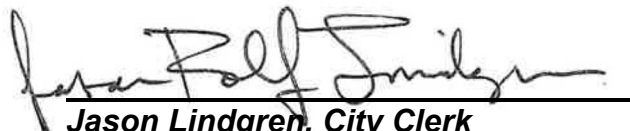
*I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on February 14, 2024 by the following vote:*

**AYES:           COUNCILMEMBERS:       Singh-Allen, Brewer, Robles, Spease, Suen**

**NOES:           COUNCILMEMBERS:       None**

**ABSTAIN:       COUNCILMEMBERS:       None**

**ABSENT:        COUNCILMEMBERS:       None**

  
\_\_\_\_\_  
**Jason Lindgren, City Clerk**  
**City of Elk Grove, California**