

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING AN AMENDMENT TO THE VANTAGECARE RETIREMENT HEALTH SAVINGS PROGRAM ADOPTION AGREEMENT AND AUTHORIZING THE CITY'S FINANCE DIRECTOR TO SERVE AS PLAN ADMINISTRATOR AND TO IMPLEMENT THE AMENDED PLAN.

THE CITY COUNCIL OF THE CITY OF COSTA MESA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, on January 5, 2004, the City Council Adopted Resolution No. 04-2 adopting the Vantagecare Retirement Health Savings Program ("the Plan") to implement its prior approval of certain enhancements to the City's retiree medical program; and

WHEREAS, it was subsequently determined that certain clerical errors were made in the Vantagecare Adoption Agreement which have or potentially have the effect of causing the Plan not to conform to the City Council's intent and to City employees' understanding as to the benefits and options to be provided by the Vantagecare Retirement Health Savings Program; and

WHEREAS, the Plan may be amended by action of the City Council retroactively to its effective date of January 1, 2004 in order to ensure that all employees participating in the Plan have the same options and benefits;

NOW, THEREFORE, BE IT RESOLVED that the City hereby adopts the Amended Employer Vantagecare Retirement Health Savings (RHS) Plan Adoption Agreement, retroactive to January 1, 2004 to conform to the original intent of the Council in approving the Plan; and

BE IT FURTHER RESOLVED that the City's Finance Director shall be the Administrator of the Plan. The Plan Administrator shall have the power and authority to implement the terms of the Plan for the benefit of the Plan beneficiaries and is hereby authorized to take such steps and to do such things as may be reasonably necessary to implement the Plan, as amended, without further authorization from the City Council; and

BE IT FURTHER RESOLVED that except as provided for in this Resolution and the Amended Employer Vantagecare Retirement Health Savings (RHS) Plan Adoption Agreement, all other provisions of the Plan documents shall continue in full force and effect.

PASSED AND ADOPTED this 6th day of December, 2004.

ATTEST:

Deputy City Clerk of the City of Costa Mesa

Mayor of the City of Costa Mesa

APPROVED AS TO FORM

City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF COSTA MESA)

I, JULIE FOLCIK, Deputy City Clerk and ex-officio Clerk of the City Council of the City of Costa Mesa, hereby certify that the above and foregoing Resolution No. _____ was duly and regularly passed and adopted by the said City Council at a regular meeting thereof held on the 6th day of December, 2004, by the following roll call vote:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Costa Mesa this 7th day of December, 2004.

Deputy City Clerk and ex-officio Clerk of
the City Council of the City of Costa Mesa