

1 A RESOLUTION OF THE GOVERNING BOARD OF THE MOJAVE DESERT AIR QUALITY
2 MANAGEMENT DISTRICT TO APPROVE PARTICIPATION IN THE PUBLIC AGENCY
3 RETIREMENT SERVICES (PARS) PUBLIC AGENCIES POST-RETIREMENT HEALTH CARE
4 PLAN TRUST.

5 On November 23, 2009, on motion by Member _____ seconded by Member
6 _____, and carried, the following resolution is adopted:

7 **WHEREAS** it is determined to be in the best interest of the Mojave Desert Air Quality
8 Management District (the "District") to participate in the PARS Public Agencies Post-Retirement Health
9 Care Plan Trust (the "Program") to fund post-employment benefits for its employees as specified in the
10 applicable District policies and/or collective bargaining agreements; and

11 **WHEREAS** the District is eligible to participate in the Program; and

12 **WHEREAS**, the Program is a tax-exempt trust and plan performing an essential governmental
13 function within the meaning of Section 115 of the Internal Revenue Code, as amended, and the
14 Regulations issued thereunder, and is a tax-exempt trust under the relevant statutory provisions of the
15 State of California.

16 **NOW, THEREFORE, BE IT RESOLVED THAT:**

17 1. The Governing Board of the District hereby adopts the PARS Public Agencies Post-Retirement
18 Health Care Plan Trust Agreement, including the PARS Post-Retirement Health Care Plan, as part of the
19 District Retirement Program, effective November 23, 2009; and

20 2. The Governing Board of the District hereby appoints the Executive Director, or successor, and
21 the Director of Administrative Services, or equivalent, as the Executive Director's designee, as the
22 District's Plan Administrator for the Program; and

23 3. The District's Plan Administrator is hereby authorized to execute the PARS legal documents
24 on behalf of the District and to take whatever additional actions are necessary to maintain the District's
25 participation in the Program and to maintain compliance of any relevant regulation issued or as may be
26 issued; therefore, authorizing him/her to take whatever additional actions are required for administration
27 of the District's plan(s).

28 **BE IT FURTHER RESOLVED**, that this resolution shall take effect immediately upon adoption.

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1 **PASSED, APPROVED AND ADOPTED** by the Governing Board of the Mojave Desert Air Quality
2 Management District by the following vote:

3 AYES: MEMBER:

4 NOES: MEMBER:

6 ABSENT: MEMBER:

7 ABSTAIN: MEMBER:

9)

10 STATE OF CALIFORNIA)

11) SS:

12 COUNTY OF SAN BERNARDINO)

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18 I, Michele Baird, Clerk of the Governing Board of the Mojave Desert Air Quality Management
19 District, hereby certify the foregoing to be a full, true and correct copy of the record of the action as the
20 same appears in the Official Minutes of said Governing Board at its meeting of November 23, 2009.

21
22 _____
23 Clerk of the Governing Board,
24 Mojave Desert Air Quality Management District.