

RESOLUTION NO. 2022-_____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CHULA VISTA ADOPTING THE CITY OF CHULA VISTA
CAFETERIA BENEFITS PLAN FOR 2023

WHEREAS, the Internal Revenue Code requires that the Section 125 Cafeteria Benefits Plan offered by the City to its employees be in a written document and that the document be formally adopted by the City Council on or before the first day of the plan year; and

WHEREAS, in June 1998, the City established its first Section 125 Cafeteria Benefits Plan; and

WHEREAS, in compliance with Internal Revenue Code §125(d) the City Council annually adopts a written plan document prior to the first day of the plan year; and

WHEREAS, the first day of the City's plan year is January 1, 2023; and

WHEREAS, this Plan Document lays out how the City offers eligible employees the choice between cash and certain nontaxable benefits (such as health insurance), thereby allowing employees to pay for the benefits they choose on a pre-tax basis; and

WHEREAS, the specific health plans offered and their structure are not part of this Cafeteria Plan Document; and

WHEREAS, they are included in what is known as the Summary Plan Document that was given to eligible employees as part of their open enrollment materials to assist them in making their benefit choices; and

WHEREAS, the plans offered and their structure are determined after our broker, Marsh and McLennan Agency, extensively markets and negotiates with providers to provide coverage comparable to the prior year while keeping the increase in costs to the City and its benefited employees to a minimum; and

WHEREAS, all employee groups are advised of the offers and the plan structures that will provide the least increase in premium costs; and

WHEREAS, under current cafeteria plan regulations having an approved written plan is critical; and

WHEREAS, without a written plan or if the written plan does not comply with applicable requirements regarding content and timing of adoption, then the plan is not a cafeteria plan and employees' elections will be taxable; and

WHEREAS, the City has timed its open enrollment period for 2023 to comply with these regulations and to meet provider cutoff deadlines for enrollment to ensure employees are covered without interruption; and

WHEREAS, The City's Plan includes the following required information: description of available benefits, participation rules, election procedures, manner of contributions, maximum amount of contributions, the plan year, and the plan's provisions for complying with flexible spending arrangements (FSAs).

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Chula Vista does hereby adopt the City of Chula Vista Cafeteria Benefits Plan for 2023; in the form presented, a copy of which shall be kept on file in the Office of the City Clerk.

Presented by

Approved as to form by

Courtney Chase
Director of Human Resources/Risk Management

Glen R. Googins
City Attorney