

1 **RESOLUTION NO. 945**

2 A RESOLUTION OF THE WATER BOARD OF THE CITY OF SAN BERNARDINO  
3 APPROVING THE SECOND AMENDMENT TO THE MEMORANDUM OF  
4 UNDERSTANDING WITH THE SAN BERNARDINO WATER DEPARTMENT  
5 EMPLOYEES' ASSOCIATION DATED JULY 1, 2016, AMENDING ARTICLE V – LEAVE,  
6 5.6 VACATION LEAVE AND ARTICLE VI – BENEFITS, 6.3 RETIREMENT HEALTH  
7 COVERAGE.

8 WHEREAS, the Board's Designated Representative has met and conferred with  
9 representatives of the San Bernardino Water Department Employees' Association regarding Article  
10 V – Leave, 5.6 – Vacation Leave and Article VI – Benefits, 6.3 – Retirement Health Coverage of  
11 the Memorandum of Understanding dated July 1, 2016 and the following amendments were agreed  
12 upon;

13 5.6 Vacation Leave is changed to add:

14 "J. Vacation shall be available for use on the first day following the pay period in which it  
15 was accrued".

16 6.3 Retirement Health Coverage is changed to read:

17 "A. Unit members hired prior to July 1, 2019:

18 1. Unit members who retire may continue to participate in the health care plan, as  
19 outlined, provided that the unit member makes the arrangements for premiums to be paid through  
20 the retirement program. This benefit is dependent upon the continued approval of the insurance  
21 carrier. In the event that the Department re-enters the California Public Employee Retirement  
22 System (PERS) provided pursuant to the State Employees' Medical and Hospital Care Act, the  
23 Department agrees to pay the then-applicable monthly minimum contribution rate established by  
24 the contract between the City/Department and PERS.

25 2. When a unit member retires with a minimum of fifteen (15) years of service with  
26 the Department and is at least age fifty-five (55) at the time of retirement, and enrolls in a  
27 Department sponsored medical plan the Department agrees to pay a monthly contribution as  
28 follows:

a. Effective January 1, 2016 through December 31, 2017: up to \$917.

1 b. Effective January 1, 2018 through December 31, 2018: up to \$992.

2 c. Beginning January 1, 2019, and each January 1 thereafter, for the  
3 remainder of the term of this MOU, the maximum contribution rate for Department sponsored  
4 retiree medical plans will be automatically adjusted and will be calculated as outlined in Section  
5 6.2C1 above. Retirees will be responsible for paying premium amounts over the established  
6 contribution rate.

7 3. If a retired unit member dies, and a spouse was otherwise eligible for the monthly  
8 contribution (i.e., the retired unit member was eligible at retirement and the retired unit member  
9 and spouse participated in a health plan through the Department), the spouse will continue to  
10 receive a monthly contribution up to the maximum monthly contribution for their medical  
11 coverage premiums, provided the spouse does not re-marry and remains in the Department's health  
12 plan.

13 4. If a retired unit member was not eligible to receive the monthly contribution, and  
14 was enrolled in a Department group health insurance plan as of July 1, 2003, that retired unit  
15 member (and spouse, if applicable) will continue to receive an amount that is equivalent to the  
16 then-current PERS minimum eligibility amount. In order to receive this amount, the retired unit  
17 member (and spouse, if applicable) must participate in the Department's health plan. If the retiree  
18 dies or has died, the spouse will continue to receive this amount, provided that the spouse does not  
19 re-marry and continues to participate in the Department's health plan.

20 5. The provision of retirement at age fifty-five (55) took effect on April 1, 1988.  
21 Any unit member who retired prior to April 1, 1988 must have been at least age sixty (60) at the  
22 time of retirement. Department contributions for eligible retirees over age sixty-five (65) at the  
23 time of retirement, took effect on April 1, 1990 for qualified unit members who retire after April 1,  
24 1990.

25 6. Department contributions for eligible retirees over sixty-five (65) who do not  
26 qualify for Medicare, took effect for qualified unit members who retire after April 5, 1992. Unit  
27 members must show proof of application to Social Security and a written decision regarding their  
28 qualification for Medicare when qualified to receive the written decision.

1 B. Unit members hired on or after July 1, 2019 are not eligible for participation in retiree  
2 health coverage.”

3  
4 NOW THEREFORE, BE IT RESOLVED that the Water Board of the City of San  
5 Bernardino hereby approve the Second Amendment to the Memorandum of Understanding with  
6 the San Bernardino Water Department Employees’ Association dated July 1, 2016, a copy of which  
7 is attached hereto and incorporated as though set forth at length herein, effective July 1, 2019.

8  
9 I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Water  
10 Board of the City of San Bernardino at a Regular Meeting thereof held on the 11th day of June,  
11 2019 by the following vote to wit:

12  
13 AYES: Callicott, Hendrix, Mlynarski, Johnson, Brickley

14 NAYES \_\_\_\_\_

15 ABSENT: \_\_\_\_\_

16  
17   
18 \_\_\_\_\_  
19 Robin L. Ohama  
20 Deputy City Clerk & Ex-Officio Secretary

21  
22  
23  
24  
25  
26  
27  
28  
(SEAL)

SECOND AMENDMENT TO THE  
MEMORANDUM OF UNDERSTANDING  
DATED JULY 1, 2016 THROUGH JUNE 30, 2023  
BETWEEN  
THE WATER BOARD  
AND  
THE SAN BERNARDINO WATER DEPARTMENT  
EMPLOYEES' ASSOCIATION

ARTICLE V – LEAVE

5.6 Vacation Leave is changed to add:

J. Vacation shall be available for use on the first day following the pay period in which it was accrued.

ARTICLE VI - BENEFITS

6.3 Retirement Health Coverage is changed to read:

A. Unit members hired prior to July 1, 2019:

A1. Unit members who retire may continue to participate in the health care plan, as outlined, provided that the unit member makes the arrangements for premiums to be paid through the retirement program. This benefit is dependent upon the continued approval of the insurance carrier. In the event that the Department re-enters the California Public Employee Retirement System (PERS) provided pursuant to the State Employees' Medical and Hospital Care Act, the Department agrees to pay the then-applicable monthly minimum contribution rate established by the contract between the City/Department and PERS.

B2. When a unit member retires with a minimum of fifteen (15) years of service with the Department and is at least age fifty-five (55) at the time of retirement, and enrolls in a Department sponsored medical plan the Department agrees to pay a monthly contribution as follows:

1a. Effective January 1, 2016 through December 31, 2017: up to \$917.

2b. Effective January 1, 2018 through December 31, 2018: up to \$992.

c. Beginning January 1, 2019, and each January 1 thereafter, for the remainder of the term of this MOU, the maximum contribution rate for Department sponsored retiree medical plans will be automatically adjusted and will be calculated as outlined in Section 6.2C1 above. Retirees will be responsible for paying premium amounts over the established contribution rate.

3. If a retired unit member dies, and a spouse was otherwise eligible for the monthly contribution (i.e., the retired unit member was eligible at retirement and the retired unit member and spouse participated in a health plan through the Department), the spouse will continue to receive a monthly contribution up to the maximum monthly contribution for their medical coverage premiums, provided the spouse does not re-marry and remains in the Department's health plan.

4. If a retired unit member was not eligible to receive the monthly contribution, and was enrolled in a Department group health insurance plan as of July 1, 2003, that retired unit member (and spouse, if applicable) will continue to receive an amount that is equivalent to the then-current PERS minimum eligibility amount. In order to receive this amount, the retired unit member (and spouse, if applicable) must participate in the Department's health plan. If the retiree dies or has died, the spouse

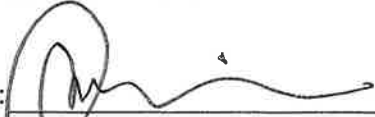
will continue to receive this amount, provided that the spouse does not re-marry and continues to participate in the Department's health plan.

€5. The provision of retirement at age fifty-five (55) took effect on April 1, 1988. Any unit member who retired prior to April 1, 1988 must have been at least age sixty (60) at the time of retirement. Department contributions for eligible retirees over age sixty-five (65) at the time of retirement, took effect on April 1, 1990 for qualified unit members wo retire after April 1, 1990.

6. Department contributions for eligible retirees over sixty-five (65) who do not qualify for Medicare, took effect for qualified unit members who retire after April 5, 1992. Unit members must show proof of application to Social Security and a written decision regarding their qualification for Medicare when qualified to receive the written decision.

B. Unit members hired on or after July 1, 2019 are not eligible for participation in retiree health coverage.


CITY OF SAN BERNARDINO  
MUNICIPAL WATER DEPARTMENT

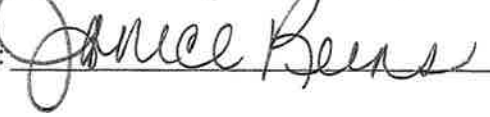
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BY: Cynthia Moran

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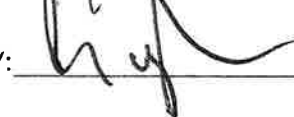
THE SAN BERNARDINO WATER  
DEPARTMENT EMPLOYEES'  
ASSOCIATION

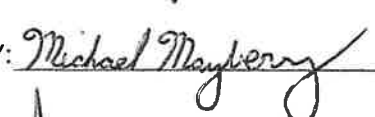
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DATED: June 4, 2019