

1 **RESOLUTION NO. 946**

2 A RESOLUTION OF THE WATER BOARD OF THE CITY OF SAN BERNARDINO,
3 APPROVING THE FIRST AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING
4 WITH THE SAN BERNARDINO ASSOCIATION OF WATER DEPARTMENT MID-MANAGERS
5 DATED JULY 1, 2018, AMENDING ARTICLE V – LEAVE, 5.6 VACATION LEAVE AND
6 ARTICLE VI – BENEFITS, 6.4 HEALTH COVERAGE – RETIREMENT.

7 WHEREAS, the Board’s designated Representative has met and conferred with the
8 representatives of the San Bernardino Association of Water Department Mid-Managers, regarding Article
9 V – Leave, 5.6 Vacation Leave and Article VI – Benefits, 6.4 Health Coverage - Retirement of the
10 Memorandum of Understanding dated July 1, 2018 and the following amendments were agreed upon;

11 5.6 Vacation Leave is changed to add:

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

14 6.4 Health Coverage – Retirement is changed to read:

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

16 1. Unit members who retire may continue to participate in the medical plan, as
17 outlined in Section 6.1A, provided the unit member makes the arrangements for premiums to be paid
18 through the retirement program. This benefit is dependent upon the continued approval of the insurance
19 carrier. In the event the Department re-enters the California Public Employee Retirement System (PERS)
20 provided pursuant to the State Employees’ Medical and Hospital Care Act, the Department agrees to pay
21 the then-applicable monthly minimum contribution rate established by the contract between the
22 City/Department and PERS.

23 2. When a unit member retires with a minimum of twelve (12) years of service with
24 the Department and is at least age fifty-five (55) at the time of retirement, and enrolls in a Department
25 sponsored medical plan, the Department agrees to pay a monthly contribution to be calculated as outlined
26 in Section 6.1C. The monthly contribution amount effective January 1, 2018 is up to \$1,189. Increases to
27 the base contribution rates will be implemented in accordance with this MOU, Section 6.1C. Retirees will
28 be responsible for paying any premium amounts over the established maximum contribution amount.

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

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

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

17 6. Department contributions for eligible retirees over age sixty-five (65) who do
18 not qualify for Medicare took effect for qualified unit members who retired after April 5, 1992. Unit
19 members must show proof of application to Social Security and a written decision regarding the
20 qualification for Medicare prior to their retirement date.

21 B. Unit members hired on or after July 1, 2019 are not eligible for participation in Retiree
22 Health Coverage.”

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1 NOW THEREFORE, BE IT RESOLVED that the Water Board of the City of San Bernardino
2 hereby approves the First Amendment to the Memorandum of Understanding with the San Bernardino
3 Association of Water Department Mid-Managers dated July 1, 2018, a copy of which is attached hereto
4 and incorporated herein as though set forth at length herein, effective July 1, 2019.

5
6 I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Water Board of the
7 City of San Bernardino at a regular meeting thereof held on the eleventh day of June, 2019 by the
8 following vote, to-wit:

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10 AYES: Callicott, Hendrix, Mlynarski, Johnson, Brickley
11 NAYS: _____
12 ABSENT: _____

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16 _____
17 Robin L. Ohama
18 Deputy City Clerk & Ex-Officio Secretary

19 (SEAL)
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FIRST AMENDMENT TO THE
MEMORANDUM OF UNDERSTANDING
DATED JULY 1, 2018 THROUGH JUNE 30, 2023
BETWEEN
THE WATER BOARD
AND
THE SAN BERNARDINO ASSOCIATION OF
WATER DEPARTMENT MID-MANAGERS

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

6.4 Health Coverage – Retirement is changed to read:

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

A1. Unit members who retire may continue to participate in the medical plan, as outlined in Section 6.1A, provided 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 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 twelve (12) 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 to be calculated as outlined in Section 6.1C. The monthly contribution amount effective January 1, 2018 is up to \$1,189. Increases to the base contribution rates will be implemented in accordance with this MOU, Section 6.1C. Retirees will be responsible for paying any premium amounts over the established maximum contribution amount.

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 remarry 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 attained the age of sixty (60). Department contributions for eligible retirees over age sixty-five (65) at the time of retirement took effect April 1, 1990 for qualified unit members who retired after April 1, 1990.

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

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

BY: 

BY: Cynthia Mauer

BY: 

BY: 

BY: Robin Ohamo

BY: 

DATED: June 4, 2019

THE SAN BERNARDINO ASSOCIATION
OF WATER DEPARTMENT MID-MANAGERS

BY: 

BY: Sharon Whit

BY: 

BY: _____