

HAYWARD CITY COUNCIL

RESOLUTION NO. 18-

Introduced by Council Member \_\_\_\_\_

RESOLUTION APPROVING TWO SIDE LETTERS OF AGREEMENT WITH THE HAYWARD FIRE FIGHTERS 1909 AND THE HAYWARD FIRE OFFICERS ASSOCIATION 1909 FOR THE ADDITION OF CITY CONTRIBUTIONS TO THE VOLUNTARY EMPLOYEE BENEFICIARY ASSOCIATION (VEBA) PLAN

WHEREAS, The City of Hayward will make available to the Hayward Firefighters, Local 1909 ("Local 1909") and the Hayward Fire Officers Association 1909 ("HFOA"), and their respective members, a Voluntary Employee Beneficiary Association ("VEBA") Plan; and

WHEREAS, VEBA is an entity established as a tax-exempt Trust under Section 501(c)(9) of the Internal Revenue Service (IRS) Code; and

WHEREAS, The City has contracted with California Government Voluntary Employees' Benefit Association (CALGOVEBA) since 2006 to provide a healthcare funding vehicle where employees make tax-free contributions to a trust for accumulating funds for reimbursement of health care costs in accordance with Section 501(c)(9) of the IRS Code; and

WHEREAS, The City, Local 1909, and HFOA have reached an agreement which details the terms of participation in the VEBA Plan for members of Local 1909 and the HFOA; and

WHEREAS, The agreement provides that members of Local 1909 and the HFOA who opt-in to participate in the VEBA Plan shall receive City contributions in the amount of \$600 annually to their VEBA account; and

WHEREAS, The agreement provides that members of Local 1909 and the HFOA who opt-out of participation in the VEBA Plan shall receive City contributions in the amount of \$600 annually to their deferred compensation account; and

WHEREAS, The agreement further provides that members of Local 1909 and the HFOA who opt-in to participate in the VEBA Plan shall also contribute 100% of the total of all eligible sick leave payout after any sick leave hours have been converted to CalPERS service credit in accordance with Government Code Section 20965, 100% of vacation leave payout and 100% of compensatory time payout; and

WHEREAS, The membership of Local 1909 and the HFOA ratified the terms of a successor Memorandum of Understanding, including a VEBA agreement as of April 15, 2018.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby approves the agreements to participate in the VEBA Plan between it and Local 1909 and the HFOA effective January 1, 2019.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2018

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:  
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward