

RESOLUTION NO. 2017-115

**A RESOLUTION OF THE SAN BENITO COUNTY BOARD OF SUPERVISORS
REGARDING COMPENSATION AND BENEFITS FOR
ELECTED DEPARTMENT HEADS**

WHEREAS, the County of San Benito's Elected Department Heads are not represented by any employee organization or bargaining group under the Meyers-Milias Brown Act; and,

WHEREAS, the San Benito County Board of Supervisors is desirous of providing the employees in these job classes with appropriate and equitable compensation and benefits with regard to other county employees; and,

THEREFORE, BE IT RESOLVED, the San Benito County Board of Supervisors approves those compensation and benefit adjustments to all Elected Department Heads in County service as outlined in Attachment "A. All other compensation and benefits shall remain unchanged, and Resolutions 2016-16, and 2016-65, attached hereto as Attachment "B", remain unchanged except as expressly set forth herein.

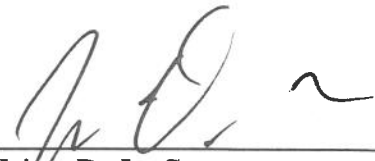
NOW THEREFORE, BE IT FURTHER RESOLVED that the benefits stated herein shall apply to future Department heads elected to office in the future.

PASSED AND ADOPTED by the Board of Supervisors of the County of San Benito, State of California, at the meeting of said Board on this 24th day of October 2017 by the following vote:

AYES: De La Cruz, Botelho, Medina, Rivas, Muenzer

NOES: *None*


ABSENT OR NOT VOTING: *None*

By 
Jaime De La Cruz
Chair, Board of Supervisors

ATTEST:
Chase Graves
Clerk of the Board

By: 
Deputy Clerk

APPROVED AS TO LEGAL FORM:
San Benito County Counsel's Office


Barbara Thompson
Acting Assistant County Counsel

ATTACHMENT "A"

For the period beginning October 24, 2017, until further action by the Board of Supervisors

A. Paragraphs 1 and 2 of Attachment "A" of Resolution 2016-16 are amended to read:

1. GENERAL SALARY INCREASES

The Elected Department Heads shall receive any one-time lump sum or signing bonus(es) as may be provided to Appointed Department Heads from time to time. Such bonus(es) shall be provided in the same manner, at the same time, and subject to the same restrictions, as any bonuses provided to Appointed Department Heads. In the event of any question whether a benefit provided to the Appointed Department Heads qualifies as a "one-time lump sum bonus", that determination may be made by the Board of Supervisors, whose determination shall be binding. Bonuses have traditionally been given as "signing bonuses" to the general unit upon execution of a new MOU. Elected Department Heads who leave County service after the date of any payment made pursuant to this provision will not need to reimburse the County for this payment. The Elected Department Heads must hold office at the time of issuance of this payment in order to qualify for this benefit.

2. COST OF LIVING ADJUSTMENT: Effective as of the date granted Appointed Department Heads; Elected Department Heads shall receive the same percentage salary increase(s) as provided to Appointed Department Heads, at the time and manner and subject to the same restrictions, if any, as granted Appointed Department Heads.

B. Paragraph 7 of Attachment "A" of Resolution 2016-16 is amended to read as follows:

7. MEDICAL INSURANCE.

A. The County currently offers to eligible employees, including elected department heads, medical plans through CSAC-EIA.

1. Contribution.

The County's monthly contribution for any medical plan shall be the following based on level of plan coverage:

<u>Employee Only</u>	<u>\$550.00</u>
<u>Employee Plus One</u>	<u>\$1,050.00</u>
<u>Family</u>	<u>\$1,315.00</u>

To receive this contribution, all County Elected Department Heads must

maintain health care coverage through a County sponsored plan. The County Agrees to continue to provide EDH's with an option to pay their insurance premium contributions on a pre-tax basis, as allowed in the Internal Revenue Code.

- B. Any premium contributions required above the County's maximum monthly contribution shall be borne entirely by the EDH. EDH's authorize the County to make a payroll deduction in the amount of the remainder of the premium required for the CSAC-EIA plans, or other approved County offered medical plan in which the EDH and dependents are enrolled.
- C. Elected Department Heads Opt-Out of Medical Coverage. EDH's who are eligible to receive a "cash in lieu of" enrollment in the County's medical plan shall receive a taxable payment of \$150 monthly (pro-rated into biweekly installments of \$69.23).

To be eligible for the cash incentive, the EDH must change from any level of medical plan coverage to no coverage, or if a new EDH, choose no coverage.

Whenever the EDH changes to, or opts for, no coverage, the EDH shall provide written proof of current alternate group coverage that is not an ACA or Covered California Plan and sign a waiver stating that he or she does have alternative coverage and that he or she understands that he or she will no longer receive coverage through a County-sponsored medical plan. If the EDH later decides to re-enter a County-sponsored health plan, he or she must meet such requirements and conditions for approval as may be required by the medical plan provider or enroll during the annual open enrollment period for CSAC-EIA provided medical plans.

Procedures for exercising this option and for re-entering the County-sponsored health plans shall be established by the County.

C. Paragraph 8 of Attachment "A" of Resolution 2016-16 is amended to read as follows:

8. DENTAL INSURANCE:

The County will maintain in effect the Delta Dental Insurance Program. The County will contribute thirty dollars (\$30.00) per EDH per month for those EDH's electing to participate in the dental insurance program. The County's plan under Delta Dental provides the following:

- 1. The County will provide a dental open enrollment for alternating even years, however, eligible enrollees may be able to opt into the plan mid plan year within thirty days of a qualifying event consistent with plan requirements.

2. An annual calendar year maximum benefit of \$1,500 per enrollee.
3. Orthodontia coverage to enrollees.
4. A PPO (network) plan. When using a dentist in the network, the \$50 annual deductible for members is waived. No change if using dentists out-of-network.

D. Paragraph 9 of Attachment “A” of Resolution 2016-16 is amended to read as follows:

9. **RETIREE MEDICAL INSURANCE**

A. Eligibility and Maximum County Contribution

EDH’s who retire from the County of San Benito and are eligible for a pension through CalPERS may enroll in a CSAC-EIA medical plan within ninety (90) calendar days of the date of separation as a retiree from the County if consistent with plan eligibility. To receive this contribution, all retirees must maintain health care coverage through a County sponsored plan and receive CalPERS retirement.

B. County Contribution for EDHs elected on or before March 22, 2016.

1. The County will make the following maximum monthly premium contribution to a CSAC-EIA medical plan:

a. For pre-65 retirees who are not eligible for Medicare,

Retiree Only:	\$550
Retiree Plus One:	\$1050
Retiree Plus Family:	\$1315

b. For Medicare eligible retirees or their eligible survivors (spouse and dependent children), the County will contribute 70% of the amount stated in paragraph B1a above.

C. EDH’s elected after March 22, 2016:

For the purposes of calculating the County’s contribution towards medical plan premiums in the County’s CSAC – EIA plan, EDH’s elected after March 22, 2016 who retired from the County shall only receive a County monthly contribution equal to the PEMHCA minimum.

RESOLUTION NO. 2016-16

**A RESOLUTION OF THE SAN BENITO COUNTY BOARD OF SUPERVISORS
REGARDING COMPENSATION AND BENEFITS FOR
ELECTED DEPARTMENT HEADS**

WHEREAS, the County of San Benito's Elected Department Heads are not represented by any employee organization or bargaining group under the Meyers-Milias Brown Act; and,

WHEREAS, the San Benito County Board of Supervisors is desirous of providing the employees in these job classes with appropriate and equitable compensation and benefits with regard to other county employees; and,

WHEREAS, Elected Department Heads are currently not obligated under the law to contribute 7% of their salary for PERS retirement, except for the Sheriff who does currently contribute 9% similar to other public safety officers; and,

WHEREAS, the Elected Department Heads desire, and have offered to begin on March 27, 2016 contributions of the full employee's share for CalPERS retirement.

WHEREAS, the Elected Department Heads agree to the maintenance of the fixed dollar County healthcare contribution amount provided to the Appointed Department Heads and other employee groups.

WHEREAS, the Elected Department Heads agree to the capping of the County's healthcare contributions at 70% of the regular County contributions for retirees 65 years of age or older (Medicare eligible).

WHEREAS, the Elected Department Heads agree to providing enabling language for the County to exit CalPERS Health beginning in 2017 based upon input from the County Insurance Committee and a final decision by the Board.

WHEREAS, the Elected Department Heads agree to not seek retroactive roll-into of Auto Allowance into base pay as previously directed by Board of Supervisors resolution in 2008.

THEREFORE, BE IT RESOLVED, the San Benito County Board of Supervisors approves those compensation and benefit adjustments to all Elected Department Heads in County service as outlined in Attachment "A".

NOW THEREFORE, BE IT RESOLVED, that the benefits stated herein shall apply to future Department heads elected to office in the future.


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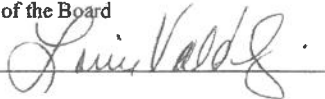
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PASSED AND ADOPTED by the Board of Supervisors of the County of San Benito, State of California, at the meeting of said Board on this 22nd day of March 2016 by the following vote:

AYES: *Rivas, Barrios, Botelho, Muenzer*
NOES: *DeLaCruz*
ABSENT OR NOT VOTING: *None*

By 
Robert Rivas
Chair, Board of Supervisors

ATTEST:
Louie Valdez
Clerk of the Board

By: 

APPROVED AS TO LEGAL FORM:
San Benito County Counsel's Office


Barbara Thompson Assistant County Counsel

ATTACHMENT "A"

For the period beginning March 27, 2016 until further action by the Board of Supervisors

1. **GENERAL SALARY INCREASES:** (Resolution 2015-93, for Appointed Department Heads)

Effective the first full pay period following adoption of this Resolution, Elected Department Heads will receive a one-time lump sum bonus of \$2,536, pro-rated based on FTE status. Elected Department Heads who leave County service after the date of this payment will not need to reimburse the County for this payment.

2. Effective as granted to other bargaining groups; the first pay period following October 1, 2016, Elected Department Heads will receive a 2% salary increase.

3. **G STEP:**

Department Heads first elected to office on or after October 1, 2014, will only be eligible to move from Steps A through F. Effective the first full pay period following execution of this agreement, Department Heads first elected to office before October 1, 2014, who are currently at the F step for twelve (12) or more months are eligible to move to the G step without further delay. Department Heads first elected to office before October 1, 2014 who are not already at Step G are eligible to Step G after completing twelve (12) months at F step.

4. **IN-LIEU OF LEAVE CASH OUT:**(Resolution 2015-93, for Appointed Department Heads)

For the 2016 calendar year only, Elected Department Heads may cash-out up to 25 hours of In-Lieu of leave the first full pay period following March 22, 2016 and an additional 25 hours of In-Lieu of Leave effective the first full pay period following July 1, 2016, for a total of no more than 50 hours for the calendar year 2016. This cash-out provision will expire following the first full pay period in July 2016.

5. **PERS RETIREMENT BENEFIT/PAYMENT OF CalPERS EMPLOYEE SHARE** (Resolution 2015-93, for Appointed Department Heads)

A. **"Classic" Employees.** For Elected Department Heads hired prior to January 1, 2013, or were members of CalPERS or a retirement system that has reciprocity with CalPERS, the County shall continue to provide the 2% at 55 PERS retirement program for Miscellaneous Employees or 3% at 55 CalPERS retirement program for Safety Employees.

These Elected Department Heads shall contribute the full 7% towards the employee CalPERS miscellaneous contribution or the full 9% towards the employee CalPERS safety contribution.

B. "New" Employees. For Elected Department Heads first elected after January 1, 2013, and prior to that date were not active members of CalPERS or a retirement system that has reciprocity with CalPERS, the County shall provide the retirement program in conformance with the requirements of California Public Employees' Pension Reform Act of 2013 ("PEPRA"), Gov. Code § 7522 et seq., as may be amended (hereinafter "PEPRA Retirement Tier"). Elected Department Heads will receive the 2% at 62 retirement benefit for miscellaneous employees and the 2.7% at 57 retirement benefit for safety employees. Elected Department Heads shall contribute toward the PEPRA Tier an employee contribution in an amount equal to not less than fifty percent (50%) of the normal cost of the new tier, as determined from time to time by CalPERS, or the amount of the contribution determined by the Board of Supervisors by Resolution in the future, whichever is greater.

6. **INSURANCE COMMITTEE.** (Resolution 2015-93, for Appointed Department Heads)

In January of 2016, the County will begin requesting bids for alternative healthcare options different from the PEMHCA healthcare options provided through PERS. Upon receipt of bids and relevant information, the County will commence a Health Plan Committee to meet, but not later than March 1, 2016. The Health Plan Committee will be comprised of up to two (2) members from each of the County's bargaining units, in addition of up to one (1) staff representative from each Union, two (2) County administration representatives, and (2) unrepresented employees. The County will provide this Committee with alternate providers of medical plans comparable to the PEMHCA plans offered by CalPERS. Should the County decide to leave CalPERS after receiving the rates for plan year 2017, the Health Plan Committee will provide the County with a recommended provider by August 15, 2016. If the Health Plan Committee is not able to meet this deadline, the County Board of Supervisors may proceed with choosing a new provider.

7. **MEDICAL INSURANCE.** (Resolution 2015-93, for Appointed Department Heads)

A. The County currently offers medical coverage through CalPERS Public Employees' Medical & Hospital Act (PEMHCA), but the County reserves the right to changes providers at any time. For Calendar Year 2016, CalPERS PEMHCA offers employees choices in medical plans. If, in the County's discretion, the County determines that the CalPERS PEMHCA plans do not provide affordable or beneficial options for County employees for any subsequent plan year, the County Board of Supervisors reserves the right to exit CalPERS and change providers.

1. Contribution

a. PEMHCA Minimum or equivalent

The County shall contribute towards a monthly medical insurance premium to either CalPERS plans or any other approved County offered alternate medical plans. The amount of the County's contribution is based on the PEMHCA minimum as determined annually by CalPERS. The PEMCHA minimum for 2016 is \$125. If the County exits CalPERS during the term of this contract, it will contribute the equivalent amount as the PEMHCA minimum.

b. Additional County Contribution

1. The County will implement, as soon as administratively possible, a Flexible Health Allowance Program pursuant to Section 125 of the Internal Revenue Code to provide a flexible benefit contribution on a pre-tax basis that will vary based on Elected Department Head level of plan coverage (EDH only, EDH + 1, EDH + family), minus the PEMHCA minimum. To receive this contribution, all County Elected Department Heads must maintain health care coverage through a County sponsored plan.

The amount of County contribution toward this flexible benefit will total the following with the minimum PEMHCA contribution (or equivalent amount if the County exits CalPERS):

EDH Only	\$550.00
EDH Plus One	\$1050.00
EDH + Family	\$1315.00

As an example of the amount of the County's flexible benefit contribution, for 2016 the County will contribute the amounts listed above with the PEMHCA minimum of \$125 to total the flexible benefit contribution. For 2016, the County's contribution towards the flexible benefit is as follows: (1) EDH only = \$425, (2) EDH Plus One = \$925, and (3) EDH Plus Family = \$1190.

2. The County's contribution is frozen at these rates. Any changes in the County's contribution are subject to future and final authorization by the Board of Supervisors.

c. Elected Department Head Contribution

The County shall make a payroll deduction in the amount of the remainder of the premium required for the CalPERS PEMHCA plans, or other approved County offered medical plan in which the Elected Department Head and dependents are enrolled.

B. Premium Conversion. The County shall continue to provide Elected Department Heads with an option to pay their insurance premium contributions on a pre-tax basis, as provided in the Internal Revenue Code.

C. Elected Department Heads Opt-Out of Medical Coverage. Elected Department Heads who have alternate medical insurance, will have the option of selecting no medical coverage (through the County). The County will provide Elected Department Heads opting for no medical coverage with the option of receiving payment of a portion of what would otherwise be the County contribution. An eligible Elected Department Head selecting this "cash in lieu of" option shall receive a taxable payment of \$150 monthly (pro-rated into biweekly installments of \$69.23). To be eligible for the cash incentive, the Elected Department Head must work a full-time schedule in an authorized full-time position and change from any level of health plan coverage to no coverage, or if a new Elected Department Head, choose no coverage. Whenever the Elected Department Head changes to, or opts for, no coverage, the Elected Department Head shall provide proof of current alternate coverage and sign a waiver stating that he or she does have alternative coverage and that he or she understands that he or she will no longer receive coverage through a County-sponsored health plan. If the Elected Department Head later decides to re-enter a County-sponsored health plan, he or she must meet such requirements and conditions for approval as may be required by the health plan provider or enroll during the annual open enrollment period for PERS provided health plans. Procedures for exercising this option and for re-entering the County-sponsored health plans shall be established by the County.

8. DENTAL INSURANCE: (Resolution 2015-93, for Appointed Department Heads)

The County will maintain in effect the Delta Dental Insurance Program. The County will contribute thirty dollars (\$30.00) per full-time regular Elected Department Heads per month for those Elected Department Heads electing to participate in the dental insurance program. The following enhancements will be made to the County's current dental plan under Delta Dental.

1. The County will provide a dental open enrollment for alternating even years.
2. The County's plan will increase the annual maximum benefit per enrollee from \$1,250 to \$1,500.
3. The plan will provide orthodontia coverage to enrollees.
4. Implement a PPO (network) plan. When using a dentist in the network, the \$50 annual deductible for members is waived. No change if using dentist's out-of-network.

9. RETIREE HEALTH INSURANCE:

A. Eligibility and CalPERS PEMCHA Contribution

Elected Department Heads who retire and are eligible for a pension through CalPERS may enroll in a CalPERS PEMHCA plan or any County offered alternate medical plan, as determined by the County pursuant to "Provider of Medical Coverage" paragraph above. For eligible retirees who are enrolled in the CalPERS PEMHCA program or an alternative program offered by the County, the County shall contribute the PEMHCA minimum as determined by CalPERS. The PEMHCA minimum for 2016 is \$125. If the County exits CalPERS during the term of this contract, it will continue to contribute the equivalent amount as the PEMHCA minimum.

B. Additional Contribution for Elected Department Heads elected on or before March 22, 2016.

The County will make the following additional contribution to a HRA, once an HRA is established:

1. For retirees the County will contribute the following amount with the PEMHCA minimum or equivalent:

Retiree Only: \$550
Retiree Plus One: \$1050
Retiree Plus Family: \$1315

For example, the PEMHCA minimum for 2016 is \$125, therefore the additional contribution for 2016 will be as follows: (1) Retiree only = \$425, (2) Retiree Plus One = \$925, and (3) Retiree Plus Family = \$1190.

2. For 65 or older Medicare eligible retirees, the County will contribute 70% of the amount stated in paragraph 1 above. For example, 70% of the additional contribution with the PEMHCA minimum for 2016 will be as follows: (1) Retiree Only = \$385.00, (2) Retiree Plus One = \$735, and (3) Retiree Plus Family = \$920.5.

C. The County's contribution is frozen at these rates and any changes to the County's contribution are subject to final authorization by the Board of Supervisors.

D. The Cal. Gov. Code section 22893 Tier Two retiree medical insurance coverage is eliminated. Elected Department Heads elected on or after January 1, 2010 and on or before March 22, 2016, will receive retiree medical coverage in accordance the above.

E. Elected Department Heads elected after on or after March 22, 2016.

Elected Department Heads elected after on or after March 22, 2016, shall only receive a County contribution of the PEMHCA minimum, or its equivalent if the County chooses to terminate the contract through CalPERS PEMHCA and offer plans through an alternate provider, towards retiree health medical insurance premiums upon CalPERS eligible retirement. If the County exits CalPERS during the term of this contract, it will contribute the equivalent amount as the PEMHCA minimum.

10. ALL OTHER RIGHTS/BENEFITS:

All other existing rights and benefits afforded the Elected Department Heads shall remain in full force and effect.

11. IN-LIEU OF ADMINISTRATIVE LEAVE:

The Elected Department Heads will be eligible for a cash payout at the end of the calendar year, not to exceed forty (40) hours of In-Lieu of Administrative Leave.

12. 401A Deferred Compensation Retirement Plan

The County will explore and provide a recommendation to the Board of Supervisors on establishing a 401(A) Deferred Compensation Retirement Plan. The final consideration of such a plan shall be determined, by the Board of Supervisors in its sole discretion, at a future meeting.

RESOLUTION NO. 246-65

**A RESOLUTION OF THE SAN BENITO COUNTY BOARD OF SUPERVISORS
REGARDING COMPENSATION AND BENEFITS FOR
ELECTED DEPARTMENT HEADS**

WHEREAS, the County of San Benito's Elected Department Heads are not represented by any employee organization or bargaining group under the Meyers-Milias Brown Act; and,

WHEREAS, the San Benito County Board of Supervisors is desirous of providing the employees in these job classes with appropriate and equitable compensation and benefits with regard to other county employees; and,

THEREFORE, BE IT RESOLVED, the San Benito County Board of Supervisors approves those compensation and benefit adjustments to all Elected Department Heads in County service as outlined in Attachment "A."

NOW THEREFORE, BE IT RESOLVED, that the benefits stated herein shall apply to future Department heads elected to office in the future.

PASSED AND ADOPTED by the Board of Supervisors of the County of San Benito, State of California, at the meeting of said Board on this 9th day of August 2016, by the following vote:

AYES: *Rivas, Delacruz, Botelho, Muenzer*

NOES: *None*

ABSENT OR NOT VOTING: *Barrios*

By

[Signature]
Robert Rivas

Chair, Board of Supervisors

ATTEST:

Louie Valdez

Clerk of the Board

By

[Signature]
Deputy Clerk

APPROVED AS TO LEGAL FORM:

San Benito County Counsel's Office

[Signature]
Barbara Thompson Assistant County Counsel

Attachment "A"

The previously approved salary and benefits for elected department heads is modified as set forth below.

3. Retroactive and effective the first full pay period following July 1, 2016-~~October 1, 2016~~, all bargaining unit employees shall receive a two percent (2%) salary increase.
2. Effective as soon as administratively possible, employees shall complete timesheets electronically. The County will provide employees with a tutorial on the new timesheet electronic submission prior to its implementation.
5. Effective as soon as administratively possible, all employees in the County will receive payroll checks through an electronic direct deposit system or will receive payroll checks on a preloaded bank card.