

RESOLUTION NO. 2022-07

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN BENITO COUNTY WATER DISTRICT FOR SALARY AND COMPENSATION FOR THE EXECUTIVE MANAGEMENT GROUP

WHEREAS, San Benito County Water District desires to memorialize certain benefits and compensation currently provided to Executive Management;

WHEREAS, San Benito County Water District's Executive Management group consists of the following positions:

- District Manager/Engineer
- Assistant Manager
- Manager of Administration, Finance and Business Services

WHEREAS, the above positions are considered a group because they share similarities in job duties or are otherwise a logical work-related grouping;

THEREFORE, BE IT RESOLVED by the Board of Directors of the San Benito County Water District:

Section 1.0 – Purpose and Application

The purpose of this Resolution is to set forth certain benefits and additional compensation for Executive Management employees of the San Benito County Water District (“District”). This Resolution is not intended to amend or alter the benefits provided to the Executive Management group not listed in this resolution. The Board of Directors retains all rights and authority to amend, reduce, or eliminate benefits and additional compensation in its sole and absolute discretion.

This Resolution shall be applicable to the following Executive Management employees:

- A. District Manager/Engineer
- B. Assistant Manager
- C. Manager of Administration, Finance and Business Services

Section 2.0 – Salary

Effective November 18, 2020 following Board adoption of Resolution 2020-20, salaries for positions in the Executive Management Group were established at the following amounts:

District Manager/Engineer: \$266,000 per year
Assistant Manager: \$170,500 per year

Effective February 23, 2022 following Board adoption of Resolution 2022-07, the salary for the Manager of Administration, Finance and Business Services is established at the following amount:

Manager of Administration, Finance and Business Services:
\$170,000 per year effective on date of hire
\$175,100 per year effective one year from the date of hire

Salary will be payable over twenty-six (26) pay periods in accordance with the regular payroll schedule of the District.

Section 3.0 – Retirement

3.1 Tier One Pension

For eligible employees hired by the District before January 1, 2013, or hired after January 1, 2013 who meet the definition of “classic members” as defined by CalPERS, the District shall continue to participate in its Miscellaneous Plan Agreement with CalPERS to provide the 2.5% at 55 retirement option.

Employees in Tier One Pension shall be required to pay the member contribution as defined by CalPERS.

3.2 Tier Two Pension

For eligible employees who meet the definition of “new member” as set forth in Government Code Section 7522.02(f) the District will provide the CalPERS two percent (2%) at age sixty-two (62) formula retirement plan in accordance with Government Code Section 7522.20, calculated using final compensation based on the highest average annual pensionable compensation earned by the member during a period of at least 36 consecutive months, in accordance with Government Code Section 7522.32.

New members shall be subject to the provisions of the Public Employee Pension Reform Act (PEPRA), including provisions governing reportable compensation.

Employees in Tier Two Pension shall pay the rate prescribed by CalPERS for employee contributions to the Public Employees’ Retirement System in accordance with the rules and regulations governing such employee

contributions, which consists of one-half of the total normal costs for pension.

Section 4.0 - Longevity Pay for Tier One Employees

Employees hired by the District before January 1, 2013 who have more than five (5) years of continuous District service, shall receive longevity pay in the amount of eight percent (8%) of salary as stated in Section 2.0. No other employees shall be eligible for longevity pay.

Section 5.0 – Retiree Health Savings Account

Effective as soon as administratively feasible following the adoption of this Resolution, the District will establish a Retiree Health Savings Account (RHSA) for each employee in the Executive Management Group, to which employees may contribute to save, on a nontaxable basis, money to help pay the cost of eligible medical expenses after terminating from District employment. The RHSA is intended to constitute a “health reimbursement arrangement” within the meaning of IRS Notice 2002-45.

5.1 Contributions:

- A. Employee contributions are mandatory. No employee will have any right to elect to receive cash or any benefit in lieu of the contributions.
- B. Unused Sick Leave and Vacation Accruals: At separation from District service, one hundred percent (100%) of the cash-out value of employee’s earned and unused sick leave, and one hundred percent (100%) of the cash-out value of employee’s earned and unused vacation, at the applicable conversion rates, will be cashed out and deposited into the employee’s RHSA; except if the employee dies while in District employment, then sick leave and vacation accruals will not be deposited into the employee’s RHSA and will instead be converted to cash at the applicable rate and distributed to the employee’s estate.

5.2 Vesting

An employee’s RHSA contributions, including any allocable investment earnings, are 100% vested at all times.

5.3 Distributions

After an employee separates from District employment, the employee’s RHSA funds may be used for qualifying insurance premiums incurred by the employee, the employee’s spouse, and the employee’s eligible dependents. In addition, the use of the RHSA funds will be subject to the terms of the governing RHSA plan document.

Section 6.0 Fringe and Supplemental Benefits.

Except as otherwise provided herein and in each employee's employment agreement with the District, including subsequent amendments thereto, the fringe and supplemental benefits provided in the District's Salary and Compensation Resolution for Management/Confidential/Professional employees will be provided to employees in the Executive Management group in the same manner as provided to management employees in the District.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the San Benito County Water District that the San Benito County Water District adopts certain benefits and compensation for Executive Management, as set forth above.

BE IT FURTHER RESOLVED that the President of the Board is authorized to sign said Resolution, on behalf of this Board and District.

PASSED AND ADOPTED by the Board of Directors of the San Benito County Water District this 23rd Day of February 2022, by the following vote:

AYES: DIRECTORS: Tonascia, Shelton, Tobias and Williams

NOES: DIRECTORS: None

ABSTAIN: DIRECTORS: None

ABSENT: DIRECTORS: Flores

/s/ Joseph Tonascia
Joseph Tonascia
President

ATTEST: /s/ Sara Singleton
Sara Singleton
Assistant Manager