

AN ORDINANCE **7 4 9 8 7**

AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY AND LOCAL 624 INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS ESTABLISHING A SINGLE PRE-FUNDED RETIREES HEALTH PLAN COVERING BOTH POLICE OFFICERS AND FIRE FIGHTERS.

* * * * *

WHEREAS, pursuant to the terms of the Collective Bargaining Agreement between the City and Local 624, International Association of Firefighters for the period October 1, 1988 to September 30, 1992, the City agreed to provide medical benefits for retired firefighters commencing October 1, 1989; and

WHEREAS, the long term financial integrity of the pre-funded retiree health plan is best served by combining the police and firefighters pre-funded retiree health plans in a single voluntary employer benefit association; and

WHEREAS, in order to establish a single plan which complies with federal tax law requirements, the Collective Bargaining agreement with Local 624, International Association of Firefighters must be amended to provide for the partial contribution by the firefighters to be made by the City; NOW THEREFORE:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City Manager is hereby authorized to execute an amendment to the present Collective Bargaining Agreement between the City and Local 624, International Association of Firefighters to provide that the employees contribution to the pre-funded retiree health plan be made by the City with a corresponding reduction in a fringe benefit obligation to the firefighters. A copy of the provisions of the contract to be amended is attached hereto and marked Attachment A. A copy of the Amendment Agreement in substantial form is attached hereto and marked Attachment B.

PASSED AND APPROVED this 19th day of December, 1991.

ATTEST: Arnie S. Rodriguez
City Clerk

Robert W. Waff
CITY CLERK

APPROVED AS TO FORM: Tom Gimley
City Attorney

ARTS & CULTURAL AFFAI
AVIATION
BUILDING INSPECTIONS
BUILDING INSPECTIONS HOUSE NUMBER
1 CITY ATTORNEY
MUNICIPAL COURT (HOLLIS YOUNG)
REAL ESTATE (FASSNIDGE)
REAL ESTATE (HUBBARD)
REAL ESTATE (WOOD)
TRIAL SECTION
CITY MANAGER
TRAVIS BISHOP, ASST. TO MGR.
CODE COMPLIANCE
INTERGOVERNMENTAL RELATIONS
CITY PUBLIC SERVICE-GENERAL MGR.
CITY PUBLIC SERVICE-MAPS/RECORDS
CITY WATER BOARD-GENERAL MGR.
COMMERCIAL RECORDER
COMMUNITY DEVELOPMENT (BASEMENT)
COMMUNITY INITIATIVES
CONVENTION & VISITORS BUREAU
CONVENTION FACILITIES
DOME DEVELOPMENT OFFICE
ECONOMIC DEVELOPMENT
FINANCE DIRECTOR
ASSESSOR
1 CONTROLLER
GRANTS
1 RISK MANAGEMENT
TREASURY
1 FIRE DEPARTMENT
HOUSING TRUST
INFORMATION RESOURCES
INTERNATIONAL RELATIONS
LIBRARY
1 MANAGEMENT SERVICES (BUDGET)
MANAGEMENT SERVICES (PERSONNEL)
MARKET SQUARE
METROPOLITAN HEALTH DISTRICT
MUNICIPAL CODE CORP. (PUBLICATION)
MUNICIPAL COURTS
PARKS & RECREATION
PLANNING
LAND DEVELOPMENT SERVICES
POLICE DEPARTMENT
POLICE DEPT.-GROUND TRANSPORTATION
PUBLIC INFORMATION OFFICE
PUBLIC UTILITIES
PUBLIC WORKS
CAPITAL PROJECTS
CENTRAL MAPPING
ENGINEERING
PARKING DIVISION
REAL ESTATE (BILL TOUDOUZE)
SOLID WASTE
TRAFFIC ENGINEERING
PURCHASING & GENERAL SERVICES
WASTEWATER MANAGEMENT

ITEM NO. 14
 MEETING OF THE CITY COUNCIL DATE: DEC 19 1991

MOTION BY: [Signature] SECONDED BY: Beth Burke

ORD. NO. 74987 ZONING CASE _____

RESOL. _____ PETITION _____

	ROLL CALL	AYES	NAYS
ROGER PEREZ PLACE 1		/	
FRANK PIERCE PLACE 2		absent	
LYNDA BILLA BURKE PLACE 3		/	
FRANK D. WING PLACE 4		/	
WALTER MARTINEZ PLACE 5		/	
BOB THOMPSON PLACE 6		/	
YOLANDA VERA PLACE 7		/	
BILL THORNTON PLACE 8		/	
WEIR LABATT PLACE 9		/	
LYLE LARSON PLACE 10		/	
NELSON WOLFF PLACE 11 (MAYOR)		/	

AMENDS ORD. NO. _____ OF _____

91-55

FILE FIREFIGHTERS LOCAL 624

I.

It is proposed that Article XX of the contract be amended to read as follows:

ARTICLE XX.
CLOTHING ALLOWANCE

Section 1. Effective upon the execution of this Agreement, each employee shall receive a clothing allowance of \$500.00 per year, payable quarterly at \$125.00 per payment, on or before December 31, March 31, June 30, and September 30 of each fiscal year.

Section 2. Effective October 1, 1989, each employee shall receive no clothing allowance until the provisions of Section 3 contained herein are effective.

Section 3. Effective October 1, 1990, each employee shall receive a clothing allowance of \$300.00 per year, payable quarterly at \$75.00 per payment on or before December 31, March 31, June 30, and September 30 of each fiscal year.

Section 4. Effective October 1, 1991, each employee shall receive a clothing allowance of \$600.00 per year, payable quarterly at \$150.00 per payment on or before December 31, March 31, June 30, and September 30 of each fiscal year.

Section 5. As a substitution for the initial clothing allowance each new employee shall be issued the heavy fire fighting pants, heavy fire fighting coat, boots, and suspenders. These items shall remain the property of the Fire Department until the employee has graduated from the Fire Academy, at which time ownership will be transferred to the employee.

II.

It is proposed that Article XXV, Section 1.D. of the Contract be amended to read as follows:

Beginning October 1, 1989, medical benefits as are provided employees of the Department elsewhere in this Article shall be provided retirees. "Retirees" are those fire fighters who are members of the bargaining unit and retire on or after October 1, 1989, and their spouse, if elected. The fire fighter's spouse shall be entitled to receive the benefit until death or remarriage (including, but not limited to, common law marriage).

It is understood that medical benefits provided for herein shall be integrated with Medicare/Medicaid benefits to which is fire fighter would otherwise be eligible. The City's contribution for these benefits shall be at least \$117.00 per month per firefighter. These benefits shall not be available to any fire fighter until he has contributed an amount equal to \$3,000.00 minus \$50.00 per month of service subsequent to October 1, 1989.

ATTACHMENT A

STATE OF TEXAS *
 *
COUNTY OF BEXAR *

**AMENDMENT TO COLLECTIVE BARGAINING AGREEMENT
BETWEEN CITY OF SAN ANTONIO AND LOCAL 624,
INTERNATIONAL ASSOCIATION OF FIREFIGHTERS**

WHEREAS, on August 7, 1989, the City of San Antonio, hereinafter referred to as "City" and Local 624, International Association of Firefighters, hereinafter referred to as "Union", entered into a Collective Bargaining Agreement for the period from October 1, 1988 to September 30, 1992; and

WHEREAS, pursuant to Article XXV, Section 1(D), the parties agreed to provide medical benefits to retired firefighters beginning October 1, 1989 with the Fire Fighters and the City making contributions for the benefits on a monthly basis; and

WHEREAS, the City and the Union are desirous of amending the Contract so as to meet the requirements under the Internal Revenue code to combine the benefits with those for retired police officers into a single voluntary employees benefit association (VEBA); NOW THEREFORE:

The City and the Union by and through their respective duly-authorized undersigned representatives and in consideration of the mutual benefits to each party and in order to further promote the administration of the above referenced contract, do hereby agree to the amendments of the following Articles of said contract as follows:

STATE OF TEXAS *
 *
COUNTY OF BEXAR *

**AMENDMENT TO COLLECTIVE BARGAINING AGREEMENT
BETWEEN CITY OF SAN ANTONIO AND LOCAL 624,
INTERNATIONAL ASSOCIATION OF FIREFIGHTERS**

WHEREAS, on August 7, 1989, the City of San Antonio, hereinafter referred to as "City" and Local 624, International Association of Firefighters, hereinafter referred to as "Union", entered into a Collective Bargaining Agreement for the period from October 1, 1988 to September 30, 1992; and

WHEREAS, pursuant to Article XXV, Section 1(D), the parties agreed to provide medical benefits to retired firefighters beginning October 1, 1989 with the Fire Fighters and the City making contributions for the benefits on a monthly basis; and

WHEREAS, the City and the Union are desirous of amending the Contract so as to meet the requirements under the Internal Revenue code to combine the benefits with those for retired police officers into a single voluntary employees benefit association (VEBA); NOW THEREFORE:

The City and the Union by and through their respective duly-authorized undersigned representatives and in consideration of the mutual benefits to each party and in order to further promote the administration of the above referenced contract, do hereby agree to the amendments of the following Articles of said contract as follows:

1. Article XX of the Contract is hereby amended to read as follows:

ARTICLE XX.

CLOTHING ALLOWANCE

Section 1. Effective upon the execution of this Agreement, each employee shall receive a clothing allowance of \$500.00 per year, payable quarterly at \$125.00 per payment, on or before December 31, March 31, June 30, and September 30 of each fiscal year.

Section 2. Effective October 1, 1989, each employee shall receive no clothing allowance until the provisions of Section 3 contained herein are effective.

Section 3. Effective October 1, 1990, each employee shall receive a clothing allowance of \$300.00 per year, payable quarterly at \$75.00 per payment on or before December 31, March 31, June 30, and September 30 of each fiscal year.

Section 4. Effective October 1, 1991, each employee shall receive a clothing allowance of \$600.00 per year, payable quarterly at \$150.00 per payment on or before December 31, March 31, June 30, and September 30 of each fiscal year.

Section 5. As a substitution for the initial clothing allowance each new employee shall be issued the heavy fire fighting pants, heavy fire fighting coat, boots, and suspenders. These items shall remain the property of the Fire Department until the employee has graduated from the Fire Academy, at which time ownership will be transferred to the employee.

2. Article XXV, Section 1(D) of the Contract is amended to read as follows:

ARTICLE XXV
Benefit Plans

Section 1. Family Medical Insurance...

(D) Beginning October 1, 1989, medical benefits as are provided employees of the Department elsewhere in this Article shall be provided retirees. "Retirees" are those fire fighters who are members of the bargaining unit and retire on or after October 1, 1989, and their

spouse, if elected. The fire fighter's spouse shall be entitled to receive the benefit until death or remarriage (including, but not limited to, common law marriage).

It is understood that medical benefits provided for herein shall be integrated with Medicare/Medicaid benefits to which is fire fighter would otherwise be eligible. The City's contribution for these benefits shall be at least \$117.00 per month per firefighter. These benefits shall not be available to any fire fighter until he has contributed an amount equal to \$3,000.00 minus \$50.00 per month of service subsequent to October 1, 1989.

The parties hereto agree that the above stated amendments shall be hereinafter considered part of the Contract referenced above and incorporated therein for all purposes and said amendment shall be subject to any and all other provisions of the above contract which has been modified by the amendment. The parties hereto further agree that this amendment shall be effective retroactive to October 1, 1989 and that no prior payments made under the original contract provisions shall be reimbursed or owed between the parties.

IN WITNESS WHEREOF, the undersigned parties hereto have executed his amendment on this the 23rd day of December, 1991.

LOCAL 624, INTERNATIONAL ASSOCIATION CITY OF SAN ANTONIO OF FIREFIGHTERS

By: 
President

By: 
1 City Manager

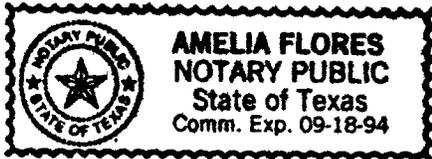
ACKNOWLEDGMENT

STATE OF TEXAS

COUNTY OF BEXAR

This instrument was acknowledged before me on this the 23RD day of December, 1991, by JOHN ANDERSON, JR., President, Local 624, International Association of Firefighters, an association, on behalf of said association.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 23RD day of December, 1991.



Amelia Flores
Notary Public In and For
The State of Texas

My Commission expires:
9-18-94

ACKNOWLEDGMENT

STATE OF TEXAS

COUNTY OF BEXAR

This instrument was acknowledged before me on this the 16th day of JANUARY, 1992, by ROLANDO BONO, ASSISTANT, City Manager of the City of San Antonio, a municipal corporation, on behalf of said municipal corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 16th day of JANUARY, 1992.



Mary Alice Ramirez
Notary Public In and For
The State of Texas

My Commission expires:
3-30-92

CITY OF SAN ANTONIO

MANAGEMENT SERVICES

INTERDEPARTMENTAL CORRESPONDENCE SHEET

TO: Mayor and City Council

FROM: George K. Noe, Director of Management Services

COPIES TO: File

SUBJECT: AMENDMENT TO FIRE FIGHTERS' COLLECTIVE BARGAINING AGREEMENT
CONCERNING RETIREES' PRE-FUNDED HEALTH PROGRAM

AGENDA ITEM NO. 14

Date: December 10, 1991

Summary and Recommendation

This ordinance authorizes the City Manager or his designee to execute an amendment to the Collective Bargaining Agreement between the City and Local 624 International Association of Fire Fighters. The purpose of the amendment is to make the language in the Police and Fire contracts consistent to allow for a single Pre-Funded Retirees Health Plan to cover both police officers and fire fighters. Presentation of this ordinance for City Council action is contingent on an affirmative vote by the membership of the Fire Fighters Association at an election to be completed by December 16. The leadership of the Fire Fighters Association has recommended approval of this amendment to its membership. Action is required before December 31, because, if the amendment is unsuccessful, then the U.S. Internal Revenue Service (IRS) will require the filing of additional documentation by that date to continue the tax exempt status of the present programs.

It is recommended that this ordinance be approved by the City Council.

Background Information

Staff and the leadership of the Police and Fire Associations have reached consensus that the long term financial integrity of the pre-funded retiree health plans covering police officers and fire fighters is best served by having a single plan. To establish a single plan, or what the IRS calls a Voluntary Employee Benefit Association (VEBA), the language of the two collective bargaining agreements between the City and the Police and Fire Associations, respectively, must be consistent. Currently, the Police contract provides for contributions to the Police retiree health plan to be made by the City. Financial concessions to offset any employee contribution portion have been already included in the Police contract. The Fire contract, however, provides for the City to contribute \$67 per month and for the employee to contribute \$50 per month. The amendment proposed to the Fire contract eliminates the employee contribution to the retiree health plan and reduces the fire fighters' clothing allowance in an equal amount to allow for a higher City contribution to the health plan equal to that made on behalf of police officers.

Page 2

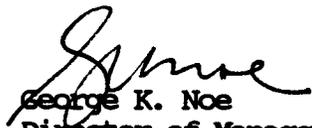
AMENDMENT TO FIRE FIGHTERS' COLLECTIVE BARGAINING AGREEMENT CONCERNING
RETIREES' PRE-FUNDED HEALTH PROGRAM
December 10, 1991

Action on this amendment prior to December 31 is necessary because the IRS requires that updated VEBA plan documents be filed by the end of the year to allow the present retiree health programs to retain their tax-exempt status. Should the amendment be approved by the City Council and the Fire Fighters Association, then this deadline would not apply.

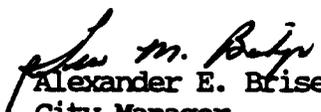
The Fire Fighters Association Board of Directors has endorsed this contractual amendment for approval by its membership. Presentation of the amendment for City Council consideration will be contingent upon an affirmative vote by the Fire Fighters Association membership at an election to be completed by December 16.

Financial Impact

Given that the increased City contribution on behalf of each fire fighter to the Pre-Funded Retirees Health Plan will be offset by a corresponding decrease in each fire fighter's clothing allowance, there will be no cost impact to the City for approving the proposed amendment.


George K. Noe
Director of Management Services

APPROVED:


Alexander E. Briseño
City Manager

DO NOT TYPE IN THIS SPACE		CITY OF SAN ANTONIO Request For Ordinance/Resolution	For CMO use only	
Finance	Budget		Date Considered	
Legal	Coordinator		Consent <input type="checkbox"/> Individual <input type="checkbox"/>	
			Item No. Ord. No.	

Date: Dec. 10, 1991	Department: Management Services	Contact Person/Phone # Louis Lendman x8019
Date Council Consideration Requested: Dec. 19, 1991	Deadline for Action: Dec. 19, 1991	Dept. Head Signature: 

SUMMARY OF ORDINANCE

This ordinance authorizes the City Manager or his designee to execute an amendment to the Collective Bargaining Agreement between the city and Local 624 International Association of Fire Fighters. The purpose of the amendment is to establish a single Pre-Funded Retirees Health Plan covering both police officers and fire fighters, rather than continue the two retiree health plans which exist today covering police officers and fire fighters separately. Presentation of this ordinance for City Council action is contingent on an affirmative vote by the membership of the Fire Fighters Association at an election to be held on December 16. Action is required before December 31, because, if the amendment is unsuccessful, then the U.S. Internal Revenue Service (IRS) will require the filing of updated health plan documents by that date to continue each plan's tax exempt status. No IRS filings will be required if the amendment succeeds.

It is recommended that this ordinance be approved by the City Council.

Council Memorandum Must Be Attached To Original

Other Depts., Boards, Committees Involved (please specify):
Police, Fire, Finance

Contract signed by other party
Yes No

FISCAL DATA (If Applicable)	Budgetary Implications
Fund No. _____ Amt. Expended _____	Funds/Staffing Budgeted Yes <input type="checkbox"/> No <input type="checkbox"/>
Activity No. _____ SID No. _____	Positions Currently Authorized _____
Index Code _____ Project No. _____	Impact on future O & M _____
Object Code _____	If positions added, specify class and no. _____ _____ _____
Comments: 	

Coordinator — White
Legal — Green
Budget — Canary
Finance — Pink
Originator — Gold