

VILLAGE OF BRADLEY

RESOLUTION NO. R-6-20-2

A RESOLUTION AUTHORIZING A MEMORANDUM OF AGREEMENT DATED JUNE 2, 2020 ON CHANGES TO VEBA PLAN BY AND BETWEEN THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS, AND THE ILLINOIS FRATERNAL ORDER OF POLICE LABOR COUNCIL, *ET AL*

ADOPTED BY THE
BOARD OF TRUSTEES OF THE
VILLAGE OF BRADLEY

THIS 8 DAY OF June, 2020

Published in pamphlet form by the authority of the Board of Trustees of the Village of Bradley, Kankakee County, Illinois this 8 day of June, 2020

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WHEREAS, the President and Board of Trustees of the Village of Bradley, Kankakee County, Illinois, have the authority to adopt resolutions and to promulgate rules and regulations that pertain to its government and affairs and protect the public health, safety, and welfare of its citizens; and

WHEREAS, pursuant to Section 2-3-8 of the Illinois Municipal Code (65 ILCS 5/2-3-8), the Corporate Authorities of the Village of Bradley has authority to enter into contracts that serve the Village's legitimate corporate purposes; and

WHEREAS, the Corporate Authorities of the Village previously exercised the Village's authority to contract and entered into a Labor Agreement (the "CBA") with the Illinois Fraternal Order of Police Labor Council, *et al.* (the "IFOP"); and

WHEREAS, the Parties' CBA provides for a Voluntary Employees' Beneficiary Association ("VEBA"); and

WHEREAS, the Village and the IFOP entered into a Memorandum of Agreement which establishes a Voluntary Employees' Beneficiary Association ("VEBA") on or about December 14, 2015; and

WHEREAS, under the terms of the Memorandum of Agreement the IFOP participants have the right to vote to amend certain parts of the VEBA plan; and

WHEREAS, a vote to amend the VEBA plan has been taken by the IFOP membership and written confirmation of said vote has been submitted to the Village by the IFOP. The IFOP is now requesting that the VEBA plan be amended as reflected in the attached Memorandum of Agreement dated June 2, 2020 on Changes to the VEBA plan; and

WHEREAS, the Corporate Authorities of the Village have determined that the terms and provisions of the Memorandum of Agreement to Amend are appropriate and that it is in the best interests of the Village to enter into said Agreement.

NOW THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS, PURSUANT TO ITS STATUTORY AUTHORITY, AS FOLLOWS:

SECTION 1. The President and Board of Trustees hereby find that the recitals contained in the preamble to this Resolution are true, correct, and complete and are hereby incorporated by reference hereto and made a part hereof.

SECTION 2. The Memorandum of Agreement dated June 2, 2020 on Changes to the VEBA plan, attached hereto as "Exhibit A", is hereby approved in form and substance and the Village President is hereby authorized and directed to execute said Memorandum on behalf of the Village.

SECTION 3. The Village President is further authorized to take any and all actions, including but not limited to the execution of any and all documents, that are, in his opinion, necessary to enter into the Memorandum of Agreement on Changes to the VEBA plan.

SECTION 4. In the event that any provision or provisions, portion or portions, or clause or clauses of this Resolution shall be declared to be invalid or unenforceable by a Court of competent jurisdiction, such adjudication shall in no way affect or impair the validity or enforceability of any of the remaining provisions, portions, or clauses of this Resolution that may be given effect without such invalid or unenforceable provision or provisions, portion or portions, or clause or clauses.

SECTION 5. All ordinances, resolutions, motions, or parts thereof, conflicting with any of the provisions of this Resolution, are hereby repealed to the extent of the conflict.

SECTION 6. This Resolution shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

PASSED by the Board of Trustees on a roll call vote on the 4 day of June, 2020.

TRUSTEES:

ROBERT REDMOND	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
MICHAEL WATSON	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
RYAN LEBRAN	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
BRIAN BILLINGSLEY	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
DARREN WESTPHAL	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
BRIAN TIERI	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>

ACTING VILLAGE PRESIDENT:

MICHAEL WATSON Non-Voting - X

TOTALS: Aye - 6 Nay - 0 Absent -

ATTEST:


JULIE TAMBLING, VILLAGE CLERK

Khamseo Nelson (Deputy)

APPROVED this 8 day of June, 2020.

Michael Watson
MICHAEL WATSON, ACTING VILLAGE PRESIDENT

ATTEST:

Khamseo Nelson
~~JULIE TAMBLING, VILLAGE CLERK~~
Khamseo Nelson (Deputy)

STATE OF ILLINOIS)
) §§
COUNTY OF KANKAKEE)

I, Julie Tambling, Village Clerk of the Village of Bradley, County of Kankakee and State of Illinois, DO HEREBY CERTIFY that the attached is a true, perfect, and complete copy of Resolution number R-6-20-2, "A RESOLUTION AUTHORIZING A MEMORANDUM OF AGREEMENT DATED JUNE 2, 2020 ON CHANGES TO VEBA PLAN BY AND BETWEEN THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS, AND THE ILLINOIS FRATERNAL ORDER OF POLICE LABOR COUNCIL, *ET AL*," which was adopted by the Village Corporate Authorities at a meeting held on the 8 day of June, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand in the Village of Bradley, County of Kankakee and State of Illinois, on this 8 day of June, 2020.

Khamseo Nelson
~~JULIE TAMBLING, VILLAGE CLERK~~
Khamseo Nelson (Deputy)

(SEAL)

Memorandum of Agreement on changes to the VEBA plan

June 2, 2020

This Memorandum of Agreement ("MOU") is between the Illinois Fraternal Order of Police ("Union") and the Village of Bradley ("Village"), parties to a Collective Bargaining Agreement ("CBA") expiring April 30, 2020.

Whereas, the Parties' CBA provides for a Voluntary Employees' Beneficiary Association ("VEBA"); and

Whereas, the Memorandum of Understanding which establishes the VEBA ("MOUV") is attached to the Parties' CBA; and

Whereas, according to the MOUV, the VEBA participants are limited to members of the bargaining unit represented by the Union; and

Whereas, the MOUV gives to the participants of the plan the exclusive right, by majority vote, to make changes to both annual and career end VEBA contributions; and

Whereas, the participants of the VEBA duly voted on or about 6/5/20 to change the formula for career end contributions such that, upon involuntary separation, all severance payments allocated to prior dispatch employees having over twenty (20) or more years of active service with the Village of Bradley on their last day of employment with the Village would henceforth be in the form of payments directly to the separated employee's VEBA; and

Whereas, written confirmation of the vote to change the plan as specified above has been submitted to the Village; and

Whereas, the process required to effectuate any amendment to the MOUV upon submittal of written confirmation of IFOP membership vote is through the adoption of an MOU approved by both the Village and IFOP; and

Therefore, it is hereby agreed, as follows:

- 1) The above recitals shall constitute an integral part of this MOU; and
- 2) The Village, effective January 1, 2020, shall implement the changes in career end payouts referred to above, subject to approval of the VEBA Plan Administrator; and
- 3) Such changes shall continue in effect until changed by the participants in the plan according to the required procedures with proper notification to the Village.

Paul Taylor
Illinois Fraternal Order of Police

Date: 6/19/20
Michael Watson
Village of Bradley

Date: 06/19/2020