

RESOLUTION NO. 2013-21

1 RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE CITY OF SAN
2 BERNARDINO ADOPTING MODIFICATIONS TO THE RETIREE HEALTH
3 INSURANCE PAYMENTS FOR POLICE SAFETY AND POLICE MANAGEMENT
4 EMPLOYEES IN ACCORDANCE WITH THE CITY'S PENDENCY PLAN, ITEM #8,
5 ADOPTED BY THE MAYOR AND COMMON COUNCIL ON NOVEMBER 26, 2012
6 BY RESOLUTION 2012-27.

7 WHEREAS, in meeting its commitments to the citizens of the City of San
8 Bernardino to maintain a safe and secure community while providing access to
9 cultural, recreational and governmental activities and institutions for all citizens, the
10 City has employed a workforce; and

11 WHEREAS, most City employees are entitled to collectively bargain with the
12 City regarding terms and conditions of employment; and

13 WHEREAS, a significant portion of the costs of providing services to the
14 community are the salaries and benefits paid to City employees, with nearly two-
15 thirds of the City's General Fund tied directly to personnel costs; and

16 WHEREAS, despite cost savings measures previously taken by the City, the
17 City's financial situation is dire with no revenue or other funding sources available to
18 balance the City's budget and address prior years' deficits; and

19 WHEREAS, On July 18, 2012, the City Council directed the filing of a petition
20 under Chapter 9 of the United States Bankruptcy Code following the declaration of a
21 fiscal emergency in the City of San Bernardino. These actions were in response to
22 findings that the financial state of the City is such that the health, safety, and well-
23 being of the residents of the City will be jeopardized absent Chapter 9 bankruptcy
24 protection; and

25 WHEREAS, On November 26, 2012, City Council adopted the Pendency Plan,
26 Resolution 2012-27, which included the Fiscal Year 2012/13 General Fund Budget
27 which incorporated by reference the Pre-Pendency Plan including the 9-Point
28 Adjustment Plan adopted on September 5, 2012, and the revised Fire Department
adjustments adopted on October 1, 2012 and contemplated the same pendency plan
reductions for Fiscal Year 2013/14 budget; and

WHEREAS, the City must present a balanced financial plan, or Pendency
Plan, for the General Fund that allows the City to continue to provide effective

1 service, and that failure of the City to take action to implement the Pendency Plan
2 constitutes an emergency within the meaning of the Meyers-Milias Brown Act,
3 Government Code section 3504.5; and

4 WHEREAS, reducing the amount of the City's contribution to the retiree
5 medical plans for police safety and police management employees to those
6 contributions that the City pays for all other retirees will result in savings of \$ 427,000
7 for Fiscal Year 2012-2013.

8 **NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMON**
9 **COUNCIL OF THE CITY OF SAN BERNARDINO AS FOLLOWS:**

10 **SECTION 1.** The following contribution rates for police safety and police
11 management retirees are adopted for implementation effective February 1, 2013:

- 12 1. All police safety and police management retirees eligible to receive City
13 contributions to the City's health and medical plans shall receive
14 \$112.00/month.
- 15 2. The City shall reserve all rights to modify retiree medical plans and the
16 amount of contributions paid by the City.

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE CITY OF SAN
2 BERNARDINO ADOPTING MODIFICATIONS TO THE RETIREE HEALTH
3 INSURANCE PAYMENTS FOR POLICE SAFETY AND POLICE MANAGEMENT
4 EMPLOYEES IN ACCORDANCE WITH THE CITY'S PENDENCY PLAN, ITEM #8,
ADOPTED BY THE MAYOR AND COMMON COUNCIL ON NOVEMBER 26, 2012
BY RESOLUTION 2012-27.

5 I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the Mayor
6 and Common Council of the City of San Bernardino at a jointed adjourned/special meeting
7 thereof, held on the 28th day of January, 2013, by the following vote, to wit:

8 Council Members:	AYES	NAYS	ABSTAIN	ABSENT
9 MARQUEZ	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
10 JENKINS	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
11 VALDIVIA	<u> </u>	<u>X</u>	<u> </u>	<u> </u>
12 SHORETT	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
13 KELLEY	<u> </u>	<u>X</u>	<u> </u>	<u> </u>
14 JOHNSON	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
15 MCCAMMACK	<u>X</u>	<u> </u>	<u> </u>	<u> </u>

16
17
18 
Georgeann Hanna, City Clerk

19 The foregoing Resolution is hereby approved this 30th day of January, 2013.

20
21 
Patrick J. Morris, Mayor
City of San Bernardino

22
23 Approved as to form:
24 JAMES F. PENMAN,
City Attorney

25 By: 