

**FULL TEXT OF MEASURE JJ
CITY OF YORBA LINDA**

ORDINANCE NO. 2014-1004

**AN ORDINANCE OF THE PEOPLE OF THE CITY OF
YORBA LINDA ELIMINATING FUTURE CITY COUNCIL
MEMBER PENSION AND HEALTH CARE BENEFITS**

WHEREAS, the City of Yorba Linda has the legal authority to limit Yorba Linda City Council Members from receiving pension benefits from the City of Yorba Linda; and

WHEREAS, the City of Yorba Linda has the legal authority to limit Yorba Linda City Council Members from receiving health care benefits from the City of Yorba Linda; and

WHEREAS, the People of the City of Yorba Linda desire to eliminate the provision of pension benefits and health care benefits to Yorba Linda City Council Members.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF YORBA LINDA DO HEREBY ORDAIN AS FOLLOWS:

Section 1. Yorba Linda City Council members are prohibited from receiving pension benefits from the City of Yorba Linda based on service on the City Council. Yorba Linda City Council members are prohibited from receiving health care benefits from the City of Yorba Linda based on service on the City Council.

Section 2. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason, held to be invalid or unenforceable by a court of competent jurisdiction, the remaining portions of this Ordinance shall nonetheless remain in full force and effect. The People of the City of Yorba Linda, California, hereby declare that they would have adopted each section, subsection, sentence, clause, phrase, or portion of this Ordinance irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions of this Ordinance be declared invalid or unenforceable.

Section 3. This Ordinance shall go in effect ten (10) days after the date on which the election results are declared by the City Council.

Section 4. The Mayor is hereby authorized to attest to the adoption of this Ordinance by the voters of the City of Yorba Linda by signing where indicated below. The Clerk is authorized to publish this Ordinance in compliance with law.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the City Council of the City of Yorba Linda on this 15th day of July, 2014.

s/ Craig Young
Mayor, City of Yorba Linda

**IMPARTIAL ANALYSIS BY CITY ATTORNEY
CITY OF YORBA LINDA
MEASURE JJ**

City of Yorba Linda

Ballot Measure Eliminating Pension And Health Care Benefits For Future City Council Member Terms

Existing City Council Benefits

The City of Yorba Linda ("City") provides pension benefits to employees via the California Public Employees' Retirement System ("CalPERS"). Currently, as part of the City's contract with CalPERS, City Council members are included within the group of individuals that are eligible for pension benefits through CalPERS.

The City separately contracts with CalPERS for medical benefits for City employees, including Council members. The City also provides vision and dental benefits through a separate benefits plan. Council members may enroll in the CalPERS medical plan or separate vision and dental plans to receive health care benefits during their term in office. If a Council member enrolls, the City pays, up to a maximum dollar amount, for the Council member's health care plans.

After leaving office, Council members are also entitled to health care benefits once they "retire" under the CalPERS system. The City does not provide Council members any health care benefits after they leave office but prior to retirement under the CalPERS system.

Effect Of This Ballot Measure

This measure would do two things: 1) prohibit the City from providing Council members serving future Council terms with pension benefits based on future City Council terms of service; and 2) prohibit the City from providing Council members serving future Council terms with health care benefits based on future City Council terms of service. The City Council will need to amend the City's existing pension and health care contracts to effectuate these changes. The "health care benefits" that this measure prohibits the City from providing to Council members includes medical, vision and dental benefits.

This measure would not impact the right of prior or current Council members from obtaining pension or health care benefits based on service for prior or current Council terms of office. The right to pension or health care benefits for prior or current terms of office is a vested right that cannot legally be rescinded.

A "Yes" vote is in favor of adopting this measure. A "No" vote is against adopting this measure. If a majority of voters vote "Yes," then this measure will take effect ten days after the vote is declared by the City Council. This measure was placed on the ballot by the City Council.

Dated: July 29, 2014

s/ Todd Litfin
City Attorney

The above statement is an impartial analysis of Measure JJ. If you desire a copy of the ordinance or measure, please call the elections official's office at (714) 961-7150 and a copy will be mailed, emailed, or otherwise provided at no cost to you.

ARGUMENT IN FAVOR OF MEASURE JJ

Yorba Linda's pension and healthcare liability is over \$70,700,000. We must rein in government pensions and benefits.

Measure JJ will prohibit all taxpayer funded pensions and health care benefits for City Council Members.

By voting for Measure JJ, we will enshrine pension reform as one of the core principles of our City government.

Measure JJ ensures city politicians can **never again** vote to give themselves taxpayer funded pension or health care benefits; **only the voters will have the ability to ever change this.**

Passing Measure JJ will send a message to self-serving politicians:

- **No more taxpayer funded pensions for City Council Members**
- **No more taxpayer funded health care benefits for City Council Members**
- The voters have the power to decide what happens with taxpayer money
- Taxpayer dollars should go to public safety, roads, and parks, not to finance pensions or lifetime health care benefits for politicians

The private sector funds their own 401(k) retirement accounts and there *might* be an employer match. Most private sector retirees have to purchase their own health care benefits. Why should taxpayers have to fund politicians' pensions or lifetime health care benefits? **Measure JJ stops these perks.**

Some wonder why this needs to go to the ballot instead of just being adopted by the City Council. It's simple: if the current City Council adopts this measure, a future City Council could overturn it – a ballot measure is the only way to prevent this. Once a measure is approved by the voters, only the voters can overturn it.

Vote “Yes” on Measure JJ to reform pensions by making the politicians pay for their own pensions.

Vote “Yes” on Measure JJ to make politicians pay for their own health care.

s/ Craig Young

s/ Thomas H. Lindsey

s/ Eugene J. Hernandez

s/ Matthew A. Palmer

s/ J Minton Brown Jr

No argument against this measure was submitted.