

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

506



FROM: County Counsel

SUBMITTAL DATE:
July 8, 2010

SUBJECT: Ordinance No. 900, Proposing Riverside County Ordinance No. 899 for Adoption by the Voters at the November 2, 2010 General Election

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Ordinance No. 900, Proposing Riverside County Ordinance No. 899 for Adoption by the Voters at the November 2, 2010 General Election;
2. Authorize a member or members of the Board to prepare a written ballot argument and rebuttal in favor of Ordinance No. 899; and
3. Authorize a member or members of the Board to prepare a written ballot argument in opposition to the initiative proposed by the Riverside Sheriffs' Association.

(Continued on next page)

Departmental Concurrence

Pamela J. Walls
County Counsel

FINANCIAL DATA	Current F.Y. Total Cost:	\$	In Current Year Budget:
	Current F.Y. Net County Cost:	\$	Budget Adjustment:
	Annual Net County Cost:	\$	For Fiscal Year:

SOURCE OF FUNDS:	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE
Bill Luna

County Executive Office Signature

Policy
 Consent
 Policy
 Consent

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Buster, seconded by Supervisor Benoit and duly carried, IT WAS ORDERED that the above matter is approved as recommended and that the above Ordinance is adopted as recommended with waiver of reading.

Ayes: Buster, Stone, Benoit and Ashley
Nays: None
Absent: Tavaglione
Date: July 27, 2010
xc: Co.Co., MC, COB, ROV

Kecia Harper-Ihem
 Clerk of the Board
 By:
 Deputy

Dep't Recomm.:
 Per Exec. Ofc.:

Prev. Agn. Ref.: | **District:** | **Agenda Number:**

3.19

BACKGROUND: During the May 18, 2010 hearing, the Board of Supervisors directed County Counsel to draft a proposed ordinance in response to the initiative sponsored by the Riverside Sheriffs' Association ("RSA"). If passed, this initiative would prohibit the Board from reducing or adjusting the retirement benefits and pre-retirement death benefits of public safety officers. The Board expressed a desire to retain its discretion to adjust or decrease public safety officer retirement benefits generally, but wanted widows and orphans of public safety employees to be protected against any reduction in benefits paid to them upon the death of a public safety officer.

Proposed Ordinance No. 899 retains the Board's discretion to adjust or decrease the retirement and pre-retirement death benefits of public safety officers to the extent permitted by law. It also provides, however, that benefits paid to widows and orphans upon the job-related death of a public safety officer cannot be reduced without voter approval.

Increases in retirement benefits and pre-retirement death benefits for public safety employees would still be subject to voter approval, as proposed in the RSA initiative.

Proposed Ordinance No. 899 requires the County to meet and confer with public safety representative groups if required by the Myers Milias Brown Act (Government Code section 3505 et seq.). Additionally, no reduction in retirement benefits or death benefits may be taken which would constitute an unconstitutional impairment of contract.

The Board further requested that the proposed ordinance be submitted to the voters in accordance with Elections Code section 9140 and that it be returned to the Board in time for inclusion on the November general election ballot.

Elections Code section 9162 permits the Board of Supervisors or any authorized members of the Board to file an written argument for or against a ballot measure. Should the Board desire to authorize a member or members of the Board to prepare an argument in favor of proposed Ordinance No. 889 and any rebuttal, or to prepare a written opposition argument to the proposed RSA initiative, they should do so in conjunction with the approval of Ordinance No. 900.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

STATE OF CALIFORNIA)
)
COUNTY OF RIVERSIDE) ss

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said county held on July 27, 2010, the foregoing ordinance consisting of 5 Sections was adopted by the following vote:

AYES: Buster, Stone, Benoit, and Ashley
NAYS: None
ABSENT: Tavaglione

DATE: July 27, 2010

KECIA HARPER-IHEM
Clerk of the Board

BY: *Karen B. Austin*
Deputy

SEAL

1 Section 3. PURPOSE. The purpose of this ordinance is to prohibit increases in public
2 safety employee retirement and death benefits without voter approval and to clarify that the Board of
3 Supervisors retains the discretion to decrease public safety employee retirement and death benefits, to the
4 extent permitted by law, without voter approval.

5 Section 4. DEFINITIONS.

- 6 a. Death Benefits. Pre-retirement death benefits offered to public safety
7 employees and their survivors as of the effective date of this measure.
- 8 b. Public Safety Employees. Employees who are defined as safety employees
9 under the California Public Employee Retirement System (“CalPERS”) or
10 any successor retirement system.
- 11 c. Retirement Benefits. Retirement benefits offered to public safety
12 employees and their survivors as of the effective date of this measure, and
13 includes service retirement, disability retirement, industrial disability
14 retirement, survivor continuance, and retiree health benefit.
- 15 d. Retirement Benefit Formula. The retirement benefit formula currently in
16 place for public safety employees, which is known as “3% @ 50,” and
17 includes the current limitation on these benefits of 90% of final
18 compensation.
- 19 e. Retirement System. The CalPERS or any successor retirement system.

20 Section 5. LIMITATIONS ON CHANGES TO RETIREMENT AND DEATH
21 BENEFITS.

- 22 a. The Board of Supervisors shall not take any action, by ordinance,
23 resolution, or otherwise, which increases the retirement benefit formula of,
24 or increases death benefits to the beneficiaries of, any past, current or future
25 public safety employee of Riverside County in the retirement system,
26 without first obtaining the approval of a majority of those qualified electors
27 voting on the matter. This subdivision shall not apply to cost of living
28

1 adjustments, salary increases and annual leave or compensatory time cash
2 outs.

3 b. The Board of Supervisors hereby retains the discretion to decrease the
4 retirement benefit formula of, or decrease death benefits to the beneficiaries
5 of, any past, current or future public safety employee of Riverside County
6 in the retirement system without first obtaining the approval of a majority of
7 those qualified electors voting on the matter. This subdivision shall not
8 apply to pre-retirement benefits paid to the beneficiaries of a public safety
9 employee whose death has been determined to be job-related. A reduction
10 of such benefits for those beneficiaries of public safety employees whose
11 death has been determined to be job-related shall not be made without first
12 obtaining the approval of a majority of those qualified electors voting on the
13 matter.

14 c. Before submitting any increase in the retirement benefit formula or death
15 benefits to a vote of the electorate, or decreasing the retirement formula or
16 death benefits, the County shall meet and confer with public safety
17 employee representative groups if required by the Myers Miliias Brown Act
18 (Government Code section 3505 et seq.).

19 d. No reduction in retirement benefits or death benefits shall be taken which
20 would constitute an unlawful impairment of contract in violation of Article
21 1, Section 10 of the United States Constitution, as well as Article 1, Section
22 9 of the Constitution of the State of California. If CalPERS ceases to offer
23 the 3% at 50 benefit formula or if Riverside County ceases to contract with
24 CalPERS for retirement and death benefits, the County shall not be required
25 to offer the same retirement benefit formula and pre-retirement death
26 benefits to public safety employees unless the failure to do so would
27 constitute an unlawful impairment of contract under the federal or state
28 constitutions or violate federal or state law.

1 Section 6. AMENDMENTS. This ordinance shall not be modified, amended or
2 repealed, except by a majority vote of those qualified electors voting on the measure.

3 Section 7. CONFLICTS AND COMPETING MEASURES.

4 a. In the event this ordinance conflicts with the terms of any other ordinance,
5 resolution or policy of the County, this ordinance shall control.

6 b. In the event that another measure (“competing measure”) appears on the
7 same ballot as this ordinance which seeks to adopt or impose provisions that
8 differ in any regard to, or supplement, the provisions or requirements
9 contained in this ordinance, the voters hereby expressly declare their intent
10 that if both the competing measure and this ordinance receive a majority of
11 votes cast, and if this ordinance receives a greater number of votes than the
12 competing measure, this ordinance shall prevail in its entirety over the
13 competing measure without regard to whether specific provisions of each
14 measure directly conflict with each other.

15 Section 8. SEVERABILITY. If any provision or portion of this ordinance is, for any
16 reason, held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall
17 not affect the validity of the remaining portions of the ordinance. It is hereby declared that the ordinance
18 and each and every provision and portion thereof would have been adopted irrespective of the fact that
19 any one or more provisions or portions thereof be declared invalid or unconstitutional.

20 Section 9. EFFECTIVE DATE. Pursuant to section 9122 of the Elections Code, this
21 ordinance shall take effect ten days after the vote is declared by the Board of Supervisors.

Harper-Ihem, Kecia

From: Grant, Diana [Dgrant@rceo.org]
Sent: Tuesday, July 27, 2010 8:50 AM
To: Harper-Ihem, Kecia
Subject: continuance to 1:30 p.m. today
Attachments: CONTINUANCE2010.doc



Hi, Kecia: Bill said the attached continuance (item 3.19) needs to be continued to 1:30 p.m. today. Thank you.

Please note: The County Administrative Center will be closed every Friday per order of the Board of Supervisors. Business hours for the County Executive Office are Monday through Thursday 7:30 a.m. to 5:30 p.m.

This email is confidential and intended solely for the use of the individual(s) to whom it is addressed. The information contained in this message may be privileged and confidential and protected from disclosure.

If you are not the author's intended recipient, be advised that you have received this email in error and that any use, dissemination, forwarding, printing, or copying of this email is strictly prohibited. If you have received this email in error please delete all copies, both electronic and printed, and contact the author immediately.



OFFICE OF
CLERK OF THE BOARD OF SUPERVISORS
1st FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
PHONE: (951) 955-1060
FAX: (951) 955-1071

KECIA HARPER-IHEM
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

August 2, 2010

THE PRESS ENTERPRISE
ATTN: LEGALS
P.O. BOX 792
RIVERSIDE, CA 92501

FAX: (951) 368-9018
E-MAIL: legals@pe.com

RE: ADOPTION OF ORDINANCE NO. 900 Proposing Ord. No. 899 for Adoption

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Wednesday, August 4, 2010.**

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office in duplicate, WITH TWO CLIPPINGS OF THE PUBLICATION.

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

Mcgil

Cecilia Gil, Board Assistant to
KECIA HARPER-IHEM, CLERK OF THE BOARD

Gil, Cecilia

From: PE Legals [legals@pe.com]
Sent: Monday, August 02, 2010 10:28 AM
To: Gil, Cecilia
Subject: RE: FOR PUBLICATION: ADOPTION OF ORD. NO 900 PROPOSING ORD. NO. 899

Received for publication on Aug. 4

Thank You! ~Maria G. Tinajero • The Press Enterprise Legal Adv. • 1.800.880.0345 (Phone) • 951.368.9018 (fax) • Please Note: Deadline is 10:30 AM two (2) business days prior to the date you would like to publish. Additional days required for larger ad sizes.

From: Gil, Cecilia [mailto:CCGIL@rcbos.org]
Sent: Monday, August 02, 2010 7:54 AM
To: PE Legals
Subject: FOR PUBLICATION: ADOPTION OF ORD. NO 900 PROPOSING ORD. NO. 899

Good Morning! Attached is an Adoption of Ordinance, for publication on Wednesday, Aug. 4, 2010. Please confirm.
THANK YOU!

Cecilia Gil

Board Assistant to the
Clerk of the Board of Supervisors
951-955-8464

THE COUNTY ADMINISTRATIVE CENTER IS CLOSED EVERY FRIDAY UNTIL FURTHER NOTICE.
PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING.



OFFICE OF
CLERK OF THE BOARD OF SUPERVISORS
1st FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
PHONE: (951) 955-1060
FAX: (951) 955-1071

KECIA HARPER-IHEM
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

August 2, 2010

THE DESERT SUN
ATTN: LEGALS
P.O. BOX 2734
PALM SPRINGS, CA 92263

FAX: (760) 778-4731
E-MAIL: legals@thedesertsun.com

RE: ADOPTION OF ORDINANCE NO. 900 Proposing Ord. No. 899 for Adoption

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Wednesday, August 4, 2010**.

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office in duplicate, WITH TWO CLIPPINGS OF THE PUBLICATION.

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

Mcgil

Cecilia Gil, Board Assistant to
KECIA HARPER-IHEM, CLERK OF THE BOARD

Gil, Cecilia

From: Moeller, Charlene [CMOELLER@palmspri.gannett.com]
Sent: Monday, August 02, 2010 8:37 AM
To: Gil, Cecilia
Subject: RE: FOR PUBLICATION: ADOPTION OF ORD. NO. 900 PROPOSING ORD. NO. 899

Ad received and will publish on date(s) requested.

Charlene Moeller
Public Notice Customer Service Rep.
The Desert Sun Newspaper
750 N. Gene Autry Trail, Palm Springs, CA 92262
(760) 778-4578, Fax (760) 778-4731
Desert Sun legals@thedesertsun.com
& Desert Post Weekly dpwlegals@thedesertsun.com
The Coachella Valley's #1 Source in News & Advertising! Visit us at mydesert.com
NOTE: Starting on March 29th, there will be a \$10 affidavit processing fee added to the cost of each Public Notice

From: Gil, Cecilia [mailto:CCGIL@rcbos.org]
Sent: Monday, August 02, 2010 7:55 AM
To: tds-legals
Subject: FOR PUBLICATION: ADOPTION OF ORD. NO. 900 PROPOSING ORD. NO. 899

Good Morning! Attached is an Adoption of Ordinance, for publication on Wednesday, August 4, 2010. Please confirm.
THANK YOU!

Cecilia Gil
Board Assistant to the
Clerk of the Board of Supervisors
951-955-8464

THE COUNTY ADMINISTRATIVE CENTER IS CLOSED EVERY FRIDAY UNTIL FURTHER NOTICE.
PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING.

BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

ORDINANCE NO. 900

**AN ORDINANCE OF THE COUNTY OF RIVERSIDE
PROPOSING RIVERSIDE COUNTY ORDINANCE NO. 899
FOR ADOPTION BY THE VOTERS AT THE STATEWIDE
GENERAL ELECTION ON NOVEMBER 2, 2010**

The Board of Supervisors of the County of Riverside ordains as follows:

Section 1. In accordance with Elections Code section 9140, the Board of Supervisors may submit to the voters an ordinance for the enactment of any ordinance. The ordinance shall be voted upon at any succeeding regular or special election and, if it receives a majority of the votes cast, the ordinance shall be enacted accordingly.

Section 2. The Board of Supervisors has determined that Proposed Ordinance No. 899 would be in the best interests of the County of Riverside.

Section 3. Proposed Ordinance No. 899, attached hereto and incorporated herein, shall be submitted for adoption to the qualified voters of the County of Riverside at the statewide general election on November 2, 2010.

Section 4. Pursuant to Elections Code section 13119, the form of the measure shall appear on the ballot as follows:

PROPOSED RIVERSIDE COUNTY ORDINANCE		
Shall Ordinance No. 899, requiring voter approval for increases in public safety employee retirement benefits or decreases in job related pre-retirement death benefits, and allowing decreases in retirement benefits, be adopted?	YES	
	NO	

Section 5. EFFECTIVE DATE. This ordinance shall take effect immediately upon its adoption in accordance with Elections Code section 9141(a)(1).

PROPOSED ORDINANCE NO. 899

**AN ORDINANCE OF THE COUNTY OF RIVERSIDE PROHIBITING
INCREASES IN AND ALLOWING DECREASES IN PUBLIC
SAFETY PENSIONS WITHOUT VOTER APPROVAL**

The people of the County of Riverside ordains as follows:

Section 1. TITLE. This ordinance shall be known as the Taxpayer Protection and Fiscal Responsibility Act of 2010.

Section 2. FINDINGS.

- a. Given current budgetary constraints, taxpayers should be protected against increases in retirement and death benefits provided to public safety employees without voter approval.
- b. Widows and orphans of public safety employees whose death has been determined to be job related, however, shall be protected and benefits paid to such beneficiaries upon the death of the public safety employee shall not be reduced without voter approval.
- c. Given the County's fiscal crisis, retirement benefits for future public safety employees may need to be reduced. It is the intent that the Board of Supervisors continue to retain the discretion to reduce retirement benefits to the extent permitted by law.

- d. Existing public safety employees have a right to receive certain retirement benefits that were promised them upon employment. This ordinance does not allow the reduction of retirement benefits or death benefits which would constitute an unlawful impairment of contract in violation of Article 1, Section 10 of the United States Constitution or Article 1, Section 9 of the Constitution of the State of California.

Section 3. PURPOSE. The purpose of this ordinance is to prohibit increases in public safety employee retirement and death benefits without voter approval and to clarify that the Board of Supervisors retains the discretion to decrease public safety employee retirement and death benefits, to the extent permitted by law, without voter approval.

Section 4. DEFINITIONS.

- a. Death Benefits. Pre-retirement death benefits offered to public safety employees and their survivors as of the effective date of this measure.
- b. Public Safety Employees. Employees who are defined as safety employees under the California Public Employee Retirement System ("CalPERS") or any successor retirement system.
- c. Retirement Benefits. Retirement benefits offered to public safety employees and their survivors as of the effective date of this measure, and includes service retirement, disability retirement, industrial disability retirement, survivor continuance, and retiree health benefit.
- d. Retirement Benefit Formula. The retirement benefit formula currently in place for public safety employees, which is known as "3% @ 50," and includes the current limitation on these benefits of 90% of final compensation.
- e. Retirement System. The CalPERS or any successor retirement system.

Section 5. LIMITATIONS ON CHANGES TO RETIREMENT AND DEATH

BENEFITS.

- a. The Board of Supervisors shall not take any action, by ordinance, resolution, or otherwise, which increases the retirement benefit formula of, or increases death benefits to the beneficiaries of, any past, current or future public safety employee of Riverside County in the retirement system, without first obtaining the approval of a majority of those qualified electors voting on the matter. This subdivision shall not apply to cost of living adjustments, salary increases and annual leave or compensatory time cash outs.
- b. The Board of Supervisors hereby retains the discretion to decrease the retirement benefit formula of, or decrease death benefits to the beneficiaries of, any past, current or future public safety employee of Riverside County in the retirement system without first obtaining the approval of a majority of those qualified electors voting on the matter. This subdivision shall not apply to pre-retirement benefits paid to the beneficiaries of a public safety employee whose death has been determined to be job-related. A reduction of such benefits for those beneficiaries of public safety employees whose death has been determined to be job-related shall not be made without first obtaining the approval of a majority of those qualified electors voting on the matter.
- c. Before submitting any increase in the retirement benefit formula or death benefits to a vote of the electorate, or decreasing the retirement formula or death benefits, the County shall meet and confer with public safety employee representative groups if required by the Myers Milias Brown Act (Government Code section 3505 et seq.).
- d. No reduction in retirement benefits or death benefits shall be taken which would constitute an unlawful impairment of contract in violation of Article 1, Section 10 of the United States Constitution, as well as Article 1, Section 9 of the Constitution of the State of California. If CalPERS ceases to offer the 3% at 50 benefit formula or if Riverside County ceases to contract with CalPERS for retirement and death benefits, the

County shall not be required to offer the same retirement benefit formula and pre-retirement death benefits to public safety employees unless the failure to do so would constitute an unlawful impairment of contract under the federal or state constitutions or violate federal or state law.

Section 6.
repealed, except by a majority

AMENDMENTS. This ordinance shall not be modified, amended or vote of those qualified electors voting on the measure.

Section 7.

CONFLICTS AND COMPETING MEASURES.

- a. In the event this ordinance conflicts with the terms of any other ordinance, resolution or policy of the County, this ordinance shall control.
- b. In the event that another measure ("competing measure") appears on the same ballot as this ordinance which seeks to adopt or impose provisions that differ in any regard to, or supplement, the provisions or requirements contained in this ordinance, the voters hereby expressly declare their intent that if both the competing measure and this ordinance receive a majority of votes cast, and if this ordinance receives a greater number of votes than the competing measure, this ordinance shall prevail in its entirety over the competing measure without regard to whether specific provisions of each measure directly conflict with each other.

Section 8. SEVERABILITY. If any provision or portion of this ordinance is, for any reason, held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the ordinance. It is hereby declared that the ordinance and each and every provision and portion thereof would have been adopted irrespective of the fact that any one or more provisions or portions thereof be declared invalid or unconstitutional.

Section 9. EFFECTIVE DATE. Pursuant to section 9122 of the Elections Code, this ordinance shall take effect ten days after the vote is declared by the Board of Supervisors.

Marion Ashley, Chairman of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on **July 27, 2010**, the foregoing Ordinance consisting of five (5) sections was adopted by said Board by the following vote:

AYES: Buster, Stone, Benoit and Ashley
NAYS: None
ABSENT: Tavaglione

Kecia Harper-Ihem, Clerk of the Board
By: Cecilia Gil, Board Assistant

Legal Advertising Invoice

⑨ REMITTANCE ADDRESS
 POST OFFICE BOX 12009
 RIVERSIDE, CA 92502-2209
 FAX (951) 368-9026

① BILLING PERIOD 08/04/10 - 08/04/10
 ⑤ BILLING DATE 08/04/10
 ② ADVERTISING/CLIENT NAME BOARD OF SUPERVISORS
 FOR BILLING INFORMATION CALL (951) 368-9713
 ④ PAGE NO 1
 ③ TOTAL AMOUNT DUE 633.10
 * UNAPPLIED AMOUNT 0
 TERMS OF PAYMENT Due Upon Receipt

⑧ BILLED ACCOUNT NAME AND ADDRESS
 BOARD OF SUPERVISORS
 COUNTY OF RIVERSIDE
 P.O. BOX 1147
 RIVERSIDE CA 92502

⑥ BILLED ACCOUNT NUMBER 045202 | REP NO LE04

Statement #: 56554915 Amount Paid \$ _____ Your Check # _____

PLEASE DETACH AND RETURN UPPER PORTION WITH YOUR REMITTANCE

⑩ DATE	⑪ REFERENCE	⑫ ⑬ ⑭ DESCRIPTION-OTHER COMMENTS/CHARGES	⑮ ⑯ SAU SIZE BILLED UNITS	⑰ RATE	⑱ GROSS AMOUNT	⑳ NET AMOUNT
08/04	4215050 CO	ORD. 900 PROPOSING ORD. NO 899 Class : 10 Ctext Ad# 10352356 Placed By : Cecilia Gil	487 L	1.30		633.10

RECEIVED RIVERSIDE COUNTY
 CLERK/BOARD OF SUPERVISORS
 2010 AUG 12 PM 1:55
*Registrar of
 Veterans
 3.19 of 07/27/10*

⑳ CURRENT NET AMOUNT DUE	㉑ 30 DAYS	⑳ 60 DAYS	㉒ OVER 90 DAYS	* UNAPPLIED AMOUNT	㉓ PLEASE PAY THIS AMOUNT
					633.10

THE PRESS-ENTERPRISE  P.O. BOX 12009
 RIVERSIDE, CA 92502-2209
 TELEPHONE (951) 368-9711
 (951) 368-9720 □ (951) 368-9713

ADVERTISING STATEMENT/INVOICE

* UNAPPLIED AMOUNTS ARE INCLUDED IN TOTAL AMOUNT DUE



⑳ STATEMENT NUMBER		ADVERTISER INFORMATION			
①	② BILLING PERIOD	③ BILLED ACCOUNT NUMBER	④ ADVERTISER/CLIENT NUMBER	⑤ ADVERTISER/CLIENT NAME	
56554915	08/04/10 - 08/04/10	045202		BOARD OF SUPERVISORS	

THE PRESS-ENTERPRISE

3450 Fourteenth Street
Riverside CA 92501-3878
951-684-1200
951-368-9018 FAX

**PROOF OF PUBLICATION
(2010, 2015.5 C.C.P.)**

Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: Ord. 900 Proposing Ord. No 899

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper of general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673 and under date of August 25, 1995, Case Number 267864; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

08-04-10

I Certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: Aug. 4, 2010
At: Riverside, California



BOARD OF SUPERVISORS

P.O. BOX 1147
COUNTY OF RIVERSIDE
RIVERSIDE CA 92502

Ad #: 10352356

PO #:

Agency #: _____

Ad Copy:

BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

ORDINANCE NO. 900

AN ORDINANCE OF THE COUNTY OF RIVERSIDE
PROPOSING RIVERSIDE COUNTY ORDINANCE NO. 899 FOR ADOPTION BY
THE VOTERS AT THE STATEWIDE GENERAL ELECTION ON
NOVEMBER 2, 2010

The Board of Supervisors of the County of Riverside ordains as follows:
Section 1. In accordance with Elections Code section 9140, the Board of Supervisors may submit to the voters an ordinance for the enactment of any ordinance. The ordinance shall be voted upon at any succeeding regular or special election and, if it receives a majority of the votes cast, the ordinance shall be enacted accordingly.

Section 2. The Board of Supervisors has determined that Proposed Ordinance No. 899 would be in the best interests of the County of Riverside.

Section 3. Proposed Ordinance No. 899, attached hereto and incorporated herein, shall be submitted for adoption to the qualified voters of the County of Riverside at the statewide general election on November 2, 2010.

Section 4. Pursuant to Elections Code section 13119, the form of the measure shall appear on the ballot as follows:

PROPOSED RIVERSIDE COUNTY ORDINANCE

Shall Ordinance No. 899, requiring voter approval for increases in public safety employee retirement benefits or decreases in job related pre-retirement death benefits, and allowing decreases in retirement benefits, be adopted? YES
NO

Section 5. EFFECTIVE DATE. This ordinance shall take effect immediately upon its adoption in accordance with Elections Code section 9141(a)(1).

PROPOSED ORDINANCE NO. 899

AN ORDINANCE OF THE COUNTY OF RIVERSIDE PROHIBITING INCREASES IN AND ALLOWING DECREASES IN PUBLIC SAFETY PENSIONS WITHOUT VOTER APPROVAL

The people of the County of Riverside ordains as follows:

Section 1. TITLE. This ordinance shall be known as the Taxpayer Protection and Fiscal Responsibility Act of 2010.

Section 2. FINDINGS.

- Given current budgetary constraints, taxpayers should be protected against increases in retirement and death benefits provided to public safety employees without voter approval.
- Widows and orphans of public safety employees whose death has been determined to be job related, however, shall be protected and benefits paid to such beneficiaries upon the death of the public safety employee shall not be reduced without voter approval.
- Given the County's fiscal crisis, retirement benefits for future public safety employees may need to be reduced. It is the intent that the Board of Supervisors continue to retain the discretion to reduce retirement benefits to the extent permitted by law.
- Existing public safety employees have a right to receive certain retirement benefits that were promised them upon employment. This ordinance does not allow the reduction of retirement benefits or death benefits which would constitute an unlawful impairment of contract in violation of Article 1, Section 10 of the United States Constitution or Article 1, Section 9 of the Constitution of the State of California.

Section 3. PURPOSE. The purpose of this ordinance is to prohibit increases in public safety employee retirement and death benefits without voter approval and to clarify that the Board of Supervisors retains the discretion to decrease public safety employee retirement and death benefits, to the extent permitted by law, without voter approval.

Section 4. DEFINITIONS.

- Death Benefits. Pre-retirement death benefits offered to public safety employees and their survivors as of the effective date of this measure.
- Public Safety Employees. Employees who are defined as safety employees under the California Public Employee Retirement System ("CalPERS") or any successor retirement system.
- Retirement Benefits. Retirement benefits offered to public safety employees and their survivors as of the effective date of this measure, and includes service retirement, disability retirement, industrial disability retirement, survivor continuance, and retiree health benefit.
- Retirement Benefit Formula. The retirement benefit formula currently in place for public safety employees, which is known as "3% @ 50," and includes the current limitation on these benefits of 90% of final compensation.
- Retirement System. The CalPERS or any successor retirement system.

Section 5. LIMITATIONS ON CHANGES TO RETIREMENT AND DEATH BENEFITS.

- The Board of Supervisors shall not take any action, by ordinance, resolution, or otherwise, which increases the retirement benefit formula of, or increases death benefits to the beneficiaries of, any past, current or future public safety employee of Riverside County in the retirement system, without first obtaining the approval of a majority of those qualified electors voting on the matter. This subdivision shall not apply to cost of living adjustments, salary increases and annual leave or compensatory time cash outs.
- The Board of Supervisors hereby retains the discretion to decrease the retirement benefit formula of, or decrease death benefits to the beneficiaries of, any past, current or future public safety employee of Riverside County in the retirement system without first obtaining the approval of a majority of those qualified electors voting on the matter. This subdivision shall not apply to pre-retirement benefits paid to the beneficiaries of a public safety employee whose death has been determined to be job-related. A reduction of such benefits for those beneficiaries of public safety employees whose death has been determined to be job-related shall not be made without first obtaining the approval of a majority of those qualified electors voting on the matter.
- Before submitting any increase in the retirement benefit formula or death benefits to a vote of the electorate, or decreasing the retirement formula or death benefits, the County shall meet and confer with public safety employee representative groups if required by the Myers Millias Brown Act (Government Code section 3505 et seq.)
- No reduction in retirement benefits or death benefits shall be taken which would constitute an unlawful impairment of contract in violation of Article 1, Section 10 of the United States Constitution, as well as Article 1, Section 9 of the Constitution of the State of California. If CalPERS ceases to offer the 3% at 50 benefit formula or if Riverside County ceases to contract with CalPERS for retirement and death benefits, the County shall not be required to offer the same retirement benefit formula and pre-retirement death benefits to public safety employees unless the failure to do so would constitute an unlawful impairment of contract under the federal or state constitutions or violate federal or state law.

Section 6. AMENDMENTS. This ordinance shall not be modified, amended or repealed, except by a majority vote of those qualified electors voting on the measure.

Section 7. CONFLICTS AND COMPETING MEASURES.

- In the event this ordinance conflicts with the terms of any other ordinance, resolution or policy of the County, this ordinance shall control.
- In the event that another measure ("competing measure") appears on the same ballot as this ordinance which seeks to adopt or impose provisions that differ in any regard to, or supplement, the provisions or requirements contained in this ordinance, the voters hereby expressly declare their intent that if both the competing measure and this ordinance receive a majority of votes cast, and if this ordinance receives a greater number of votes than the com-

peting measure, this ordinance shall prevail in its entirety over the competing measure without regard to whether specific provisions of each measure directly conflict with each other.

Section 8. SEVERABILITY. If any provision or portion of this ordinance is, for any reason, held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the ordinance. It is hereby declared that the ordinance and each and every provision and portion thereof would have been adopted irrespective of the fact that any one or more provisions or portions thereof be declared invalid or unconstitutional.

Section 9. EFFECTIVE DATE. Pursuant to section 9122 of the Elections Code, this ordinance shall take effect ten days after the vote is declared by the Board of Supervisors.

Marion Ashley, Chairman of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on July 27, 2010, the foregoing Ordinance consisting of five (5) sections was adopted by said Board by the following vote:

AYES: Buster, Stone, Benoit and Ashley

NAYS: None

ABSENT: Tavaglione

Kecia Harper-Ihem, Clerk of the Board

By: Cecilia Gil, Board Assistant

8/4

The Desert Sun

mydesert.com

750 N. Gene Autry Trail
Palm Springs, CA 92262
Billing Inquiries: (866) 875-0854
Main Office: (760) 322-8889

ADVERTISING INVOICE/STATEMENT

Make Checks payable to DESERT SUN PUBLISHING CO.
P.O. Box 677368 Dallas, TX 75267-7368
A finance charge of 1.5% per month(18% Annually) will be added to balances not paid by the 20th.

108

RIV0690000038316110099408810822

RIVERSIDE COUNTY-BOARD OF SUP.
PO BOX 1147
RIVERSIDE CA 92502-1147

Customer No.	Invoice No.
RIV069	0003831611
For the Period	Thru
08/02/10	08/29/10
Due Date	Amount Due
09/13/10	9,940.88
AMOUNT PAID	

PLEASE RETURN THIS TOP SECTION WITH PAYMENT IN THE ENCLOSED ENVELOPE AND INCLUDE YOUR CUSTOMER NUMBER ON REMITTANCE.

Date	EDT	Class	Description	Times Run	Col	Depth	Total Size	Rate	Amount
0802			BALANCE FORWARD						14,090.08
0813			PAYMENT - THANK YOU						4,996.26-
0823			PAYMENT - THANK YOU						8,904.32-
0729	CLS	0001	CECILIA NO 3276 NOTICE O	4	2	269.00	2152.00		909.08
0730	CLS	0001	CECILIA NO 3344 NOTICE I	4	2	114.00	912.00		394.48
0731	CLS	0001	CECILIA NO 3373 NOTICE I	4	2	79.00	632.00		278.28
0804	CLS	0001	CECILIA NO. 3416 BOARD O	2	2	222.00	888.00		384.52
0806	CLS	0001	CECILIA NO. 3453 BOARD O	2	2	515.00	2060.00		870.90
0806	CLS	0001	CECILIA NO 3477 BOARD OF	2	2	77.00	308.00		143.82
0807	CLS	0001	CECILIA GIL NO 3487/PAGE 2	1	10	21.00	210.00		2,450.20
0807	CLS	0001	CECILIA GIL NO 3487/PAGE 1	1	10	14.00	140.00		1,626.80
0808	CLS	0001	CECILIA NO 3488 BOARD OF	2	2	210.00	840.00		364.60
0813	CLS	0001	CECILIA NO 3562 NOTICE I	4	2	111.00	888.00		384.52
0813	CLS	0001	CECILIA NO 3563 NOTICE I	4	2	135.00	1080.00		464.20
0815	CLS	0001	CECILIA NO 3577 NOTICE O	2	2	460.00	1840.00		779.60
0819	CLS	0001	CECILIA NO 3627 BOARD OF	2	2	73.00	292.00		137.18
0820	CLS	0001	CECILIA NO 3648 BOARD OF	2	2	119.00	476.00		213.54
0826	CLS	0001	CECILIA NO 3710 BOARD OF	2	2	201.00	804.00		349.66
Current		Over 30 Days	Over 60 Days	Over 90 Days	Over 120 Days	Total Due			
9,751.38		.00	.00	.00	189.50	9,940.88			
Contract Type	Contract Qnty.	Expiration Date	Current Usage	Total Used	Quantity Remaining	Salesperson			
						MOELLER			

3.19 of 07/27/10

2010 SEP 15 PM 3:13

RECEIVED BY RIVERSIDE COUNTY BOARD OF SUPERVISORS

The Advertiser shall make payment within 15 days of the billing date indicated on Company's statement, and, in the event that it fails to make payment within such time, Company may reject advertising copy and / or immediately cancel this contract and Advertiser agrees to indemnify Company for all expenses incurred in connection with the collection of amounts payable under this contract, including but not limited to collection fees, attorney's fees and court costs. If this agreement is cancelled due to Advertiser's failure to make timely payment, Company may rebill the Advertiser for the outstanding balance due at the open or earned contract rate, whichever is applicable.

TO ENSURE PROPER CREDIT, PLEASE RETURN THE TOP SECTION AND INCLUDE YOUR CUSTOMER NUMBER ON REMITTANCE.

Customer Number	Name	Invoice Number	Amount Paid
RIV069	RIVERSIDE COUNTY-BOARD OF SUP.	0003831611	

The Desert Sun
750 N Gene Autry Trail
Palm Springs, CA 92262
760-778-4578 / Fax 760-778-4731

Certificate of Publication

State Of California ss:
County of Riverside

Advertiser:

RIVERSIDE COUNTY-BOARD OF SUP.
4080 LEMON ST
RIVERSIDE CA 925013

2000217450

I am over the age of 18 years old, a citizen of the United States and not a party to, or have interest in this matter. I hereby certify that the attached advertisement appeared in said newspaper (set in type not smaller than non pariel) in each and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

Newspaper: The Desert Sun

8/4/2010

I acknowledge that I am a principal clerk of the printer of The Desert Sun, printed and published weekly in the City of Palm Springs, County of Riverside, State of California. The Desert Sun was adjudicated a newspaper of general circulation on March 24, 1988 by the Superior Court of the County of Riverside, State of California Case No. 191236.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 4th day of August, 2010 in Palm Springs, California.

Declarant



No. 3416
BOARD OF SUPERVISORS OF THE COUNTY
OF RIVERSIDE, STATE OF CALIFORNIA

ORDINANCE NO. 900

AN ORDINANCE OF THE COUNTY OF
RIVERSIDE
PROPOSING RIVERSIDE COUNTY
ORDINANCE NO. 899
FOR ADOPTION BY THE VOTERS AT THE
STATEWIDE
GENERAL ELECTION ON NOVEMBER 2, 2010

The Board of Supervisors of the County of Riverside ordains as follows:

Section 1. In accordance with Elections Code section 9140, the Board of Supervisors may submit to the voters an ordinance for the enactment of any ordinance. The ordinance shall be voted upon at any succeeding regular or special election and, if it receives a majority of the votes cast, the ordinance shall be enacted accordingly.

Section 2. The Board of Supervisors has determined that Proposed Ordinance No. 899 would be in the best interests of the County of Riverside.

Section 3. Proposed Ordinance No. 899, attached hereto and incorporated herein, shall be submitted for adoption to the qualified voters of the County of Riverside at the statewide general election on November 2, 2010.

Section 4. Pursuant to Elections Code section 13119, the form of the measure shall appear on the ballot as follows:

PROPOSED RIVERSIDE COUNTY ORDINANCE
Shall Ordinance No. 899, requiring voter approval for increases in public safety employee retirement benefits or decreases in job related pre-retirement death benefits, and allowing decreases in retirement benefits, be adopted?

YES
NO

Section 5. EFFECTIVE DATE. This ordinance shall take effect immediately upon its adoption in accordance with Elections Code section 9141(a)(1).

PROPOSED ORDINANCE NO. 899

AN ORDINANCE OF THE COUNTY OF
RIVERSIDE PROHIBITING
INCREASES IN AND ALLOWING DECREASES
IN PUBLIC
SAFETY PENSIONS WITHOUT VOTER
APPROVAL

The people of the County of Riverside ordains as follows:

Section 1. TITLE. This ordinance shall be known as the Taxpayer Protection and Fiscal Responsibility Act of 2010.

Section 2. FINDINGS.

a. Given current budgetary constraints, taxpayers should be protected against increases in retirement and death benefits provided to public safety employees without voter approval.

b. Widows and orphans of public safety employees whose death has been determined to be job related, however, shall be protected and benefits paid to such beneficiaries upon the death of the public safety employee shall not be reduced without voter approval.

c. Given the County's fiscal crisis, retirement benefits for future public safety employees may need to be reduced. It is the intent that the Board of Supervisors continue to retain the discretion to reduce retirement benefits to the extent permitted by law.

d. Existing public safety employees have a right to receive certain retirement benefits that were promised them upon employment. This ordinance does not allow the reduction of retirement benefits or death benefits which would constitute an unlawful impairment of contract in violation of Article 1, Section 10 of the United States Constitution or Article 1, Section 9 of the Constitution of the State of California.

Section 3. PURPOSE. The purpose of this ordinance is to prohibit increases in public safety employee retirement and death benefits without voter approval and to clarify that the Board of Supervisors retains the discretion to decrease public safety employee retirement and death benefits, to the extent permitted by law, without voter approval.

Section 4. DEFINITIONS.

a. Death Benefits. Pre-retirement death benefits offered to public safety employees and their survivors as of the effective date of this measure.

b. Public Safety Employees. Employees who are defined as safety employees under the California Public Employee Retirement System ("CalPERS") or any successor retirement system.

c. Retirement Benefits. Retirement benefits offered to public safety employees and their survivors as of the effective date of this measure, and includes service retirement, disability retirement, industrial disability retirement, survivor continuance, and retiree health benefit.

d. Retirement Benefit Formula. The retirement benefit formula currently in place for public safety employees, which is known as "3% @ 50," and includes the current limitation on these benefits of 90% of final compensation.

e. Retirement System. The CalPERS or any successor retirement system.

Section 5. LIMITATIONS ON CHANGES TO RETIREMENT AND DEATH BENEFITS.

a. The Board of Supervisors shall not take any action, by ordinance, resolution, or otherwise, which increases the retirement benefit formula of, or increases death benefits to the beneficiaries of, any past, current or future public safety employee of Riverside County in the retirement system, without first obtaining the approval of a majority of those qualified electors voting on the matter. This subdivision shall not apply to cost of living adjustments, salary increases and annual leave or compensatory time cash outs.

b. The Board of Supervisors hereby retains the discretion to decrease the retirement benefit formula of, or decrease death benefits to the beneficiaries of, any past, current or future public safety employee of Riverside County in the retirement system without first obtaining the approval of a majority of those qualified electors voting on the matter. This subdivision shall not apply to pre-retirement benefits paid to the beneficiaries of a public safety employee whose death has been determined to be job-related. A reduction of such benefits for those beneficiaries of public safety employees whose death has been determined to be job-related shall not be made without first obtaining the approval of a majority of those qualified electors voting on the matter.

c. Before submitting any increase in the retirement benefit formula or death benefits to a vote of the electorate, or decreasing the retirement formula or death benefits, the County shall meet and confer with public safety employee representative groups if required by the Myers Millas Brown Act (Government Code section 3505 et seq.).

d. No reduction in retirement benefits or death benefits shall be taken which would constitute an unlawful impairment of contract in violation of Article 1, Section 10 of the United States Constitution, as well as Article 1, Section 9 of the Constitution of the State of California. If CalPERS ceases to offer the 3% at 50 benefit formula or if Riverside County ceases to contract with CalPERS for retirement and death benefits, the County shall not be required to offer the same retirement benefit formula and pre-retirement death benefits to public safety employees unless the failure to do so would constitute an unlawful impairment of contract under the federal or state constitutions or violate federal or state law.

Section 6. AMENDMENTS. This ordinance shall not be modified, amended or repealed, except by a majority vote of those qualified electors voting on the measure.

Section 7. CONFLICTS AND COMPETING MEASURES.

a. In the event this ordinance conflicts with the terms of any other ordinance, resolution or policy of the County, this ordinance shall control.

b. In the event that another measure ("competing measure") appears on the same ballot as this ordinance which seeks to adopt or impose provisions that differ in any regard to, or supplement, the provisions or requirements contained in this ordinance, the voters hereby expressly declare their intent that if both the competing measure and this ordinance receive a majority of votes cast, and if this ordinance receives a greater number of votes than the competing measure, this ordinance shall prevail in its entirety over the competing measure without regard to whether specific provisions of each measure directly conflict with each other.

Section 8. SEVERABILITY. If any provision or portion of this ordinance is, for any reason, held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the ordinance. It is hereby declared that the ordinance and each and every provision and portion thereof would have been adopted irrespective of the fact that any one or more provisions or portions thereof be declared invalid or unconstitutional.

Section 9. EFFECTIVE DATE. Pursuant to section 9122 of the Elections Code, this ordinance shall take effect ten days after the vote is declared by the Board of Supervisors.

Marion Ashley, Chairman of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on July 27, 2010, the foregoing Ordinance consisting of five (5) sections was adopted by said Board by the following vote:

AYES: Buster, Stone, Benoit and Ashley
NAYS: None
ABSENT: Tavaglione

Kecia Harper-Ithem, Clerk of the Board
By: Cecilia Gill, Board Assistant

PUB: 8/4/2010

2010 SEP 15 PM 3:14
RECEIVED RIVERSIDE COUNTY
CLERK/BOARD OF SUPERVISORS