

Harada, Patricia

Subject: FW: August 15th CC Meeting - Agenda Item related to "Retiree Medical Insurance Contribution"

From: Robert Turnbull <rturnbull361@me.com>
Sent: Saturday, August 12, 2023 12:16 PM
To: *ALL CITY COUNCIL <allcouncil@elsegundo.org>
Cc: Voss, Barbara <bvoss@elsegundo.org>; George, Darrell <dgeorge@elsegundo.org>; Hensley, Mark <mhensley@hensleylawgroup.com>
Subject: Re: August 15th CC Meeting - Agenda Item related to "Retiree Medical Insurance Contribution"

Hi All,

I would like to thank Councilmember Baldino and City Attorney Mark Hensley for actually responding and acknowledging my email communications, which writing these are outside my typical character.

I continue to be completely dissatisfied with the level of response or acknowledgement from the remaining three elected councilmembers: Pimentel, Pirsztuk, and Giroux.

I'll try to keep my final comments on this matter as simple as possible so everyone can digest them.

I have had the opportunity to read and re-read both the red-lined and current agenda as proposed. I'm not sure what, if any, has changed since the town hall meeting, and my first two communications, but my purpose for trying to bring historical perspective was to ensure that prudent and reasonable City business decisions were currently being made.

When the City was forced by CalPERS to eliminate a PERSable "Cafeteria" style medical benefit plan (prior to 2016) offered to Executive Management, Mid-Management, and Confidential and the PMA (formerly in the Mid-Management Group), it was my understanding at that time that the Public Employees Medical and Hospital Care Act (PEMCHA) minimum and the City funded Health Reimbursement Account (HRA) supplement were truly separate. Although joined at the hips to cover health benefits for both current employees and retirees, they were separate entities, separate funds, with different reporting and legal requirements.

My research now indicates that through various resolutions then, and since then along with various negotiations for represented groups this may have changed. Rather than keep the PEMCHA to the minimum required by the State and CalPERS, currently \$151, it appears the PEMCHA and HRA supplement have been combined blending that figure together into a reportable PEMCHA contribution to CalPERS. **In my opinion a significant mistake all along Mark Hensley.**

To my original point, it would still be my opinion that no person could get hired by the City of El Segundo, then service retire from PERS without first serving the City for a minimum of five years to receive anything more than the state required PEMCHA minimum. That may seem harsh, but that is how you avoid fraud or someone with ill intentions to get employment at this City for only one thing late in their career, Retiree Health.

I would ask the City Council to review this in greater detail and I recommend that the PEMCHA be clarified legally in resolution as the minimum required amount that goes up each year and that the City's supplemental contribution be made legally separate from the PEMCHA requirement much like you have done for these unrepresented with the Flex Benefit Plan. This would eliminate the possibility that the City be on the hook for a long term PERS employee laterally

to the City or recruited and hired to the City and leaving within a short period of time and receiving a monthly health retiree benefit that they did not earn from service to this City.

Lastly, in reading the upcoming council agenda packet, I couldn't help but notice that City Manager George is slated to receive a 4% retroactive salary increase to January 1, 2023 (8 months ago) after agreeing to a salary offer and signing a contract with the City in July of 2022. So he's under contract technically for six months and will receive a retroactive wage increase? I guess he is and was doing an exceptional job in early 2023 to get that sweet **retroactive** offer.

Respectfully,

Bob Turnbull
26 Year Resident
1200 Block East Acacia Ave, El Segundo Ca 90245
310-345-0216

On Aug 8, 2023, at 9:57 PM, Robert Turnbull <rturnbull361@me.com> wrote:

Hi All,

First of all, I would like to commend Mayor Drew Boyles for taking the time out of his busy schedule to not only acknowledge my e-mail dated August 4, 2023, expeditiously on this topic, but to actually commit to diving into this item and communicating back via email including the City Manager and City Attorney.

I am completely dissatisfied with the level of response or acknowledgement from the remaining four elected councilmembers: Pimentel, Pirsztuk, Giroux and Baldino.

We all have personal lives, professional lives, and a lot going on, but when you take your oath to serve this community and to serve the public, you are expected to provide **exceptional service** and acknowledge your residents however they might communicate with you.

After serving 28+ years to the City of El Segundo and having my voice silenced during those years as a resident because of my position as an unbiased/apolitical exceptional police leader, you should be ashamed and embarrassed that I must reach back out to ensure that four of the five elected councilmembers actually received my communication, read it, comprehended it yet failed to respond as requested and acknowledge it. **In the private sector and even in government, you would be disciplined or terminated for your failure to provide exceptional customer service and response, pitiful.**

Since my last communication, I have taken the liberty to conduct an OSINT search to refresh my recollection to help you navigate some history around this topic. In or about 2003, prior to the pertinent language added (five full-time years of service with the City of El Segundo), a woman, now 71 years of age, by the name of Rosalie D. Dubois, was hired by the City of El Segundo as a secretary (not sure we could even call her that then) for the two Police Captains at the Police Department, at the age of 50-51 from the City of Manhattan Beach Unified School District (CalPERS). I am aware of this because I was a Lieutenant at the time. Dubois worked for the City of El Segundo for no more than three months, submitted her retirement papers with CalPERS and the City of El Segundo taxpayers have been paying for this woman's medical insurance for the past twenty years. We could not believe it at the time.

I'm sure Human Resources has the list of those between when this benefit was negotiated on behalf of bargaining groups at a significant cost for that package, and when the minimum five year El Segundo City service requirement language was added. That list will show if cross referenced against their years of service to El Segundo how many others like Dubois took advantage of a loophole in the administrative language at the time.

As mentioned before, I can avail myself to those interested in looking deeper into this situation, evaluating and making the right decision for our City, Community and its employees.

Bob Turnbull
26 Year Resident
1200 Block East Acacia Ave, El Segundo Ca 90245
310-345-0216

On Aug 4, 2023, at 5:17 PM, Robert Turnbull <rturnbull361@me.com> wrote:

Hi Honorable Mayor Drew Boyles, Mayor Pro Tem Chris Pimentel and Councilmembers Pirsztuk, Giroux and Baldino,

Happy Friday. I am writing you and have Cc:'d the City Manager, Deputy City Manager and longtime City Attorney Mark Hensley to bring to your attention and raise significant citizen concern and outrage about an alleged/proposed agenda item being drafted by the Office of HR Director Rebecca Redyk coming your way to be heard at the August 15th Council Meeting to modify current language of Section 1A2.108 of the El Segundo Administrative Code, entitled, "Insurance Benefits - Retiree Medical - City Contribution."

Current language reads "Employees (*including City Council Members*) appointed to positions after July 1, 2007 who concurrently service retire from Cal PERS and the City of El Segundo after a minimum of five full-time years of service with the City of El Segundo are eligible to receive a City provided retiree medical insurance contribution.

This language exists because this generous but extremely costly benefit was designed to specifically reward City of El Segundo Employees and Council Members by caring for them long after they cared and served the Citizens and Business Community of El Segundo.

When this benefit was first approved by Council many years ago, they neglected to include the language "five full-time years of service with the City of El Segundo" and soon they realized, after a City of Manhattan Beach Secretary came to El Segundo for two weeks of employment and then service retired, receiving the lifetime retiree medical insurance contribution. Then it was the two-year employee, Public Works Director that received the same benefit due to his age and service retirement from CalPERS.

There are probably numerous other examples that the City can research for you, to provide historical perspective, which caused a prudent and fiscally correct City Council at the time to draft a resolution and approve it to modify the language to at least make the lateral employee coming to El Segundo from some other City to work in our City full-time for a **minimum of five years** or like Council Members, **two terms** to meet the five

year requirement, before receiving this costly but deserving benefit for those that have honorably served our community.

Mayor and City Council, please don't be fooled and influenced by long term CalPers Employees that have come here from other cities like Newport Beach, Duarte, Santa Monica, Downey or Pomona and allow them to fool you into thinking this is an appropriate move to improve recruitment when they all have a personal stake in the matter. Recruitment and RETENTION is what you need at the highest level and changing this lower than the existing 5 years would be the worst move this council could take.

This is far from a cost saving measure for the City of El Segundo and would just cripple even more the future of the often-struggling OPEB Fund.

You don't want these kind of improprieties in our local Herald, or on social media. This would not look good for the City Council of El Segundo, the City Manager, HR Director and any other short term department heads in the Management Confidential group looking to set themselves up on their way out without serving the City for at least 5 years.

This could also further impact and upset the already struggling taxpayers in this community.

I must admit, I have not seen the written staff report as of this email and I do look forward to seeing it if the City Manager tries to move forward with it. I can assure you though, the rumblings and information swirling around this community already about this alleged or proposed agenda item does not look good for Human Resources and City Staff. If it has reached me, a retiree that has been gone from the City for 6 years and other retirees and residents, that is not good for your business. I'm just trying to give you a heads up and one perspective of something that will go sideways if not properly examined and evaluated.

I welcome all phone calls and written responses from my elected officials to discuss this in greater detail and I welcome the City Leadership to fact check what I have provided in this quick e-mail today.

I would hope at the least you could respond to me and acknowledge receipt of this e-mail since I rarely get the benefit of that.

Looking forward to hearing from someone interested on this topic.

Respectfully,

Bob Turnbull
26 Year Resident
1200 Block East Acacia Ave, El Segundo Ca 90245
310-345-0216