

**RESOLUTION NO. 2023 - 02**

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE CONSOLIDATED  
FIRE AGENCIES ("CONFIRE")**

**ADOPTION OF PARTICIPATION IN SAN BERNARDINO COUNTY  
EMPLOYEES' RETIREMENT ASSOCIATION ("SBCERA")**

**WHEREAS**, the Consolidated Fire Agencies ("CONFIRE") is a joint powers authority duly organized and existing under Section 6500 et seq. of the Government Code; and

**WHEREAS**, CONFIRE was created on September 21, 1990, located in San Bernardino County, California, established to provide communication, dispatch, computer information systems support, and geographic information systems to CONFIRE members and contract agencies; and

**WHEREAS**, as of the date of this Resolution CONFIRE is governed by a Third Amended and Restated Joint Powers Agreement, a copy of which is attached hereto as **Exhibit A** and incorporated herein by this reference; and

**WHEREAS**, CONFIRE, as of the date of this Agreement consists of the following JPA MEMBER AGENCIES:

- Apple Valley Fire Protection District
- Chino Valley Independent Fire District
- City of Colton
- City of Loma Linda
- Rancho Cucamonga Fire District
- City of Redlands
- City of Rialto
- San Bernardino County Fire District
- City of Victorville; and

**WHEREAS**, SAN BERNARDINO COUNTY EMPLOYEES' RETIREMENT ASSOCIATION ("SBCERA") is a public retirement system created and existing pursuant to the provisions of the County Employees' Retirement Law of 1937, Government Code sections 31450, et seq (CERL); and

**WHEREAS**, CONFIRE is a "district" as defined by Government Code section 31468, and is therefore eligible to participate in SBCERA pursuant to CERL; and

**WHEREAS**, SBCERA administers retirement and survivor benefits, and serves approximately 45,000 member and beneficiaries, and 16 participating employers; and

**WHEREAS**, CONFIRE wishes to provide to its employees the retirement benefits administered by SBCERA they previously received when being reported to SBCERA through the

SAN BERNARDINO COUNTY's reporting of contributions prior to the effective date of this Resolution; and

**WHEREAS**, CONFIRE is authorized by the CERL, Government Code section 31557 to have its employees become members of SBCERA, including membership with SBCERA for those employees who were reported to SBCERA through San Bernardino County's reporting of contributions; and

**WHEREAS**, the governing body of CONFIRE, pursuant to Government Code Section 31557, shall adopt, by more than a two-thirds vote, this Resolution for inclusion of CONFIRE and its employees in SBCERA, effective upon the consent of the SBCERA Board of Retirement.

**WHEREAS**, Section 15 of the Third Amended and Restated Joint Powers Agreement provides that the retirement liabilities of CONFIRE shall be liabilities and/or obligations of the Parties as set forth in AB 1912.

**NOW, THEREFORE, BE IT RESOLVED** that the governing Board of CONFIRE finds that it is the best interest of CONFIRE and its employees that CONFIRE join San Bernardino County Employees' Retirement Association as an SBCERA Participating Employer and hereby approves CONFIRE Joint Powers Authority joining SBCERA.

**BE IT FURTHER RESOLVED** that employees of CONFIRE shall be members of SBCERA, classified as General member for purposes of retirement benefits, and the governing Board of CONFIRE hereby approves providing continued retirement benefits to its employees through SBCERA.

**BE IT FURTHER RESOLVED** that each MEMBER AGENCY, existing and future, mutually agrees that each MEMBER AGENCY shall be jointly and severably liable for the entire retirement obligation and liability to SBCERA as set forth in Section 15 of the Third Amended and Restated Joint Powers Agreement for CONFIRE .

**BE IT FURTHER RESOLVED** that as required by Government Code section 31454.7, under all circumstances CONFIRE shall remain liable to SBCERA for its respective share of any unfunded liability of the systems, as determined by SBCERA.

**BE IT FURTHER RESOLVED** that the governing Board of CONFIRE authorizes its Director to take any action necessary to implement the intent of this Resolution, including working with SBCERA to draft an Agreement for CONFIRE reflecting the terms of its participation in SBCERA.

**BE IT FURTHER RESOLVED** that the Director of CONFIRE is requested to forward a certified copy of this Resolution to the Board of Retirement of the San Bernardino County Employees' Retirement Association asking for its consent to CONFIRE joining the Association.

EFFECTIVE DATE: This Resolution shall take effect immediately.

**PASSED, APPROVED, AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

ATTEST:

\_\_\_\_\_  
Dr. Lynne Kennedy, Board President

\_\_\_\_\_  
Nathan Cooke, Secretary of the Board