

RESOLUTION NO. 15-027

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF CARSON, CALIFORNIA,
ESTABLISHING THE SALARY AND BENEFITS
FOR THE
CITY CLERK AND CITY TREASURER**

ADOPTED FEBRUARY 17, 2015

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, ESTABLISHING THE SALARY AND BENEFITS FOR THE CITY CLERK AND CITY TREASURER EFFECTIVE FEBRUARY 17, 2015, AND AMENDING AND RESTATING RESOLUTION NOS. 06-091, 07-127, 08-116, 09-077, 12-090, 13-104, 13-112, 14-024, 14-070, 14-085, AND 14-087, AND ANY OTHER PRIOR SIMILAR RESOLUTIONS

WHEREAS, Section 36506 of the California Government Code requires that the City Council fix the compensation of all appointive officers and employees by resolution or ordinance;

WHEREAS, Section 2303 of the Carson Municipal Code similarly requires that the City Council fix the compensation of the City Clerk and City Treasurer by ordinance or resolution;

WHEREAS, the California Public Employees Retirement System ("CalPERS"), through California Code of Regulations, Title 2, Division 1, Chapter 2, Subchapter 1, Article 4, Section 570.5, limits payrates to the amount listed on a pay schedule that meets certain requirements for purposes of determining the amount of "compensation earnable" pursuant to Government Code Sections 20630, 20636, and 20636.1;

WHEREAS, the City Council has historically adopted a resolution establishing the salary and benefits for the City Clerk and City Treasurer;

WHEREAS, the City Council adopted Resolution 07-127 on October 2, 2007, fixing the employer's contribution under the Public Employees' Medical and Hospital Care Act (PEMHCA), effective January 1, 2008;

WHEREAS, the City Council adopted Resolution 08-116 on October 7, 2008, fixing the employer's contribution under the Public Employees' Medical and Hospital Care Act (PEMHCA), effective January 1, 2009;

WHEREAS, the City Council adopted Resolution 09-077 on September 15, 2009, fixing the employer's contribution under the Public Employees' Medical and Hospital Care Act (PEMHCA), effective January 1, 2010;

WHEREAS, the City Council adopted Ordinance No. 11-1467 amending the City's contract with CalPERS to include a "2% at 55" retirement plan, effective May 6, 2011;

WHEREAS, the City Council adopted Resolution No. 12-090 on September 4, 2012, approving an adjustment to the monthly medical insurance allowance provided to the City Clerk and City Treasurer, effective September 1, 2012;

WHEREAS, the City Council adopted Ordinance No. 13-1517, amending the City's contract with CalPERS to include the Pre-Retirement Option 2W Death Benefit (Section 21548);

WHEREAS, the City Council adopted Resolution No. 13-104 on November 19, 2013, establishing the City's vesting contribution under Section 22893.1 of the Public Employees' Medical and Hospital Care Act (PEMHCA), effective January 1, 2014;

WHEREAS, the City Council adopted Resolution No. 13-112 on November 19, 2013, fixing the employer's contribution under the Public Employees' Medical and Hospital Care Act (PEMHCA), effective January 1, 2014;

WHEREAS, the City Council adopted Resolution No. 14-024 on July 15, 2014, providing a six percent (6%) increase to the salary ranges of the City Clerk and City Treasurer in exchange for eliminating the City's Employer Paid Member Contributions (EPMC) pursuant to Government Code Section 20691 made under its various CalPERS pension plans for the City Clerk and City Treasurer, effective July 19, 2014;

WHEREAS, the City Council adopted Resolution No. 14-070 on July 15, 2014, eliminating the City's Employer Paid Member Contributions (EPMC) for the City Clerk and City Treasurer effective, July 19, 2014;

WHEREAS, the City Council adopted Resolution No. 14-085 on September 2, 2014, fixing the employer's contribution under the Public Employees' Medical and Hospital Care Act (PEMHCA), effective January 1, 2015;

WHEREAS, the City Council adopted Resolution No. 14-087 on September 2, 2014, establishing the City of Carson's vesting contribution under section 22893.1 of PEMHCA, effective January 1, 2015;

WHEREAS, the resolutions cited above have been incorporated into this Resolution No. 15-027;

WHEREAS, the City Council now desires to adopt an amended and restated resolution of salary and benefits for the City Clerk and City Treasurer, which restates and replaces any and all pre-existing salary and benefit resolutions for the City Clerk and City Treasurer, including, but not limited to Resolution Nos., 06-091, 07-127, 08-116, 09-077, 12-090, 13-104, 13-112, 14-024, 14-070, 14-085, AND 14-087, to the extent that these resolutions provide benefits in excess of benefits provided herein.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

ARTICLE I
COMPENSATION

SECTION 1 – SALARY:

- 1.1 Per approved Resolution No. 14-024, a six percent (6%) salary increase was provided to the City Clerk and City Treasurer in exchange for the elimination of all Employer Paid Member Contributions (EPMC), effective pay period beginning July 19, 2014.
- 1.2 Salaries shall be payable at the same time and in the same manner as salaries are paid to other officers and employees of the City.

SECTION 2 – LONGEVITY PAY:

- 2.1 The City agrees to pay the City Clerk and City Treasurer 2½% of their prevailing pay rate as longevity pay commencing after they have attained fifteen (15) years service credit.
- 2.2 The City agrees to pay the City Clerk and City Treasurer an additional 2½% of their prevailing pay rate as longevity pay commencing after they have attained twenty (20) years service credit.
- 2.3 The City agrees to pay the City Clerk and City Treasurer an additional 2½% of their prevailing pay rate as longevity pay commencing after they have attained thirty (30) years service credit.

SECTION 3 – REIMBURSEMENT:

The City agrees to provide the City Clerk and City Treasurer with eight-hundred dollars (\$800.00) for reimbursement in anticipation of expenditures for professional development. Such expenditures may include: costs incurred for job-related classes or seminars not paid for by the City; computer equipment and job-related software, books, reference publications or other educational materials; membership or association fees; or any other expenses which promote the professional development of the City Clerk and City Treasurer and promote the best interests of the City.

SECTION 4 – ALLOWANCE FOR MILEAGE AND BUSINESS EXPENSE:

The City shall reimburse the City Clerk and City Treasurer for use of their personal automobiles for official City business at the rate of five hundred fifty dollars (\$550.00) per month.

SECTION 5 - ALLOWANCE FOR MILEAGE:

- 5.1 The City shall reimburse the City Clerk and City Treasurer for use of their personal automobile for official City business at the current IRS rate as adjusted from time to time, plus any parking fees or tolls associated with City business.
- 5.2 Reimbursement for mileage and related fees shall be made through submission of a petty cash reimbursement form and mileage reimbursement form to the City Treasurer's office. Such reimbursements may not exceed seventy-five dollars (\$75.00). Reimbursements exceeding seventy-five dollars (\$75.00) must be reimbursed through the City's demand register process.
- 5.3 Reimbursement requests must be filed within the time frame required by SMP No. 3.18 or any SMP which may be subsequently adopted.

ARTICLE II
INSURANCE AND RETIREMENT BENEFITS

SECTION 1 – HEALTH INSURANCE PREMIUM:

- 1.1 Effective January 1, 2015, the City shall pay up to, but not exceed, the total amount of one thousand five hundred forty-two dollars and sixty-three cents (\$1,542.63) per month for health insurance provided by the City for the City Clerk and City Treasurer and his/her eligible dependents, per approved Resolution No. 14-085.
- 1.2 Effective March 1, 2015, the cafeteria cap on the use of excess monies shall be one hundred fifty-five dollars (\$155.00) per month regardless of the number of dependents.
- 1.3 The City Clerk or City Treasurer may elect to discontinue or not elect health insurance coverage provided that they submit written proof of equivalent health insurance coverage. The City Clerk or City Treasurer electing to discontinue or not electing health insurance coverage shall receive seventy-five percent (75%) of the lowest 2-party premium, whichever is greater, to be put into a City-sponsored deferred compensation plan credited to the City Clerk or City Treasurer. The City Clerk or City Treasurer may elect to resume health coverage during any open enrollment period, as a result of any change in status, or any other period of time authorized by the policies and requirements of the City-sponsored health coverage plans.
- 1.4 The City Clerk and City Treasurer shall have the right to use monies remaining from the sum originally provided for health insurance to purchase additional term life insurance, vision care and/or long term care insurance offered by the City.
- 1.5 Eligible retirees shall be covered by the health insurance provided by the City according to the rules established by CalPERS. For retirees hired prior to January 1, 2014, the City shall pay the monthly health insurance premium in the same monthly amount as provided for active elected officials for the term of this Resolution.

For retirees hired on or after January 1, 2014, the City shall pay a monthly health insurance premium in accordance with the following schedule:

<u>Full-time service with Carson at time of retirement</u>	<u>% of difference between the required minimum contribution and the amount the City pays for active employees</u>
0 –4.99 years	0%
5 years	50%
6 years	60%
7 years	70%
8 years	80%
9 years	90%
10 years	100%

SECTION 2 – DENTAL INSURANCE PREMIUM:

- 2.1 The City shall pay up to, but not to exceed the amount of eighty-seven dollars (\$87.00) per month for dental insurance provided by the City for the City Clerk and City Treasurer and eligible dependents.
- 2.2 The City Clerk and City Treasurer may elect to discontinue or not enroll in dental insurance provided that they submit written proof of equivalent coverage. City Clerk or City Treasurer electing to discontinue or not enroll in the dental insurance program, shall receive seventy-five percent (75%) of the monthly premium, or sixty five dollars and twenty-five cents (\$65.25), to be placed into a City-sponsored deferred compensation plan credited to the City Clerk or City Treasurer. The City Clerk or City Treasurer may elect to resume dental coverage during any open enrollment period, as a result of any change in status, or any other period of time authorized by the policies and requirements of the City-sponsored dental coverage plans.

SECTION 3 – LIFE INSURANCE PREMIUM:

The City shall provide the City Clerk and City Treasurer with basic term life insurance coverage of not less than two hundred thousand dollars (\$200,000.00) after an evidence of insurability (EOI) form is submitted and approved by the City's life insurance carrier; if the EOI form is not submitted, \$110,000 is the maximum coverage and is subject to any age reduction schedules mandated by the insurance company. The City Clerk and City Treasurer shall have the right to purchase additional (supplemental) term life insurance through the City-sponsored programs using monies remaining from the monthly sum originally provided by the City for health insurance or, if none, by paying the additional premiums themselves through payroll deduction. The maximum additional term life insurance (supplemental insurance) the City Clerk and City Treasurer may purchase is up to the basic minimum of \$200,000, provided the EOI form is submitted and approved by the City's life insurance carrier. Otherwise, the maximum additional term life insurance (supplemental insurance) the City Clerk and City Treasurer may purchase is \$110,000.

SECTION 4 – SHORT TERM AND LONG TERM DISABILITY INSURANCE PROGRAM:

- 4.1 The City shall provide long term disability insurance (or "LTD") benefits for the City Clerk and City Treasurer under the terms, requirements and conditions set forth in the policy underwritten by a licensed insurance company contracted by the City. The City reserves the right to change the LTD carrier and/or LTD benefits provided on such terms as the City determines are in its best interest.
- 4.2 The City shall provide short term disability insurance (or "STD") benefits for the City Clerk and City Treasurer solely in order to provide the benefit during the 90-day LTD benefit waiting period. The City shall provide an STD plan for the City Clerk and City Treasurer under the terms, requirements and conditions compatible with the LTD benefit plan. Nothing herein shall bind the City to provide STD insurance coverage if the City chooses to implement a self-insured STD program.
- 4.3 After a maximum of a 90-day waiting period:

- a. An elected official who has been employed with the City for five (5) or more years, and who is disabled from his or her own occupation, shall be entitled to sixty-six and two-thirds percent (66⅔%) of his or her base pay rate to a maximum pay rate of seven thousand five hundred dollars (\$7,500.00) per month at the commencement of disability leave up to age sixty-five (65); and
 - b. An elected official who has been employed with the City for fewer than five (5) years and who is disabled from his or her own occupation shall be entitled to sixty-six and two-thirds percent (66⅔%) of his or her base pay rate to a maximum pay rate of seven thousand five hundred dollars (\$7,500.00) per month at the commencement of disability leave for twenty four (24) months. An elected official who has been employed with the City for fewer than five (5) years and who is disabled from all occupations shall be entitled to sixty-six and two-thirds percent (66⅔%) of his/her base pay rate to a maximum pay rate of seven thousand five hundred dollars (\$7,500.00) per month at the commencement of disability leave up to age sixty-five (65).
 - c. There shall be no reduction of LTD or STD benefits for a workers' compensation award for permanent disability. In no case shall an elected official on workers' compensation receive short-term or long-term disability benefits and workers' compensation salary continuation or temporary disability simultaneously.
 - d. There shall be no exclusion for "soft tissue injuries", including but not limited to musculoskeletal and connective tissue disorders, strains and sprains of the cervical, thoracic and lumbosacral spine.
 - e. The only allowable offsets are those listed in the LTD and STD policies.
- 4.4 The provision of the LTD Plan and the STD Plan is conditioned upon the following:
- a. The continued availability of insurance coverage for LTD and/or STD at a comparable cost as set forth in the LTD and STD policies, subject only to increases in premium not to exceed applicable increases in the consumer price index for each year for the LTD and STD Plans underwritten by the existing carrier or other insurance carrier.
 - b. Eligibility for and administration of benefits under the STD Plan and the LTD Plan and including the determination whether an elected official is disabled from his or her own occupation, shall be determined by, not by the City.
- 4.5 The City is required to provide LTD only through a licensed insurance provider. The City reserves the right to change the LTD carrier and/or LTD benefits provided, on such terms as the City determines are in its best interests.
- 4.6 For injuries and other disabilities covered under California workers' compensation laws, elected officials shall be paid their regular pay rate for up to seventeen (17) weeks from the date of such disability ("workers' compensation leave") or until the City's workers' compensation administrator terminates workers' compensation leave either due to payment

of a "compromise and release" settlement, a disability and/or service retirement, the elected official returns to work, or a refusal by the elected official to return to work following a determination by a physician that the elected official is no longer temporarily disabled, whichever comes first. In the event of a dispute between the treating physician and another physician as to the elected official's temporary disability status, such dispute shall be resolved in accordance with applicable California Workers' Compensation laws. If an elected official is approved for workers' compensation leave, the elected official shall not be eligible for STD or LTD benefits during the period of such workers' compensation leave. LTD eligibility for elected officials who are still disabled after seventeen (17) weeks shall be determined by the terms of the LTD insurance plan described in section 4.1, above.

SECTION 5 – PUBLIC EMPLOYEES' RETIREMENT SYSTEM (PERS):

- 5.1 The City shall continue to include elected officials that were elected into office prior to May 6, 2011, in the CalPERS "3% at 60" retirement plan with the following optional public agency contract provisions:
- a. The optional contract provision relating to one (1) year final compensation;
 - b. The optional contract provision relating to military service credit as public service;
 - c. The optional contract provision relating to the 1959 Survivors Program at the level four benefits;
 - d. The optional contract provision relating to two years additional service credit;
 - e. The optional contract provision relating to the ability to participate in the part time service credit purchase program, but solely at their own cost;
 - f. The optional contract provision relating to the Pre-Retirement Option 2W Death Benefit.
- 5.2 The City shall include elected officials that are elected into office on or after May 6, 2011, and are defined by CalPERS under the Public Employees' Pension Reform Act of 2013 (PEPRA) as "Classic Members", in the CalPERS "2% at 55" retirement plan with the following optional public agency contract provisions:
- a. The optional contract provision relating to one (1) year final compensation;
 - b. The optional contract provision relating to military service credit as public service;
 - c. The optional contract provision relating to the 1959 Survivors Program at the level four benefits;
 - d. The optional contract provision relating to two years additional service credit;
 - e. The optional contract provision relating to the ability to participate in the part time service credit purchase program, but solely at their own cost;

f. The optional contract provision relating to the Pre-Retirement Option 2W Death Benefit.

5.3 Effective July 19, 2014, per approved Resolution Nos. 14-024 and 14-070, the City Clerk and City Treasurer shall pay the full percentage of the member contributions on a pre-tax basis.

5.4 The City shall include elected officials that are elected into office on or after January 1, 2013, and are defined by Assembly Bill 340 – Pension Reform, as “New Members”, in the CalPERS “2% at 62” Plan with a three year final compensation period, and with the following optional contract provisions:

- a. The optional contract provision relating to military service credit as public service;
- b. The optional contract provision relating to the 1959 Survivors Program at the level four benefits;
- c. The optional contract provision relating to two years additional service credit;
- d. The optional contract provision relating to the ability to purchase part-time service credit, but solely at their own cost;
- e. The optional contract provision relating to the Pre-Retirement Option 2W Death Benefit.

5.6 “New Members” shall pay the full percentage of the member contributions on a pre-tax basis.

SECTION 6 – DEFERRED COMPENSATION PROGRAMS:

6.1 The City shall continue to sponsor voluntary deferred compensation programs.

6.2 The City agrees to match the amount, dollar for dollar, up to five thousand five hundred dollars (\$5,500) per calendar year, contributed to the City Clerk's and City Treasurer's deferred compensation account.

SECTION 7 – VISION CARE PLAN:

The City shall sponsor a vision care program for elected officials and their eligible dependents as described in detail by the vision plan document. The City Clerk and City Treasurer shall pay the premium for the vision care plan and increases in the premium for the duration of the resolution. The City Clerk and City Treasurer may use monies remaining from the sum originally provided by the City for health insurance to pay the premium for vision care plan.

SECTION 8 – LONG TERM CARE PLAN:

The City shall sponsor a long-term care plan for the City Clerk and City Treasurer. They shall pay the premium for the long-term care plan and increases in the premium for the duration of this resolution. The City Clerk and City Treasurer may use monies remaining from the sum originally provided by the City for health insurance to pay the premium for the long-term care plan.

SECTION 9 – SECTION 125 PLAN:

The City shall provide a Section 125 Tax Code plan in order to allow the City Clerk and City Treasurer to deduct excess insurance premiums, unreimbursed medical expenses, and childcare payments before taxes.

ARTICLE III
MISCELLANEOUS PROVISIONS

SECTION 1 – USE OF VETERANS PARK SPORTS COMPLEX:

- 1.1 The City Clerk and City Treasurer and their families shall be entitled to use all facilities and programs at Veterans Sports Complex at the rates below:

Elected Official -\$100.00 per year
Elected Official and family -\$150.00 per year

- 1.2 The City Clerk and City Treasurer who renew memberships shall receive the same percentage discount on the above prices as the general public receives at the time of renewal. For the purposes of this section, family shall mean those family members eligible for coverage under the CalPERS Health Insurance program provided by the City.

ARTICLE IV
MODIFICATION AND DURATION

SECTION 2 – MODIFICATION AND WAIVER:

This Resolution contains all benefits for the City Clerk and City Treasurer and supersedes all prior Resolutions and practices.

SECTION 3 – SEVERABILITY:

In the event that any term, covenant, condition, or provision contained in this resolution is held to be invalid or void by any court of competent jurisdiction, the invalidity of any such term, covenant, condition, provision or agreement shall in no way affect any other term, covenant, condition, or provision of this resolution and the remainder of the resolution shall still be in full force and effect.


SECTION 4 – DURATION:

- 4.1 This Resolution shall be binding on the City and the City Clerk and City Treasurer when adopted by the City Council.
- 4.2 Except as otherwise provided herein, this resolution shall be in full force and effect until such time as amended or superseded by City Council ordinance or resolution.
- 4.3 This resolution supersedes Resolution Nos. 06-091, 07-127, 08-116, 09-077, 12-090, 13-104, 13-112, 14-024, 14-070, 14-085, AND 14-087.

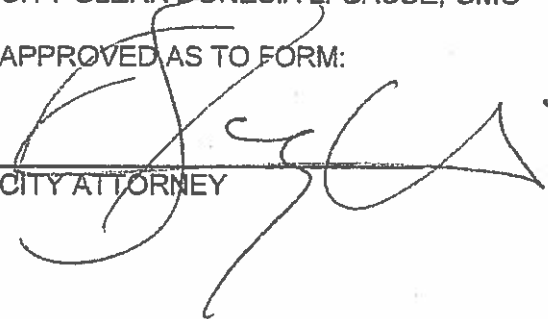
PASSED, APPROVED, AND ADOPTED THIS 17th DAY OF FEBRUARY 2015.


MAYOR JIM DEAR

ATTEST:


CITY CLERK DONESIA L. GAUSE, CMC

APPROVED AS TO FORM:


CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF CARSON)

I, Donesia L. Gause, City Clerk of the City of Carson, California, do hereby certify that the whole number of members of the City Council is four; that the foregoing resolution, being Resolution No. 15-027 was duly and regularly adopted by said Council at a regular meeting duly and regularly held on the 17^h of February, 2015, and that the same was passed and adopted by the following vote:

AYES: COUNCIL MEMBERS: Santarina, Davis-Holmes, and Robles
NOES: COUNCIL MEMBERS: None
ABSTAIN: COUNCIL MEMBERS: None
ABSENT: COUNCIL MEMBERS: Mayor Dear


City Clerk Donesia L. Gause, CMC

**City of Carson
Monthly Salary Schedule
Elected Officials
Effective June 28, 2008**

TITLE	SALARY
City Clerk	9,663
City Treasurer	9,663

City of Carson
Monthly Salary Schedule
Elected Officials
Effective July 19, 2014 (6% Salary Increase in lieu of elimination of EPMC)

TITLE		SALARY
City Clerk		10,243
City Treasurer		10,243