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**RESOLUTION NO. R-01-15**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLTON  
GOVERNING COMPENSATION AND BENEFITS OF  
ELECTED OFFICIALS**

**WHEREAS**, the City of Colton ("City") by way of Resolution R-20-11 established a separate resolution governing the compensation and benefits for elected officials;

**WHEREAS**, the City has recently renegotiated and amended the compensation benefits for its various employee groups;

**WHEREAS**, the City now desires to amend the health coverage provided for its elected officials consistent with other employees;

**WHEREAS**, this Resolution R-01-15 shall be for the Elected Officials; and;

**WHEREAS**, this Resolution does not govern the compensation of the Mayor and Council Members, which is governed by Colton Municipal Code Chapter 2.12.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COLTON  
DOES HEREBY RESOLVE AS FOLLOWS:**

**ARTICLE I  
GENERAL PROVISIONS**

**Section 1. Title of Resolution.** This Resolution shall be known as the Compensation and Benefits Resolution for Elected Officials of the City of Colton.

**Section 2. Term of Resolution.** This Resolution shall remain in full force and effect until modified or terminated by action of the City Council.

**Section 3. Statement of Purpose.** This Resolution is adopted to provide a comprehensive listing of the benefits to be provided to Elected Officials. Future updates to the Elected Officials benefits governed by this resolution shall be made consistent to changes to the General Employee Group.

**Section 4. Elected Officials.** The Elected Officials governed by this Resolution shall include those persons occupying the following elected positions, whether elected or appointed in accordance with applicable law:

Mayor  
Council Members  
City Clerk

1 City Treasurer

2 Section 5. Dual Roles - If an Elected Official also occupies another position with  
3 the City or is a retiree from the City, he or she may receive all benefits from each role, but shall  
4 not receive duplicate benefits from the dual roles.

5 **ARTICLE II**  
6 **COMPENSATION**

7 Section 1. Mayor and Council Members Compensation - Not Governed by this  
8 Resolution. Compensation for the Mayor and Council Members is governed by Colton  
Municipal Code Sections 2.12.050 and 2.12.030 respectively.

9 Section 2. City Clerk and City Treasurer Base Compensation - Not Governed by  
10 this Resolution. The compensation for the City Clerk and City Treasurer is governed by  
Colton Municipal Code Sections 2.12.010 and 2.12.020 respectively.

11 Section 3. City Treasurer - Supplemental Compensation. Colton Municipal Code  
12 Section 2.12.020 authorizes the City Council to provide, by resolution, supplemental  
13 compensation to the City Treasurer for performing additional responsibilities. The  
14 supplemental salary for the City Treasurer shall be fixed at two thousand dollars (\$2,000)  
per month, in addition to the sum provided by Colton Municipal Code Section 2.12.020, for  
15 a combined salary of two thousand two hundred and twenty-five dollars (\$2,225) per month.  
Should the City Treasurer cease to perform the additional responsibilities designated by  
16 the Council, the City may choose to reduce or eliminate the City Treasurer's supplemental  
salary.

17 **ARTICLE III**  
18 **BENEFITS**

19 Section 1. Retirement – PERS. The City shall provide Elected Officials with  
20 retirement benefits, as currently specified under the city's applicable contracts with the Public  
Employees' Retirement System (PERS) and consistent with the provisions of the Public  
21 Employees' Pension Reform Act of 2013 (PEPRA).

22 (a) Classic Members. Any Elected Official that established  
23 CalPERS membership prior to the implementation of the Public Employees' Pension Reform  
Act of 2013 (PEPRA) in connection with City employment or that otherwise establishes  
24 "classic member" status, as defined in Section 579.1 of Title 2 of the California Code of  
Regulations, shall be subject to one of the following pre-PEPRA retirement formulas  
25 determined on the basis of the date on which they elected to be an optional member of PERS  
pursuant to the City's retirement contract: 2.7% at 55 or 2.5% at 55. The normal member  
26 contribution applicable to members participating in these retirement formulas continues to be  
27 8% which shall be paid in full by the Elected Official.

1 (b) New Members. Any Elected Official that is considered a “new  
2 member” as defined in PEPRA and which elects to be an optional member of PERS shall be  
3 subject to the PEPRA retirement formula for miscellaneous members of 2% at 62 (with a  
4 maximum of 2.5% at 67). PEPRA requires “new members” to contribute 50% of the annual  
5 actuarially determined normal cost attributable to the applicable retirement plan in which they  
6 are enrolled (i.e., 2% at 62), rounded to the nearest quarter of 1 percent. This mandatory  
7 employee contribution amount is set by CalPERS on an annual basis.

8 Section 2. Retirement – PERS Fourth Level Survivor Benefit. The City will  
9 provide PERS 1959 Fourth Level Survivor benefits to all Elected Officials as miscellaneous  
10 employees, as set forth in Sections 21571 - 21583 of the Government Code.

11 Section 3. Retirement – Retiree Medical. Pursuant to Resolution 91-96, Elected  
12 Officials are not entitled to retiree medical benefits under Resolution 115-91 if first elected on  
13 or after August 20, 1996. If first elected prior to August 20, 1996, such benefits are to be  
14 provided if such officials meet the requirements of Resolutions 115-91 and 91-96, including  
15 retiring from City service under applicable PERS rules and regulations.

16 Section 4. Retirement – Social Security. In the event the City and its employees  
17 are required to participate in the Federal Social Security Program, the contribution designated  
18 by law to be the responsibility of the employee shall be paid in full by the Elected Officials and  
19 the City shall not be obligated to pay or “pick up” any portion thereof.

20 Section 5. Medicare. On or after April 1, 1986, Elected Officials shall be required  
21 to pay the designated employee contribution to participate in the Medicare Program, and the  
22 City shall be under no obligation to pay or “pick up” any such contributions.

23 Section 6. Mayor and Council Members Auto Allowance - Not Governed by this  
24 Resolution. The Auto Allowance for the Mayor and Council Members is governed by Colton  
25 Municipal Code Sections 2.12.050 and 2.12.030 respectively.

26 Section 7. City Clerk and City Treasurer Auto Allowance. The City Clerk and City  
27 Treasurer shall each receive an auto allowance in the amount of two-hundred and twenty  
28 dollars (\$220) per month.

Section 8. Health Insurance – Elected Officials. The City shall provide Elected  
Officials a monthly health benefit allowance of one thousand one hundred dollars (\$1100)  
outside of the City’s Section 125 cafeteria benefit plan, and such amount shall not be available  
towards the purchase of permissible benefits thereunder. Except as herein provided, each  
Elected Official’s health benefit allowance shall be applied toward the cost of the Elected  
Official’s premiums for group health coverage. In the event an Elected Official is receiving  
comparable health benefits under another group health plan and the Elected Official provides  
substantiation of such alternate health coverage, the City shall direct the contribution of such  
unused allowance to the City’s Section 457 Deferred Compensation Plan on behalf of such  
Elected Official in an amount equal to the unused health allowance. The City shall require

1 verification from affected Elected Officials of alternate health coverage on an annual basis,  
2 prior to the beginning of the annual enrollment period. Any newly eligible Elected Official  
3 shall be required to comply with these substantiation procedures upon becoming eligible to  
4 receive the health benefit allowance. If, at any time, an Elected Official fails to provide  
5 verification of alternate health coverage, he or she shall be automatically enrolled in the City's  
6 group health plan and the health allowance shall be applied toward the cost of health  
7 premiums. In the event the cost of health coverage for a Council Member receiving health  
8 benefits is less than the allowance, the unused portion of the allowance shall be contributed to  
9 the City's 457 Plan on behalf of the Elected Official.

7 Section 9. Health Insurance – City Clerk and City Treasurer. The City Clerk and  
8 City Treasurer may participate in the City's Section 125 cafeteria benefit plan. Under the  
9 cafeteria plan, they will receive a monthly allowance of one thousand one hundred (\$1100),  
10 from which they can choose health insurance, dental insurance and vision. In addition,  
11 supplemental insurance opportunities will be provided in order for employees to purchase  
12 supplemental medical insurance and childcare coverage through pre-tax dollars. The cafeteria  
13 allowance is established by the City Council. Any changes made to the cafeteria allowance  
14 shall be provided to the City Clerk and City Treasurer, as is required under IRS Section 125  
15 rules and regulations. On January 1, 2006, the maximum differential provided to the employee  
16 may cap out at \$500. In those instances where the employee's medical insurance premium is  
17 less than the City's monthly contribution, the difference between said cafeteria dollar amounts  
18 shall be provided in the form of a bi-monthly cash disbursement (payable 24 times per year).  
19 Cash disbursement to the employee is subject to tax, pursuant to the tax codes.

16 Section 10. Term Life Insurance. The City shall provide Elected Officials with term  
17 life insurance coverage in the amount of one hundred thousand dollars (\$100,000). A monthly  
18 amount, in accordance with IRS Publication 15-B, will be added as taxable income for the  
19 additional fifty thousand dollars (\$50,000) coverage over the I.R.S. threshold for a taxable  
20 benefit.

19 Section 11. Annual Physical Examination/Medical Reimbursement. The City shall  
20 provide an annual (fiscal year) physical allowance of one thousand dollars (\$1,000) to the  
21 Elected Officials, to include reimbursement for non-covered medical, dental, or vision  
22 expenses and/or deductibles for employee and covered dependents.

#### 22 **ARTICLE IV**

#### 23 **MISCELLANEOUS TERMS**

24 Section 1. Severability. If any provision of this Resolution, or the  
25 application of such provision to any person or circumstance, shall be held  
26 invalid, the remainder of this Resolution, or the application of such provision to  
27 persons or circumstances other than those as to which it is held invalid, shall not  
28 be affected thereby.



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STATE OF CALIFORNIA )  
COUNTY OF SAN BERNARDINO ) ss  
CITY OF COLTON )

**CERTIFICATION**

I, **CAROLINA R. PADILLA**, City Clerk of the City of Colton, California, do hereby certify that the foregoing is a full, true and correct copy of **RESOLUTION NO. R-01-15**, duly adopted by the City Council of said City, and approved by the Mayor of said City, at its Regular Meeting of said City Council held on the **20<sup>th</sup> day of January, 2015**, and that it was adopted by the following vote, to wit:

AYES: COUNCILMEMBER Toro, Jorin, Navarro, González, Bennett, Suchil and Mayor DeLaRosa  
NOES: COUNCILMEMBER None  
ABSTAIN: COUNCILMEMBER None  
ABSENT: COUNCILMEMBER None

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the official seal of the City of Colton, California, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
CAROLINA R. PADILLA  
City Clerk  
City of Colton

(SEAL)