

Eff.: 8-30-2019

ORDINANCE NO. 19-3,919

AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK AMENDING SECTION 2-1-202 OF THE BURBANK MUNICIPAL CODE RELATING TO COMPENSATION OF COUNCIL MEMBERS.

City Attorney Synopsis

Pursuant to Burbank Municipal Code §2-1-202 Council compensation may be adjusted by ordinance in an amount not to exceed that allowed for by Government Code Section 36516. The last salary adjustment was adopted in September 2015. This Ordinance provides an increase in salary from \$1,289.99 to \$1,547.99. The increase, however, is implemented over four years.

THE COUNCIL OF THE CITY OF BURBANK DO ORDAIN AS FOLLOWS:

1. Section 2-1-202 of the Burbank Municipal Code is hereby amended to read as follows:

A. AMOUNT OF SALARY: Each member of the Council shall be paid a monthly salary in an amount equal to the maximum amount authorized to be paid to Council Members of general law cities of similar population by Section 36516 of the Government Code of the State of California as the same may be from time to time amended.

B. ADJUSTMENT TO COMPENSATION:

1. Pursuant to Government Code Section 36516, beginning on September 14, 2019 the salary for each Council Member shall be increased by 20% from \$1,290 to \$1,547.99 a month. Notwithstanding the foregoing, said salary increase shall be implemented by setting Council's salary as follows:

First pay period after September 14, 2019 - \$1,354.49

Pay period containing September 14, 2020 - \$1,418.99

Pay period containing September 14, 2021 - \$1,483.49

Pay period containing September 14, 2022 - \$1,547.99

2. Thereafter, the salaries shall be adjusted by ordinance of the City Council in an amount not to exceed that amount allowed for increase by Government Code Section 36516(a) and any amendments thereto.

3. In lieu of adjustment by ordinance of the City Council, the Council may submit the amount of compensation of Council Members to the electors of the City of Burbank, as provided for in Government Code Section 36516(b) and any amendments thereto.

2. If any provision of this Ordinance or its application is held invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions, sections, or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end each phrase, section, sentence, or word is declared to be severable.

3. This Ordinance shall become effective at 12:01 a.m. of the thirty-first day after adoption.

PASSED and ADOPTED this 30th day of July, 2019.

s/Emily Gabel-Luddy
Emily Gabel-Luddy
Mayor

Attest:

s/Zizette Mullins
Zizette Mullins, MMC, City Clerk

Approved as to Form:
Office of the City Attorney

By: s/Amy Albano
Amy Albano, City Attorney

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

I, Zizette Mullins, MMC, City Clerk of the City of Burbank, do hereby certify that the foregoing Ordinance No. 19-3,919 was duly and regularly passed and adopted by the Council of the City of Burbank at its regular meeting held on the 30th day of July, 2019, by the following vote:

AYES: Murphy, Springer and Talamantes.

NOES: Frutos and Gabel-Luddy.

ABSENT: None.

 s/Zizette Mullins
Zizette Mullins, MMC, City Clerk

RESOLUTION NO. 20-29,202

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING AND RESTATING BENEFITS PROVIDED TO MEMBERS OF THE CITY COUNCIL AND REPEALING RESOLUTION NO. 19-29,096

THE COUNCIL OF THE CITY OF BURBANK FINDS:

- A. Through the years the City Council has adopted and amended various resolutions pertaining to City Council benefits.
- B. The purpose of this Resolution is to restate and reauthorize all benefits offered to Council Members, and increase the amounts payable for medical insurance.

THE COUNCIL OF THE CITY OF BURBANK RESOLVES:

- 1. The following benefits are provided for Members of the City Council.

A. PERS MEMBER CONTRIBUTION.

City Council Members who elect to enroll in the Public Employees' Retirement System (PERS) and are identified by PERS as Classic Members pay the full 8% member (employee) contribution. City Council Members who elect to enroll in PERS and are identified by PERS as New Members pay, as their full member contribution, half of the normal cost of the PERS pension as specified by the Public Employee Pension Reform Act (PEPRA), which is currently 6.5% and may be revised by PERS. Any increase or decrease in the New Members' contribution will automatically take effect without further action by the City Council.

B. COST SHARING.

Classic Members will pay half of their respective pension's normal cost, as determined annually by the California Public Employees' Retirement System CalPERS Actuarial Valuation Report, with a total employee contribution cap of 9.14%. As of Fiscal Year 2019-2020, the normal cost of Classic miscellaneous employee pensions is 9.14%. Pursuant to the Public Employees' Pension Reform Act (PEPRA), New CalPERS Members will continue to pay half of their pension's normal cost.

Through Resolution 20-29,176, adopted on September 15, 2020, City Council CalPERS Classic Members and the City of Burbank agree that effective the pay period following completion of the CalPERS contract amendment, each Classic CalPERS City Council Member shall contribute an amount equal to 1.14% of compensation earnable towards the employer PERS contribution, which is separate from, and in addition to the required 8% CalPERS member contribution described in Section 1.A. of this resolution, for a total contribution of 9.14%.

As soon as practical, the City will implement the additional Council Member contribution toward their pension by processing a CalPERS contract amendment for Cost Sharing, pursuant to Government Code Section 20516.

C. EMPLOYER PAID MEMBER CONTRIBUTIONS (EPMC).

EPMC are defined as contributions designated as employee contributions that are paid by the City of Burbank to PERS. The City of Burbank does not contribute EPMC to PERS on behalf of City Council Members.

D. MEDICAL INSURANCE.

The City will contribute the statutory minimum health premium contribution for active and retired City Council Members under the Public Employees' Medical and Hospital Care Act (PEMHCA).

Effective the beginning of the pay period containing February 1, 2021 (which is 01/24/21), the City will adjust the base "up to" cafeteria plan amounts for each active City Council Member as shown below. The PEMHCA statutory minimum health premium contribution is included in the base "up to" cafeteria plan amount provided to each active City Council Member.

PLAN OPTION	BASE "UP TO" CAFETERIA PLAN AMOUNT
Waive Medical Coverage	\$0
One Party	Up to \$703.75
Two Party	Up to \$1,163.00
Family	Up to \$1,510.00

Effective the beginning of the pay period containing December 1, 2021 (which is 11/28/21), the City will adjust the base "up to" cafeteria plan amounts for each active City Council Member as shown below. The PEMHCA statutory minimum health premium contribution is included in the base "up to" cafeteria plan amount provided to each active City Council Member.

PLAN OPTION	BASE "UP TO" CAFETERIA PLAN AMOUNT
Waive Medical Coverage	\$0
One Party	Up to \$703.75
Two Party	Up to \$1,240.00
Family	Up to \$1,610.00

"Up to" in the charts above indicates that if the cost of the option in the medical plan selected by an active Council Member is equal to or less than the amount stated in the charts for the corresponding plan option, the Council Member will receive an amount equal to the premium; if the cost of the option in the medical plan selected by a Council Member is more than the stated amount in the charts for the corresponding plan option, the Council Member will receive an amount equal to the amount in the chart.

E. VISION AND DENTAL PLANS.

A vision plan will be provided to each Council Member. Dependent coverage for the vision plan is voluntary and will be paid for by the Council Members. Each Council Member will be automatically enrolled in a dental plan, which includes dependent coverage, if applicable.

F. LIFE INSURANCE.

A life insurance policy of \$100,000 will be provided to each Council Member at no cost. In addition, an Accidental Death and Dismemberment (AD&D) policy of \$102,000 will be provided to each Council Member at no cost through the City's insurance vendor and a City self-funded AD&D policy of \$50,000 will also be available at no cost to the Council Member.

G. EMPLOYEE ASSISTANCE PROGRAM.

An Employee Assistance Program will be provided to each Council Member at no cost.

H. RETIREE HEALTH SAVING (RHS).

The City will make a \$100.00 per month contribution into an RHS account for each Council Member.

I. BURBANK EMPLOYEES' RETIREE MEDICAL TRUST (BERMT).

The City will contribute \$50.00 per pay period to BERMT on behalf of each Council Member who is eligible for BERMT under BERMT requirements. Currently to be eligible to participate in BERMT, the Council Member must be enrolled in PERS.

J. 457 MATCHING CONTRIBUTION.

The City will match each Council Member contribution to the Council Member's 457 Deferred Compensation Account in an amount not to exceed \$100.00 per month.

K. WELLNESS.

The City will provide up to \$1000.00 per fiscal year to each Council Member to reimburse costs associated with participation in a Wellness Program or a supervised health promoting activity. Health promoting activity includes qualified sports clubs or gyms (including extended contracts), lessons, fitness enhancing physical activities, body scans, home exercise equipment (not applicable to golf equipment), comprehensive physical not reimbursed by personal medical coverage, and other non-covered or non-reimbursable medical costs, but shall not mean in any case the purchase of personal property such as athletic clothing or shoes (roller blades are acceptable). Exercise videos, except golf videos, will also be eligible for reimbursement.

L. TRANSPORTATION ALLOWANCE.

Effective June 30, 2019, the City began providing a transportation allowance of \$250 per month to each Council Member.

2. The Financial Services Director is authorized to make revisions, changes in summaries, fund totals, grand totals, and other portions of the budget document as necessary to reflect and implement the benefits specified in this resolution.

3. Resolution No. 19-29,096 passed and adopted on July 23, 2019, is hereby repealed. It is the intent of the City Council in adopting this Resolution as an Amended and Restated Benefits Plan to incorporate the increase in amounts payable for medical insurance, and minor language clarifications and that all other benefits provisions appearing herein shall continue in effect and shall not be deemed to have been repealed or readopted by this Resolution.

PASSED and ADOPTED this 8th day of December, 2020.

s/Sharon Springer
Sharon Springer
Mayor

Attest:

Approved as to Form:
Office of the City Attorney

s/Zizette Mullins
Zizette Mullins, MMC, City Clerk

By: s/Amy Albano
Amy Albano, City Attorney

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

I, Zizette Mullins, MMC, City Clerk of the City of Burbank, do hereby certify that the foregoing Resolution was duly and regularly passed and adopted by a majority vote of the Council of the City of Burbank at its regular meeting held on the 8th day of December, 2020, by the following vote:

AYES: Gabel-Luddy, Murphy, Talamantes and Springer.

NOES: None.

ABSENT: None.

s/Zizette Mullins
Zizette Mullins, MMC, City Clerk