

ORDINANCE NO. 760

**AN ORDINANCE OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF SHASTA
ESTABLISHING COMPENSATION FOR
MEMBERS OF THE BOARD OF SUPERVISORS**

The Board of Supervisors of the County of Shasta ordains as follows:

SECTION 1. The monthly salary of each member of the Board of Supervisors shall remain unchanged in the amount of \$4,459.00 in base pay.

SECTION 2. The employment benefits provided to the Board of Supervisors shall be those employment benefits identified in the Shasta County Personnel Rules, Chapter 39, that pertain to the Board of Supervisors, adopted by the Board of Supervisors on November 16, 2021, and made effective as to the Board of Supervisors on the same date that this ordinance is effective.

SECTION 3. The provisions of this ordinance supersede the provisions of prior ordinances setting salaries and benefits for members of the Board of Supervisors.

SECTION 4. This ordinance shall take effect and be in full force and effect from and after 60 days after its passage. The clerk shall cause this ordinance to be published as required by law.


DULY PASSED AND ADOPTED this 7th day of December, 2021, by the Board of Supervisors of the County of Shasta by the following vote:

AYES: Supervisors Baugh, Chimenti, Moty, Rickert, and Jones
NOES: None
ABSENT: None
ABSTAIN: None
RECUSE: None

JOE CHIMENTI, CHAIR
Board of Supervisors
County of Shasta
State of California

ATTEST:

MATTHEW P. PONTES
Clerk of the Board of Supervisors

By 
Deputy

CHAPTER 39. ELECTED DEPARTMENT HEAD AND BOARD OF SUPERVISOR BENEFITS

SECTION 39.1. Notwithstanding any other provision of these Personnel Rules, this chapter expressly lists those benefits that are allowable to eligible Elected Department Heads and Board of Supervisors and shall be the exclusive statement of such benefits. The term "Elected Department Head" refers to those elected department heads enumerated in Section 6.11 of these Personnel Rules. Elected Department Heads and the Board of Supervisors maybe referred to at times in this Chapter collectively as "Elected Officer" or "Elected Officers." To the extent that any of these provisions may be inconsistent or in conflict with any statutes or County ordinances, those statutes or ordinances shall control.

SECTION 39.2. LIFE INSURANCE. The County shall provide a group life and accidental death and dismemberment policy at County expense equal to each Elected Department Head's and each member of the Board of Supervisor's actual base salary. In no event shall such amount be less than \$50,000, nor more than \$80,000. Elected Department Heads and members of the Board of Supervisor's shall be allowed to purchase additional insurance in an amount up to three times annual salary at his/her own expense.

SECTION 39.3. EXPENSE ALLOWANCE. Each Elected Department Head shall receive an allowance for legitimate business expenses, in the amount of an additional \$50.00 biweekly stipend for reimbursement of business expenses within the County which are not otherwise claimable under current County policy. The Board of Supervisors are excluded from receiving this expense allowance.

SECTION 39.4. HEALTH INSURANCE PREMIUMS.

- A. 1. Elected Department Heads and members of the Board of Supervisors.
- a. Elected Department Heads. The County maximum health contribution to the medical, dental, and vision plans for Elected Department Heads shall be the same as for employees represented by the Mid- Management Bargaining Unit (MMBU), including the spouse accommodation benefit provided to employees represented by MMBU (if an Elected Officer and his/her spouse or registered domestic partner both work for the County and both are eligible for County provided health insurance and contributions), unless set otherwise by resolution or ordinance of the Board.
 - b. Members of the Board of Supervisors.
 - i. Commencing on January 7, 2019, the County maximum health contribution to the CalPERS-approved medical insurance will be as follows: The County will pay eighty five percent (85%) of the Employee Only medical premium cost and sixty-five percent (65%) of the Employee plus one and Employee plus family medical premium cost categories of PERS Choice (or equivalent plan), including the spouse accommodation benefit provided to employees represented by MMBU (if an Elected Officer and

his/her spouse or registered domestic partner both work for the County and both are eligible for County provided health insurance and contributions). The County contribution includes the PEMHCA minimum contribution. Those percentages shall be converted to monthly maximums which dollar amounts shall not be exceeded, unless set otherwise by resolution or ordinance of the Board. Members of the Board of Supervisors will pay that portion of the premium not contributed by the County. Regardless of whether the PERS Choice plan continues in existence after 2021, these monthly maximum amounts shall continue to be contributed until the pay period beginning February 8, 2022.

- ii. Effective the pay period beginning February 8, 2022 for premiums applied to March 2022 and going forward, the County will pay one hundred percent (100%) of the Employee Only medical premium cost and ninety percent (90%) of the Employee Plus One and Employee Plus Family medical premium cost categories of the PERS Gold plan. The County contribution includes the PEMHCA minimum contribution. Members of the Board of Supervisors are responsible for any medical premium costs exceeding the County contribution amount.
- iii. Beginning in December 2022 for premiums applied to January 2023 and going forward, the County will calculate the difference in costs between the previous year's total medical premium costs and the current year's total medical premium costs for Employee Only, Employee Plus One and Employee Plus Family categories based upon the PERS Gold plan. The County and the individual Supervisor will split the difference in costs (50%/50%), whether an increase or decrease, and apply that toward their respective employer contribution and employee contribution amounts for all health plans from the previous year to determine the current year's contribution, up to a \$0 contribution. The County contribution includes the PEMHCA minimum contribution.

The County shall contribute an amount equal to at least four percent (4%) of gross salaries to reduce either the Other Post Employment Benefit unfunded liability and/or the CalPERS Retirement unfunded liability. In addition, beginning in 2023, the Auditor-Controller agrees to apply a cumulative amount equal to the 50% increase of the PERS Gold premium amount from the year before, to either the Other Post Employment Benefit unfunded liability and/or the CalPERS Retirement unfunded liability.

- 2. For Elected Department Heads and members of the Board of Supervisors who either (1) did not have Shasta County service as a County officer or employee prior to assuming elected office or (2) had a separation in excess of seven (7) days between prior Shasta County service as a County officer or employee and the assuming of elected office:

- a. Eligibility for medical and dental insurance shall begin the first of the month following assumption of office unless otherwise required by the insurance provider(s).
- b. County contributions towards medical and dental, as provided above, shall commence the first of the month following six months of service in office unless otherwise required by the insurance provider(s). Elected Officers who are otherwise eligible for insurance coverage during their first six months in office and elect such coverage shall pay the insurance premiums through payroll deductions.
3. Except as where a separation from County service is required by Government Code section 53227 and other applicable law, for Elected Department Heads and members of the Board of Supervisors not identified in Section 39.4.A.2. of the Personnel Rules, upon assuming elected office they shall be considered to have had no break in service for purposes of continuation of any existing medical, dental, and vision insurance and County contributions thereto.

B. Retired Elected Department Heads and Board of Supervisors

1. The County shall provide the same County contribution towards each retired Elected Department Head's and member of the Board of Supervisor's premium for the CalPERS medical plan as made for current active Elected Department Heads and members of the Board of Supervisors in accordance with CalPERS enrollment and premium contribution regulations.
2. For (1) persons who assumed office as an Elected Department Head or as a member of the Board of Supervisors prior to January 1, 2013, and (2) for persons who assumed office as an Elected Department Head or as a member of the Board of Supervisors for the first time on or after January 1, 2013 and (a) had Shasta County service as a County officer or management employee prior to January 1, 2013 and (b) had no separation in service in excess of seven (7) days between that prior County service as a County officer or management employee and the assumption of office as an Elected Department Head or as a member of the Board of Supervisors, the following shall apply:
 - a. Unless otherwise required by the insurance provider(s), contractual obligation or other law, the County shall provide payment toward each retired Elected Department Head's and member of the Board of Supervisor's medical/dental benefit premiums, provided such Elected Department Head and member of the Board of Supervisors retires from active Shasta County service and remains uninterrupted in the Shasta County medical/dental plan. The percentage amount of County payment shall be based on the following formula.

10 years of County service	25% County payment of premium
15 years of County service	50% County payment of premium
20 years of County service	100% County payment of premium

3. For all persons not identified in Section 39.4.B.2. of the Personnel Rules who assumed office as an Elected Department Head on or after January 1, 2013, the following shall apply.
 - a. In accordance with the California Public Employees' Pension Reform Act (PEPRA), and unless otherwise required by the insurance provider(s) or contractual obligation or other law, the County shall provide payment toward each such retired Elected Department Head's and member of the Board of Supervisor's medical/dental premiums, provided such Elected Department Head and member of the Board of Supervisor retires from active Shasta County service, and remains uninterrupted in the medical plan provided by the County. Such payment shall equal ten (10) percent of such premium and only apply to retirees having a minimum of ten (10) years of County service. Such County service need not be continuous.
4. County service for the purposes of sections 39.4.B.2. and 39.4.B.3. above is defined as total time spent in the employment of the County, and need not be continuous. Such time will be totaled as qualifying for this benefit, and will include non- management service time, if any.
5.
 - a. The provisions of this section apply to:
 - i. Persons who assumed office as an Elected Department Head or as a member of the Board of Supervisors prior to January 1, 2017; and
 - ii. Persons assuming office as an Elected Department Head or as a member of the Board of Supervisors for the first time on or after January 1, 2017 and (a) had Shasta County service as a County officer or employee prior to assuming elected office on or after January 1, 2017 and (b) had no separation in excess of seven (7) days between that prior Shasta County service as a County officer or employee and the assumption of office as an Elected Department Head or member of the Board of Supervisors; and
 - iii. The aforementioned persons have not elected to be covered under Section 39.8 of the Personnel Rules.
 - b. The retiree medical premium for those persons referenced above will be paid as follows:
 - i. The County will continue to pay the statutory minimum amount prescribed by Government Code section 22892 directly to CalPERS; and
 - ii. CalPERS will deduct the balance of the medical premium from the retiree's retirement payment; and
 - iii. The County will reimburse the retiree the County's contribution amount established under Section 39.4.A. of these Personnel

Rules based upon the PERS Gold rates for the coverage in which the employee is enrolled (i.e., Employee Only, Employee plus One, or Employee plus Family), minus the statutory amount prescribed by Government Code section 22892 paid by the County directly to CalPERS.

6. a. The provisions of this section apply to:
 - i. Persons assuming office as an Elected Department Head or as a member of the Board of Supervisors on or after January 1, 2017 and not identified in Section 39.4.B.5. of the Personnel Rules.
- b. The retiree medical premium for those persons referenced above will be paid as follows:
 - i. The County will continue to pay the statutory minimum amount prescribed by Government Code section 22892 directly to CalPERS; and
 - ii. CalPERS will deduct the balance of the medical premium from the retiree's retirement payment.

SECTION 39.5. VISION CARE. The County shall provide Elected Department Heads and members of the Board of Supervisors with County-approved vision insurance. Elected Officers may enroll their dependents in the vision plan provided the employee pays any additional cost associated with such enrollment.

SECTION 39.6. LONG-TERM DISABILITY PROGRAM. The County provides a long-term disability program for Elected Department Heads and members of the Board of Supervisors, which will include a 120 day elimination period, a 66.67% of earnings benefit, and a monthly maximum of \$2,500.00.

SECTION 39.7. IRC SECTION 125 BENEFIT PLAN. Elected Department Heads and members of the Board of Supervisors shall sign appropriate authorization forms to establish or decline participation in payroll deductions of pre-tax earnings for payment by the County of Elected Department Heads' and member of the Board of Supervisors medical and dental insurance premiums and flexible spending accounts (including child and dependent care expenses and unreimbursed medical expenses) in accordance with Section 125 of the Internal Revenue Code and Board action of November 3, 1998 and subsequent updates.

- A. Beginning January 1, 2017, with respect to any Elected Department Head and member of the Board of Supervisors who is enrolled in CalPERS medical insurance, the County will contribute into the 125 Benefit Plan the percentage amount established under Section 39.4.A. of these Personnel Rules based upon the PERS Gold rates for the coverage in which the Elected Officer is enrolled (i.e., Employee Only, Employee plus One, or Employee plus Family), minus the statutory amount prescribed by Government Code section 22892 paid by the County directly to CalPERS on behalf of that Elected Officer and minus any required amount contributed by the Elected Officer.

- B. In no event will the County's contribution under Government Code section 22892 and Section 39.4.A. of the Personnel Rules exceed the actual cost of the benefit. The Elected Officer must authorize a payroll deduction for his or her required contribution, if any. If no authorization is made for a required employee contribution, the County will not make a contribution to the 125 Benefit Plan.

SECTION 39.8 401(A) PLAN. Any Elected Department Head or member of the Board of Supervisors identified in Section 39.4.B.6. of these Personnel Rules shall not be eligible to earn or receive the County contribution to retiree medical benefit as described in Section 39.4.B.5. of these Personnel Rules, but shall receive only the County's minimum contribution amounts required under Government Code section 22892 if they elect to continue CalPERS healthcare after retirement.

Any Elected Department Head or member of the Board of Supervisors identified in Section 39.4.B.5. of these Personnel Rules, may voluntarily elect to participate in the Section 401(a) Plan in lieu of the benefit provided in Section 39.4.B.5. of the Personnel Rules. If the Elected Department Head or member of the Board of Supervisors voluntarily elects to participate in the 401(a) Plan in lieu of receiving the benefit under Section 39.4.B.5. of the Personnel Rules, the County will contribute the minimum contribution required under Government Code section 22892 under Section 39.4.B.6. of these Personnel Rules. The Elected Department Head or member of the Board of Supervisors will receive contributions into the 401(a) Plan as set forth below. The decision to elect to participate in the 401(a) Plan in lieu of receiving the benefit under Section 39.4.B.5. of the Personnel Rules shall be irrevocable.

The 401(a) Plan will be administered as follows:

- A. The County shall provide an Internal Revenue Code Section 401(a) Plan consistent with this Personnel Rule. The County shall contribute into the Section 401(a) Plan an amount on behalf of each covered Elected Department Head or member of the Board of Supervisors electing to participate under this Personnel Rule equal to the amount contributed by that Elected Officer from his or her own pre-tax salary into one of the County's Section 457 deferred compensation plans, but not to exceed 3% of the employee's pre-tax salary. Accordingly, if an Elected Department Head or member of the Board of Supervisors contributed a total of 1-3% of his or her pre-tax salary to a 457 plan, then the dollar amount of the County's 401(a) contribution would fully match the Elected Officer's 457 contribution; if an Elected Officer contributed more than 3% of his or her pretax salary to a County 457 plan, then the dollar amount of the County's 401(a) contribution would only be equal to 3% (and not more) of the Elected Officer's pretax salary and would not fully match the Elected Officer's 457 contribution. The Elected Officer may direct the investment of said contributions in accordance with the options or limitations provided by the 401(a) Plan. Each such Elected Officer shall vest (that is, earn the right to withdraw) the County's contributions into the 401(a) Plan on their behalf based on years of County service, as set forth below, subject to any of the plan's requirements.
- B. The 401(a) Plan implementing this Personnel Rule shall provide the following schedule of vesting requirements for any participating Elected Officer to earn and be eligible to withdraw or otherwise receive a portion (or in some cases all) of his or her total account value at the time of termination:

Years of COUNTY Service After 1/1/2017 Portion of Account Value Vested

Less than 1 year	0%
1 year plus 1 day to 2 years	10%
2 years plus 1 day to 3 years	20%
3 years plus 1 day to 4 years	30%
4 years plus 1 day to 5 years	40%
5 years plus 1 day to 6 years	50%
6 years plus 1 day to 7 years	60%
7 years plus 1 day to 8 years	70%
8 years plus 1 day to 9 years	80%
9 years plus 1 day but less than 10 years	90%
10 years	100%

- C. In addition to and notwithstanding the foregoing, Elected Department Heads or members of the Board of Supervisors options for withdrawing, "rolling over," and otherwise using account money (and the tax consequences of such withdrawals and use), shall be subject to any legal requirements or limitations of Internal Revenue Code Section 401(a) and any other applicable laws with which the County and the Plan must comply.
- D. If the legal requirements of the Affordable Care Act have an impact on County rights and obligations regarding health benefits for County Elected Department Heads or members of the Board of Supervisors, the County obtains the right to make any necessary modifications under this section.

SECTION 39.9. RETIREMENT. CalPERS retirement will continue as adopted in the County's contract with CalPERS, all amendments thereto, and all applicable laws. Beginning with the pay period that includes January 1, 2012, Elected Department Heads and members of the Board of Supervisors are responsible to pay 100% of the employees' share of retirement.

SECTION 39.10. COMPENSATION FOR ELECTED OFFICIALS. Elected Department Heads receive the equivalent of 40 hours of pay annually in December. Payment shall be made at the base hourly rate, without add-ons. An Elected Department Head assuming office mid-term to fill the remaining term of office shall receive a pro rata payment based on the date of assumption of office during the first calendar year of such appointment. An Elected Department Head who leaves office prior to December 31 forfeits all rights to this benefit. The Board of Supervisors are excluded from this benefit.

SECTION 39.11. DEFERRED COMPENSATION. The County will match Elected Department Heads contributions to a qualified deferred compensation plan on a dollar-for-dollar

basis up to 50% of the normal base contribution for the calendar year. The Board of Supervisors are excluded from this benefit.

SECTION 39.12. EMPLOYEE ASSISTANCE PROGRAM (EAP). Elected Department Heads and members of the Board of Supervisors shall be entitled to utilize the services contained in the EAP plan as offered and paid for by the County.

SECTION 39.13. BAR DUES. The County shall provide payment of the total dues required in order to continue membership in the California Bar Association, providing bar membership is a requirement of the elected position.

SECTION 39.14. CELL PHONE ALLOWANCE. Elected Department Heads and members of the Board of Supervisors are eligible to receive a cell phone allowance per Policy Resolution No. 2007-03 in recognition of their use of privately owned cell phones to conduct County business.

SECTION 39.15. PEACE OFFICER STANDARDS AND TRAINING (POST) SALARY STIPEND. The Elected Department Head assigned to the class of Sheriff who holds an intermediate P.O.S.T certificate shall receive four and one-half percent (4.5%) above the base salary for his or her class. The Elected Department Head assigned to the class of Sheriff who holds an advanced P.O.S.T certificate shall receive an additional three and one-half percent (3.5%) for a total of eight percent (8%) above the base wage for his or her class. The Elected Department Head assigned to the class of Sheriff who holds a management P.O.S.T certificate shall receive four percent (4%) above the base salary for his or her class. The Elected Department Head assigned to the class of Sheriff who holds P.O.S.T. intermediate, advanced, and management certificates would receive a total of twelve percent (12%) above base pay for his or her class.

SECTION 39.16. COUNTY VEHICLES. In accordance with Chapter 33 Vehicle Operations Policy, Section 33.8 Take Home Vehicles, with prior approval by the County Executive Officer, an Elected Department Head may be assigned a County vehicle to take home for use in connection with official County business. The Board of Supervisors are excluded from this benefit.

SECTION 39.17. TRAVEL REIMBURSEMENT. In accordance with Chapter 20 Travel and Other Expenses – County Charges, Elected Department Heads and members of the Board of Supervisors shall be reimbursed for their expenses incurred in the course of their work.

SECTION 39.18. PAID LEAVES. In accordance with Section 12.1 and Section 13.1 of the Personnel Rules, Elected Department Heads and members of the Board of Supervisors are excluded from accruing vacation hours and sick leave hours. In addition to the foregoing, Elected Department Heads and members of the Board of Supervisors shall not be eligible for and shall not accrue any paid leaves otherwise provided by County resolution, policy, ordinance, or agreement. Should an Elected Department Head or member of the Board of Supervisors have accrued leave balances as a result of County service prior to assuming his or her elected office, the Elected Officer shall receive payment for his or her accrued leave balances in accordance with applicable County policies. No leave balances will carry over upon the Elected Officer's assumption of office.