

ORDINANCE NO. 11-21

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORANGE AMENDING TITLE 2 OF THE ORANGE MUNICIPAL CODE BY ADDING CHAPTER 2.09, RELATING TO CITY COUNCIL HEALTH AND WELFARE BENEFITS.

WHEREAS, in November, 2011, the City Council adopted an ordinance eliminating health and welfare benefits, which applied prospectively to future Mayors and City Council members; and

WHEREAS, most cities in Orange County offer health and welfare benefits to the City Council members, as part of a flexible benefits plan, equivalent to, and under the same conditions, as those received by the Executive Management employee group; and

WHEREAS, the lack of health and welfare benefits offered to City Council members often dissuades interest or ability for citizens to serve as elected officials; and

WHEREAS, Government Code Sections 53201 and 53208 provide the authority for the City Council to receive health and welfare benefits that are also available and paid by the City for its employees; and

WHEREAS, Government Code Section 53207 permits a City Council member to waive any or all of the health and welfare benefits permitted by this ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ORANGE DOES HEREBY ORDAIN AS FOLLOWS:

SECTION I:

The Ordinance is not a project under the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15378, because it involves administrative activities of the City that will not result in direct or indirect physical changes in the environment.

SECTION II:

Title 2, of the Orange Municipal Code is hereby amended to add Chapter 2.09 entitled “City Council Health and Welfare Benefits”, which shall read as follows:

Chapter 2.09 – CITY COUNCIL HEALTH AND WELFARE BENEFITS

2.09.010 - Authority.

The authority for the City Council to receive health and welfare benefits is set forth in Government Code Sections 53201 and 53208.

2.09.020 – Health and Welfare Benefits.

Notwithstanding any other provision of Title 2 of the Orange Municipal Code, members of the City Council may receive health and welfare benefits equivalent to those received by the Executive Management employee group flexible benefits plan.

2.09.030 – Waiver.

A City Council member may waive any or all health and welfare benefits provided under the flexible benefits plan permitted by this Chapter.

SECTION III:

To the extent required to implement the provisions of this Ordinance, City staff is directed to modify any Administrative Policies in conflict herewith and return to the City Council for any City Council approvals deemed necessary.

SECTION IV:

If any section, subdivision, paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subdivision, paragraph, sentence, clause and phrase thereof, irrespective of the fact that any one (or more) section, subdivision, paragraph, sentence, clause or phrase had been declared invalid or unconstitutional.

SECTION V:

The City Clerk is hereby directed to certify the adoption of this Ordinance and cause the same to be published as required by law. This Ordinance shall take effect thirty (30) days from and after the date of its final passage.

ADOPTED this _____ day of _____, 2021.

Mark A. Murphy, Mayor, City of Orange

ATTEST:

Pamela Coleman, City Clerk, City of Orange

STATE OF CALIFORNIA)
COUNTY OF ORANGE)
CITY OF ORANGE)

I, PAMELA COLEMAN, City Clerk of the City of Orange, California, do hereby certify that the foregoing Ordinance was introduced at the regular meeting of the City Council held on the ____ day of _____, 2021, and thereafter at the regular meeting of said City Council duly held on the ____ day of _____, 2021 was duly passed and adopted by the following vote, to wit:

AYES:	COUNCILMEMBERS:
NOES:	COUNCILMEMBERS:
ABSENT:	COUNCILMEMBERS:
ABSTAIN:	COUNCILMEMBERS:

Pamela Coleman, City Clerk, City of Orange