RESOLUTION NO. 2015-078

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ATASCADERO ESTABLISHING THE COMPENSATION AND BENEFIT PLAN FOR NON-REPRESENTED PROFESSIONAL AND MANAGEMENT WORKERS AND CONFIDENTIAL EMPLOYEES, EFFECTIVE JULY 1, 2015 – JUNE 30, 2016

WHEREAS, the Government Code of the State of California prescribes a procedure for discussing and resolving matters regarding wages, hours and other terms and conditions of employment; and

WHEREAS, the City Personnel System Rules provided for a Compensation Plan; and

WHEREAS, the City desires to set forth salaries and benefits for Non-Represented Professional and Management workers and Confidential employees;

WHEREAS, the City Council adopted Resolution 2014-051 on July 8, 2014 establishing the compensation and benefit plan for Non-Represented Professional and Management workers and Confidential employees;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Atascadero that all prior Resolutions for Non-Represented employees are repealed; and the Professional and Management workers and Confidential employees Compensation and Benefit Plan is hereby established as follows:

Positions

The following positions are included in this Resolution. The City Manager and Department Heads have individual employment agreements defining other terms and conditions of employment not described herein.

<u>Executive Management Positions</u>
Administrative Services Director
Deputy City Manager
City Manager
Community Development Director
Fire Chief
Police Chief
Public Works Director

Management Positions
Deputy Administrative Services Director
Deputy Community Development Director
Deputy Public Works Director
Information Technology Manager
Police Commander
Zoo Director

Confidential (Includes only designated positions within the classifications)
Accounting Specialist
Administrative Assistant
Finance Technician
Management Analyst I
Personnel Specialist

Salaries

This one (1) year resolution shall provide salary increases according to the following formula and schedule:

Effective July 1, 2015 all positions covered by this resolution shall receive a 2.0% (two percent) salary increase.

Effective July 1, 2015, in addition to the 2.0% salary increase provided to all positions, the following positions shall also receive a 5% (five percent) inequity adjustment:

- Deputy Community Development Director
- Information Technology Manager

The following monthly salaries are effective July 1, 2015:

CLASSIFICATION	RANGE	STEP A	STEP B	STEP C	STEP D	STEP E
Accounting Specialist - Confidential	24c	4,388.74	4,608.18	4,838.59	5,080.52	5,334.55
Administrative Assistant - Confidential	20c	3,980.71	4,179.75	4,388.74	4,608.18	4,838.59
Administrative Services Director	M54	9,024.41	9,475.63	9,949.41	10,446.88	10,969.22
City Manager	CM65	11,730.93	12,317.48	12,933.35	13,580.02	14,259.02
Community Development Director	M54	9,024.41	9,475.63	9,949.41	10,446.88	10,969.22
Deputy Administrative Services Director	M44	7,070.87	7,424.41	7,795.63	8,185.41	8,594.68
Deputy City Manager	M44	7,070.87	7,424.41	7,795.63	8,185.41	8,594.68
Deputy Community Development Director	M46	7,424.41	7,795.63	8,185.41	8,594.68	9,024.41
Deputy Public Works Director	M44	7,070.87	7,424.41	7,795.63	8,185.41	8,594.68
Finance Technician - Confidential	20c	3,980.71	4,179.75	4,388.74	4,608.18	4,838.59
Fire Chief	FC59	10,187.83	10,697.22	11,232.08	11,793.68	12,383.36
Information Technology Manager	40	6,329.79	6,646.28	6,978.59	7,327.52	7,693.90
Management Analyst I- Confidential	24c	4,388.74	4,608.18	4,838.59	5,080.52	5,334.55
Personnel Specialist- Confidential	24c	4,388.74	4,608.18	4,838.59	5,080.52	5,334.55
Police Chief	PC59	10,187.83	10,697.22	11,232.08	11,793.68	12,383.36
Police Commander	PC49	7,982.44	8,381.56	8,800.64	9,240.67	9,702.70
Public Works Director	M54	9,024.41	9,475.63	9,949.41	10,446.88	10,969.22
Zoo Director	M39	6,260.80	6,573.84	6,902.53	7,247.66	7,610.04

In the interest of assisting with balancing the budget, a Voluntary Salary Reduction in Exchange for Furlough Leave Program (Program) was instituted for executive management as of July 1, 2009.

Effective July 1, 2015 the Program is amended as follows:

Executive management salaries will be reduced from .5 – 1.5% from the base level salaries (July 1, 2015 levels) listed above. The percentage of reduction shall be at the employee's discretion, but not be below .5% or above 1.5%. In exchange for this reduction, executive management employees will receive a pro-rata number of hours of furlough leave. For each .5% of reduction, employees shall receive 10.34 hours to a maximum of 31 hours of furlough leave per fiscal year. This furlough leave cannot be exchanged for cash and cannot be carried over past the end of each fiscal year. If an Executive Management employee separates from the City during the period of this resolution, leave and other related payouts will be made based on the salary schedule above and will not be adjusted for the furlough reduction.

Work Period

The normal work period for non-exempt employees shall be seven (7) days with a maximum non-overtime of forty (40) hours.

Overtime Rate

Overtime for non-exempt employees, shall be compensated at the rate of time and one-half the regular rate of pay. All overtime shall be recorded and paid in the following manner:

1 to 15 minutes, overtime compensation – ¼ hour
16 to 30 minutes, overtime compensation – ½ hour
31 to 45 minutes, overtime compensation – ¾ hour
46 to 60 minutes, overtime compensation – 1 hour

Overtime Hours Paid

Overtime for non-exempt employees shall be paid after forty (40) hours worked in a work period. Paid time off shall be considered time worked for overtime purposes.

Schools/Training/Conferences

Hours traveling, studying, or evening classes, etc., when a non-exempt employee is attending an out-of-town school shall be paid in accordance with all FLSA provisions.

Compensatory Time (CT)

Notwithstanding the provisions of this section, non-exempt employees may be granted CT for overtime credit computed at time and one-half at the mutual convenience of the City and the employee. Non-exempt employees may accumulate a maximum of eighty (80) hours in their CT account.

Scheduling Compensatory Time

Requests to use CT shall be granted with due regard for operational necessity such as staffing levels.

Deferred Compensation

The City will match an eligible employee's contribution to a deferred compensation program. The match will be up to a maximum of $1,000 annually for executive management employees and $500 annually for management employees. All deferred compensation contributions are fully vested in the employee and shall not be available to the City.

Health Benefits

1. Effective January 1, 2015, for unit members who elect to have "Family" coverage, the City shall pay an amount not to exceed $1,461.23 per month for employees electing PPO Family coverage and no more than $1,421.70 per month for employees electing HMO Family coverage. The City contribution shall go toward the cost of all medical, dental, vision and life insurance benefit premiums for the unit member employee and dependents. City shall pay for increased costs to medical, dental, vision and life insurance premiums for the employee and fifty percent (50%) of increased costs for dependents based upon HMO plan costs.

2. Effective January 1, 2015, for unit members who elect to have 'Employee +1" coverage, the City shall pay an amount not to exceed $1,112.23 per month for employees electing PPO Employee +1 coverage and no more than $1,093.98 per month for employees electing HMO Employee +1 coverage. The City contribution shall go toward the cost of all medical, dental, vision and life insurance benefit premiums for the unit member employee and dependent. City shall pay for increased costs to medical, dental, vision and life insurance premiums for the employee and fifty percent (50%) of increased costs for the dependent based upon HMO plan costs.

3. Effective January 1, 2015, for unit members who elect to have "Employee Only" coverage, the City shall pay amount not to exceed $810.34 per month for employees electing PPO Employee Only coverage and no more than $828.92 per month for employees electing HMO Employee Only coverage. The City contribution shall go toward the cost of all medical, dental, vision and life insurance benefit premiums for the unit member employee for the term of this agreement. City shall pay for increased costs to medical, dental, vision and life insurance premiums for the employee based upon the HMO plan costs.

   Available funds remaining from the City's contribution toward insurance coverage shall be paid to an employee hired on or before September 1, 2000 as additional compensation. This amount shall not exceed $246.76 per month.

4. The City of Atascadero has established a Post-Retirement Health Benefit for Executive Management and Council The City agrees to reimburse the retiree for retiree and/or retiree's dependent health (medical/dental/ vision) insurance premiums, disability insurance, long-term health care or life insurance premiums in a method determined by the Administrative Services Director following retirement.

   The program parameters are:
   - The benefit is available upon retirement from PERS or other similar retirement program after age 50;
   - The employee must have served for 8 years with the City of Atascadero;
   - The benefit extends between the date of retirement and age 65;
   - The current benefit is $200.00 monthly.

Life Insurance

The City shall provide a term life insurance policy on each employee (Executive Management, Management, Confidential and Council) in the amount of Fifty-Thousand Dollars ($50,000). Any employees currently provided a policy for a lesser amount shall begin receiving a policy in the amount of $50,000 beginning with the next open enrollment or policy change, whichever comes sooner.

The City shall provide a term life insurance policy for each eligible dependent enrolled in health coverage in the amount of One Thousand Dollars ($1,000) per dependent.

Long-Term Disability Insurance

The City shall provide a City-paid program to provide Long-Term Disability Insurance for Executive Management and Management employees.

State Disability Insurance

The City provides State Disability Insurance as a payroll deduction for each employee in the Confidental classification only. State Disability Insurance shall be integrated with sick leave with the objective of providing full compensation.

Leave

Administrative Leave. Executive Management Employees, and Management Employees will receive Administrative Leave, which will vest as of July 1 annually. Except as provided below, Administrative Leave will not be carried over or accrue from one fiscal year to the next. If an employee is unable to use his/her Administrative Leave prior to the end of the fiscal year for work related reasons beyond his/her control, said leave will be carried over into the next fiscal year for a period not to exceed three (3) months. Said time will be available to the employee for use during that period, but will not be accrued for the purpose of payoff in the event of termination. In the event an employee covered by this Agreement is employed after January 1 of the fiscal year, the employee shall be eligible for one half of their annual allotment of Administrative Leave. Employees shall receive Administrative Leave at the following annual rates:

- Executive Management shall receive 80 hours.
- Management Employees shall receive 48 hours.

Furlough Leave. Executive Management Employees will receive 10.4 - 31 hours of Furlough Leave, as discussed under the Salaries section of this Resolution. This leave will vest as of July 1 annually.

Vacation Leave. Employees shall receive vacation leave consistent with the Personnel System Rules.

Holidays. The City shall recognize the following days as official City holidays:

Holiday	Day Observed
New Year's Day	January 1
Martin Luther King, Jr. Birthday	3rd Monday in January
Presidents' Day	3rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4th
Labor Day	1st Monday in September
Veteran's Day	November 11
Thanksgiving Day	4th Thursday in November
Day After Thanksgiving	Friday after Thanksgiving
Christmas Eve Day	December 24

Christmas Day	December 25
"Floating" Holiday	Off As Scheduled; Accrues January 1

Each unit member employed by the City as of January 1st of each year shall be eligible for one floating holiday (8 hours). Floating holidays must have prior department approval and shall be consistent with the efficient operation of the department. The floating holiday may be used between January 1 and December 31 of each year.

Sick Leave.

1. Sick leave accumulates at a rate of 3.69 hours per pay period. There is no limit to the accumulation.

2. Stay Well Bonus. Employees with 384 or more hours of accumulated sick leave shall be eligible for the Stay Well Bonus. The Stay Well Bonus will be implemented as follows:

   a. The sick leave pay-off will occur during the twelve- (12) month period beginning the first day after the second pay period in October and ending on the last day of the second pay period in October of the following year after an employee has accumulated and maintained 384 hours of sick leave.

   b. Once the eligibility requirements have been met, an employee may opt to receive a pay-off equal to one-third (1/3) of the unused annual allotment of sick leave. (The annual allotment is 95.94 hours).

   c. Checks will be prepared by December 15 of each year.

3. Sick Leave Payback. When an executive management employee, a management employee or confidential employee terminates employment in good standing, after five (5) years of continuous service, he/she shall be paid one-half of his/her accumulated Sick Leave.

4. In any calendar year, up to two days (16 hours) of sick leave may be used for personal reasons without explanation. These days are not intended as vacation days and may not be used to extend vacations or holidays.

Bereavement Leave

Employees shall be granted bereavement leave pursuant to the City of Atascadero Personnel System Rules.

The City shall provide up to twenty-four (24) hours of paid bereavement leave for bereavement purposes. Bereavement purposes include (1) the death of a member of the employee's immediate family, and (2) the critical illness of a member of the employee's immediate family where death appears to be imminent. The amount of bereavement leave provided under this section is twenty four (24) hours per family member.

The employee may be required to submit proof of a relative's death or critical illness before final approval of leave is granted.

For purposes of this section, "immediate family" means: spouse or domestic partner, parent (including biological, foster, or adoptive parent, a stepparent, or a legal guardian), grandparent, grandchild, child (including biological, foster, or adopted child, a stepchild, a legal ward, a child of a domestic partner, or a child of a person standing in loco parentis), brother, sister, aunt, uncle, son-in-law, daughter-in-law, mother-in-law, father-in-law, brother-in-law, sister-in-law or significant other.

Twenty-four (24) hours of the paid absence shall be considered "bereavement leave", and any remaining time shall be from other paid time off available to the employee.

When an employee has exhausted the bereavement leave provided in this section, the employee may submit a request to his/her Department Head and request additional time off work. If approved, the employee must use their other accrued paid leave. The employee may elect which accrued paid leave he/she shall use during the additional leave. However, the employee may not use more than forty (40) hours of accrued sick leave for bereavement purposes. If the additional leave approved by the Department Head is longer than forty (40) hours, the employee is required to use accrued paid leave other than sick leave.

Retirement

CalPERS Non-Sworn Miscellaneous Members (as defined by CalPERS)

a. Non-Sworn Miscellaneous Member employees (as defined by CalPERS) are provided retirement benefits through the California Public Employees Retirement System (CalPERS).

TIER 1
Non-sworn Miscellaneous Member employees hired on or before July 14, 2012 are provided benefits pursuant to the 2.5% @ 55 Benefit Formula (Government Code Section 21354.4), Final Compensation 1 Year (G.C. Section 20042) and Unused Sick Leave Credit (G.C. Section 20965). The City will pay 3.3% (three point three percent) of the Non-sworn Miscellaneous Member employee contribution of 8% (eight percent). Non-sworn Miscellaneous Member employees will pay the remaining 4.7% (four point seven percent) of the employee contribution.

TIER 2
Non-sworn Miscellaneous Member employees hired between July 14, 2012 and December 31, 2012, and Non-sworn Miscellaneous Member employees hired on or after January 1, 2013 who meet the definition of a Classic Member under CalPERS, are provided benefits pursuant to the 2% @ 55 Benefit Formula (G.C. Section 21354), Final Compensation 3 Year (G.C. Section 20037) and Unused Sick Leave Credit (G.C. Section 20965). The City will pay 2.3% (two point three percent) of the Non-sworn Miscellaneous Member employee contribution of 7% (seven percent). Non-sworn Miscellaneous Member employees will pay the remaining 4.7% (four point seven percent) of the employee contribution.

TIER 3
Pursuant to the California Public Employees' Pension Reform Act of 2013 (PEPRA), Non-sworn Miscellaneous Member employees hired on or after January 1, 2013 who meet the definition of a CalPERS new member under PEPRA are provided benefits pursuant to 2% @ 62 Benefit Formula (G.C. Section 7522.20) with Final Compensation 3 Year (G.C. Section 20037). The Non-sworn Miscellaneous Member employee will pay a member contribution rate of 50% (fifty percent) of the expected normal cost rate.

b. The City shall provide CalPERS the Post Retirement Survivor benefit for Miscellaneous Members.

c. Employee contributions shall be contributed to CalPERS on a pre-tax basis.

CalPERS Sworn Safety Members (as defined by CalPERS)

a. Sworn Safety Member employees (as defined by CalPERS) are provided retirement benefits through the California Public Employees Retirement System (CalPERS).

TIER 1
Sworn Safety Member employees hired on or before July 14, 2012 are provided benefits pursuant to the 3% @ 50 Benefit Formula (Government Code Section 21362.2), Final Compensation 1 Year (G.C. Section 20042) and Unused Sick Leave Credit (G.C. Section 20965). The City will pay 0% (zero percent) of the Sworn Safety Member employee contribution of 9% (nine percent). Sworn Safety Member employees will pay the employee contribution of 9% (nine percent).

TIER 2
Sworn Safety Member employees hired between July 14, 2012 and December 31, 2012, and Sworn Safety Member employees hired on or after January 1, 2013 who meet the definition of a Classic Member under CalPERS, are provided benefits pursuant to the 3% @ 55 Benefit Formula (G.C. Section 21363.1), Final Compensation 3 Year (G.C. Section 20037) and Unused Sick Leave Credit (G.C. Section 20965). The City will pay 0% (zero percent) of the Sworn Safety Member employee contribution of 9% (nine percent). Sworn Safety Member employees will pay the employee contribution of 9% (nine percent).

TIER 3
Pursuant to the California Public Employees' Pension Reform Act of 2013 (PEPRA), Sworn Safety Member employees including hired on or after January 1, 2013 who meet the definition of a CalPERS new member under PEPRA are provided benefits pursuant to the 2.7% @ 57 Benefit Formula (G.C. Section 7522.25(d)) with Final Compensation 3 Year (G.C. Section 20037). The Sworn Safety Member employee will pay a member contribution rate of 50% (fifty percent) of the expected normal cost rate.

b. The CalPERS retirement for Sworn Safety Members (as defined by CalPERS) includes Level Four (4) of the 1959 Survivor's Benefit. The employees shall pay the monthly cost

of the benefit.

c. Employee contributions shall be contributed to CalPERS on a pre-tax basis

Education Incentive Pay

Employees shall be reimbursed up to $1,600.00 per fiscal year for books, tuition and related educational expenses for attending college or other professional training, providing the coursework is job-related, and the employee received a passing grade.

Uniform/Safety Equipment Allowance

a. The City shall provide an annual uniform allowance of eight hundred dollars ($800) for Police Chief and Commanders, and eight hundred fifty dollars ($850) for the Fire Chief. Upon initial hire the employee will receive $800/$850. In the second year the amount will be prorated based upon the actual number of months employed in the prior year. When an employee separates from the City the Uniform Allowance will be prorated based upon the number of months worked in the then current fiscal year.

b. The City will make a lump sum payment of the uniform allowance no later than the second payday in July.

c. Uniforms damaged on duty shall be replaced as prorated by the Police Chief. Employees are required to seek reimbursement through the courts with all practical diligence.

d. The City shall make available a bulletproof vest. Employees requesting a vest shall certify that they will wear the vest at all times, except in extreme climatic conditions. Vests shall be replaced or refurbished on an as needed basis as determined by the Chief of Police. Employees already owning a vest shall continue to use them until repair or refurbishment becomes necessary, as determined by the Chief of Police.

e. Rain boots - The City shall comply with the requirements of CAL/OSHA as it relates to providing rain gear including rain boots.

On motion by Council Member Fonzi and seconded by Mayor Pro Tem Moreno, the foregoing resolution is hereby adopted in its entirety by the following roll call vote:

AYES: Council Members Fonzi, Kelley, Sturtevant, Mayor Pro Tem Moreno and Mayor O'Malley

NOES: None

ABSENT: None

ADOPTED: October 27, 2015

CITY OF ATASCADERO

Tom O'Malley, Mayor

ATTEST:

Marcia McClure Torgerson, C.M.C., City Clerk

APPROVED AS TO FORM:

Brian A. Pierik, City Attorney