

RESOLUTION NO. 7464

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA APPROVING TERMS AND CONDITIONS FOR UNREPRESENTED: CONFIDENTIAL EMPLOYEES FOR THE PERIOD OF JULY 1, 2023 THROUGH JUNE 30, 2025

The City Council resolves as follows:

SECTION 1: The City's Confidential employees are not represented by an employee association and are classified as Unrepresented employees as listed in the attached Exhibit "A".

SECTION 2: The following items will be provided to all full-time regular Unrepresented and Confidential employees:

Term: The term is effective July 1, 2023 and expires June 31, 2025.

Cost of Living Adjustment (COLA):

Effective the first full pay period following July 1, 2023, employees shall receive a five percent (5.0%) cost of living adjustment to base wages.

Effective the first full pay period following July 1, 2024, Unit employees shall receive a four percent (4%) cost of living adjustment to base wages.

Flex Time: An employee and a supervisor may agree to incidental flex time in which an employee works variable work hours with corresponding flex hours off. All requests and approvals shall be in writing. Non-exempt employees must take all flex hours off within the forty (40) hour work week in which the variable hours are worked. Employees who participate in an incidental flex time arrangement shall waive daily overtime for the time designated as flex time worked. Flex time may not be used to supplement or replace holiday leave pay.

Cafeteria Benefit Plan: The City provides a monthly contribution to each eligible member of the unit to be used towards the Cafeteria Benefit Plan. Cafeteria Plan options include health, dental, group term life, and supplemental disability and accident insurance.

Effective the first full pay period of December 2023, the City shall provide \$1350 per month (\$675.00 paid the 1st and 2nd pay periods of each month) benefit contribution towards each full-time employee of the unit.

Effective the first full pay period of December 2024, the City shall provide \$1450 per month (\$725.00 paid the 1st and 2nd pay periods of each month) benefit contribution towards each full-time employee of the unit.

Employees electing to opt out of medical coverage offered by the City because they have provided proof of medical coverage will receive a maximum opt allowance of \$1000.00 per month. Employees who use cafeteria benefit plan funds to purchase City health insurance and whose health insurance premium is less than \$1,000.00, shall be eligible to cash out the difference between \$1,000.00 and the cost of the premium.

New employees hired after July 1, 2021 electing to opt out of medical coverage will receive a maximum opt out allowance of \$500.00 per month. Employees hired after July 1, 2021 who use cafeteria benefit plan funds to purchase City health insurance and whose health insurance premium is less than \$500.00, shall be eligible to cash out the difference between \$500.00 and the cost of the premium.

All employees must enroll in an available City health program unless they submit to the City both proof of health coverage and a signed health insurance waiver. Employees who fail to complete both requirements will not be allowed to utilize their Cafeteria Benefit Plan contributions for any other eligible plans. During the Open Enrollment periods only, the City reserves the right to require an employee to provide annual recertification of outside health coverage in order to continue to receive the cafeteria benefit.

IRS Section 125 Plan: The City provides the IRS Section 125 Flexible Benefits Plan on a Citywide basis to all full-time regular employees. The City agrees to provide payroll deductions for participating employees, and make appropriate disbursements to the plan administrators. Selection of the plan administrator is the responsibility of the City. The City reserves the right to discontinue the Flexible Spending Plan program at the conclusion of the Plan year on October 31st, if there is insufficient Citywide employee participation to break even on administrative costs.

California Public Employee's Retirement System (CALPERS) Plan:

The City shall provide for employee retirement benefits through participation in the Public Employee's Retirement System (PERS) as follows:

A. For "Miscellaneous" employees hired prior to January 1, 2013, and for miscellaneous employees hired on or after January 1, 2013 who are considered "Classic Members" of CalPERS within the meaning of the Employees' Pension Reform Act of 2013 (PEPRA)

Miscellaneous members hired prior to March 20, 2006 will be provided with the 2.5% @ 55, Tier One (1) service retirement formula;

Miscellaneous members hired after March 20, 2006 will be provided with the 2% @ 55, Tier Two (2) service retirement formula;

The retirement allowance will be computed on the highest one (1) year of compensation.

B. For "Miscellaneous" employees hired on or after January 1, 2013 who are considered "New Members" within the meaning of PEPRA

Miscellaneous members will be provided with the 2 % @ 62 service retirement formula;

The retirement allowance will be computed on the average of the employee's final three (3) years of compensation.

Public Employees' Retirement System: Upon adoption of this resolution, the City will cease paying any portion of the "Classic" member's employee contribution to CalPERS.

All New Members (as defined by PEPRA) hired by the City on or after January 1, 2013 will pay the full employee contribution, which will be one-half the normal cost rate as determined by CalPERS.

For employees who are members of the City's 2.5% @ 55, Tier One (1) service retirement formula, the cost of the 8% employee contribution will be paid by the employee, through pre-tax payroll deduction.

For employees who are members of the City's 2.0% @ 55, Tier Two (2) service retirement formula, the cost of the 7% employee contribution will be paid by the employee, through pre-tax payroll deduction.

Long Term Disability: The City provides a Long Term Disability Insurance Program to each confidential employee at City expense.

Life Insurance: The City provides life insurance coverage of \$100,000 for each employee, and \$5000 for eligible dependents of each such employee at City expense.

City Matching Contribution to Deferred Compensation Plan: The City agrees that effective in the first full pay period by January 2024, or earlier if the City can implement this provision earlier, the City shall provide a matching contribution to an employee's deferred compensation plan of up to one percent (1%) of the employee's base salary. For example, if an employee earns \$50,000 base salary per year and contributes \$25 into their deferred compensation plan each pay period for a total of \$650 annual contribution, the City will contribute \$500 annually to the employee's deferred compensation plan. \$500 is one percent of \$50,000. If the employee contributes \$10 per pay period for a total of \$260 annually, the City shall contribute \$260 to the employee's deferred compensation account.

Education Tuition Assistance: Tuition reimbursement may be made up to \$3,000 per fiscal year in accordance with established City policy. It is the City's desire to encourage employees to further their education in order to excel in their profession. For this reason, the City Manager may authorize employees to take courses during the employee's normal workday for a limited duration, if alternate classes are not available (e.g. night classes not offered). All requests must first be made through the Department Head and forwarded to the City Manager for final approval. All approvals will be based on staffing levels of the department and effect of city operations.

Bilingual Pay: Unit employees may be eligible to receive bilingual pay of \$50.00 per pay period (\$1300.00 per year).

Holiday Leave: On January 1st of each year, unit employees will receive a Holiday Leave Bank of thirty-six (36) hours paid at straight time to be used exclusively for City observed holidays and a Floating Holiday Leave Bank of eighteen (18) hours.

On July 1st of each year, each confidential employee will receive a Holiday Leave Bank of seventy-two (72) hours paid at straight time to be used exclusively for City observed holidays.

For those employees on flexible work schedules and who are already scheduled a "flex day" on the holiday, and for those employees who are not on flexible work schedules and work an eight (8) hour day, the extra hours in the Holiday Leave Bank would become floating holiday hours to be scheduled for use throughout the year with the approval of their supervisor. The banked holiday hours may be used for any purpose that vacation, sick and compensatory leave may be used for, as long as prior approval is gained from the supervisor.

The following days are considered holidays:

New Year's Day - January 1

Martin Luther King Day - Third Monday in January

Presidents' Day - Third Monday in February

Memorial Day - Last Monday in May

Independence Day - July 4

Labor Day - First Monday in September

Veteran's Day- November 11th

Thanksgiving Day

Friday after Thanksgiving

Christmas Eve – December 24th

Christmas Day - December 25th

New Year's Eve – December 31st

Vacation Leave: Vacation hours in the excess of 280 hours will not have cash value, may not be used in the buyback program and will not be paid out to unit members upon separation of employment. Vacation Leave accrual is prorated hourly as earned. Unrepresented employees may accumulate up to a maximum of two-hundred eighty (280) hours accrued Vacation Leave, any employee who has accrued the maximum amount of vacation will not accrue any more vacation until their balance is below two-hundred eighty (280) hours. Annual accrual rates for employees with continuous years of service are as follows:

Less than five years:	96	hours
Five years, but less than ten years:	120	hours
Ten years, but less than fifteen years:	144	hours
Fifteen, but less than twenty-one years:	160	hours
Twenty-one, but less than twenty-five years:	180	hours
Twenty-five or more years:	200	hours

All use of Vacation Leave must be at such time as approved by the Supervisor or Department Head. Use of Vacation Leave must be scheduled at such times as the Supervisor or Department Head finds most suitable after considering the wishes of the employee and the requirements of the Department. For the efficiency and effectiveness of City services, Supervisors or Department Heads may assign the use of Vacation Leave and designate when it will be taken. All requests for use of Vacation Leave must be approved by the Supervisor or Department Head, in writing prior to the commencement of the requested use. Completed forms are to be forwarded to the Personnel Office only after being utilized by the Department Head or Supervisor to verify timesheets.

Vacation Leave will not accrue while an employee is on Leave of Absence Without Pay. Accumulated and unused Vacation Leave may be used to supplement Sick Leave if the employee has exhausted Sick Leave accruals. Paid holidays occurring during vacation

are not charged to Vacation Leave. If an employee on vacation becomes sick, Sick Leave may be substituted subject to the approval of Department Head.

If an employee transfers from one department within the City to another, the Vacation Leave credits must also be transferred.

Vacation Leave Buyback: Unit employees may buyback vacation and/or comp leave with continuous years of service as follows:

Less than five years:	up to 40 hours
Five years, but less than 10 years:	up to 60 hours
More than 10 years:	up to 80 hours

Employee must have taken a minimum of forty (40) hours of vacation leave during the period of November 1st – October 31st prior to submitting the request.

Employee must maintain a minimum balance of 120 hours of vacation leave after submitting the request.

Employee must submit request to Human Resources Manager by October 31st, with payment to be made the first pay period of December. Forms will be available in the City's "O" drive and/or through the Human Resources Office.

Overtime: It is the policy of the City to keep all overtime usage to a minimum. This policy extends to all varieties of overtime usage including holdover, callback and standby. Prior authorization of the employee's supervisor must be secured and communicated to the employee:

Overtime is defined as all hours worked in excess of an employee's regularly scheduled workday or workweek. For purposes of determining OT, "hours worked" means hours the employee actually worked as defined by the FLSA and expressly excludes paid time off for compensatory time off, vacation leave, jury duty and bereavement leave, sick leave or leave without pay. Holiday hours will be considered "hours worked" for purposes of calculating overtime.

Overtime will be paid in compliance with the FLSA at a rate of one and one-half (1 ½) times the employee's regular rate of pay or a unit employee may choose in lieu of cash payment to be compensated for OT by the accumulation of compensatory time, at the rate of one and one-half (1 ½) hour's compensatory time for each overtime hour actually worked. "Hours worked" means hours the employee actually worked as defined by the FLSA and expressly excludes paid time off for holidays, compensatory time off, vacation leave, jury duty and bereavement leave, sick leave or leave without pay for the purpose of calculating compensatory time.

Double Time: Double time (two (2) times regular rate of pay) will be paid to confidential employees for all assigned time worked beyond four hours at evening City Council or Commission meetings which commence after the employee's regular work day. Additional double time for other evening meetings or evening work may be authorized by the City Manager.

Standby: Employees who the City expressly requires to remain available for contact and call-out for emergency call back, at times that the employee is not otherwise scheduled to be nor are on duty, shall be paid an additional salary of \$50 per day on Saturdays, Sundays, City holidays, employee's flex day, and Fridays after their regularly schedule time stops and \$30 per day all other periods for the hours that the employee remained available. Employee's on-call hours shall not constitute hours worked under the Fair Labor Standards Act.

Compensatory Leave: For employees eligible for accruing compensatory leave, a maximum of forty (40) hours of compensatory time may be accrued at any time of the year.


Cooling-Off Period: If an employee resigns from employment with the City, the City Manager or his or her designee may choose to make the resignation effective immediately regardless of any advance notice which may be provided by the employee. However, such an employee will be allowed a "cooling off" period of two working days within which to rescind their resignation. An employee who wishes to rescind his or her resignation must do so in writing and the writing must be delivered to the City Manager by the close of business on the second business day of the "cooling off" period. An employee who timely rescinds his or her resignation during the "cooling off" period must not be considered to have been separated and must be treated as if there was no break in service. Any time during which such an employee is absent from work as a result of resigning must be unpaid.

Emergency Disasters: Employees will be required to mark "overtime" versus "comp time" on their time sheets when working during an emergency disaster. This change allows the City to be reimbursed through FEMA for employees work time.

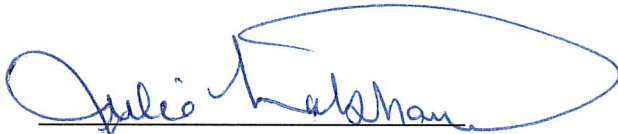
SECTION 4: This Resolution will become effective immediately upon adoption and will remain effective until June 30, 2025.

SECTION 5: The City Clerk will certify to the passage and adoption of this Resolution; will enter the same in the book of original Resolutions of said City; and will make a minute of the passage and adoption thereof in the record of proceedings of the City Council of said City, in the minutes of the meeting at which the same is passed and adopted.


PASSED, AND ADOPTED, this 21st day of June, 2023


for Andy Sobel, Mayor
City of Santa Paula

ATTEST:


Julie Latshaw, City Clerk

APPROVED AS TO FORM:


Monica Castillo, City Attorney (Interim)

APPROVED AS TO CONTENT:


Dan Singer, City Manager

EXHIBIT "A"

Unrepresented: Confidential Unit

703 – IT Support Analyst

704 – Payroll Specialist

705 – Executive Assistant

706 – Human Resources Analyst

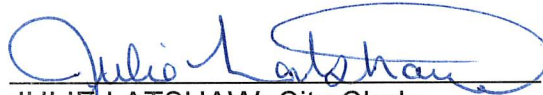
CERTIFICATION

CITY OF SANTA PAULA)
COUNTY OF VENTURA)§
STATE OF CALIFORNIA)

I, Julie Latshaw, City Clerk of the City of Santa Paula, California, do hereby certify that the foregoing Resolution No. 7464 was dully passed and adopted by the City Council of the City of Santa Paula at the regular meeting thereof, held on the 21st day of June 2023, and was signed by the Vice Mayor for Mayor of said City, and that the same was passed and adopted by the following vote:

AYES: CORNEJO, CROSSWHITE, JUAREZ, CHAVEZ
NOES: NONE
ABSENT: SOBEL
ABSTAIN: NONE




JULIE LATSHAW, City Clerk