

## RESOLUTION NO. 7463

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA ADOPTING EMPLOYMENT BENEFITS FOR UNREPRESENTED EMPLOYEES: EXECUTIVE MANAGEMENT FOR THE PERIOD OF JULY 1, 2023 THROUGH JUNE 30, 2025

The City Council of the City of Santa Paula as follows:

SECTION 1: The City's Executive Management 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 Executive Management employees:

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

Salary Increase:

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

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

Fair Labor Standards Act: All Executive Management employees are designated as exempt from the provisions of the FLSA and are ineligible for overtime compensation.

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. Exempt employees must take all flex hours off within the eighty (80) hour work period in which the variable hours are worked. Flex time may not be used to supplement or replace holiday leave pay.

Severance Package Benefit: All Executive Management employees are eligible for a severance package that is equaled to three (3) months of base salary pay if released without cause.

Cafeteria Benefit Plan: The City provides a monthly contribution to each Executive Management employee to be used towards the Cafeteria Benefit Plan. These funds are to be used for eligible insurance plans included within the Cafeteria 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: Selection of the plan administrator is the responsibility of the City. 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 31<sup>st</sup>, if there is insufficient Citywide employee participation to break even on administrative costs. In the current FSA Plan year, November 1<sup>st</sup> to October 31<sup>st</sup>, the City will pay the annual fee and the employee administrative fee per month. Should fewer than ten employee's Citywide sign-up for an FSA for the new plan year beginning November 1<sup>st</sup>, the City reserves the right to discontinue its participation in the Plan. The City will provide a minimum of thirty (30) days notice to Executive Management employees before the effective date of any planned discontinuation of the IRS Section 125 Flexible Benefits Plan.

Public Employees' Retirement System:

- A. For "Safety" employees hired prior to January 1, 2013, and for safety 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):
  - 1. Classic safety members will be provided with the 3% @ 50 service retirement formula;
  - 2. The retirement allowance will be computed on the average of the employee's final three (3) years of compensation.
  
- B. For "Safety" employees hired on or after January 1, 2013 who are considered "New Members" within the meaning of PEPRA:
  - 1. Safety employees who are New Members will be provided with the 2.7% @ 57 service retirement formula;
  - 2. The retirement allowance will be computed on the average of the employee's final three (3) years of compensation.
  
- C. 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)
  - 1. Miscellaneous members hired prior to March 20, 2006 will be provided with the 2.5% @ 55, Tier One (1) service retirement formula;
  - 2. Miscellaneous members hired after March 20, 2006 will be provided with the 2% @ 55, Tier Two (2) service retirement formula;
  - 3. The retirement allowance will be computed on the highest one (1) year of compensation.
  
- D. For "Miscellaneous" employees hired on or after January 1, 2013 who are considered "New Members" within the meaning of PEPRA
  - 1. Miscellaneous members will be provided with the 2 % @ 62 service retirement formula;

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

Contribution to PERS:

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.

All Classic Members (as defined by PEPRA) will pay the full member contribution.

Long Term Disability: The City provides a Long Term Disability Insurance Program to each Executive Management 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 two percent (2%) of the employee's base salary. For example, if an employee earns \$50,000 base salary per year and contributes \$50 into their deferred compensation plan each pay period for a total of \$1300.00 annual contribution, the City will contribute \$1000.00 annually to the employee's deferred compensation plan. \$1000.00 is two 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.

Car Allowance: All Executive Management receive a car allowance of \$350.00 per month.

Bilingual Pay: A bilingual program provides those employees who are able to communicate effectively in Spanish, with a compensation of \$1300.00 annually (\$50.00 per pay period). Employee eligibility will be determined by the City Manager and the operational needs of the City.

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 obtained from the City Manager.

Any extra hours not used by the end of the calendar year would be carried over for ninety (90) days. If the employee does not use the hours by that date, they lose the carryover hours. The Holiday Leave Bank hours do not have a cash value.

The following days are 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 24
- Christmas Day - December 25
- New Year's Eve – December 31

Vacation Leave: Vacation Leave accrual is prorated hourly as earned. Executive Management employees may accumulate up to a maximum of three-hundred twenty (320) hours accrued Vacation Leave as of the end of the pay period that includes December 31 of each calendar year and any employee who has accrued the maximum amount of vacation will not accrue any more vacation until their balance is below three-hundred twenty (320) 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

1. All use of Vacation Leave must be approved by the City Manager. Use of Vacation Leave must be scheduled at such times as the City Manager finds most suitable after considering the wishes of the employee and the requirements of the Department. All requests for use of Vacation Leave must be approved by the City Manager in writing before the commencement of the requested use.
2. 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 City Manager.
3. If an employee transfers from one department within the City to another, the Vacation Leave credits are also transferred.

All Executive Management employees are required to take forty (40) hours of vacation leave in a twelve (12) month period (January – December).

Sick Leave: Sick leave hours no longer have cash value pursuant to the City's Personnel Rules and Regulations. Employees will not be subject to any maximum on sick leave accruals. Accumulated sick leave will be credited to employee's length of service upon retirement from the City of Santa Paula and will become a part of the calculation upon which PERS retirement benefits are established.

Administrative Leave: Executive Management accrues administrative leave on a bi-weekly basis at the rate of ninety (90) hours per year, and may carry a maximum of 60 hours into the following calendar year. Effective January 1, 2018, on January 1st of each year and on July 1st of each year, unit personnel will receive an Administrative Leave Bank of 45 hours paid at straight time to be used for Administrative Leave. Administrative leave has no cash value and is not paid out to terminating employees.

Vacation/Administrative 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

1. Employee must have taken a minimum of forty (40) hours of vacation leave during the period November 1st - October 31st prior to submitting the request.
2. Employee must maintain a minimum balance of 120 hours of vacation leave after submitting the request.

Employee must submit request form 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.

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

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 21<sup>th</sup> day of June 2023.

*for* *Jessie Cornejo*  
Andy Sobel, Mayor  
City of Santa Paula

ATTEST:

*Julie Latshaw*  
Julie Latshaw, City Clerk



APPROVED AS TO FORM:

*Monica Castillo*  
Monica Castillo, City Attorney (Interim)

APPROVED AS TO CONTENT:

*Dan Singer*  
Dan Singer  
City Manager

## 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. 7463 was dully passed and adopted by the City Council of the City of Santa Paula at the regular meeting thereof, held on the 21<sup>st</sup> 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




  
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JULIE LATSHAW, City Clerk



EXHIBIT "A"

**CITY OF SANTA PAULA  
EXECUTIVE MANAGEMENT**

POSITION TITLES

Assistant City Manager  
Community and Economic Development Director  
Finance Director  
Human Resources Administrator  
Chief Information Officer  
Parks and Recreation Director  
Police Chief  
Public Works Director