

RESOLUTION NO. 2016 –056

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN BUENAVENTURA PROVIDING FOR BENEFITS AND ADDITIONAL COMPENSATION FOR UNREPRESENTED EMPLOYEES IN SALARY SCHEDULES “E”, “M”, “C” AND “D” OF THE SALARY RESOLUTION FOR THE 2016-17 FISCAL YEAR AND RESCINDING RESOLUTION NO. 2016-046

BE IT RESOLVED by the Council of the City of San Buenaventura, as follows:

SECTION 1.0 - AUTHORITY. In accordance with the Charter of the City of San Buenaventura, Section 1002, the Council hereby provides for a standardization of benefits and additional compensation for unrepresented employees, specifically Executives (Salary Schedule “E”), Management (Salary Schedule “M”), Confidential (Salary Schedule “C”) and Police & Fire Recruits (Salary Schedule “D”). (See the currently adopted Salary Resolution for a listing of the specific classifications contained in each Salary Schedule.)

SECTION 2.0 - ESTABLISHMENT OF BENEFITS AND ADDITIONAL COMPENSATION FOR THE CITY MANAGER AND THE CITY ATTORNEY. The City Council may set the salary, benefits and other compensation elements of the City Manager and City Attorney by separate resolution or contract, which may incorporate, delete and or exceed benefits and additional compensation as contained in this Resolution. Pursuant to this Resolution, the City Manager and City Attorney shall also receive the benefits and compensation as designated for Salary Schedule “E,” unless specifically excluded by resolution or contract.

SECTION 3.0 - APPLICATION OF BENEFITS AND ADDITIONAL COMPENSATION. Benefits and additional compensation described herein apply to regular and probationary employees, hereinafter collectively referred to as “employees.” For purposes of this Resolution only, all at will (“exempt”) employees defined in Rule VI, Appointment, Section 1(d) of the Personnel Rules and Regulations shall be considered as “regular” employees. Eligibility for the benefits or additional compensation covered by this Resolution shall be designated by indicating the letter assigned to that Salary Schedule, e.g., Schedule “E”, or Schedule “M”, or Schedule “C”, or Schedule “D” and shall apply to employees in classifications assigned to that schedule. (See the adopted Salary Resolution for a listing of the specific classifications contained in each Salary Schedule.)

Grant Funded Positions: Only employees (except employees in temporary appointments as listed in the Personnel Rules and Regulations, Rule VI, Appointment, Section 1(c)) are entitled to fringe benefits and additional compensation. Employees in Temporary-Limited Term or Temporary-Extended Term appointments funded by grants may be eligible for vacation leave, sick leave, holiday leave, City contribution towards medical, dental, life and vision insurance premiums, and optional benefit accruals if the terms of the grant allow for provision of such benefits and to the extent that funds are

available in the grant to cover the full City cost of providing such benefits. The amount of such contribution and accruals shall be determined by the Salary Schedule to which the temporary grant-funded position is assigned. No other terms, conditions or benefits shall accrue to such grant-funded employees and the provision of any benefits shall not change their employment appointment from a temporary status.

Members of the City Council and members of appointive boards, commissions and committees, independent contractors and volunteers are not employees.

SECTION 4.0 - EFFECT OF REGULAR PART-TIME APPOINTMENTS ON BENEFITS OR ADDITIONAL COMPENSATION. Regular part-time employees are defined as those with a regular work schedule less than 72 hours per bi-weekly pay period.

Regular part-time employees who are eligible for vacation, sick leave, personal leave, and holiday benefits shall earn at a rate proportionate to their regular work hours and based upon the salary schedule in which they are covered. All regular part-time employees hired, or who transitioned to a regular part-time appointment after December 1, 1993, shall receive prorated City contribution towards optional benefit and insurance amounts and vehicle allowance based on the salary schedule in which they are covered. If an employee's regular work hours are between 40 and 59 hours per bi-weekly pay period, the City's contribution will be one-half of the full-time contributions. If an employee's regular work hours are between 60 and 71 hours per bi-weekly pay period, the City's contribution will be three-quarters of the full-time contribution.

SECTION 5.0 - RETIREMENT. For miscellaneous employees in Salary Schedules "E", "M", "C" and "D", retirement contributions will be made as follows:

A. Retirement Contributions:

1. For, "Classic Members" as defined by the Public Employees' Pension Reform Act of 2013 (PEPRA), the employee will contribute 7% of "member's earnings" as defined in the Public Employee's Retirement System law, into his/her retirement account.
2. For, "New Members" as defined by the Public Employee's Pension Reform Act of 2013 (PEPRA), the employee will contribute 6.25% of "member's earnings" as defined in the Public Employee's Retirement System law, into his/her retirement account.

B. Retirement Benefit Formulas/Benefits:

1. For, "Classic Members" as defined by the Public Employees' Pension Reform Act of 2013 (PEPRA):

- a. All employees who first became employed by the City *and* established CalPERS membership prior to July 23, 2011, will be enrolled in the Miscellaneous Tier I, 2% @ 55 Formula. Tier I includes a single highest year final compensation period, and Level IV 1959 Survivor Benefit.
- b. All employees who first became employed by the City after July 23, 2011 and prior to January 01, 2013, and for employees hired on or after January 01, 2013 who are considered "Classic Members" of CalPERS within the meaning of the Public Employees' Pension Reform Act of 2013 (PEPRA), will be enrolled in the Miscellaneous Tier II, 2% @ 60 Formula. Tier II includes an average three year final compensation period and a Level IV 1959 Survivor Benefit.

2. For, "New Members" as defined by the Public Employees; Pension Reform Act of 2013 (PEPRA):

- a. All employees who first became employed by the City and established CalPERS membership effective January 01, 2013 or later will be enrolled in the Miscellaneous Tier III, 2% @ 62 Formula. Tier III includes an average three year final compensation period and a Level IV 1959 Survivor Benefit.

For Fire safety employees in Salary Schedule "E" or "M" retirement contributions will be made at the same levels as outlined in the Memorandum of Understanding between the City of Ventura and the Ventura City Firefighters' Association.

For Police safety employees in Salary Schedule "E" retirement contributions will be made at the same levels as outlined in the Memorandum of Understanding between the City of Ventura and the Ventura Police Management Association.

SECTION 6.0 - DEFERRED COMPENSATION. This benefit shall only apply to deferred compensation plans offered through the City. The City will make contributions to deferred compensation in the method and amount as provided below:

Salary Schedule	Non-Matching Contribution per pay period	Matching Contribution per pay period
"E"	\$86.38	\$38.46
"M"	\$17.00	\$63.46
"C"	\$ 6.46	\$38.46

SECTION 7.0 - RETIREMENT HEALTH SAVINGS PLAN. The retirement health savings plan requires mandatory employee contributions by Salary Schedule of salary and/or leave payouts (which occur upon termination of employment) on a pre-tax basis to be used to help pay for health insurance costs when the employee is no longer working for the City.

For Salary Schedule “E”, the following employee salary contributions are mandatory based years of service:

Service Eligibility	Salary Contributions	Payout Contributions Upon Separation
Employees with less than 15 years of service:	1% contribution of base pay	100% of eligible sick leave payout
Employees with 15 or more years of service:	5% contribution of base pay	100% of eligible sick leave and 100% of eligible vacation leave payouts

No City contribution is made toward the cost of this plan. Further terms and conditions of the plan are set forth in the agreement between the City and the City’s designated plan administrator.

The Retirement Health Savings contributions for the City Manager and City Attorney will be governed by their respective employment contracts with the City.

SECTION 8.0 - CAR ALLOWANCE. Employees in Salary Schedule “E”, who are not assigned a City vehicle by the City Manager, shall receive a monthly allowance of \$350.00 per month subject to the limitations and restrictions of Administrative Regulations adopted by the City Manager. Employees in Salary Schedule “M”, who are not assigned a City vehicle by the appointing authority, shall receive a monthly allowance of \$250.00 per month subject to the limitations and restrictions of the Administrative Policy and Procedures approved by the City Manager.

SECTION 9.0 - MEDICAL AND DENTAL INSURANCE CONTRIBUTIONS. The City will provide a medical and dental contribution semi-monthly up to a maximum amount per active employee as follows. The exact amount of total City contribution per employee will depend on the insurance coverage selected by the employee and whether dependent coverage is selected by the individual employee under the medical insurance plan:

SALARY SCHEDULES “E” AND “M”

Maximum Medical/Dental	Employee Only	Employee + One	Family
	Semi-Monthly	Semi-Monthly	Semi-Monthly
<i>Current</i>	\$97.00	\$97.00	\$97.00
1 st full pay period following adoption or as soon thereafter as is practicable	\$103.00	\$160.00	\$272.50
2017 Plan Year	\$112.50	\$177.50	\$301.00
2018 Plan Year	\$120.00	\$196.50	\$332.50

SALARY SCHEDULE "C"

Maximum Medical/Dental	Employee Only	Employee + One	Family
	Semi-Monthly	Semi-Monthly	Semi-Monthly
<i>Current</i>	\$109.00	\$109.00	\$109.00
1 st full pay period following adoption or as soon thereafter as is practicable	\$109.00	\$166.00	\$278.50
2017 Plan Year	\$118.50	\$183.50	\$307.00
2018 Plan Year	\$126.00	\$202.50	\$338.50

SALARY SCHEDULE "D"

Maximum Medical/Dental	Employee Only	Employee + One	Family
	Semi-Monthly	Semi-Monthly	Semi-Monthly
<i>Current</i>	\$104.00	\$104.00	\$104.00
2017 Plan Year	\$113.50	\$178.50	\$302.00
2018 Plan Year	\$121.00	\$197.50	\$333.50

SECTION 10.0 - OPTIONAL BENEFIT PLAN. Employees in Schedules "E", "M", "C", and "D" shall be eligible to elect to apply a semi-monthly amount to a variety of optional benefits, including the option of receiving the same as cash. The options available under this plan shall be subject to the discretion and approval of the City Manager. The semi-monthly amounts shall be as provided below:

Salary Schedule "E"	\$274.50
Salary Schedule "M"	\$247.50
Salary Schedule "C"	\$241.50
Salary Schedule "D"	\$142.50

Employees in Salary Schedules "E", "M", and "C" who are hired after May 16, 2016 who elect to waive the City's medical insurance coverage by providing the City with proof of alternate group health insurance coverage, shall not be eligible to receive a cash payment of unused optional benefit dollars.

Employees in Salary Schedule "D" who are hired after August 01, 2016, who elect to waive the City's medical insurance coverage by providing the City with proof of alternate group health insurance coverage, shall not be eligible to receive a cash payment of unused optional benefit dollars.

SECTION 11.0 - VISION PLAN. For employees in Salary Schedules "E", "M", "C", and "D" the City shall provide a vision insurance plan for each employee and eligible dependents. The premiums for such plan will be paid by the City.

SECTION 12.0 - LIFE INSURANCE. For employees in Schedules "E", "M", and "C" the City shall contribute toward payment of term life insurance benefits an amount equal to the premium cost of one-times the employee's annual salary to the maximum limits per the applicable Schedule of Insurance (rounded up to the next \$1,000). For employees in Salary Schedule "D" the City shall contribute toward payment of term life insurance benefits an amount equal to the premium cost for \$10,000 of coverage. In addition the City will provide dependent life insurance for eligible dependents of each employee in an amount of \$2,000 per eligible dependent.

SECTION 13.0 - SHORT-TERM AND LONG-TERM DISABILITY. A Short-Term and Long-Term Disability Program will be provided to cover all employees in Salary Schedules "E", "M", and "C" subject to the provisions and limitations of the carrier. The premiums for such plan will be paid by the City.

SECTION 14.0 - PHYSICAL EXAMINATION. Employees in Schedules "E" and "M" shall be eligible for a complete physical examination subject to the limitations and restrictions of the Administrative Policy and Procedures approved by the City Manager.

SECTION 15.0 - CLOTHING ALLOWANCE. The Police Chief and Fire Chief shall be eligible for a \$550 per year clothing allowance for maintenance, repair and cleaning of City-provided uniforms and/or all equipment and wear and tear of prescribed items of clothing for plainclothes.

SECTION 16.0 - BILINGUAL PAY. Employees in Salary Schedules "C" and "M" in positions designated by the City, who demonstrate proficiency in a second language in accordance with policies approved by the City Manager, shall receive an additional \$25.00 per pay period.

SECTION 17.0 - FAIR LABOR STANDARDS ACT (FLSA) DESIGNATION. Employees in Salary Schedules "E" and "M" are designated as exempt under the provisions of FLSA. Employees in Salary Schedule "C" may be designated as exempt or non-exempt under the provisions of FLSA. Notwithstanding the above, employees may be eligible for compensatory time off or other overtime provisions as specifically provided for in this Resolution.

SECTION 18.0 - MINIMUM COMPENSATION FOR EMPLOYEES IN THE CONFIDENTIAL SALARY SCHEDULE. Employees in Salary Schedule "C" required to attend Council or Council-appointed advisory board or commission meetings which are held at other than regular working hours shall be paid at time-and-one-half their regular hourly rate with a minimum of two hours of pay for each meeting so attended.

SECTION 19.0 - CALLBACK PAY.

- A. Employees in Schedule "C" who are called to duty during an off-duty period shall be compensated at the overtime rate of one-and-one-half times the Fair Labor Standards Act (FLSA) Regular Rate of pay for reporting to work on a call-back for a minimum of two hours pay for each call back.

- B. Upon the request of the Department Head, the City Manager may, in exceptional cases such as floods, fires, or prolonged periods of state of emergency, when deemed appropriate, authorize in writing overtime compensation up to one-and-one-half times the base hourly pay rate for employees in Salary Schedules "M".

SECTION 20.0 - OVERTIME PAY. Except as provided in Section 18.0, non-exempt employees in Salary Schedule "C" who are required by their supervisor or other authorized person to work in excess of forty (40) hours in one Fair Labor Standards Act (FLSA) designated work period or more than their regularly scheduled hours in one day for full time employees, shall be compensated at one-and-one-half times the regular rate for such periods worked, or may receive compensatory time off at one-and-one-half times the number of hours worked, provided that such periods consist of at least one quarter (1/4) hour at any one time unless otherwise authorized by their Department Head. The foregoing provision shall not apply when the employee and the employee's supervisor agree that if the employee works in excess of the regular work shift, the employee may take off an amount of time equal to the hours worked in excess of the shift on another day within the designated work period without incurring overtime. No employee shall be allowed to accumulate more than sixty (60) hours of compensatory time. Accumulated compensatory time of 60 or less hours not taken off shall be paid out at the end of the calendar year or upon separation from employment whichever is sooner.

For those employees in Salary Schedule "D" who are required to work in excess of forty (40) hours in one Fair Labor Standards Act (FLSA) designated work period, he/she shall be compensated at one-and-one-half times the regular rate for such periods worked provided that such periods consist of at least one quarter (1/4) hour at any one time.

SECTION 21.0 - OUT OF CLASS PAY (ACTING APPOINTMENTS). The policy regarding acting appointments for employees covered by the Personnel Rules and Regulations in Schedules "M" and "C" is contained in the Personnel Rules and Regulations, as amended on June 10, 1991, which modified the maximum period of time an acting appointment may extend without Council approval from 180 days to 365 days.

SECTION 22.0 - VACATION LEAVE ACCRUALS. Vacation time shall be accrued in hourly amounts according to the following schedule:

Schedule "E":

<u>Years of Service</u>	<u>Hours Earned</u>	<u>Use & Payout</u>
Upon employment	<u>Semi-Monthly</u> 6.67 Hours	<u>Maximum</u> <u>Accrual</u> 400 Hours

At the end of seven (7) years and again at the end of twelve (12) years of City service in a position in Salary Schedule "E" (not years of City employment), employees in Salary Schedule "E" shall be granted an additional two weeks (80 hours) of vacation accrual for that year.

Schedule "M":

<u>Years of Service</u>	<u>Hours Earned Semi-Monthly</u>	<u>Use & Payout Maximum Accrual</u>
Less than 5	5.00 Hours	400 Hours
5 or more	6.67 Hours	400 Hours

Schedule "C":

<u>Years of Service</u>	<u>Hours Earned Semi-Monthly</u>	<u>Use & Payout Maximum Accrual</u>
Less than 3	4.33 Hours	400 Hours
3 but less than 5	4.67 Hours	400 Hours
5 but less than 7	5.33 Hours	400 Hours
7 but less than 10	6.00 Hours	400 Hours
10 or more	6.67 Hours	400 Hours

Schedule "D":

<u>Years of Service</u>	<u>Hours Earned Semi-Monthly</u>	<u>Use & Payout Maximum Accrual</u>
Less than 3	3.33 Hours	Accrued Bank of Hours

Annual vacation time is earned according to consecutive months of full-time service beginning with the employee's service date. The service date for vacation purposes will not change except when a new service date is assigned as in the case of a reinstatement.

SECTION 23.0 – VACATION LEAVE PAYOUT: The maximum vacation payout amount as noted above is available for payment only upon separation. Payment will be made at the hourly rate being earned at the time of separation. If a partial semi-monthly period of service is involved at the time of separation, the employee will receive credit for accrued vacation for that partial semi-monthly period based on the number of hours worked during that semi-monthly pay period.

SECTION 24.0 – ANNUAL VACATION LEAVE CASH OUT. If an employee in Salary Schedule "E" has taken 40 hours of vacation during the fiscal year beginning with the first pay period of the fiscal year (first pay period with a pay date in July), through the last pay period of the fiscal year (last pay period with a pay date in June), the employee is eligible to cash out up to 100 hours of accrued vacation in July each year. A request for vacation payout must be submitted no later than June 30th of each year. Payment will be deposited into eligible employee accounts on or about July 31st of each year.

If an employee in Salary Schedule "M" has used forty hours (40) of vacation leave during the prior fiscal year beginning with the first pay period of the fiscal year (first pay period with a date in July) through the last pay period of the fiscal year (last pay period with a pay date in June), a full-time employee may request to cash out up to eighty hours (80) of accrued vacation at their current hourly rate of pay in July of each year. A request for vacation payout must be submitted no later than June 30th of each year. Payment will be deposited into eligible employee accounts on or about July 31st of each year. An employee must have a minimum of eighty (80) hours of accrued vacation leave remaining in his/her bank after payment has been made, in order for the request to be processed. Part-time employees who are eligible to receive accrued vacation leave may cash out vacation leave on a pro-rated basis.

If an employee in Salary Schedule "C," after seven (7) years of continuous City service in a regular appointment and upon using forty (40) hours of vacation leave during the prior twelve (12) months (first pay period with a pay date in November through the last pay period with a pay date in October), a full-time employee may request to cash out up to sixty (60) hours of accrued vacation leave at their current hourly rate of pay. A request for vacation cash out must be submitted no later than November 15th of each calendar year. Payment will be deposited into eligible employee accounts on or about December 31st of each year. An employee must have a minimum of eighty (80) hours of accrued vacation leave remaining in his/her bank after payment has been made, in order for the request to be processed. Part-time employees who are eligible to receive accrued vacation leave may cash out vacation leave on a pro-rated basis.

SECTION 25.0 - SICK LEAVE ACCRUAL. Employees in Salary Schedules "E", "M" and "C" shall accrue sick leave as follows:

- A. A 96-hour bank will be given upon initial employment in lieu of an accrual for the first six months of employment.
- B. Upon the completion of six months of employment, sick leave will be accrued at the rate of two (2) hours semi-monthly up to a maximum accrual of 480 hours.
- C. Notwithstanding the foregoing, Safety management employees promoted into Salary Schedule "E" shall retain their sick leave balance and may accrue up to the maximum allowed under the Safety Management MOU in effect at the time of their promotion.

Employees in Salary Schedule "D" shall accrue at a rate of 4.0 hours semi-monthly.

SECTION 26.0 - SICK LEAVE PAYOUT. Employees in Salary Schedules "E", "M" and "C" shall, after ten (10) years of continuous City service, be eligible to receive an amount equivalent to 25% of their accrued sick leave upon resignation, or retirement from employment, or in the case of death, to the employee's beneficiary.

- A. Notwithstanding the foregoing, employees in Salary Schedule "E" shall, after twenty (20) years of continuous City service, be eligible to receive an amount equivalent to 50% of their accrued sick leave upon resignation, or retirement from employment, or in the case of death, to the employee's beneficiary.
- B. No payment of accrued sick leave shall be made to an employee who is discharged for cause.

SECTION 27.0 - HOLIDAYS

- A. Employees in Salary Schedules "E", "M" and "C" shall receive nine (9) hours of paid holiday leave per calendar year for each of the ten (10) holidays listed below:

Designated Holidays:

New Year's Day
Martin Luther King Holiday
Presidents' Birthday
Memorial Day
Independence Day
Labor Day
Veteran's Day
Thanksgiving Day
Day after Thanksgiving
Christmas Day

When a holiday falls on a Sunday, the following Monday shall be observed. If the holiday falls on a Saturday, the preceding Friday shall be observed. If a holiday falls on an employee's regularly scheduled time off, equivalent holiday time off shall be granted.

Regular holiday time shall be granted to all employees who work or are on paid leave the workday before and the workday after the holiday.

- B. Optional Holidays:

In addition to the ten (10) designated holidays listed above, each eligible employee shall be granted 18 hours of "optional holiday" time for a consecutive twelve-month period. Optional holiday hours will be available in an employee's holiday leave bank beginning with Pay Period 1 (first pay period with a pay date in January), through the last pay period of the year (last pay period with a pay date in December).

All holiday hours must be utilized by the end of the last pay period with a pay-date in December. There shall be no carryover of any holiday hours beyond this time period. Accrual of the "optional holiday" time shall be prorated for employees as follows:

Proration of Optional Holiday Hours

<u>Date Hired</u>	<u>Hours</u>
Pay Period 1- February 29	18
March 1 - April 30	15
May 1 - June 30	12
July 1 - August 31	9
September 1 - October 31	6
November 1 - November 30	3
December 1 – thru last Pay Period in Dec	0

C. Minimum Staffing Days:

Christmas Eve Day
New Year's Eve Day

When City offices are scheduled to be open on these days, they will be designated as minimum staffing days. Arrangements will be made to allow as many employees as possible to take off the designated days. A sufficient number of employees must work those days to provide adequate service levels in each department.

An employee's advance request to take time off on Minimum Staffing Days is subject to prior approval by the employee's supervisor, but shall not be unreasonably denied. Employees who are granted time off may utilize accrued Optional Holiday Leave, Vacation Leave, Administrative Leave, Compensatory Time Off, Personal Leave, or Leave Without Pay, as eligible.

D. Additional Holiday Provisions:

All holiday hours for a given calendar year must be utilized by the end of the last pay period with a pay-date in December. There shall be no carryover of any holiday hours beyond this time period.

Time off shall be requested in advance and is subject to prior approval by the employee's supervisor, but shall not be unreasonably denied.

E. Holiday Pay Provisions:

An employee in Schedule "C" who is scheduled by his/her supervisor to work on a legally designated holiday as specified above shall be compensated at the rate of time-and-one-half for hours worked on a holiday. In addition, the employee's holiday accrual for that holiday shall remain available for the employee to request another day off by the last pay-period with a pay date in December, subject to prior approval by the employee's supervisor.

F. Winter Holiday Hours:

For 2016, City offices will use minimal staffing for the period December 27, 2016 through December 29, 2016, and City facilities will be closed on Friday, December 30th. During this period (December 27, 2016 through December 30, 2016) employees may utilize Holiday Leave, Optional Holiday Leave, Vacation Leave, Administrative Leave, Compensatory Time Off, or Personal Leave, as eligible. Employees in Salary Schedules "E", "C" and "M" shall be granted an additional 18-hours of holiday time (prorated for part-time employees), which may be used during the holiday minimal staffing and closure period. The additional holiday time will be available in employee banks beginning December 17, 2016 through June 30, 2017. There shall be no carry over of the additional 18 holiday hours beyond June 30, 2017, and no payment upon separation from employment.

In future years, the City will make determinations and notify employees of minimal staffing days and holiday closures by no later than June 1st.

G. Salary Schedule "D":

Employees in Salary Schedule "D" will receive 5.0 hours of holiday leave semi-monthly. No hours will be carried over upon reassignment to a different salary schedule.

SECTION 28.0 - PERSONAL LEAVE. Employees in Salary Schedule "C" shall be granted personal leave as follows:

- A. Each year eligible employees shall be granted 27 hours of personal leave time for a consecutive twelve month period subject to sections B, C and D below. Personal leave will be available in an employee's personal leave bank beginning with Pay Period 1 (first pay period with a pay date in January), through the last pay period of the year (last pay period with a pay date in December).

All personal leave hours must be utilized by the last pay period with a pay date in December of each year. There shall be no carryover of any unused personal leave hours beyond this time period. No payment for unused personal leave hours shall be made.

- B. Time off shall be requested in advance and is subject to prior approval by the employee's supervisor. Scheduling and approval shall be subject to the primary needs of overall Department operations.
- C. New employees will be credited with a prorated amount of personal leave hours according to the table below:

Proration of Personal Leave Hours

<u>Date Hired</u>	<u>Hours</u>
Pay period 1 – Feb. 29	27
March 1 – April 30	22.5
May 1 – June 30	18
July 1 – August 31	13.5
Sept. 1 – Oct. 31	9
Nov. 1 – Nov. 30	4.5
Dec. 1 – last pay period paid in Dec.	0

SECTION 29.0 - ADMINISTRATIVE LEAVE. The City Manager may grant up to 80 hours of paid administrative leave per fiscal year to Department Heads in Salary Schedule "E". Department Heads or the City Attorney (in the case of attorney classifications) may grant up to 80 hours of paid administrative leave per fiscal year to employees in Schedule "M". Administrative leave will be available in an employee's administrative leave bank beginning with the first pay period of the fiscal year (first pay period with a pay date in July). All such administrative leave must be taken by the end of the last pay period of the fiscal year (last pay period with a pay date in June). There shall be no carry over unless authorized by the City Manager. No payment for unused days shall be made upon termination.

Administrative leave with pay may also be granted to cover short periods of absence (less than a full day) for which no accrued leave time is available for employees in Schedules "E" and "M".

SECTION 30.0 - TUITION REIMBURSEMENT. Employees in Salary Schedules "E", "M" and "C" shall be entitled to tuition reimbursement for approved courses subject to the limitations and restrictions of the Administrative Policy and Procedures approved by the City Manager.

SECTION 31.0 - RELOCATION ASSISTANCE. In those cases where it is deemed to be in the best interest of the City in competing in the labor market and as an essential motivating force necessary to ensure the recruitment of qualified and competent employees in Salary Schedules "E" and "M" or other hard to recruit for classifications as recommended by the Human Resources Director and approved by the City Manager, and upon notification to the City Council, the City Manager (or the City Attorney in the case of attorney classifications) may authorize relocation assistance for such employees. Said relocation assistance shall be made available upon the following terms and conditions, not inconsistent with the following, which may be deemed reasonable by the City Manager (or the City Attorney in the case of attorney classifications):

- A. Any such relocation assistance shall constitute a benefit of employment in consideration for the employee's services, to be evidenced by a separate written agreement entered into at or near the time of initial appointment.
- B. The need for such assistance shall be reviewed on a case-by-case basis and is not to be deemed available as a right. In addition, the terms of each relocation assistance plan shall be negotiated based on the circumstances surrounding the appointment of such employee.

Further, it is expressly agreed that nothing contained herein shall be construed to provide a contract of employment. The City continues to maintain its sole discretion to terminate an employee's employment at any time and if the employee is covered by the City's Personnel Merit System any such termination shall be pursuant to applicable rules and regulations. The exercise of termination authority by the City shall not establish a cause of action for any money damages due to a loss of the relocation assistance authorized by any assistance agreement.

SECTION 32.0 - EMPLOYER ASSISTED HOUSING PROGRAM (EAHP). This program is administered in accordance with the Loan Underwriting Guidelines – Second Mortgage Loan, Equity Share Loan and accompanying documents and Agreements for the Employer Assisted Housing Program as authorized per City Council Resolution No. 2007-045. On May 21, 2012 this program was suspended indefinitely as authorized per City Council Resolution No. 2012-033.

SECTION 33.0 - LAYOFF SEVERANCE BENEFIT PACKAGE. Employees who are laid off will be offered the following severance package subject to the terms of a Release and Waiver Agreement:

- A. **Severance Pay Benefit.** Cash payment equal to one (1) week of salary for each year of service, plus one additional week with a maximum benefit of thirteen (13) weeks of salary. A partial year of service will be rounded up to the next whole year.

- B. **Health Insurance Benefit.** A cash payment equal to twelve (12) months of the average monthly Optional Benefit Cash provided to all employees, to allow for continuation of health insurance coverage.

Employees in Salary Schedule "E", "M" and "C" hired after May 16, 2016 who elect to waive the City's medical insurance coverage by providing the City with proof of alternate group health insurance coverage, will not be eligible to receive this cash benefit.

Employees in Salary Schedule "D" hired after August 01, 2016, who elect to waive the City's medical insurance coverage by providing the City with proof of alternate group health insurance coverage, will not be eligible to receive this cash benefit.

- C. **Outplacement Services.** The City will provide one (1) month of access to professional outplacement services.

SECTION 34.0 - CITY RIGHTS. The rights of the City include, but are not limited to, the exclusive right to determine the mission of its constituent departments, commissions and boards; set standards of service; determine the procedures and standards of selection for employment and promotion; direct its employees; take disciplinary action; relieve its employees from duty because of lack of work or for other legitimate reasons; maintain the efficiency of governmental operations; determine the methods, means and personnel by which government operations are to be conducted; contract out work and transfer work out of the unit; determine the content of job classifications; take all necessary actions to carry out its mission in emergencies; and exercise complete control and discretion over its organization and the technology of performing its work provided, however, that the exercise and retention of such rights does not preclude employees or their representatives from meeting and conferring over the practical consequences that decisions on these matters may have on wages, hours, and other terms and conditions of employment.

SECTION 35.0 - APPROVAL. By adoption of this Resolution, the Council approves the benefits and additional compensation set forth in this Resolution. Interim changes in benefits and additional compensation made by the City Manager, if they are or were within budgeted funds, and if deemed necessary by the City Manager, shall have interim approval until such time as a new Resolution is approved by the City Council. All references made herein to the City Manager shall also apply to the City Attorney in cases of City Attorney classifications or City Attorney staff.

SECTION 36.0 - DELEGATION OF AUTHORITY. When the term City Manager is used in this Resolution, it includes a delegate thereof, if the delegation is in writing and on file with the Human Resources Office.

SECTION 37.0 - SEVERABILITY. If any portion of this Resolution is declared invalid, the remaining sections or portions are to be considered valid and unaffected by the determination of invalidity.

PASSED AND ADOPTED this 14 day of November, 2016.



Erik Nasarenko, Mayor

ATTEST:



Antoinette Mann, City Clerk

APPROVED AS TO FORM:
Gregory G. Diaz, City Attorney



By Andy H. Viets, Senior Assistant City Attorney

**EXHIBIT A
BENEFITS RESOLUTION
INDEX**

SECTION 1.0	AUTHORITY
SECTION 2.0	ESTABLISHMENT OF BENEFITS AND ADDITIONAL COMPENSATION FOR THE CITY MANAGER AND THE CITY ATTORNEY
SECTION 3.0	APPLICATION OF BENEFITS AND ADDITIONAL COMPENSATION
SECTION 4.0	EFFECT OF REGULAR PART-TIME APPOINTMENTS
SECTION 5.0	RETIREMENT CONTRIBUTIONS
SECTION 6.0	DEFERRED COMPENSATION
SECTION 7.0	RETIREMENT HEALTH SAVINGS PLAN
SECTION 8.0	CAR ALLOWANCE
SECTION 9.0	MEDICAL AND DENTAL INSURANCE CONTRIBUTIONS
SECTION 10.0	OPTIONAL BENEFIT PLAN
SECTION 11.0	VISION PLAN
SECTION 12.0	LIFE PLAN
SECTION 13.0	SHORT-TERM AND LONG-TERM DISABILITY
SECTION 14.0	PHYSICAL EXAMINATION
SECTION 15.0	CLOTHING ALLOWANCE
SECTION 16.0	BILINGUAL PAY
SECTION 17.0	FAIR LABOR STANDARDS ACT (FLSA) DESIGNATION
SECTION 18.0	MINIMUM COMPENSATION FOR EMPLOYEES IN THE CONFIDENTIAL SALARY SCHEDULE
SECTION 19.0	CALLBACK PAY
SECTION 20.0	OVERTIME PAY
SECTION 21.0	OUT OF CLASS PAY (ACTING APPOINTMENTS)
SECTION 22.0	VACATION LEAVE ACCRUAL
SECTION 23.0	VACATION LEAVE PAYOUT

SECTION 24.0	ANNUAL VACATION LEAVE CASH OUT
SECTION 25.0	SICK LEAVE ACCRUAL
SECTION 26.0	SICK LEAVE PAYOUT
SECTION 27.0	HOLIDAYS AND WINTER SHUTDOWN
SECTION 28.0	PERSONAL LEAVE
SECTION 29.0	ADMINISTRATIVE LEAVE
SECTION 30.0	TUITION REIMBURSEMENT
SECTION 31.0	RELOCATION ASSISTANCE
SECTION 32.0	EMPLOYER ASSISTED HOUSING PROGRAM (EAHP)
SECTION 33.0	LAYOFF SEVERANCE BENEFIT PACKAGE
SECTION 34.0	CITY RIGHTS
SECTION 35.0	APPROVAL
SECTION 36.0	DELEGATION OF AUTHORITY
SECTION 37.0	SEVERABILITY
EXHIBIT A	INDEX

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF VENTURA) SS.
CITY OF SAN BUENAVENTURA)

I, ANTOINETTE M. MANN, City Clerk of the City of San Buenaventura, DO HEREBY CERTIFY that the foregoing is a full, true, and correct copy of Resolution No. 2016-056 which was duly and regularly passed and adopted by said City Council at a regular meeting held November 14, 2016, by the following vote:

AYES: Councilmembers Morehouse, Weir, Tracy, Heitmann,
 Monahan, Deputy Mayor Andrews and Mayor Nasarenko

NOES: None

ABSENT: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Buenaventura, California.

Antoinette M Mann
Antoinette M. Mann, City Clerk
City of San Buenaventura, California

November 15, 2016
Date Attested

