

**RESOLUTION NO. 15330**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN RAFAEL ESTABLISHING A SALARY AND BENEFIT PLAN FOR UNREPRESENTED EXEMPT FIXED-TERM EMPLOYEES**

**WHEREAS**, it is the intent of the City of San Rafael to compensate Unrepresented Exempt Fixed-Term Employees at a rate of pay similar to that of regular or comparable employees performing like work; and

**WHEREAS**, there is a need to update benefits and apply salary adjustments to the City's Unrepresented Exempt Fixed-Term classifications; and adopt an Unrepresented Exempt Fixed-Term Employees Salary and Benefit Plan; and

**WHEREAS**, the salary and benefit plan would replace the salary and benefits previously approved by the City Council pursuant to Resolution No. 15020;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of San Rafael as follows:

- (1) That Resolution No. 15020 is rescinded;
- (2) That the salary and benefit information reflected in the Unrepresented Exempt Fixed-Term Employee Salary and Benefit Plan are effective July 1, 2024;
- (3) That the Unrepresented Exempt Fixed-Term Employees Salary and Benefit Plan attached as Exhibit "A" hereto, including the Salary Schedule effective July 1, 2024, attached hereto as Exhibit "B", are adopted for the classifications identified therein;
- (4) That FLSA Unrepresented Exempt Fixed-Term Employees covered by the foregoing Salary and Benefit Plan shall be paid on a salaried basis, at the salary established in the aforementioned salary schedule; and
- (5) The City Manager is hereby authorized to enter into employment agreements in accordance with the Unrepresented Exempt Fixed-Term Employees Salary and Benefit Plan.

I, Lindsay Lara, Clerk of the City of San Rafael, hereby certify that the foregoing Resolution was duly and regularly introduced and adopted at a regular meeting of the Council of said City on Monday, the 15<sup>th</sup> day of July 2024, by the following vote, to wit:

AYES: Councilmembers: Bushey, Kertz & Mayor Kate

NOES: Councilmembers: None

ABSENT: Councilmembers: Hill & Llorens Gulati



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Lindsay Lara, City Clerk

**UNREPRESENTED EXEMPT FIXED-TERM EMPLOYEES  
SALARY AND BENEFIT PLAN**

**DEFINITION**

Unrepresented Exempt Fixed-Term employees serve important roles in supporting City business. These positions perform job duties and provide city services that are outside of the regular classified services. All positions covered by this resolution are at-will and as such serve at the pleasure of the appointing authority and may be removed at any time without cause and without right of appeal. Unrepresented Exempt Fixed-Term employees who wish to secure a regular position with the City must compete in the applicable recruitment and examination process for any such regular position.

**Unrepresented Exempt Fixed-Term**

Unrepresented Exempt Fixed-Term is an appointment of an employee to an allocated and fixed-term position that will be needed longer than six months and with an expected end date. Unrepresented Exempt Fixed-Term positions are established due to limits on grant funding or other known limits to the position's duration and are not subject to a limit on working hours. Employees appointed to Unrepresented Exempt Fixed-Term appointments must accept the position with the understanding that continued appointment is contingent upon grant funds and job performance. Unrepresented Exempt Fixed-Term appointments may be made for up to a three-year period and may be extended by approval of the City Manager.

**SALARY, BENEFITS, WORK HOURS, AND CLASSIFICATION**

**Rate of Pay**

It is the intent of the City of San Rafael to compensate Unrepresented Exempt Fixed-Term employees at a rate of pay similar to that of regular employees performing like work. The hourly rate is based upon the level of duties performed. The attached Unrepresented Exempt Fixed-Term Salary Schedule lists the rates of pay for each position.

Effective July 1 of each fiscal year, such Salary Schedule may be adjusted by the City Manager to a rate of pay similar to that of regular or comparable employees performing like work, provided that the City Manager has made a determination that the salary schedule adjustment will be fiscally prudent under projected budget conditions. Such compensation may also be adjusted as necessary to comply with State Minimum Wage requirements.

**Benefits for Unrepresented Exempt Fixed-Term employees**

Unrepresented Exempt Fixed term employees shall receive the following benefits:

PARS retirement: employer contribution of 3.75% and employee contribution of 3.75% of their salary to the retirement plan.

Sick Leave: twelve (12) days of paid sick leave per year shall accrue each year. Accrued sick leave will not be paid out to the employee upon termination.

Vacation: ten (10) days of paid vacation per year. An Unrepresented Exempt Fixed-Term employee may accrue a maximum of 200 hours of vacation. Unused accrued vacation leave will be paid out to the employee upon termination.

Holidays: twelve (12) designated holidays and one (1) floating holidays per calendar year. The

hours for the floating holidays are automatically added to an employees' vacation accrual on a semi-annual basis.

Administrative Leave: ten (10) Administrative Leave days (75 hours) each calendar year subject to the approval of the Department Director and the City Manager. Unused Administrative Leave shall not carry over from one calendar year to the next, nor shall unused Administrative Leave balances be paid upon termination.

Full-flex cafeteria plan: Unrepresented Exempt Fixed-Term employees are eligible to participate in the City's full flex cafeteria plan and shall receive a monthly flex dollar allowance to purchase benefits under the full flex cafeteria plan. The monthly flex dollar allowance effective the paycheck of December 15, 2024, shall be::

For employee only:	\$950.00
For employee and one dependent:	\$1,900.00
For employee and two or more dependents:	\$2,400.00

Dental Insurance: The City shall pay dental premiums on behalf of the employee and eligible dependents.

Vision Plan: The City will pay for a vision plan for "employee plus dependent" vision benefits.

Car Allowance: A monthly car allowance of \$350 or use of a city car in lieu of a monthly car allowance may be authorized at the discretion of the City Manager.

In recognition of exempt status under FLSA, time off for Vacation, Sick Leave, and Administrative leave purposes shall not be deducted from an Unrepresented Exempt Fixed-Term employee leave accrual unless the employee is absent for the full work day.

### **Additional Leave Benefits**

#### **Bereavement Leave**

Employees are eligible for statutory bereavement leave if they have been employed for at least thirty (30) days before the leave commences. Up to five (5) days of bereavement leave may be taken for the death of a family member, which means a spouse, child, parent, sibling, grandparent, grandchild, domestic partner, or parent-in-law. The bereavement leave must be completed within three (3) months of the date of death, but need not be taken consecutively. Employees with accrued leave balances may use that time for bereavement leave. The above bereavement clause shall also apply in the event of a reproductive loss for an employee. The City agrees to maintain employee confidentiality related to the reproductive loss leave.

#### **Work Week and Overtime**

The work week period is defined as Sunday at 12:01am to the following Saturday at 11:59pm. The regular work week for full-time Unrepresented Exempt Fixed-Term positions is thirty-seven and one-half (37.5) hours. For full-time Unrepresented Exempt Fixed-Term positions in the Police department, the regular work week is forty (40) hours.

Unrepresented Exempt Fixed-Term employees are not eligible for overtime pay.

#### **Classification**

Following is a list of the positions covered by this resolution. Department Directors may appoint from

one of these positions at any point in the salary range based on the qualifications of the person filling the Unrepresented Exempt Fixed-Term position.

### **Unrepresented Exempt Fixed-Term Job Descriptions**

#### **Advanced Professional Fixed -Term (exempt)**

Typically performs specialized professional work of greater complexity and more autonomy than the Professional Temp position. Responsibilities of an advanced professional temp are similar to those of a management position and may involve supervision. The terms of this resolution shall only apply to the Senior Human Resources Analyst (Advanced Professional Fixed-Term).

#### **Executive Professional Fixed Term (Exempt)**

Directs, plans, and coordinates City activities and are responsible for devising policies and strategies to meet the goals and objectives of the City. Oversee budgetary activities. Consult, interact with other high-level staff, City Council, and various local agencies. Negotiate or approve contracts and agreements. May have direct supervision over staff. Ability to travel to attend meetings and conferences.

#### **Project Manager Fixed Term (exempt)**

Performs highly responsible, complex, and varied professional administrative and analytical work in the planning, organization, implementation and oversight of City projects of defined duration, physical scale, budget, and community impact; conducts analysis of operational needs and strategic planning, productivity studies, and other complex analyses; participates in the review of plans for city facilities, municipal building construction or public works projects; escalates issues as required, facilitates higher level decision making, and authorizes change orders to keep construction moving; and serves as liaison with the department heads, community organizations, and other agencies.

**Exempt Fixed-Term Salary Schedule**  
**Effective July 1, 2024**

Grade	Job Title	A	B	C	D	E	F	G	H	I	J
9917	<i>Advanced Professional Temp</i>	\$ 8,250	\$ 8,662	\$ 9,096	\$ 9,550	\$ 10,028	\$ 10,529	\$ 11,056	\$ 11,609	\$ 12,189	\$ 12,798
9919	<i>Executive Professional Temp</i>	\$ 11,137	\$ 11,694	\$ 12,279	\$ 12,893	\$ 13,538	\$ 14,215	\$ 14,925	\$ 15,672	\$ 16,455	\$ 17,278
2133	<i>Project Manager</i>	\$ 6,498	\$ 6,823	\$ 7,164	\$ 7,523	\$ 7,899	\$ 8,294	\$ 8,708	\$ 9,144	\$ 9,601	\$ 10,081