

City of Sonoma

RESOLUTION #55-2019

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONOMA
ADOPTING TERMS AND CONDITIONS OF EMPLOYMENT FOR
NON-REPRESENTED
EXECUTIVE, MANAGEMENT/ADMINISTRATIVE, AND CONFIDENTIAL
PERSONNEL**

WHEREAS, the City Council of the City of Sonoma wishes to establish terms and conditions of employment for Executive/At-Will, Management, Administrative and Non-Represented Confidential personnel; and

WHEREAS, the Non-Represented Executive, Management/Administrative and Confidential personnel shall consist of the following job classifications:

Executive	Management/Administrative	Confidential
Assistant City Manager / Administrative Services Director	Deputy City Manager	Accountant
Development Services Director / Building Official	Finance Director	
Public Works Director / City Engineer	Public Works Operations Manager	
Planning & Community Services Director	Public Works Administrative & Project Manager	
	City Clerk / Executive Assistant	
	Deputy Finance Director	
	Administrative Services Manager	
	Senior Management Analyst	
	Senior Planner	
	Accounting Manager	

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. Non-Represented Confidential Personnel

The terms and conditions of employment for Non-Represented Confidential personnel [Accountant] shall be the same as the terms and conditions of employment established for positions represented by the Sonoma Employees Association/SEIU Local 1021 and the current Salary Resolution of the City of Sonoma shall accurately reflect the salaries of all Non-Represented Confidential employees.

Section 2. Executive, Management//Administrative Personnel

The Salary Resolution of the City of Sonoma shall accurately reflect the salaries of all Non-Represented employees. The terms and conditions of employment for Executive/At-Will, Management and Administrative personnel shall be as follows:

A. SALARY

1. Effective the first full pay period following ratification, all employees will receive a salary increase of three and one-half percent (3.5%).
2. Effective July 1, 2020, the salary schedule shall be improved by three percent (3%).
3. Effective July 1, 2021, the salary schedule shall be improved by two and one-half percent (2.5%).
4. A one-time off-schedule payment of \$400 per employee as part of the wage increase as soon as reasonably possible following ratification.
5. A one-time off-schedule payment of \$2,600 for each Non-Represented Executive/At-Will, Management and Administrative Personnel, hired prior to July 1, 2019, in recognition of all the extra hours spent during the last two years, above and beyond what would normally be required, and the resulting extraordinary accomplishments.

B. OVERTIME

This section shall apply only to employees holding the positions of Accountant and any future confidential positions but not to positions in the "Executive" or "Management/Administrative" group.

The Accountant shall be paid overtime at the rate of time and one-half (1.5) their regular rate of pay. All overtime shall be recorded and paid on the basis of fifteen (15) minute increments.

C. LONGEVITY

The City agrees to provide longevity pay to all employees covered by this Resolution as follows:

1. two and one-half percent (2.5%) of base pay at the commencement of the sixth (6th) year; and
2. two and one-half percent (2.5%) of base pay at the commencement of the eleventh (11th) consecutive year.

D. RECOGNITION FOR COMPLETION OF SPECIAL PROJECTS/ ACCOMPLISHMENTS (Incentive Award or Recognition Award)

The City Manager has the authority to provide an incentive or recognition award to an employee or a team of employees for performance above and beyond expectations. The City Manager also has the authority to provide additional leave time to an employee or

team of employees in recognition of outstanding performance. Any monetary incentive or recognition award is separate from any annual adjustment or award. Individual Department Directors, with the approval of the City Manager, have the authority to provide recognition to an employee or team of employees for performance above and beyond expectations. Recognition may be in the form of additional leave time. Any incentive or recognition award is separate from the annual adjustment or award.

E. RETIREMENT

1. Classic:

Employees covered by this Resolution who were hired on or before December 31, 2012, and those who are not deemed "New Members" are considered "Classic" employees by the California Public Employees Retirement Systems (CalPERS) and shall be eligible for the 2% at age 55 CalPERS benefit formula with the highest single year provision for all represented employees. These employees shall also be provided the sick leave conversion benefit and the 1959 survivor's benefit as defined in the PERS handbook.

- a. Employees eligible for the CalPERS 2% at age 55 retirement formula shall pay 7% of salary to fund the **employee share** of the pension.
- b. Effective the first full pay period following January 1, 2017, employees eligible for the CalPERS 2% at age 55 retirement formula shall contribute an additional one percent (1%) of PERS-able compensation toward the City's cost of pension benefits for a total of eight percent (8%) contribution.
- c. Effective the first full pay period following ratification, employees eligible for the CalPERS 2% at age 55 retirement formula shall contribute an additional one-half percent (0.5%) of PERS-able compensation toward the City's cost of pension benefits for a total of eight and one-half percent (8.5%) contribution.

2. New Members:

Employees who were hired on or after January 1, 2013 are subject to provisions of the Public Employee Pension Reform Act of 2013 ("PEPRA"), Assembly Bill No. 340 and Government Code 7522.02. PEPRA provides the following:

- a. A new defined benefit formula of two percent (2%) at age sixty-two (62) for employees who first become members of CalPERS on or after January 1, 2013.
- b. The final compensation based on the employee's highest annual compensation earnable averaged over a consecutive 36-month period.
- c. Employees subject to PEPRA provisions shall contribute fifty percent (50%) of the total annual normal cost of their pension benefit to the pension plan as determined by the City's CalPERS actuary.
- d. Effective the first full pay period following January 1, 2017, employees subject to PEPRA provisions shall contribute an additional one percent (1%) of PERS-able compensation toward the City's cost of pension benefits

for a total of one percent (1%) contribution to CalPERS in addition to half the normal cost as described in 2.c.

- e. Effective the first full pay period following ratification, employees subject to PEPRA provisions shall contribute an additional one-half percent (0.5%) of PERS-able compensation toward the City's cost of pension benefits for a total of one and one-half percent (1.5%) contribution to CalPERS in addition to half the normal cost as described in 2.c.

3. Employee contributions to CalPERS described above shall be made through payroll deductions with state and federal income tax on the contribution deferred to the extent permitted by Internal Revenue Code, 26 USC Section 414(h)(2).

F. SICK LEAVE

Sick leave shall be available and administered according to the rules, regulations and policies outlined in the SEIU MOU.

G. VACATION

Vacation leave shall be available and administered according to the rules, regulations and policies outlined in the SEIU MOU.

In addition, employees may request and receive payment at the base hourly rate for up to forty (40) hours of accrued vacation on an annual basis, provided that the employee has a minimum remaining vacation balance of eighty (80) hours following payment. An employee wishing to sell back vacation will enter on his/her time card the appropriate number of hours the employee wants to sell back. The sellback of vacation hours will be paid on a separate check apart from regular pay. Pay out on the sell back hours will be paid with the following paycheck. The vacation sell back option is only available once a fiscal year for each employee.

H. ADMINISTRATIVE LEAVE

1. The following classifications shall be entitled to eighty (80) hours of Administrative Leave: Assistant City Manager/Administrative Services Director, Finance Director, City Clerk/Executive Assistant, Development Services Director/Building Official, Planning and Community Services Director, Senior Planner and Public Works Director/Engineer.
2. The following classification shall be entitled to sixty-four (64) hours of Administrative Leave: Deputy City Manager, Administrative Services Manager, Deputy Finance Director, Accounting Manager, Public Works Administrative and Project Manager, Public Works Operations Manager and Senior Management Analyst.
3. The Accountant Position shall not receive Administrative Leave due to the provision for Overtime pay.
4. Administrative Leave days will be available on the first day of July of each year.
5. Administrative Leave shall not accrue and will not be compensable under any circumstances.

I. SCHEDULING PAID LEAVE

Scheduling leave shall be done in accordance with established City Personnel Policies.

J. HOLIDAYS

Holidays shall be available and administered according to the rules, regulations and policies outlined in the SEIU MOU.

K. JURY DUTY LEAVE

Jury Duty Leave shall not exceed two (2) work weeks per year for service on a trial jury. Greater jury duty benefits may be awarded by the City Manager on a case-by-case basis.

L. BEREAVEMENT LEAVE

Three (3) days of paid bereavement leave shall be provided in the event of the death of a parent, parent-in-law, child / step-child, spouse / registered domestic partner, sibling, grandparent or grandchild. Greater bereavement benefits may be awarded by the City Manager on a case-by-case basis.

M. HEALTH RELATED INSURANCE

Employees shall be entitled to all health-related insurance coverage afforded to SEIU unit member City employees and in addition shall be provided with life insurance in the amount of One Hundred Thousand Dollars (\$100,000.00). If employees elect medical, dental or vision coverage other than the group plans offered by City, City shall pay the premium on those plans, up to the amount currently paid by the City for Blue Cross medical and REMIF dental and vision.

Effective upon ratification the City agrees to pay a maximum dollar amount towards the health premium for employee and dependents as follows:

Employee = \$632.00
Employee Plus 1 = \$1,208.00
Employee Plus 2 or more = \$1,727.00

Effective July 2020 and July 2021, the Parties shall cost share increases in premiums not to exceed a 6% increase over the prior year. The City shall cover 2/3rds and the Employee will cover 1/3rd of the premium increase. The City's maximum contribution shall not exceed 4% in any one year. All premium increases in excess of 6% shall be borne by the Employee.

In Lieu of Medical:

1. Any employee employed prior to July 1, 2019 may receive, if requested, a payment in lieu of medical insurance equal to fifty percent (50%) of the City's contribution.
2. Any employee employed on or after July 1, 2019 may, if requested, receive Three Hundred Dollars (\$300.00) per month in lieu of medical, if the employee provides proof of coverage under an alternate policy.

3. Provided the employee has proof of comparable insurance, he/she may receive dollars in lieu of medical as set forth below.
4. Payments will be made on a monthly basis.

N. DEFERRED COMPENSATION

The City shall contribute Twenty-Five Dollars (\$25.00) per pay period on behalf of each employee. The Twenty-Five Dollar (\$25.00) contribution is being made on behalf of the employee and does not require an additional Twenty-Five Dollar (\$25.00) contribution by the employee.

O. AT-WILL EMPLOYMENT

City of Sonoma Resolution 73-81, Section 6, is hereby amended to exclude "Executive" classified employees from Competitive Service. Executive Employees hired prior to May 2017, are grandfathered and are not subject to this provision.

Nothing in this Resolution shall prevent, limit or otherwise interfere with the right of the City to terminate employment of an employee, with or without cause.

P. EXECUTIVE STAFF/AT-WILL SEVERANCE PACKAGES

Executive classified employees are entitled to a severance package if they are terminated from their position by the City, unless the termination is the result of criminal activity or behavior. Executive employees will receive a six (6) month severance package (base salary only).

Q. LAY-OFF POLICY

If an employee is laid off during the initial term of this Resolution, the City shall provide:

1. three (3) month's severance pay; and
2. ninety (90) days of medical insurance coverage.

R. RULES AND REGULATIONS

City of Sonoma Personnel Resolution No. 73-81 (and any subsequent revisions) is incorporated herein and, by reference, is binding except where in conflict with State or Federal law.

S. PROBATION

Personnel covered by this resolution will be subject, upon hire, to a probationary period equivalent to one year.

T. TERM

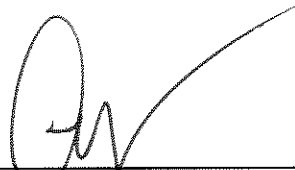
The term of this Resolution shall be July 1, 2019 through and including June 30, 2022.

U. CITY CLASSIFICATION PLAN AND COMPENSATION STUDY

During the term of the agreement, the City intends to begin the process to review and update the job descriptions for all positions in City service including performing a total compensation study twelve (12) months prior to contract term.

PASSED AND ADOPTED at a Regular Meeting of the City Council on October 21, 2019.

AYES:	AGRIMONTI, HARVEY, HUNDLEY, HARRINGTON
NOES:	NONE
ABSENT:	NONE
ABSTAIN:	COOK



Amy Harrington, Mayor



Rebekah Barr, MMC, City Clerk