

# Agenda Report

**DATE:** May 9, 2005

**TO:** CITY COUNCIL

**FROM:** CITY MANAGER

**RE:** ADOPTION OF A RESOLUTION AMENDING THE SALARY RESOLUTION TO ESTABLISH CONTROL RATES FOR THE NEW CLASSIFICATIONS OF DEPUTY POLICE CHIEF AND SENIOR ASSISTANT CITY ATTORNEY

## **RECOMMENDATION**

It is recommended that the City Council adopt the attached Resolution amending the Salary Resolution to establish a Control Rate for the classification of Senior Assistant City Attorney effective November 22, 2004; and establish a Control Rate for the classification of Deputy Police Chief effective April 5, 2004.

## **BACKGROUND**

The City Council establishes by Resolution salaries and benefits for classifications which are not represented by a union. The City Council may amend the Salary Resolution from time to time as appropriate to reflect modifications to the position classification structure.

The attached Resolution retroactively establishes Control Rates for two classifications, Deputy Police Chief and Senior Assistant City Attorney. Under the current Salary Resolution, the function of deputy police chief is assigned to an individual in the rank of Police Commander, who receives assignment pay for this additional responsibility. In November 2004, the City Council established a similar assignment pay for the Assistant City Attorney assigned to take a lead role in the Civil Section of the City Attorney's Office. In the past, the California Public Employees Retirement System (CalPERS) has treated this type of assignment pay as compensation when calculating retirement benefits. In the past several months, however, CalPERS has taken the position that such assignment pay is not considered compensation for retirement calculation purposes, thus significantly impacting the retirement benefits for individuals assigned to these functions.

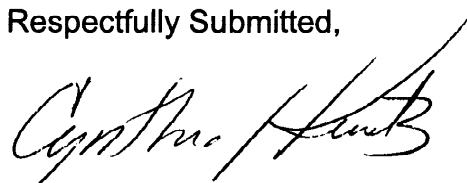
This action will turn the assignments of Deputy Police Chief and Senior Assistant City Attorney into classifications with defined salary Control Rates. Compensation previously paid as assignment pay will be retroactively converted into base salary, thereby ensuring that retirement benefits for individuals in these functions is consistent with the City's original intent. Appointment and/or rotation to the new classifications will continue to be at the discretion of the Police Chief and the City Attorney, respectively.

This action does not create additional FTE's; in both instances an existing FTE will be converted into a new classification. The Control Rates recommended are equivalent to compensation currently paid as base salary plus assignment pay. The additional language changes noted provide that existing benefits continue at the same level for the individual assigned as Deputy Police Chief.

**FISCAL IMPACT**

There is no fiscal impact associated with this action.

Respectfully Submitted,



CYNTHIA J. KURTZ  
City Manager

Prepared By:



KARYN S. EZELL  
Director of Human Resources

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA  
AMENDING THE SALARY RESOLUTION  
TO ESTABLISH CONTROL RATES FOR THE NEW CLASSIFICATIONS OF  
DEPUTY POLICE CHIEF AND SENIOR ASSISTANT CITY ATTORNEY

BE IT RESOLVED by the City Council of the City of Pasadena that the Salary Resolution is amended as follows:

SECTION 1. Page 3.10-3 is amended to delete item I.E., Special Assignment Pay.

SECTION 2. Page 3.10-E-1 is amended to add the following:

Effective Nov. 29, 2004: Senior Assistant City Attorney (C) \$145,150

Effective April 5, 2004: Deputy Police Chief \$152,012

SECTION 3. Page 3.10-3, Paragraph I.E. is amended to read in its entirety:

"Effective April 7, 2003, employees holding the classifications of Police Commander and Deputy Police Chief who possess a Management POST Certificate or an employee holding the classification of Police Commander (Non-Sworn) who holds a Masters Degree shall receive additional compensation of \$450 per month."

SECTION 4. Page 3.10-6, Paragraph II.A.4. is amended to read in its entirety:

"Employees holding the classifications of Police Commander, Police Commander (Non-Sworn) and Deputy Police Chief will be eligible to cash out up to 70 hours in accrued vacation time per year, and up to 120 hours in the final year of employment. Payment for such hours shall be made at the employee's current regular hourly rate of pay."

SECTION 5. Page 3.10-13, Paragraph I.E, is amended to read in its entirety:

"Effective July 1, 2002, the City shall contribute 3% of base pay for employees holding the classifications of Police Commander, Police Commander (Non-Sworn), and Deputy Police Chief for the purpose of establishing a post-retirement medical trust fund. The employees or their trust fund administrators shall be solely responsible for maintaining and allocating funds from the trust fund, and shall indemnify and hold harmless the City from any of its actions or lack of actions in administering this trust fund.

"Funds allocated to the medical trust shall be considered as salary for the purposes of compensation comparisons."

This Amendment shall be effective as of May 9, 2005.

Adopted by the following vote at the meeting of the City Council on May 9, 2005:

AYES:

NOES:

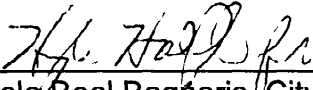
ABSTAIN:

ABSENT:

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Jane Rodriguez, City Clerk

Approved as to Form:

  
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Michele Beal Bagnieris, City Attorney