

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL AMENDING THE SALARY
RESOLUTION TO ESTABLISH SALARY AND BENEFITS FOR EXECUTIVE
MANAGEMENT CLASSIFICATIONS

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

SECTION 1. Adopt the amended Executive Salary Resolution dated October 7, 2013 in its entirety, attached hereto as Exhibit 3.05.

This amendment shall be effective as of October 7, 2013.

Adopted by the following vote at the meeting of the City Council on October 7, 2013:

AYES:

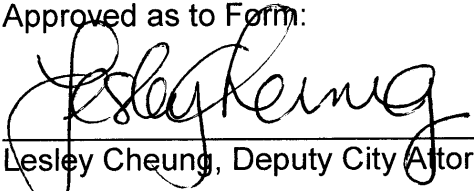
NOES:

ABSTAIN:

ABSENT:

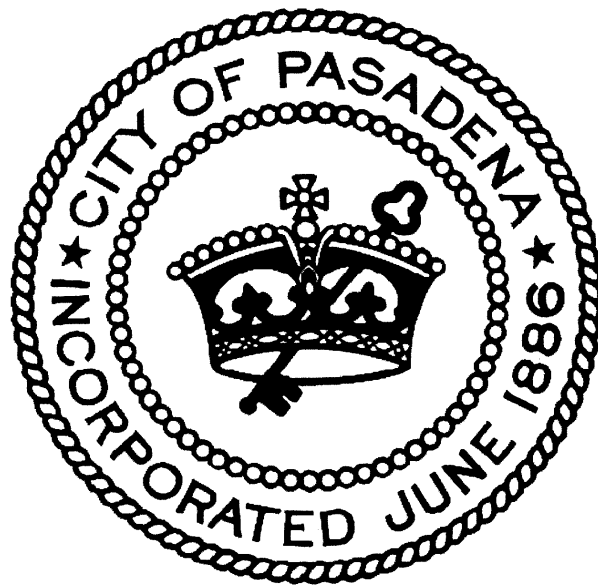
Mark Jomsky, City Clerk

Approved as to Form:



Lesley Cheung, Deputy City Attorney

CITY OF PASADENA



EXECUTIVE MANAGEMENT SALARY RESOLUTION

SECTION 3.05 - MANAGEMENT - EXECUTIVE

3.05.01 – COMPENSATION

I. DIRECT WAGE PAYMENTS

There hereby is established a management performance based pay plan consisting of a salary range and merit pay and designed to recognize, encourage, and reward excellent performance and cost-effective achievement of results.

Employees in Executive Management classifications are designated as “at will” and may be released from employment with or without cause at the discretion of the appointing authority.

A. Salary

There hereby is established an annual compensation control rate which shall be applied to each classification as indicated in Exhibit 3.05, Management Executive. Upon appointment or promotion, the City Manager shall fix the annual salary rate for the individual and thereafter may adjust said rate. Subsequent annual salary rate shall be based upon demonstrated consistent performance as evidenced by the annual performance planning, review, and evaluation process. Overall managerial behavior must consistently meet expectations for the position, and results and accomplishments be achieved at a proficient level for the individual to be eligible to earn a salary at the control rate level. The rate shall not be less than 25 percent below nor exceed the control rate provided herein.

B. Merit Pay

1. There hereby is established the annual management merit pay. This plan is established for employees holding classifications in Exhibit 3.05 of Management Executive. The annual merit pay shall be determined by performance appraisal rating and evidence provided, and shall consist of 0 percent up to a maximum of 12 percent of the employee's annualized rate of pay for eligible employees. The rate of pay at the time the employee becomes eligible for that year shall be the rate in effect on June 30th of that year. In rare and unusual circumstances, with the approval of the City Manager and the City Council, merit pay may be approved above 12%.
2. The percentage of merit pay, if any, given any individual employee will be based upon and consistent with highly meritorious or superior performance as determined by at least one level of higher management based upon:
 - a. Demonstrated superior managerial behavior in response to special

events or critical emergency incidents; or

- b. Demonstrated and documented meritorious or superior contribution in the achievement of planned results and accomplishments for the prior fiscal year.
3. Merit pay shall be paid in a lump sum and treated as special earnings subject to federal and state withholding, and shall be considered special compensation reportable to PERS.
4. The City Manager shall determine the effective date of the merit pay for eligible employees for each fiscal year, and shall establish procedures to evaluate individual performance and to implement the plan.

C. Hours of Work

Hours of work shall be whatever is needed to successfully accomplish the operations of the department.

II. PAY FOR TIME NOT WORKED

A. Vacation

Vacation provided herein shall be taken within the time limits provided herein except when, for the efficient administration of the City, the City Manager determines that vacation leave of absence cannot be scheduled.

1. Vacation Period and Carry-over
 - a. Employees may accrue up to a maximum of three (3) vacation periods, including carryover vacation hours from previous calendar years. A "vacation period" is defined as the maximum amount of vacation provided in any calendar year.
 - b. On January 1 of each year, the provided vacation carried over by each employee, plus the current year's provided vacation allowance, are generally credited to the employee; however, effective January 1, 2013, or as soon as administratively possible thereafter, each employee will accrue vacation hours on a per pay period basis, based upon their annual allotment set forth in Subsection (3) below divided by 26 pay periods. At any time during said calendar year the employee may use said credited vacation, provided, however, all vacation shall be taken at such times as shall be approved by the City Manager.
 - c. Employees who reach a maximum accrual of three (3) vacation

periods will cease to accrue additional vacation hours until the employee's accrued vacation balance falls below the maximum accruable amount of vacation hours. The employee will then begin to accrue vacation hours up to the maximum allowable amount. Any vacation hours which an employee does not receive because the employee has reached the maximum accruable amount of vacation hours will not be credited to the employee.

2. Termination

a. Upon termination of employment the City shall deduct from final compensation any vacation time taken in excess of the amount earned.

b. Unused Vacation

Any employee who terminates and shall have been in continuous service shall be allowed regular compensation for unused earned vacation accumulation due on the last actual work day.

Earned vacation to which an employee is entitled hereunder shall be compensated for after death in the same amount as though compensation were being paid for such vacation.

3. Vacation-Schedule of Benefits

a. Executive safety employees shall accrue 160 hours of vacation per calendar year at time of hire, prorated for any partial years of employment. At the completion of ten (10) years of service in Executive Management, safety employees shall accrue 200 hours of vacation per calendar year.

b. Executive miscellaneous employees shall accrue 120 hours of vacation per calendar year at time of hire, prorated for any partial years of employment. At the completion of five (5) years of service in Executive Management, employees shall accrue 160 hours of vacation per calendar year. At the completion of ten (10) years of service in Executive Management employees shall accrue 200 hours of vacation per calendar year.

c. The City Manager may authorize up to 120 hours toward an immediate vacation bank on an individual basis for newly hired employees, but not to exceed the annual vacation allowance received in the employee's prior employment.

4. Vacation Cash Out

Executive Management employees will be eligible to cash out up to a maximum of one year's earned but unused vacation time annually provided that the employee has taken at least eighty (80) hours of paid vacation, management leave or floating holiday time during the calendar year.

B. Holidays

1. The following days shall be observed as holidays:

January 1; the third Monday in January; February 12; the third Monday in February; the last Monday in May; July 4; the first Monday in September; the Monday or Friday closest to November 11; the fourth Thursday in November; the day following the fourth Thursday in November; December 25; and every day appointed by the City Council for a public feast, thanksgiving or holiday. Because of the City's annual New Year's Day activities, Executive Managers are expected to work as needed to cover City responsibilities.

In lieu of Admission day, September 9, one floating holiday shall be provided to each employee at the rate of eight (8) hours if September 9 falls on an eight (8) hour work day, or nine (9) hours if September 9 falls on a nine (9) hour work day.

2. If any of the foregoing holidays falls upon a Saturday, the preceding Friday is the holiday in lieu thereof. If any of the foregoing holidays falls upon Sunday, the Monday following is the holiday in lieu thereof.

3. Every full-time employee shall be allowed a paid leave of absence of eight (8) hours for each holiday. Full-time employees on a 9/80 schedule shall be allowed a paid leave of absence of nine (9) hours for each holiday that falls on a nine (9)-hour work day, and eight (8) hours of paid leave for all other holidays. Part-time employees regularly scheduled to work 20 hours or more per week shall be provided one-half the paid leave of absence provided to full-time employees.

4. Holidays falling on a scheduled 9/80 day off for a given year will be placed in a floating holiday bank at the rate of eight (8) hours per holiday.

a. Holiday hours are earned at the time the holiday falls on a scheduled day off, but are credited to the employee on January 1 of the calendar year.

- b. Holiday hours may be drawn upon beginning January 1st of the year in which they occur with the prior approval of the employee's supervisor. Unused holiday hours for a given year may be carried over once to the following year but must be used by December 31st of the following year or lost. The City Manager may approve additional carryover upon written request from the employee. At the discretion of the City Manager, full-time Executive Management employees in good standing may receive payout of floating holiday pay prior to being surrendered per this section.
- c. Employees separating from the City who have taken credited but unearned holiday hours are responsible for reimbursing the City for the time taken at the rate of pay in effect on the date the time was taken. Whenever possible, the City will make the appropriate deduction from the employee's final paycheck.
- e. Earned holiday hours remaining in the employee's bank which were for holidays occurring prior to the separation will be paid to the employee at the employee's current rate of pay.

C. Sick Leave

- 1. The Sick Leave provision may apply under the following:

- a. Personal illness or injury to the employee
- b. Attendance to an immediate member of the family, who is seriously ill and requires the employee's presence, provided that such absence shall not exceed one half of the employee's annually earned sick leave. Immediate family means spouse, child, parent, grandparent, brother or sister, parent of spouse or domestic partner.

- 2. Definition

Personal illness shall be defined as the necessary absence from duty of an employee because of illness or injury. Absence authorized for medical or dental examinations shall also be chargeable to personal illness.

- 3. Procedure for Application

An eligible employee, who, while on vacation, has suffered a serious disability in excess of three days due to injury or illness requiring professional medical treatment, and who has been confined to bed or seriously restricted in their mobility by the attending physician, may request that the available sick leave credit be used in substitution for scheduled vacation.

4. Sick Leave Accrual

- a. On January 1 of each calendar year, eighty (80) paid sick leave hours are generally made available to every full-time employee for absence due to illness or injury not arising out of or during the course and scope of employment; however, effective January 1, 2013, or as soon as administratively possible thereafter, full-time employees are eligible to accrue paid sick leave hours on a per pay period basis based on their annual allotment of eighty (80) hours divided by twenty-six (26) pay periods. Part-time employees regularly scheduled to work 20 hours or more per week shall be provided a pro-rata share of sick leave provided to full-time employees, based on the number of hours worked on a regular basis.
- b. In the event an employee does not use the maximum days allowed during a calendar year, the unused portion shall be credited to the employee for future use. Such accumulation shall not exceed 1,200 hours which may be converted at retirement to the PERS credit for unused sick leave benefit.
- c. The City Manager may authorize up to eighty (80) hours toward an immediate sick leave bank on an individual basis for newly hired employees, but not to exceed the annual sick leave allocation in the employee's prior employment.

D. Bereavement

Full-time employees absent for leave due to bereavement at the time of death of an immediate family member (spouse, child, parent, grandparent, brother, sister, parent of spouse or domestic partner), may receive regular compensation for a maximum of three (3) working days. Three working days shall be defined as three regular work days under the employee's regular work schedule. Under special circumstances, the City Manager may authorize bereavement leave for the death of an individual not specified as an employee's immediate family member, as defined herein.

E. Workers' Compensation Leave

1. Any employee incapacitated by reason of an injury or illness arising out of or during the course and scope of employment shall receive the benefits awarded under the Workers' Compensation Laws of the State of California.
2. Additionally, such employees may be eligible for supplemental Workers'

Compensation payments, which, when added to the benefits awarded under California Workers' Compensation Laws, will result in payment to the employee of a sum equal to his/her regular net compensation. Regular net compensation is the base hourly rate at which the employee is being paid on the date of the commencement of the job-related illness or injury, less the amount of state and federal taxes.

3. Eligibility for Workers' Compensation supplemental payments (hereinafter referred to as the "supplement" or "supplemental pay") as defined in the foregoing paragraph is subject to the following conditions:
 - a. Claims denied by the City via the Workers' Compensation claims process are not eligible for the supplement.
 - b. Claims relating to a disciplinary action against an employee, the commencement of which the employee has been informed, are not eligible for the supplement. Disciplinary action is defined as including only the following: oral and written warnings, suspension, demotion and termination. In the event the applicable disciplinary action is resolved in favor of the employee and the employee is exonerated from any culpability, the supplement would be paid retroactively.
 - c. If and when the City's physician determines that only a portion of an injury is work-related, payment of the supplement will be prorated by the percent of the injury determined to be work-related. Sick leave may be used for any portion of the injury determined to be non-work-related.
4. Workers' Compensation supplemental payments shall commence with the first day of the approved absence and continue until the termination of the temporary disability, or the termination of the approved absence, or for a maximum of six months for the same work-incurred injury, whichever occurs first.
5. The City expects that employees on Workers' Compensation leave will demonstrate full cooperation and participation in their treatment as provided by the physician to promote a cure or relief from the effects of the injury. The City retains the right to terminate the supplement at any time if such cooperation and participation is not demonstrated.
6. If an employee on Workers' Compensation leave returns to work before having received the supplement for six months, and the same injury recurs, or further treatment is required in connection with the same injury necessitating further leave, the employee may be eligible for additional supplemental pay, not to exceed a cumulative total of six months for the

same injury. The City may require an interim review on such an extended leave.

7. Any safety employee incapacitated by reason of an injury or illness arising out of or in the course of his employment shall receive, in lieu of any other compensation herein, a sum which when added to the amount of temporary disability compensation, if any, under the Workers' Compensation Laws of the State of California, will result in payment to the employee a sum equal to their regular compensation which is in effect on the day of the job related illness or injury. Such payment shall commence with the first day of the approved absence and end with the termination of the temporary disability, or the termination of the approved absence, or the expiration of 12 months, whichever occurs first.

Where the approved absence is of less than 12 months' duration, and illness thereafter recurs or further treatment is necessitated in connection with the same injury or illness, the City Manager may grant additional leave of absence, subject to the limitations provided in the foregoing paragraph, but not to exceed a cumulative total of 12 months.

Provided, however, that the subsection shall not apply to any claim denied by the City via the Workers' Compensation claims process.

F. Witness Leave

An employee who is subpoenaed or required to appear in court as a witness shall be deemed to be on a leave of absence. With approval of the City Manager, the employee shall be granted leave with pay during the required absence. The employee shall remit to the City all fees received except mileage.

Witness leave shall not be granted for time spent on cases in which the employee is party to the action.

G. Military Leave

Military Leave of absence may be granted for the duration of a war or national emergency or as required by the Military and Veterans Code.

Notwithstanding the above, the City shall provide a salary subsidy and benefits continuation as specified below for employees who are involuntarily called to active duty as a result of the War on Terrorism:

1. The City shall provide a salary subsidy to supplement the employee's military pay, the total of which shall not exceed the amount of gross salary earned at the time the employee is activated. The subsidy will commence after the 30 days state- mandated full-salary provision is exhausted, and

will continue until the employee is released from active military duty, but not to exceed a period of twenty-three months.

2. The City shall provide continued health and dental contributions for employee and dependent coverage, provided that the employees and/or dependents are enrolled for those benefits at the time the employee is involuntarily called to active duty. This continued benefit would begin after the 30 days state- mandated benefits expire, and will continue until the employee is released from active military duty, but not to exceed a period of twenty-three months. The continued health and dental premium contribution shall be equal to the same amount of City contribution authorized for the employee's classification, but not to exceed the applicable premium rate for health and dental premiums.

H. Jury Duty Leave

When an employee is called to serve on jury duty by any court, tribunal or commission authorized to compel the attendance of such person for jury duty, the employee shall be paid his/her regular compensation and benefits during the time of service required. The employee shall pay over to the City any and all fees received for such service, except those fees allowed for mileage.

I. Salary and Benefits Retention

The City Manager may approve freezing the salary and benefits rates, excluding management performance-based pay, for employees who are adversely impacted by organizational changes and/or involuntary classification changes.

J. Maternity Leave

For full-time employees, the City will provide an unpaid maternity leave of absence for up to six months, or a combination of unpaid leave for a maximum of six months combined with a reduced work week schedule of at least 20 hours or more per week. The total combination of unpaid leave plus the reduced work week schedule shall not exceed a total of nine months.

In addition, while the employee under this policy is on an unpaid leave of absence or reduced work week schedule, the City will continue providing health and dental contributions to the employee as if the employee is on a regular full time paid status provided the employee is enrolled in health and dental medical plans. The Employee Option Benefit Fund (EOBF) is not paid during periods of Maternity Leave, only the premiums for health and dental benefits.

K. Management Leave

Full-time employees shall be entitled to a minimum of four (4) days of

management leave per calendar year. The City Manager may grant up to an additional eighty (80) hours per year of Management Leave with pay. The granting of this additional Management Leave is in the sole discretion of the City Manager. Management Leave may not be cashed out or carried forward to the next calendar year.

3.05.02 - OTHER EMPLOYEE BENEFITS

I. INSURANCE

A. Life Insurance

The City will provide life insurance and accidental death and dismemberment coverage for each employee in the amount of \$200,000.

B. Dental Care Program

The City will contribute 100% of the employee's premium plus up to \$80.00 per month for dependent premium for employees who regularly work 30 or more hours per week, towards a dental care program as provided by the City of Pasadena.

C. Health Insurance/Employee Option Benefit Fund (EOBF)

The City of Pasadena participates in the CalPERS Medical program (per the Public Employee Medical and Hospital Care Act – “PEMHCA”). For employees enrolled in a CalPERS medical plan, the City contributes the required statutory minimum (per Government Code section 22892) toward the medical premium which is part of the EOBF allowance.

The Employee Option Benefit Fund (EOBF) allowance is used to offset health premium costs and includes the PEMHCA minimum.

Effective January 1, 2014, the EOBF allowance for employees enrolled in a medical plan offered through the City is:

Tier 1:	Employee Only	\$1,239.11
Tier 2:	Employee +1	\$1,239.11
Tier 3:	Employee +2	\$1,221.77

Employees in the unit as of November 4, 2012 who elect to opt out of medical coverage offered by the City because they have provided proof of medical coverage will receive an EOBF opt out allowance of \$1,120.11 per month which will be designated to the employee’s deferred compensation account. Employees may elect to have 65% of the EOBF Opt Out allowance paid as cash in lieu of depositing the total allowance to a deferred compensation account offered by the City.

Effective November 5, 2012 new employees electing to opt out of medical coverage offered by the City because they have provided proof of medical coverage will receive an EOBF opt out allowance of \$400 per month which will be designated to the employee’s deferred compensation account. New employees

may elect to have 65% of the EOBF Opt Out allowance paid as cash in lieu of depositing the total allowance to a deferred compensation account offered by the City.

On a case-by-case basis, the City Manager may authorize continuation of health insurance benefits for employees on unpaid leaves of absence. In such cases, the City shall continue to contribute the monthly PERS required health insurance contribution, and whatever portion of the Employee Option Benefit Fund is needed to maintain the employee's health insurance benefits at the coverage level existing before the employee's leave of absence. The balance of the EOBF will not be available for contribution to the employee's deferred compensation account during the period of such absence.

D. Long-Term Disability

At its own expense the City will provide long-term disability (LTD) coverage of up to 66 2/3% of salary up to a maximum benefit of \$8000 per month.

E. Workers' Compensation

Workers' Compensation Insurance premiums shall be the responsibility of the City of Pasadena in accordance with the benefit schedule and ratings under California State law and resolutions and ordinances of the City of Pasadena.

II. INDIVIDUAL EMPLOYEE COSTS

A. Tuition Reimbursement

With the approval of the City Manager, employees enrolled in an educational enrichment program at an accredited educational institution may apply for tuition reimbursement consistent with the Tuition Reimbursement policy and procedures contained in the Manual of Personnel Rules, Practices and Procedures. Reimbursement shall be limited to tuition expenses, books, and lab fees for pre-approved coursework. Successful completion of the coursework with a passing grade is required for reimbursement.

B. Car Allowance

The City Manager may set a car allowance in an amount not to exceed \$525 per month for Assistant City Managers or \$475 per month for department heads, or the use of a City vehicle, except that the City Council shall set the car allowances of those employees appointed by it.

C. Transportation Demand Management Program

Employees shall comply with the provisions of the City of Pasadena Employee

Transportation Demand Management Program, as adopted by the City Council on Oct. 19, 1992.

1. A clean air (trip reduction/parking) fee as follows:
 - a. Employees who are regularly assigned to work four or more workdays per week and who commute to and from work as solo-drivers three or more workdays per week will pay \$35 per month.
 - b. Employees who are regularly assigned to work three or fewer workdays per week and who commute to and from work as solo-drivers two or more workdays per week will pay \$17.50 per month.
 - c. Employees who use fleet vehicles to solo-drive to and from work will pay the clean air fee as listed above.
2. Incentives may be included in the program, such as bus passes, ride-matching, and preferential parking for car/vanpoolers where available.

D. Personal Development Allowance

Full-time employees shall be eligible for an annual personal development allowance of \$1,000 for expenses which contribute to the personal development of the individual manager and/or enhance knowledge in the field of work or profession. Eligible expenses shall include one or more of the following: Membership in community, civic or professional organizations; professional conferences or training workshops not budgeted; job related personal expenses related to civic and community activities, including testimonials; subscriptions to professional and educational journals and publications not budgeted; membership to health and physical fitness facilities; annual medical examination; and computers or other specialized equipment (for home which is compatible with City equipment).

E. Housing Assistance and Relocation

The City Manager may negotiate reimbursements of house hunting and/or relocation expenses with an Executive Management employee who relocates to Pasadena. This may include per diem allowance and travel costs for house hunting, actual cost of moving belongings, and/or temporary housing assistance not to exceed three months. Such reimbursements shall not exceed reasonable and customary charges, nor exceed a maximum reimbursement of \$25,000.

F. Professional Fees

The City Manager may authorize payment for position-related professional licensing/certification, memberships or training not budgeted.

G. Annual Medical Examination

Employees holding classifications in Executive Management shall be eligible for an annual medical examination as provided through the City of Pasadena.

H. Home Computer

Employees may be provided with a City-owned personal computer and/or tablet computer to be used for City business. This equipment may be stored and used at the employee's home. The City will provide on-line computer network service. At the end of employment, employee shall return the City-owned equipment or purchase it for an amount set by the City.

III. RETIREMENT

- A. Retirement benefits shall be provided as currently specified under the City of Pasadena's contract with the Public Employees Retirement System.
- B. The City shall pay the miscellaneous employees' 8% member contribution to PERS for the PERS 2.5%@55 retirement benefit. Employee cost sharing shall be in the form of a 3.6% reimbursement and will be accomplished through after-tax payroll deduction. Effective December 31, 2012, miscellaneous Executive Management employees will pay the full 8% of the member contribution toward the retirement benefit. Member contributions will be deducted from employee compensation on a pre-tax basis.
- C. The City shall pay the safety employees' 9% member contribution for sworn Fire and Police Executive Management employees who are members of the Charter Retirement System or the PERS 3% @ 55 retirement system.
- D. Effective December 31, 2012 or as soon as administratively possible thereafter, the City shall eliminate PERS on PERS and reduce the City's contribution to Employer Paid Member Contribution (EPMC) to 0%.
- E. All City contributions made under this section shall be deemed to be member contributions under the Public Employee's Retirement System (PERS), and within the meaning of Article XV, Section 1500.5 of the Pasadena City Charter, (Fire and Police Retirement System), and shall be recoverable by the member as such.

IV. SEVERANCE PAY

In the event employee is terminated by the City Manager for reasons other than physical or mental incapacity, retirement or conduct unbecoming an employee, employee shall be provided a severance equal to six (6) months of salary. All severance payments shall be paid within thirty (30) days of the last date of employment.

3.05.03 - POLICIES AND PROCEDURES

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MANAGEMENT – EXECUTIVE

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EXHIBIT 3.05
EXECUTIVE MANAGEMENT SALARY SCHEDULE
CONTROL RATES EFFECTIVE DECEMBER 31, 2012

EXECUTIVE CLASSIFICATIONS

<u>Classification</u>	<u>Control Rate</u>
Assistant City Manager	207,741
Chief Information Officer	186,969
City Attorney/City Prosecutor	Established by Contract
City Clerk	Established by Contract
City Manager	Established by Contract
Director of Finance	197,821
Director of Housing	172,036
Director of Human Resources	184,767
Director of Human Services and Recreation	165,419
Director of Libraries and Information Services	174,557
Director of Planning	197,821
Director of Public Health / Health Officer	192,289
Director of Public Works	197,821
Director of Transportation	197,821

MGT-EXEC

3.05-E-1

Classification

Control Rate

Fire Chief and Assistant Director of Disaster Emergency Services	212,016
General Manager – Water and Power	225,000
Police Chief	228,008

All classifications listed herein are Confidential and Unclassified (C&U).

MGT-EXEC

3.05-E-2