

RESOLUTION NUMBER 3322

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
PERRIS, CALIFORNIA, ESTABLISHING THE SCHEDULE
OF SALARY AND BENEFITS FOR DESIGNATED
MANAGEMENT EMPLOYEES**

WHEREAS, the City Council desires to establish by resolution a schedule of salary and benefits for certain designated Management Employees;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PERRIS,
CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:**

Section 1. The "Schedule of Salary and Benefits – Management Employees," attached hereto as Exhibit "A," is hereby adopted to be effective commencing November 1, 2004, and continuing until June 30, 2007, or until amended by resolution of the City Council.

Section 2. Any and all prior resolutions or agreements establishing salary and benefits for Management Employees designated in Exhibit "A" are hereby rescinded.

ADOPTED, SIGNED and APPROVED this 26th day of October, 2004.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Margaret Rey

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

I, Margaret Rey, CITY CLERK OF THE CITY OF PERRIS, DO HEREBY CERTIFY that the foregoing Resolution Number 3322 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held the 26th day of October, 2004, and that it was so adopted by the following called vote:

AYES: Landers, Motte, Rogers, Yarbrough, Busch
NOES:
ABSENT:
ABSTAIN:

City Clerk, Margaret Rey

EXHIBIT "A"
(RESOLUTION NUMBER 3322)

CITY OF PERRIS
SCHEDULE OF SALARY AND BENEFITS --
MANAGEMENT EMPLOYEES

ARTICLE I

GENERAL

Section 1.1 AFFECTED EMPLOYEES. This Schedule of Salary and Benefits (the "Schedule") shall be in force and effect for the following classifications of Management Employees with the City of Perris, herein the "Affected Employees":

Executive Class:

Director of Community Development
Director of Finance

Mid-Management Class:

Assistant to the City Manager
Planning Manager
Building Official
Finance Manager
Community Services Manager
Human Resources and Risk Manager
Public Works Superintendent
Real Estate Services Manager

Supervisory Class:

Executive Assistant
Senior Planner
Public Works Supervisor
Code Enforcement Supervisor

For future new Management Employee positions not listed in this Section at the time this Schedule is adopted, the City Manager shall be authorized to determine the applicable Class (Executive, Mid-Management or Supervisory) until such time as this Schedule is amended to reflect the new position.

Section 1.2 GENERAL BENEFITS AND CONDITIONS. Except as expressly modified or provided in this Schedule, Affected Employees shall receive the same benefits as those offered to City employees who are covered by the Memorandum of Understanding between the City and the Teamsters Union effective June 30, 2004 through June 30, 2007 (the "MOU") under the following specified provisions of the MOU:

- (a) 16.0 – Holidays;
- (b) 17.0 – Vacations;
- (c) 18.0 – Sick-Related Leave;
- (d) 27.0 – Pay Day and Parking;
- (e) 29.0 – Educational Reimbursement;
- (f) 30.0 – Fringe Benefits;
- (g) 31.0 – State Disability Insurance;
- (h) 32.0 – Retirement Benefits.

As an example only, medical and dental insurance benefits are the same for Affected Employees and employees covered by the MOU; vision reimbursement benefit procedures are the same but the amount of reimbursement is different.

Section 1.3 FLSA EXEMPT STATUS. The City designates Affected Employees as exempt employees for purposes of the Fair Labor Standards Act. The City shall comply with all applicable State and Federal standards, regulations and laws relative to its designations of Affected Employees as exempt employees for FLSA purposes.

Section 1.4 SERVICE. The word "service," as used in this Schedule, shall be defined to mean continuous, full-time service in the Affected Employee's present classification, service in a higher classification, or service in a classification allocated to the same salary range and having generally similar duties and requirements. A lapse of service by an Affected Employee for a period of time longer than thirty (30) calendar days by reason of resignation or discharge, shall serve to eliminate the accumulated length of service time of such Affected Employee for the purpose of compensation eligibility and leave accrual under this Schedule. Such Affected Employee reentering service with the City shall be considered as a new employee.

Section 1.5 EMPLOYMENT STATUS. Unless otherwise provided in the Personnel Rules, all Affected Employees are deemed to be "at-will" employees serving solely at the pleasure of the City Manager and are subject to dismissal at the pleasure of the City Manager. Any Affected Employee may be terminated from his/her service with the City without any cause whatsoever, and without any right of hearing, including any so-called "Skelly" hearing. In the event of such termination, the sole and entire right of any Affected Employee shall be to receive any compensation which vested prior to the date of the termination.

Section 1.6 INTERPRETATION. The City Manager shall be authorized to make any interpretation necessary to implement this Schedule, including but not limited to resolving any conflicts with the MOU or Personnel Rules. The City Manager's determination shall be final.

ARTICLE II

SALARY

Section 2.1 BASIC SALARY SCHEDULE. The basic salary schedule for all Affected Employees who are now employed, or will in the future be employed, is contained in the 2004 Draft Final Report Compensation Study prepared by Personnel Concepts, Inc. for the City (the "2004 Compensation Report"). The salary schedule consists of a range of pay available and identified by a position number.

The compensation identified in the 2004 Compensation Report is a monthly compensation rate. For the purpose of calculating hourly wages as they pertain to payment of accrued leaves specifically provided for in this Schedule or for any other hourly rate determination, the hourly rate of pay shall be the monthly rate multiplied by twelve (12) and divided by 2080 rounded to the nearest cent.

Section 2.2 LEVEL OF COMPENSATION. Affected Employees shall initially be placed, at time of appointment by the City Manager, at a level of compensation at any step within the applicable ranges set forth in the 2004 Compensation Report. Initial placement, periodic evaluations, and periodic increases or decreases shall be determined by the City Manager on a merit basis in accordance with the City's Personnel Rules, as applicable to Affected Employees.

Section 2.3 COST OF LIVING ADJUSTMENTS. Effective with the first full payroll in July, 2005, the base salary of each Affected Employee shall be adjusted to reflect an increase of a minimum of two percent (2%) and a maximum of four percent (4%) according to the average Consumer Price Index (Los Angeles-Riverside-Anaheim for All Urban Consumers) for the period of April 1, 2004, through March 30, 2005. Effective with the first full payroll in July, 2006, the base salary of each Affected Employee shall be adjusted to reflect an increase of a minimum of two percent (2%) and a maximum of four percent (4%) according to the average Consumer Price Index (Los Angeles-Riverside-Anaheim for All Urban Consumers) for the period of April 1, 2005, through March 30, 2006.

ARTICLE III

OTHER COMPENSATION AND BENEFITS

Section 3.1 EDUCATIONAL REIMBURSEMENT. Affected Employees shall be eligible to receive a maximum annual educational reimbursement as specified below. City Manager approval is required prior to enrollment.

Executive Class: \$2,500.

Mid-Management Class: \$2,000.

Supervisory Class: \$1,500.

Section 3.2 **AUTOMOBILE ALLOWANCE.** Affected Employees shall receive a monthly automobile allowance or be assigned a City-owned vehicle as follows:

Executive Class: \$400.

Mid-Management Class: \$300.

Supervisory Class who commenced service prior to July 1, 2004: \$300.

Supervisory Class who commenced service after June 30, 2004: None.

The City Manager may in his or her discretion assign a City-owned vehicle to any Affected Employee whose primary duties require extensive field work (including Supervisory Class hired after June 30, 2004). An assigned vehicle shall be in lieu of a cash automobile allowance.

Section 3.3 **CELL PHONES.** Affected Employees shall not receive a cell phone allowance. The City Manager may in his or her discretion assign a City-owned cell-phone to any Affected Employee.

Section 3.4 **LIFE INSURANCE.** The City shall contribute the full amount of the premium for an Affected Employee for two (2) times the Affected Employee's annual base salary.

Section 3.5 **LONG TERM DISABILITY INSURANCE.** The City shall contribute the full amount of the premium for a policy of group long-term disability insurance for Affected Employees.

Section 3.6 **VISION CARE REIMBURSEMENT.** Affected Employees shall be eligible for vision care reimbursement not to exceed the following annual amounts:

Executive Class: \$650.

Mid-Management Class: \$450.

Supervisory Class: \$350.

Section 3.7 **DEFERRED COMPENSATION – MATCHING CONTRIBUTIONS.** The City shall match the contributions of Affected Employees to the deferred compensation program (if offered by the City) at the following amounts:

Executive Class: up to five percent (5%) of annual salary.

Mid-Management Class: up to four percent (4%) of annual salary.

Supervisory Class: up to three percent (3%) of annual salary.

ARTICLE IV

VACATION LEAVE

Section 4.1 **VACATION LEAVE ACCRUAL.** Affected Employees shall accrue vacation leave in accordance with the formula contained in the MOU.

Section 4.2 **MAXIMUM ACCRUAL.** An Affected Employee may accrue vacation leave up to the following maximum amounts:

Executive Class: 440 hours.
Mid-Management Class: 400 hours.
Supervisory Class: 360 hours.

When an Affected Employee has reached the applicable maximum accrual he/she shall cease to accrue vacation leave until the balance of accrued vacation leave has fallen below this maximum accrual, at which time such Affected Employee shall resume accrual at the rate provided for herein.

Section 4.3 **UTILIZATION OF VACATION LEAVE.** Utilization of vacation leave shall be scheduled through the City Manager who shall, in his or her sole discretion, determine when and whether to permit such leave. In making a determination when and whether to permit utilization of vacation leave, the City Manager may consider such factors as the preferences of an Affected Employee, the availability of staff to assume the duties of the Affected Employee, the factors of City business on the portion of the Affected Employee, and the overall staffing and other needs of the City.

No Affected Employee shall be eligible to utilize accrued vacation leave during the Affected Employee's initial probationary period.

Section 4.4 **ANNUAL CONVERSION OF UNUSED VACATION LEAVE.** Once annually, all vacation leave accrued and unused above one hundred twenty (120) hours may be converted into a cash payment at the current hourly rate of the Affected Employee, but not to exceed one hundred twenty (120) hours in any one (1) fiscal year. No request for conversion shall be granted unless first approved by the City Manager.

Section 4.5 **CONVERSION OF UNUSED VACATION LEAVE AT SEPARATION.** Affected Employees who voluntarily or involuntarily separate from employment with the City shall be paid in a lump sum for all accrued vacation leave earned to the effective date of the separation, up to the maximum prescribed in Section 4.2 of this Schedule. Payment shall be at the same hourly rate of pay as was authorized for the Affected Employee at the effective date of termination.

In the event of the death of an Affected Employee, payment for accrued and unused vacation leave shall be paid to the beneficiary designated by the Affected Employee. Such designation shall have been in writing, signed by the Affected Employee and filed with the Personnel Officer. In the event an Affected Employee has not designated a beneficiary, the payment shall be made to the estate of the Affected Employee.

ARTICLE V

ADMINISTRATIVE LEAVE

Section 5.1 **ADMINISTRATIVE LEAVE ACCRUAL.** Affected Employees shall accrue administrative leave at the rate of twelve (12) days per year of service.

Section 5.2 **MAXIMUM ACCRUAL.** An Affected Employee may accrue administrative leave up to the following maximum amounts:

Executive Class: 320 hours.

Mid-Management Class: 280 hours.

Supervisory Class: 240 hours.

When an Affected Employee has reached the applicable maximum accrual he/she shall cease to accrue administrative leave until the balance of accrued administrative leave has fallen below this maximum accrual, at which time such Affected Employee shall resume accrual at the rate provided for herein.

Section 5.3 **UTILIZATION OF ADMINISTRATIVE LEAVE.** Utilization of administrative leave shall be scheduled through the City Manager who shall, in his or her sole discretion, determine when and whether to permit such leave. In making a determination when and whether to permit utilization of administrative leave, the City Manager may consider such factors as the preferences of an Affected Employee, the availability of staff to assume the duties of the Affected Employee, the factors of City business on the portion of the Affected Employee, and the overall staffing and other needs of the City.

Section 5.4 **ANNUAL CONVERSION OF UNUSED ADMINISTRATIVE LEAVE.** Once annually, all administrative leave accrued and unused above one hundred twenty (120) hours may be converted into a cash payment at the current hourly rate of the Affected Employee, but not to exceed one hundred twenty (120) hours in any one (1) fiscal year. No request for conversion shall be granted unless first approved by the City Manager. Notwithstanding the foregoing, at the first feasible payroll period following the effective date of this Schedule all Affected Employees shall, on a one-time basis, have converted all of their accrued and unused administrative leave in excess of the applicable maximum accrual, and may convert additional accrued and unused leave not to exceed an amount that would result in an accrued leave balance below one hundred twenty (120) hours.

Section 5.5 **CONVERSION OF UNUSED ADMINISTRATIVE LEAVE AT SEPARATION.** Affected Employees who voluntarily or involuntarily separate from employment with the City shall be paid in a lump sum for all accrued administrative leave earned to the effective date of the separation, up to the maximum prescribed in Section 5.2 of this Schedule. Payment shall be at the same hourly rate of pay as was authorized for the Affected Employee at the effective date of termination.

In the event of the death of an Affected Employee, payment for accrued and unused administrative leave shall be paid to the beneficiary designated by the Affected Employee. Such designation shall have been in writing, signed by the Affected Employee and filed with the Personnel Officer. In the event an Affected Employee has not designated a beneficiary, the payment shall be made to the estate of the Affected Employee.

ARTICLE VI

SICK LEAVE

Section 6.1 SICK LEAVE ACCRUAL. Affected Employees shall accrue sick leave in accordance with the formula contained in the MOU.

Section 6.2 MAXIMUM ACCRUAL. An Affected Employee may accrue sick leave up to the following maximum amounts:

Executive Class: 360 hours.

Mid-Management Class: 320 hours.

Supervisory Class: 280 hours.

When an Affected Employee has reached the applicable maximum accrual he/she shall cease to accrue sick leave until the balance of accrued sick leave has fallen below this maximum accrual, at which time such Affected Employee shall resume accrual at the rate provided for herein.

Section 6.3 REPORTING AND UTILIZATION OF SICK LEAVE. An Affected Employee shall submit a "Leave Request" form to the City Manager no less than twenty-four (24) hours prior to taking sick leave for pre-scheduled medical appointments.

An Affected Employee unable to report to work due to illness shall inform the City Manager of his/her absence no later than one-half (1/2) hour after the regular start of the Affected Employee's workday. Failure to report the intended absence may result in disciplinary action.

An Affected Employee who has been absent from work due to illness shall complete a "Leave Request" form on the day he/she returns to work.

The City Manager, in his or her sole discretion, may require an Affected Employee to submit a Doctor's verification of an Affected Employee's illness and inability to perform assigned duties prior to approving sick leave with pay.

The City Manager, in his or her sole discretion, may permit an Affected Employee to utilize sick leave for medically related issues of the Affected Employee or of a family member.

Section 6.4 **ANNUAL CONVERSION OF ACCRUED SICK LEAVE.** Once annually, all sick leave accrued and unused above forty (40) hours may be converted into a cash payment, but not to exceed one hundred twenty (120) hours in any one (1) fiscal year. The first forty (40) hours converted shall be at the current hourly rate of the Affected Employee, and any additional hours converted shall be at one-half (1/2) of the current hourly rate. No request for conversion shall be granted unless first approved by the City Manager. Notwithstanding the foregoing, at the first feasible payroll period following the effective date of this Schedule all Affected Employees shall, on a one-time basis, have converted all of their accrued and unused sick leave in excess of forty (40) hours at the current hourly rate of the Affected Employee.

Section 6.5 **CONVERSION OF UNUSED SICK LEAVE UPON SEPARATION.** Affected Employees who voluntarily or involuntarily separate from employment with the City shall be paid in a lump sum for all accrued sick leave earned to the effective date of the separation, up to the maximum prescribed in Section 6.2 of this Schedule. Payment for the first forty (40) hours of unused sick leave shall be at the same hourly rate of pay as was authorized for the Affected Employee at the effective date of termination, and any remaining hours converted shall be at one-half (1/2) of the hourly rate.

In the event of the death of an Affected Employee, payment for accrued and unused sick leave shall be paid to the beneficiary designated by the Affected Employee. Such designation shall have been in writing, signed by the Affected Employee and filed with the Personnel Officer. In the event an Affected Employee has not designated a beneficiary, the payment shall be made to the estate of the Affected Employee.

ARTICLE VII

EFFECTIVE DATE

Section 7.1 **EFFECTIVE DATE; AMENDMENTS.** This Schedule of Salary and Benefits shall be effective as of November 1, 2004 and until June 30, 2007, or until amended. This Schedule may be amended or modified and provisions hereof may be superseded, and the City Council retains the right to change the benefits contained herein, including accrual rates, by Resolution of the Council. Any vacation and/or administrative leave accrued by an Affected Employee shall remain vested to the Affected Employee and shall not be changed or altered by the City.