

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. 15,285

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD
ESTABLISHING RULES FOR THE APPLICATION OF COMPENSATION RATES AND
BENEFIT LEVELS FOR EXECUTIVE AND UNREPRESENTED EMPLOYEES

RESOLVED, by the City Council of the City of Oxnard, as follows:

Section I. Applicability

- A. General. Employees subject to this Resolution are classified as either Executive or Unrepresented. The listing in Exhibit A, which is attached hereto and incorporated by this reference provides a list of classifications with the category they are assigned.

Section II. Salaries

- A. The following salary increases are provided:

There are no salary increases during the term of this Resolution.

Employees in classifications designated as executive or unrepresented will be paid in accordance with the hourly rate established in the annual classification and salary resolution.

B. Annual Increases

- i. Effective beginning January 1, 2020, Employees who receive a satisfactory performance evaluation during the preceding calendar year will receive a step increase of not less than three percent (3.0%) within that employee's salary range. Notwithstanding the foregoing, if an employee is less than three percent (3.0%) from the top of the range, the increase shall be to the top of the salary range.
- ii. When the City Manager determines that an employee has demonstrated an exceptional level of job performance and efficiency, the City Manager may grant a merit increase in excess of three percent (3.0%). No merit increase shall cause an employee's salary to exceed the top of the salary matrix established for the classification. No advancement shall be given to any employee whose most recent performance evaluation rating was "unsatisfactory," or "needs improvement."
- iii. Eligible employees will receive their annual merit increase effective the first full pay period of January. Newly hired employees or employees promoted during the preceding calendar year will have their merit increase pro-rated based on their service during the calendar year (for example, an eligible employee with six months of service in a classification in calendar year 2020 will receive not less than a 2.5% merit increase in January 2021.)

C. Automobile Allowance

- i. Executive Employees will be provided a biweekly automobile allowance as follows:
 1. Assistant City Manager \$184.62
 2. Department Heads / Deputy City Manager \$161.54

- ii. Eligible employees who receive approval to use a City vehicle instead of receiving an automobile allowance shall have computations of other benefits/compensation calculated as if they received an allowance.
- iii. Mileage reimbursement for local in County travel will not be reimbursed if the employee receives a car allowance. Mileage reimbursement shall be approved for out of area business travel at a rate equivalent to the standard mileage rate established by proclamation of the Internal Revenue Service.

Section III. Other Compensation Provisions

A. Mileage for Travel Outside City Limits

- i. When employees are required by City to use their personal vehicle to perform their assigned duties for City, and they so utilize their own vehicles in traveling directly and uninterrupted from one assigned work location to another assigned work location, at least one of which is located outside of the City limits, City shall provide mileage reimbursement. Employees shall make claims for mileage compensation that are consistent with current IRS rates on City designated forms.

Section IV. Holidays

A. Observed holidays include:

- New Year's Day (January 1st)
- Martin Luther King's Day (the third Monday in January)
- Presidents' Day (the third Monday in February)
- Cesar Chavez Day (March 31)
- Memorial Day (the last Monday in May)
- Independence Day (July 4th)
- Labor Day (the first Monday in September)
- Veterans' Day (November 11th)
- Thanksgiving Day
- The day after Thanksgiving
- Christmas Eve half day (December 24th)
- Christmas Day (December 25th)
- New Year's Eve half day (December 31st)

Employees shall be entitled to holiday pay if an observed holiday falls on an employee's regularly scheduled workday and if the employee is in paid status on the day before or the day after an observed holiday.

Section V. Paid Leaves

A. Annual Leave

i. Accrual Levels:

Unrepresented Employees will accrue annual leave based on the following schedule:

Years of Service	Months of Service	Biweekly Accruals	Annual Accruals	Maximum Accrual
<5	0-59	6.24	162.24	324.48

5-6	60-71	7.47	194.22	388.44
6-7	72-83	7.78	202.28	404.56
7-8	84-95	8.09	210.34	420.68
8-9	96-107	8.40	218.40	436.80
9-10	108-119	8.70	226.20	452.40
10-11	120-131	9.54	248.04	496.08
11-12	132-143	9.85	256.10	512.20
12-13	144-155	10.16	264.16	528.32
13-14	156-167	10.46	271.96	543.92
14-15	168-179	10.77	280.02	560.04
15+	180+	11.78	306.28	612.56

Executive Employees will accrue annual leave based on the following schedule:

Years of Service	Months of Service	Biweekly Accruals	Annual Accruals	Maximum Accruals
<2	0-23	7.16	186.16	372.34
2-5	24-59	9.62	250.12	500.24
5	60+	12.08	314.08	628.16

iii. Maximum Annual Leave Accrual

- a. Once an employee reaches his or her maximum annual leave accrual, he or she will not be permitted to accrue any additional annual leave until he or she uses sufficient annual leave so as to bring his or her annual leave balance below the applicable cap. Accrual will recommence in the following pay period.

iv. Redemption

- a. Employees, regardless of full-time years of service, may receive pay for redemption of up to one hundred (100) hours of annual leave during each calendar year.
- b. Executive employees who have any leave banks outside of their current annual leave bank, administrative leave bank, or sick leave bank, may convert the hours which equate to \$25,000 per year at their current hourly rate and have that sum placed into their 401(a) account. The amount to be converted and deposited into the 401(a) account may not exceed the annual IRS limits.

- c. All requests for annual leave redemption must be made by the employee, in writing, using a City form. Said requests must be submitted to the City's payroll department during the months of July and December for the employee to receive the redemption. Pay under this subsection shall be calculated based on base wages, longevity pay, educational incentive pay, confidential pay, and bilingual pay, as applicable.
- v. **Payment Upon Separation**
 - a. Any employee who leaves the service of the City shall be paid for accrued annual leave to which such employee is otherwise entitled at his/her then current base wages plus longevity pay, educational incentive pay, confidential pay, and bilingual pay, as applicable, as of the effective date of separation from City service.
 - b. Executive Employees who are retiring from City Service and were promoted from a lower level position into an executive position and accrued sick leave in a previous bargaining unit, shall be eligible to receive cash for their accrued sick leave at the rate of pay they made when they last held a non-executive position. The cash out will be fifty percent (50%) of the bank not to exceed 600 hours. Public Safety Employees who opt to purchase the CalPERS service credit are not eligible for this cash out.
- vi. **Discontinuance of Reserve Leave Program and Treatment of Accrued Reserve Leave.**
 - b. If an employee were previously permitted to create and maintain a reserve leave bank, such employee's reserve leave bank balance will remain available for use by employees as annual leave, subject to the conditions for use set forth in this section. Employees will no longer be permitted to add additional hours to their reserve leave banks and new employees will not be permitted to create reserve leave banks.

B. Administrative Leave

- i. At the start of each fiscal year, Unrepresented Employees will be granted forty (40) hours of administrative leave.
- ii. At the start of each fiscal year, Executive Employees will be granted eighty (80) hours.
- iii. Administrative leave not taken during the fiscal year in which it is granted shall not be carried over to the subsequent fiscal year; employees shall not be permitted to maintain an administrative leave balance in excess of what they receive annually. Administrative Leave has no cash value and cannot be cashed out if unused at the end of the fiscal year in which it was granted or upon separation.

Section VI. Health and Welfare Benefits

A. Health Insurance

- i. The City offers affordable health coverage that meets minimum value standards under the Patient Protection and Affordable Care Act (PPACA) to all eligible employees. An eligible employee is one who qualifies under the Look Back Measurement Safe Harbor (average of 30 hours per week), as adopted by Resolution and implemented under the City's implementation plan.
- ii. The City offers health coverage under the Public Employees' Medical and Hospital Care

Act ("PEMHCA"). In accordance with the requirements of PEMHCA, the City shall make a direct contribution of \$136 per month towards active employees' health care costs in calendar year 2019. This amount is equal to the statutory minimum contribution set by CalPERS and is subject to change as further required by CalPERS.

- iii. In addition to the direct PEMHCA contribution described above, the City will make an additional contribution towards a cafeteria plan for active employees subject to this Resolution as follows:

Medical –The City will increase the monthly contribution for each tier of medical at the beginning of the 2020 benefits year which is reflected in the first pay check of the 2020 calendar year. The total new contribution for employee, employee plus one, and family is \$864.34.

The City will increase the monthly contribution for each tier of medical at the beginning of the 2021 benefits year which is reflected in the first pay check of the 2021 calendar year. The total new contribution for employee, employee plus one, and family is \$1,203.67.

The City will increase the monthly contribution for each tier of medical at the beginning of the 2022 benefits year which is reflected in the first pay check of the 2022 calendar year. The total new contribution for employee, employee plus one, and family is \$1,543.00.

Any contributions remaining will be issued as cash back after applied to the medical plan premium.

For those employees who waive the medical, the City will contribute the following per month in each plan year:

Year 1 - \$764.34
Year 2 - \$1,003.67
Year 3 – \$1,243.00

In the final year of the contract if the employees in this Resolution do not maintain a 64% combined participation in the plan including all confidential employees, then the contribution for those who "waive" will be reduced to \$900 per month in the subsequent benefit year.

B. Dental Insurance

- i. The City shall contribute the sum of thirty dollars and eighty-three cents (\$30.83) biweekly to the employee's dental insurance cafeteria plan for dental programs provided by the City. Regular full time employees that are employees for more than ninety (90) days and who "opt-out" of dental coverage will receive \$30.83 bi-weekly additional taxable income.

C. Flex Spending Plan

- i. Employees may participate in the voluntary Flex Spending Plan so long the plan is offered by the City and permitted under IRS rules and regulations.

D. Wellness Program

- i. Employees may participate in the City wellness program as described in the City of Oxnard Personnel Rules and Regulations, which includes an annual reimbursement cap of \$500 for eligible expenses.

Section VII. Term Life Insurance/STD/LTD

- A. The City shall provide a term life insurance policy to all employees covered by this Resolution in the amount of five thousand dollars (\$5,000). Additionally, employees will be provided a term life insurance policy of one time their annual salary. City-provided life insurance coverage is only in effect as long as the employee is employed by the City. Additional group term life insurance may be purchased by the individual employee.
- B. The City shall provide a Short Term Disability (STD) plan and a Long Term Disability (LTD) plan.

Section VIII. Deferred Compensation

- A. Employees shall be permitted to participate in the City's section 457 deferred compensation plan for as long as such a plan is maintained by the City. Employees will have the option to convert up to eighty (80) hours of accrued vacation or annual leave for deposit into a section 457 deferred compensation plan each calendar year.
- B. The City shall make a non-elective employer contribution of three percent (3%) of employee base pay/salary to the City-sponsored and designated deferred compensation plan for all permanent Executive Employees, including City Manager, and City Attorney. At the beginning of the first full pay period in January 2020 the City will make a contribution of four point five percent (4.5%) for all employees in this Resolution.

Section IX. Retirement

A. CalPERS Retirement for Miscellaneous Employees Hired before January 1, 2013

- i. The City's contract with CalPERS provides for the two percent (2%) at age fifty-five (55) retirement formula.
- ii. The City's contract with CalPERS provides for the "Single Highest Year" retirement benefit.
- iii. Permanent miscellaneous employees will pay the full employee share of seven percent (7%).
- iv. The City has adopted the CalPERS resolution in accordance with IRS Code section 414(h)(2) to ensure that the employee contribution is made on a pre-tax basis

B. CalPERS Retirement for Miscellaneous Employees Hired on or after January 1, 2013

- i. "New Members", as defined by the Public Employees' Pension Reform Act ("PEPRA") are covered by the two percent (2%) at age sixty two (62) retirement formula.
- ii. New Members' retirement benefit will be based on the highest 36 consecutive months of compensation earnable.
- iii. New Members will pay an employee contribution to CalPERS at the rate of fifty percent (50%) of the total "normal cost" of the plan as defined by CalPERS. This amount may change from year to year, as determined by CalPERS. This employee contribution will be paid through a payroll deduction.
- iv. The City has adopted the CalPERS resolution in accordance with IRS Code section 414(h)(2) to ensure that the employee contribution is made on a pre-tax basis. The City's contract with CalPERS contains the Fourth Level Survivor Benefit and Military Service

Credit for all employees.

C. CalPERS Retirement for Safety Employees Hired before January 1, 2013

- i. The City's contract with CalPERS provides for the three percent (3%) at age fifty (50) retirement formula.
- ii. The City's contract with CalPERS provides for the "Single Highest Year" retirement benefit.
- iii. Permanent safety Executive Employees will pay 7% of the employee contribution and the City will pick up the remaining 2%.
- iv. The City has adopted the CalPERS resolution in accordance with IRS Code section 414(h)(2) to ensure that the employee contribution is made on a pre-tax basis.
- v. For Department Heads who are designated as Safety, the City shall provide uniforms with the estimated value of \$450 per year. Such amount shall be reported to CalPERS pursuant to the City's contract with CalPERS.

D. CalPERS Retirement for Safety Employees Hired on or after January 1, 2013

- i. The City's contract with CalPERS provides for the two point seven percent (2.7%) at age fifty-seven (57) retirement formula.
- ii. New Members retirement benefit will be based on the highest 36 consecutive months of compensation earnable.
- iii. New Members of the City's police retirement plan will pay an employee contribution to PERS at the rate of fifty percent (50%) of the total "normal cost" of the plan as defined by CalPERS. This amount may change from year to year, as determined by CalPERS. This employee contribution will be paid through a payroll deduction.

E. PARS Contribution

- i. City shall provide to miscellaneous employees Public Agency Retirement System (PARS) supplemental retirement benefits to include the three percent (3%) at age sixty (60) supplemental retirement formula and the highest consecutive twelve-month period retirement formula.
- ii. The employees' contribution to PARS shall be eight percent (8%) of the wages upon which the employee's retirement contributions are computed. The City shall pay three percent (3%) of the employee contribution, in addition to the actuarially calculated employer contribution, and the employee shall contribute the remaining five percent (5%).
- iii. City shall report to PARS as compensation earnable pursuant to California Government Code section 20636(c)(4) the City's payment of the required employee retirement contributions to PERS.
- iv. Employees hired on or after January 1, 2013, who are "new members" as defined in PEPR, including "classic" employees coming from another CalPERS jurisdiction, shall not be eligible to receive any PARS benefit.

Section X. City Rights

- A. The City has and will continue to retain, whether exercised or not, the unilateral and exclusive right operate, administer and manage its municipal services and workforce performing those services in all respects. The exclusive rights of City shall include, but not be limited to, the right to determine the organization of City government and the purpose and mission of its constituent agencies, to set standards of services to be offered to the public, and, through its City Manager and department directors to exercise control and discretion over its organization and operations, to establish and implement administrative regulations and employment rules and regulations consistent with law, to direct employees, to classify and reclassify positions, to take disciplinary action for just cause, to relieve employees from duty because of lack of work or for other legitimate reasons, to determine whether goods or services shall be made, purchased or contracted for, to determine the methods, means and numbers and kinds of personnel by which City's services are provided, including the right to schedule and assign work and overtime, and to otherwise act in the interest of efficient service to the community.

Section XI. Severability

- A. It is understood and agreed that this Resolution is subject to all current and future applicable Federal and State laws and regulations and the current provisions of the Oxnard City Code. If any part or provision of this Resolution is in conflict or inconsistent with such applicable provisions of those Federal, State, or City enactments or is otherwise held to be invalid or unenforceable by any court of competent jurisdiction, such part or provisions shall be suspended and superseded by such applicable law or regulations, and the remainder of this Resolution shall not be affected

Section XII. Conflicting Resolutions

- A. All resolutions, parts of resolutions, contracts, or City policies and procedures in conflict with this Resolution, are hereby repealed. This Resolution hereby supersedes Resolution No. 15,039 adopted by the City Council on June 27, 2017.

Section XIII. Effective Date

- A. This Resolution shall become effective upon its adoption by the City Council. This Resolution shall remain in full force and effect, unless amended, repealed or otherwise modified by the City Council.

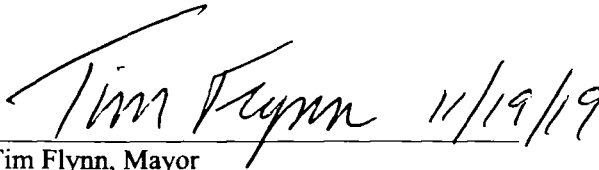
PASSED AND ADOPTED this 19th day of November 2019, by the following vote:

AYES: Councilmembers Basua, Flynn, Lopez, MacDonald, Madrigal, Perello and Ramirez.

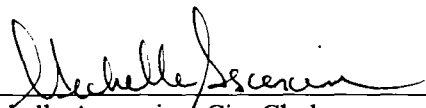
NOES: None.

ABSENT: None.

ABSTAIN: None.


Tim Flynn, Mayor

ATTEST:


Michelle Ascencion, City Clerk

APPROVED AS TO FORM:

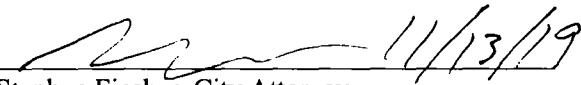

Stephen Fischer, City Attorney

EXHIBIT A

Executive Classifications

Assistant City Manager
Chief Financial Officer
City Manager
City Attorney
City Clerk
City Treasurer
Deputy City Manager
Cultural and Community Services Director
Community Development Director
Fire Chief
Human Resources Director
Housing Director
Information Technology Director
Police Chief
Public Works Director

Unrepresented

Assistant City Attorney
Chief Assistant City Attorney
Deputy City Attorney I/II/III