

RESOLUTION NO. 2015-5334

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YORBA LINDA, RELATING TO THE CLASSIFICATION, COMPENSATION AND TERMS OF EMPLOYMENT OF MISCELLANEOUS EMPLOYEES AND RESCINDING RESOLUTION 2015-5292

WHEREAS, the City management and employee representatives have met and conferred in good faith to reach an agreement to provide certain classes of the City's employees with salary increases and other benefits pursuant to Government Code Section 3500 et seq.; and

WHEREAS, the City desires to provide certain salary increases and changes in benefits to its employees as provided in the recommendation contained in the Memorandum of Understanding dated October 1, 2014 to September 30, 2016; and

WHEREAS, the City desires to rescind Resolution No. 2015-5292 and adopt Resolution No. 2015-5334, in order to create a classification bolded in Section 3 - Salary and Wage Schedule for October 1, 2015-September 30, 2016.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Yorba Linda as follows:

SECTION I. Basic Compensation Rules There is hereby established a basic plan of classification, compensation and terms of employment for all miscellaneous employees of the City of Yorba Linda who are now or will in the future be employed in any of the classifications of employment listed in this Resolution.

The plan is created and established in order to recognize efficient service and will aid in establishing the principle of equal pay for equal work for municipal employment. The basic compensation plan shall consist of the monthly compensation ranges listed in Section 3. Each range includes five (5) steps or rates of pay and shall be interpreted and applied as follows:

- A. The first step is the minimum rate and is normally the hiring rate of the class. The City Manager is authorized to make an appointment to a position at any other level of the salary range when he/she deems it necessary.
- B. Every employee in a regular competitive service position shall have a salary anniversary date established at the completion of six (6) months of satisfactory service and shall receive a merit increase at this time upon recommendation of the Department Head and approval of the City Manager. In the event a miscellaneous employee is hired at the third step (C Range) or higher, the salary anniversary date will be established at the completion of one year of satisfactory service and may receive a merit increase at this time upon recommendation of the Department Head and approval of the City Manager.
- C. Salary on Promotion When an employee is promoted from employment in one classification to employment in a classification allocated to a higher range, he/she shall

be advanced to the lowest step in such higher range which will provide not less than one step increase in compensation. A new salary anniversary date shall be six (6) months from the effective date of the promotion.

- D. Re-assignment of Compensation Ranges Any employee who is employed in a classification which is re-assigned as a result of this Resolution to a different salary range from that previously assigned shall be retained at the same salary step in the new range as previously held and shall retain credit for the length of service in such step; provided, however, the City Manager may at the time of re-assignment, place the employee in such step and make such change in anniversary dates as may be deemed appropriate.
- E. Compensation on Transfer The salary rate and salary anniversary date of an employee who is transferred within the classification shall not change.
- F. Changes in Class Salary Range If a classification is allocated to a different salary range, an employee in a position in that classification shall be compensated at the same numbered step in the new range as he/she was receiving in the previous range and his/her salary anniversary date shall not change.
- G. Compensation for Provisional Appointments Subject to the following limitations, an employee who is required on the basis of a provisional appointment, to serve in a class with a higher salary range than that of the classification in which he/she is normally assigned, shall receive the entrance salary rate of the higher salary or one rate higher than the rate he/she normally receives, whichever is greater.
1. The written approval of the City Manager shall be required.
 2. The employee shall perform all the duties and assume all the responsibilities of a higher class.
 3. Compensation for acting appointments shall be limited to the temporary filling of a vacant regular position due to termination, promotion, or extended sick leave of the incumbent or the temporary filling newly-budgeted positions.
- H. Salary on Demotion An employee who is demoted shall have his/her salary rate reduced to the nearest lower salary rate to the classification of position to which he/she is demoted. He/she shall not be required to serve a probation period in the lower position. The effective date of the demotion shall become his/her new salary anniversary date, and he/she shall earn eligibility for annual merit increases thereafter.
- I. Length of Service Required When Advancement Denied When an employee has not been approved for advancement to the next higher salary step, he/she may be reconsidered for such advancement at any subsequent time.
- J. Special Merit Advancement In such cases wherein an employee demonstrates exceptional ability and proficiency in the performance of his/her duties, his/her

Department Head may recommend to the City Manager a special merit increase without regard to the minimum length of service provisions contained in this Resolution. Advancements under this Section shall not change the employee's salary anniversary date.

- K. Pay Periods All employees shall be paid on a bi-weekly basis. The basic bi-weekly salary shall be computed by multiplying the monthly salary set forth in this Resolution by twelve (12) months and dividing the resultant product by twenty-six (26) pay periods. The basic hourly rate for all employees with scheduled forty (40) hour week shall be computed by dividing the bi-weekly salary by eighty (80) hours.
- L. Work Week and Work Day The regular work week for all employees shall be forty (40) hours. For purposes of accruing vacation, sick leave and bereavement leave, the working day for forty (40) hours per week employees shall be eight (8) hours.
- M. Limited Service and Part-Time Employees Employees working in classification for which no ranges are indicated in this Resolution, may be employed on an hourly basis at such rates as may be recommended by the Personnel Department and approved by the City Manager.

SECTION 2. The classification, compensation and terms of employment for the management and mid-management/confidential employees of the City are set forth by separate Resolution of the City Council and the provisions herein set forth shall not apply to those employees.

SECTION 3.

Compensation and Benefit Provisions. Regular, Permanent, Competitive Service Employees - Salary and Wage Schedule for October 1, 2014-September 30, 2015

| <u>Position</u> | <u>Monthly Salary Range</u> |
|-----------------------------------|-----------------------------|
| Account Clerk | 3,460 - 4,205 |
| Accounting Technician | 4,325 - 5,257 |
| Administrative Secretary | 4,139 - 5,031 |
| Assistant Civil Engineer | 5,973 - 7,260 |
| Assistant Engineer | 5,973 - 7,260 |
| Assistant Planner | 4,993 - 6,069 |
| Associate Planner | 5,792 - 7,040 |
| Building Inspector Aide | 4,709 - 5,724 |
| Building Inspector | 5,233 - 6,360 |
| Building Inspector Supervisor | 6,160 - 7,488 |
| Building Permit Aide | 3,777 - 4,591 |
| Building Permit Technician | 4,709 - 5,724 |
| Business License Technician | 3,893 - 4,732 |
| Community Preservation Officer* | 4,706 - 5,721 |
| Community Preservation Technician | 3,375 - 4,102 |

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| Custodian | 3,837 - 4,664 |
| Deputy City Clerk | 5,548 - 6,743 |
| Engineering Aide | 4,835 - 5,877 |
| Facilities Maintenance Technician | 4,424 - 5,378 |
| Grading Inspector | 5,134 - 6,241 |
| Housing & Redevelopment Specialist | 5,792 - 7,040 |
| Irrigation Technician | 4,030 - 4,899 |
| Jr. Civil Engineer | 5,432 - 6,602 |
| Landscape Inspector | 5,134 - 6,241 |
| Leadworker | 4,424 - 5,378 |
| Librarian | 4,550 - 5,530 |
| Librarian Assistant | 3,990 - 4,850 |
| Library Clerk | 2,844 - 3,457 |
| Library Clerk Typist I | 2,985 - 3,629 |
| Library Clerk Typist II | 3,129 - 3,803 |
| Library Technician | 3,558 - 4,325 |
| Library Graphics Specialist | 3,841 - 4,669 |
| Library Technology Specialist | 5,744 - 6,982 |
| Maintenance Contract Administrator | 5,752 - 6,992 |
| Maintenance Worker I | 3,411 - 4,146 |
| Maintenance Worker II | 3,837 - 4,664 |
| Management Assistant | 4,452 - 5,412 |
| MIS Administrator | 6,577 - 7,994 |
| MIS Technician | 5,076 - 6,170 |
| Office Assistant I | 2,844 - 3,457 |
| Office Assistant II | 3,129 - 3,803 |
| Parks Maintenance Supervisor | 5,477 - 6,658 |
| Plan Check Engineer | 6,801 - 8,267 |
| Plan Checker | 6,018 - 7,315 |
| Planning Aide | 4,168 - 5,067 |
| Public Works Inspector | 5,134 - 6,241 |
| Recreation Coordinator | 4,625 - 5,622 |
| Recreation Supervisor | 5,636 - 6,851 |
| Senior Account Clerk | 3,893 - 4,732 |
| Senior Building Inspector | 5,755 - 6,996 |
| Senior Landscape Inspector | 5,648 - 6,865 |
| Senior Librarian | 5,222 - 6,347 |
| Senior Librarian Assistant | 4,223 - 5,132 |
| Senior Library Clerk | 3,129 - 3,803 |
| Senior Library Technician | 3,842 - 4,670 |
| Senior Office Assistant | 3,441 - 4,183 |
| Senior Public Works Inspector | 5,648 - 6,865 |
| Steno Clerk | 3,428 - 4,166 |
| Supervising Librarian | 5,222 - 6,347 |
| Supervisor, Technical & Circulation Services | 5,744 - 6,982 |

Compensation and Benefit Provisions. Regular, Permanent, Competitive Service Employees - Salary and Wage Schedule for October 1, 2015-September 30, 2016

| <u>Position</u> | <u>Monthly Salary Range</u> |
|------------------------------------|-----------------------------|
| Accountant | 5,107 - 6,208 |
| Account Clerk | 3,511 - 4,268 |
| Accounting Technician | 4,390 - 5,336 |
| Administrative Secretary | 4,201 - 5,106 |
| Assistant Civil Engineer | 6,062 - 7,369 |
| Assistant Engineer | 6,062 - 7,369 |
| Assistant Planner | 5,068 - 6,160 |
| Associate Planner | 5,879 - 7,146 |
| Building Inspector Aide | 4,780 - 5,810 |
| Building Inspector | 5,311 - 6,455 |
| Building Inspector Supervisor | 6,253 - 7,600 |
| Building Permit Aide | 3,834 - 4,660 |
| Building Permit Technician | 4,780 - 5,810 |
| Business License Technician | 3,951 - 4,803 |
| Community Preservation Officer* | 4,777 - 5,807 |
| Community Preservation Technician | 3,425 - 4,164 |
| Custodian | 3,895 - 4,734 |
| Deputy City Clerk | 5,631 - 6,844 |
| Engineering Aide | 4,908 - 5,965 |
| Facilities Maintenance Technician | 4,491 - 5,459 |
| Grading Inspector | 5,212 - 6,335 |
| Housing & Redevelopment Specialist | 5,879 - 7,146 |
| Irrigation Technician | 4,091 - 4,972 |
| Jr. Civil Engineer | 5,513 - 6,701 |
| Landscape Inspector | 5,212 - 6,335 |
| Leadworker | 4,491 - 5,459 |
| Librarian | 4,618 - 5,613 |
| Librarian Assistant | 4,050 - 4,923 |
| Library Clerk | 2,887 - 3,509 |
| Library Clerk Typist I | 3,030 - 3,683 |
| Library Clerk Typist II | 3,176 - 3,860 |
| Library Technician | 3,612 - 4,390 |
| Library Graphics Specialist | 3,899 - 4,739 |
| Library Technology Specialist | 5,830 - 7,087 |
| Maintenance Contract Administrator | 5,839 - 7,097 |
| Maintenance Worker I | 3,462 - 4,208 |
| Maintenance Worker II | 3,895 - 4,734 |
| Management Assistant | 4,519 - 5,493 |
| MIS Administrator | 6,675 - 8,114 |
| MIS Technician | 5,152 - 6,293 |
| Office Assistant I | 2,887 - 3,509 |
| Office Assistant II | 3,176 - 3,860 |

| | |
|--|---------------|
| Parks Maintenance Supervisor | 5,560 - 6,758 |
| Plan Check Engineer | 6,903 - 8,391 |
| Plan Checker | 6,108 - 7,425 |
| Planning Aide | 4,231 - 5,143 |
| Public Works Inspector | 5,212 - 6,335 |
| Recreation Coordinator | 4,695 - 5,706 |
| Recreation Supervisor | 5,721 - 6,954 |
| Senior Account Clerk | 3,951 - 4,803 |
| Senior Building Inspector | 5,842 - 7,101 |
| Senior Landscape Inspector | 5,733 - 6,968 |
| Senior Librarian | 5,300 - 6,442 |
| Senior Librarian Assistant | 4,285 - 5,209 |
| Senior Library Clerk | 3,176 - 3,860 |
| Senior Library Technician | 3,900 - 4,740 |
| Senior Office Assistant | 3,493 - 4,246 |
| Senior Public Works Inspector | 5,733 - 6,968 |
| Steno Clerk | 3,479 - 4,228 |
| Supervising Librarian | 5,300 - 6,442 |
| Supervisor, Technical & Circulation Services | 5,830 - 7,087 |

Increases in salary ranges shall conform to the approved M.O.U.

*One (1) Community Preservation Officer position may receive up to 10% in additional salary based on an annual review for additional duties pertaining to the Community Development Block Grant.

SECTION 4. Limited Service Employees The City of Yorba Linda has established certain classifications of seasonal, temporary and special funded employees, all of whom are exempt from the provisions of the competitive service for regular, permanent employees.

SECTION 5.

Compensation and Benefit Provisions - Limited Service Employees for October 1, 2014-September 30, 2015

| <u>Position</u> | <u>Hourly Wage</u> |
|----------------------------------|--------------------|
| Account Clerk | 19.96 - 24.27 |
| Community Preservation Officer | 27.15 - 33.00 |
| Crossing Guard | Contract |
| Emergency Management Coordinator | 38.43 - 46.71 |
| Intern | 11.27 - 13.27 |
| Librarian | 26.25 - 31.91 |
| Librarian Assistant | 23.02 - 27.99 |
| Library Clerk | 16.41 - 19.94 |
| Library Graphics Specialist | 22.16 - 26.93 |
| Library Page | 10.41 - 11.41 |

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|----------------------------|-------|---|-------|
| Library Technician | 20.53 | - | 24.96 |
| Office Assistant I | 16.41 | - | 19.94 |
| Office Assistant II | 18.05 | - | 21.94 |
| Senior Office Assistant | 19.85 | - | 24.13 |
| Senior Librarian Assistant | 24.36 | - | 29.61 |
| Senior Library Page | 11.50 | - | 12.50 |
| Maintenance Worker Trainee | 9.29 | - | 9.79 |
| Management Assistant | 25.68 | - | 31.22 |
| Office Aide | 9.33 | - | 11.33 |
| Office Clerk | | | 9.27 |
| Recreation Aide | 9.29 | - | 9.79 |
| Recreation Coordinator | 26.68 | - | 32.43 |
| Recreation Leader | 11.19 | - | 12.69 |
| Recreation Specialist | 17.23 | - | 18.73 |
| Senior Recreation Leader | 14.13 | - | 15.63 |

Compensation and Benefit Provisions - Limited Service Employees for October 1, 2015-September 30, 2016

| <u>Position</u> | <u>Hourly Wage</u> | | |
|----------------------------------|--------------------|---|-------|
| Account Clerk | 20.27 | - | 24.63 |
| Community Preservation Officer | 27.56 | - | 33.50 |
| Crossing Guard | Contract | | |
| Emergency Management Coordinator | 39.00 | - | 47.41 |
| Intern | 11.47 | - | 13.47 |
| Librarian | 26.65 | - | 32.39 |
| Librarian Assistant | 23.37 | - | 28.41 |
| Library Clerk | 16.65 | - | 20.24 |
| Library Graphics Specialist | 22.49 | - | 27.33 |
| Library Page | 10.58 | - | 11.58 |
| Library Technician | 20.84 | - | 25.33 |
| Office Assistant I | 16.65 | - | 20.54 |
| Office Assistant II | 18.32 | - | 22.27 |
| Senior Office Assistant | 20.15 | - | 24.49 |
| Senior Librarian Assistant | 24.73 | - | 30.05 |
| Senior Library Page | 11.69 | - | 12.69 |
| Maintenance Worker Trainee | 9.43 | - | 9.93 |
| Management Assistant | 26.07 | - | 31.69 |
| Office Aide | 9.50 | - | 11.50 |
| Office Clerk | | | 9.41 |
| Recreation Aide | 9.43 | - | 9.93 |
| Recreation Coordinator | 27.08 | - | 32.92 |
| Recreation Leader | 11.38 | - | 12.88 |
| Recreation Specialist | 17.51 | - | 19.01 |
| Senior Recreation Leader | 14.36 | - | 15.86 |

SECTION 6. Standby Pay An employee assigned to standby duty during the employee's regular time off shall be compensated in the following manner:

1. The equivalent of two hours at the employee's regular rate of pay for Monday through Friday.
2. The equivalent of three hours at the employee's regular rate of pay for Saturday, Sunday and holidays.

Standby pay is not applicable to regular 40 hour per week pay. Any time actually called back to work is paid at the overtime rate or comp time.

SECTION 7. Bilingual Pay Employees shall receive bilingual pay in the amount of \$40 per pay period if they are designated to be eligible by the City Manager.

SECTION 8. Class B License Employees designated by the City Manager shall receive pay in the amount of \$50.00 per month for possessing a valid Class B License to operate specified equipment.

SECTION 9. Retirement

Employment with CITY is subject to the California Public Employees' Pension Reform Act of 2013 (hereinafter "PEPRA") and the California Public Employees Retirement System (hereinafter "CalPERS").

Pursuant to PEPRA, individuals who are employed by any public employer before January 1, 2013, and who become employed by CITY for the first time on or after January 1, 2013, shall be subject to the retirement plan that was available to comparable CITY safety or non-safety employees as of December 31, 2012, if the individual was subject to reciprocity with CalPERS.

Pursuant to PEPRA, individuals who were previously employed by CITY, and who become reemployed by CITY after January 1, 2013, shall be subject to the retirement plan that was in effect at the time they separated from the employment of CITY, regardless of the length in the break of service.

PEPRA requires a different benefit plan for CITY employees who are hired on or after January 1, 2013, and who are new employees and new members on or after January 1, 2013.

PEPRA defines a "new employee" to mean either of the following: an employee, including one who is elected or appointed, of a public employer who is employed for the first time by any public employer on or after January 1, 2013, and who was not employed by any other public employer prior to the that date. A "new employee" also means an employee, including one who is elected or appointed, of a public employer who is employed for the first time by any public employer on or after January 1, 2013, and who was employed by another public employer prior to that date, but who was not subject to reciprocity.

PEPRA defines a "new member" to mean an individual who becomes a member of any public retirement system for the first time on or after January 1, 2013, and who is not a member of any other public retirement system prior to that date; an individual who becomes a member of a public retirement system for the first time on or after January 1, 2013, and who was a member of another public retirement system prior to that date that was not subject to reciprocity; or an individual who was an active member in a retirement system and who had a break in service of more than six months before returning to active membership in that same retirement system with a new employer.

Effective January 1, 2013, public employers that offer a defined benefit plan shall only offer the defined benefit formulas to new members established pursuant to PEPRA.

Effective January 1, 2013, each retirement system that offers a defined benefit plan for non-safety members who are new members, is required to use the formula set forth in PEPRA. To receive full benefits, the non-safety employee must be 62, at which time he/she receives 2% of the member's final compensation.

In CITY, the new miscellaneous formula for new members first hired on or after January 1, 2013, is 2% at 62.

Equal sharing of normal costs between public employers and public employees shall be the standard for new members. The standard shall be that employees pay at least 50% of normal costs. Employers cannot pay any of the required employee contribution for new employees who are also new members.

The "normal cost" is defined as the annual actuarially determined normal cost for the defined benefit plan of an employer expressed as a percentage of payroll.

New members shall have an initial contribution rate of at least 50% of the normal cost rate for that defined benefit plan, rounded to the nearest quarter of 1%, or the current contribution rate of similarly situated employees (miscellaneous members), whichever is higher. The contribution shall not be paid by the employer on the employee's behalf.

Once the new member's contribution rate is established, the employee's contribution rate can automatically be adjusted upwards or downwards, but only if the normal cost rate increases or decreases by more than 1% of payroll above or below the normal cost rate in effect at the time the employee contribution rate is first established, or the normal cost rate in effect at the time of the last adjustment of the employee contribution rate.

The employee contributions for new members may be more than one-half of the normal cost rate if the increase has been agreed to through the collective bargaining process subject to several restrictions.

Final compensation for new members shall now mean the highest average annual pensionable compensation earned by the member during a period of at least 36 consecutive months (or three school years if applicable), immediately preceding his or her retirement. The member also has the option of designating an alternative 36 consecutive month period during the member's applicable service.

Classic Members

This retirement plan only applies to classic members within the meaning of PEPRA. Classic members are those individuals employed by CITY prior to January 1, 2013. Classic members are also those individuals who are hired by CITY after January 1, 2013, and who were employed by another public agency prior to January 1, 2013, and who had membership with a previous reciprocal retirement system.

The City of Yorba Linda shall contribute the total amount of the employees' share of the retirement program (PERS) in the name of the employee. The City shall provide a retirement benefit package for the employees which is based on single highest year compensation and includes unused sick leave credit, post-retirement survivor allowance and 1959 Survivors Benefits.

Starting in July 2015, classic members shall contribute an additional 1.0% retirement contribution to PERS towards the employer share for a total of 6.0%, and CITY shall contribute the balance of the employee's and employer's share of the contribution to PERS pursuant to Government Section Code 20516(a).

Starting in July 2016, classic members shall contribute an additional 1.0% retirement contribution to PERS for a total 7.0% towards the employer's share, and CITY shall contribute the balance of the employee's and employer's share of the contribution to PERS pursuant to Government Section Code 20516(a).

As of August 7, 2007, the City pays and reports the value of Employer Paid Member Contribution (EPMC) to CalPERS as additional compensation for each employee. This benefit shall consist of paying 7% of the normal contributions for employees, and reporting this 7% as compensation earnable.

New Members

This retirement plan only applies to new members hired by CITY on or after January 1, 2013.

The member contribution rate has been determined by CalPERS to be 6.75% of reportable compensation. The member contribution rate may change over time if the total normal cost rate for new miscellaneous members fluctuates by more than 1% of payroll over the estimated initial normal cost of 13.3% of payroll. The total normal cost rate will be impacted over time by the actual demographics of CITY's miscellaneous plan and the actuarial assumptions used in the funding of the retirement benefits. The member rate will be reviewed once a year by CalPERS when the actuarial valuation of CITY's miscellaneous plan is performed.

CITY shall promptly notify Association and the affected member of any change in the member contribution rate imposed by CalPERS during the term of this MOU. Any such change in the member contribution rate is mandatory, and it shall be implemented by City in accordance with the CalPERS notification. Any change in the member contribution rate during the term of this MOU imposed by CalPERS shall not be subject

to the meet and confer process, and the parties specifically agree that changes in the member contribution rate for new members are outside the scope of representation.

Final compensation for new members shall now mean the highest average annual pensionable compensation earned by the member during a period of at least 36 consecutive months, immediately preceding his or her retirement. The member also has the option of designating an alternative 36 consecutive month period during the member's applicable service.

These benefits are not available to limited service employees as defined in Section 4 of this Resolution.

SECTION 10. Medical/Health and Life Insurance

A. Life Insurance on Employee The City shall provide life insurance on the life of each regular permanent, competitive service miscellaneous employee and pay the full annual premium therefore. The face amount of said policies shall be equal to the employee's annual salary and increasing it to the nearest one-thousand dollars. Additional life insurance coverage may be purchased if the employee pays for the additional premium.

B. Medical/Health Insurance The City shall provide the PERS Health Plan for medical insurance. The City shall pay toward the annual cost of the health plan in accordance with the following schedule:

1. Regular, competitive service employees

Effective January 1, 2015, the maximum monthly benefit for employees hired prior to July 1, 2001, shall be \$1,352 per month. Effective January 1, 2016 the maximum monthly benefit for employees hired prior to July 1, 2001 shall be \$1,387 per month.

Employees hired on or after July 1, 2001, shall not be eligible for health insurance described above. Effective January 1, 2015, the City shall contribute \$1,130 per month toward a "cafeteria plan". Effective January 1, 2016, the City shall contribute \$1,165 per month toward a "cafeteria plan". The cafeteria plan is utilized first to pay health insurance premiums; any residual amount may be received as cash or applied toward the employee's deferred compensation.

Employees hired prior to July 1, 2001, may exercise a one-time election to join the cafeteria plan set forth above. The election, once made, is irrevocable.

2. Retired, competitive service employees and employees' dependents Retirees and their dependents are eligible to participate in the PERS Health Plan. The maximum monthly benefit for retirees shall be (up to) \$1,167.00 for retirees and their dependents that are eligible to participate in the PERS Health Plan. The City will pay a percentage of the PERS Health Plan Premium on behalf of the retiree and

their dependents (the percentage covered by the City shall increase each year in accordance with PERS Health Plan rate formula.)

3. Part-time permanent employees and employees' dependents

Effective January 1, 2015, the City will pay \$269.46 per month for the PERS Health Plan premium on behalf of those employees and their dependents who opt to participate in the PERS Health Plan. City health contribution increases for Permanent Part-time (30 hour) employees will be adjusted in accordance with the Affordable Care Act of 2014 formula. The employee will be required to pay for the balance of the premium.

4. Limited service employees-temporary/seasonal No coverage.

SECTION 11. Dental and Vision Insurance/Employee Assistance Program The City shall provide a self-insured indemnity plan for dental and vision insurance and employee assistance program benefits for the following classes of employees and their dependents. The City shall pay toward the annual cost of the dental, vision, and employee assistance program in accordance with the following schedule:

1. Regular, competitive service employees 100% of the insurance premiums.

2. Retired competitive service employees and employees' dependents Eligible to participate in the City's self-insured dental and vision plans. The City will pay a percentage of the dental and vision insurance premium on behalf of the retiree and their dependents (the percentage covered by the City may increase each year in accordance with the PERS Health Plan rate formula).

3. Part-time, permanent employees and employees' dependents - premiums are paid in full by the employee.

4. Limited service employees – temporary/seasonal No coverage.

SECTION 12. Disability Insurance The City shall provide a short-term and a long-term disability insurance plan for all regular, permanent competitive service miscellaneous employees. The City shall pay one hundred percent of the premium for both plans.

SECTION 13. Vacation Leave All regular, permanent competitive service miscellaneous employees shall be granted annual vacation leave. The City Manager is authorized to establish a vacation reimbursement program so as to limit the City's annual accrued liability as he or she may deem appropriate. Annual vacation leave shall accrue on the following basis:

- 1 - 3 years service 80 hours/year
- 4 - 9 years service 120 hours/year
- 10+ years service 160 hours/year

Part-time regular, permanent competitive service miscellaneous employees shall accrue vacation time on a pro-rata basis.

Employees may accumulate an amount up to double their annual accrual. Any excess "carryover" must be approved by the City Manager. Once the maximum accrual is reached, there is no more accrual of vacation until one goes below the maximum and has "cap room" to accrue.

Typically, any unused vacation time above one-half of the employee's annual vacation accrual may be subject to buyback. The buyback will be based on the number of unused vacation hours multiplied by the employee's hourly rate. In order to be eligible for the yearly buyback, an employee must utilize a minimum of forty (40) hours of vacation in the preceding year.

SECTION 14. Sick Leave All regular, permanent competitive service miscellaneous employees shall accrue annual sick leave at a rate of eight (8) hours per calendar month. Part-time regular, permanent competitive service miscellaneous employees shall accrue sick leave on a pro-rata basis. Said employees shall be paid upon termination, any accumulated unused sick leave at the rate of 25% after ten (10) years of service; 50% after fifteen (15) years service; and 75% after twenty (20) years of service. Upon separation, unused sick leave shall be paid at a rate of 100% only if the employee places the entire amount, up to IRS annual limits, in his/her 457 or 401A account. Any amount exceeding the annual 457 or 401A plan amounts shall be paid in cash.

Employees are eligible to accumulate a maximum of 2,500 hours of sick leave. Employees hired on or after July 1, 2001 shall not be eligible for the payoffs upon separation as set forth above.

SECTION 15. Personal Necessity Leave Employees not participating in an alternative work schedule shall be granted personal necessity leave not to exceed five (5) days per year. Personal necessity leave shall be used for emergency or unforeseen necessities. Personal necessity leave shall be deducted from accumulated sick leave. Employees participating in an alternative work schedule shall not be granted personal necessity leave.

SECTION 16. Industrial Sick Leave All permanent, competitive service employees are entitled to industrial sick leave. See Personnel Rules and Regulations.

SECTION 17. Subpoenaed Absence All permanent, competitive service employees are entitled to a subpoenaed leave of absence. See Personnel Rules and Regulations.

SECTION 18. Jury Duty All permanent, competitive service employees are entitled to serve on jury duty. See Personnel Rules and Regulations.

SECTION 19. Leave of Absence Without Pay All permanent, competitive service employees are entitled to leave of absence without pay. See Personnel Rules and Regulations.

SECTION 20. Bereavement Leave All permanent, competitive service employees are entitled to bereavement leave. See Personnel Rules and Regulations.

SECTION 21. Catastrophic Leave All permanent employees may receive catastrophic leave donations from other employees (on a voluntary basis) if the employee has a catastrophic medical condition which will require the employee to be on unpaid leave for at least one month. Provided the employee has exhausted all accrued sick leave; vacation; and compensatory time, a written request for donations shall be submitted to the Department Head. The request must be accomplished by a medical statement from the employee's attending physician which verifies the employee's need for an extended medical leave and must include a brief statement of the nature of the illness or injury and an estimated time the employee will be unable to work. Employees who receive donations under this procedure and who exhaust all donated sick leave may request an additional donation period subject to the aforesaid provisions.

SECTION 22. Military Leave of Absence All permanent, competitive service employees are entitled to military leave of absence. An employee who has been in the service of the city continuously for one year or more and is called into the Armed Services of the United States (Army, Navy, Marine Corps or Air Corps) for active reserve duty, shall be allowed a paid leave of absence for a period not to exceed thirty (30) days in any calendar year, provided that the period of active reserve duty does not exceed one hundred eighty (180) calendar days. An employee required to perform active duty with such organizations for a period in excess of that for which compensation may be paid hereunder may be granted a leave of absence without pay. City service shall not be deemed to be interrupted by such absence for the purpose of this resolution. An employee's employment status, with reference to promotion or continuance in office, employment, reappointment to office or re-employment, shall not be prejudiced directly or indirectly by reason of any absence from duty on account of actual service in the military forces of the United States.

SECTION 23. Special Compensation Provisions

A. Overtime. Subject to the approval of the City Manager and the following provisions, a Department Head may prescribe reasonable periods of overtime work to meet operational needs of his/her department.

Except for: (I) employees exempt from the provisions of the Federal Fair Labor Standards Act, i.e., management employees, and (II) mid-management/confidential employees; employees shall be compensated for overtime by the payment at the rate of one-and-one-half (1-1/2) times the employee's normal rate of pay for all hours over forty (40) worked in a seven (7) day work period and at the rate of two (2) times the employee's normal rate of pay for Sundays and holidays.

SECTION 24. Holidays The City shall recognize the following days as paid holidays for all miscellaneous employees:

2014

| | | |
|------------------------------|-----------|-------------|
| Veterans Day | Tuesday | November 11 |
| Thanksgiving | Thursday | November 27 |
| Day After Thanksgiving | Friday | November 28 |
| Christmas Eve | Wednesday | December 24 |
| Christmas | Thursday | December 25 |
| New Year's Eve - 2 hours (1) | Wednesday | December 31 |

2015

| | | |
|-------------------------------|-----------|-------------|
| New Years Day | Thursday | January 1 |
| Martin Luther King's Birthday | Monday | January 19 |
| Lincoln's Birthday (2) | Floater | Floater |
| President's Day | Monday | February 16 |
| Memorial Day | Monday | May 25 |
| Independence Day (3) | Floater | Floater |
| Labor Day | Monday | September 7 |
| Veterans Day | Wednesday | November 11 |
| Thanksgiving | Thursday | November 26 |
| Day After Thanksgiving | Friday | November 27 |
| Christmas Eve | Thursday | December 24 |
| Christmas | Friday | December 25 |
| New Year's Eve - 2 hours (1) | Thursday | December 31 |

2016

| | | |
|-------------------------------|---------|-------------|
| New Years Day | Friday | January 1 |
| Martin Luther King's Birthday | Monday | January 18 |
| Lincoln's Birthday (2) | Floater | Floater |
| President's Day | Monday | February 15 |
| Memorial Day | Monday | May 30 |
| Independence Day | Monday | July 4 |
| Labor Day | Monday | September 5 |

(1) New Year's Eve 2014 falls on a Wednesday, December 31st and New Year's Eve 2015 falls on Thursday, December 31, all City facilities will close 2 hours early, no later than 3:30pm.

(2) Lincoln's Birthday has been changed to the employee's birthday, which may be used at any time during the fiscal year.

(3) July 4, 2015 (the legal public holiday for Independence Day), falls on a Saturday; therefore Friday, July 3, is treated as a holiday. However, it falls on an alternate closed Friday and therefore is a designated floater day for fiscal year 2015/16.

SECTION 25. Travel, Miscellaneous Meetings and Convention Expenses

A. Automobile Allowance

1. Miscellaneous employees may claim automobile reimbursement on approved expense claim forms furnished by the Finance Department for the use of his/her own private automobile, in the course of his/her City employment or on City business. Such use of a private vehicle shall only be when the City vehicle is not available for transportation. Reimbursement at a rate consistent with the Internal Revenue Service standard may be approved for use of private vehicles on City business, within the City or within a radius of sixty miles therefrom. The City Manager may authorize, annually, increases in the automobile allowance in conjunction with the Consumer Price Index effective July 1st of each year.

B. Commercial Transportation Allowance All miscellaneous employees shall be entitled to the following allowance.

1. Allowance for use of commercial transportation shall be based upon scheduled airline coach rates in regard to all out-of-town travel on City business.
2. The use of private vehicles by miscellaneous employees, on City business on out-of-town trips, within the State, may be approved by the City Manager when use of commercial transportation is not available, economical or practical. If such persons prefer to use their private vehicle, they may be reimbursed the amount of the costs of commercial transportation only. The flat rate per mile set forth in Subsection A above will not apply in such cases.
3. When air, rail or public transportation is used, expenses necessary for local transportation, such as taxi cab and bus fare, will be allowed whenever such transportation is necessary for the conduct of City business after approval by the City Manager.

C. Out-of-City Travel, Meetings and Convention Expenses If, in the judgment of the City Manager, the estimated expenses of the approved contemplated travel, lodging and other related expenses pertinent to said trip are too high and would create a hardship for the employees to finance initially, the City Manager may authorize an advance payment of the estimated amount to the employee. Upon return of the employee from said trip, he/she shall submit an itemized statement as to his/her actual expenses. Final adjustments shall be made to the favor of the employee or the City, whichever the case may be. The cost of lodging and meals shall be at a reasonable rate and appropriate to the purpose of the trip.

D. Miscellaneous Expenses Telephone and telegraph charges incurred while on out-of-city business will be allowed for official calls as approved by the Department Head, Finance Director or City Manager.

SECTION 26. Miscellaneous Provisions

- A. Avoidance of Inequities The City Manager may authorize special adjustments to avoid or eliminate inequities resulting from the strict application of any provisions of this Resolution.
- B. Administrative Regulations The City Manager is authorized to issue written administrative personnel regulations designed to augment or clarify the provisions of this Resolution.

SECTION 27. Effective Date Except as otherwise specified to the contrary in this Resolution, all provisions shall be effective as of October 1, 2014 pursuant to Minute Order action of the City Council on October 20, 2015.

SECTION 28. Resolution No. 2015-5292 is hereby rescinded in its entirety.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Yorba Linda on this 20th day of October 2015.



GENE HERNANDEZ, MAYOR
CITY OF YORBA LINDA

ATTEST:



MARCIA BROWN, CITY CLERK
CITY OF YORBA LINDA

APPROVED AS TO FORM:
RUTAN & TUCKER LLP

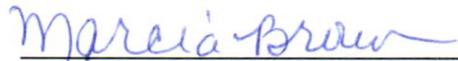


CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ^{ss.}

I, **MARCIA BROWN**, City Clerk of the City of Yorba Linda, California, **DO HEREBY CERTIFY** that the foregoing Resolution was adopted at a regular meeting of the City Council of the City of Yorba Linda held on the 20th day of October, 2015, and was carried by the following roll call vote:

AYES: COUNCILMEMBERS: **Hernandez, Huang, Lindsey, Schwing, Young**
NOES: COUNCILMEMBERS: **None**
ABSENT: COUNCILMEMBERS: **None**



MARCIA BROWN, CITY CLERK
CITY OF YORBA LINDA