

## **RESOLUTION NO. 16-38**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TUSTIN RELATING TO COMPENSATION AND BENEFITS FOR UNREPRESENTED EXECUTIVE MANAGEMENT AND MANAGEMENT EMPLOYEES, AND SUPERSEDING RESOLUTION 15-44

WHEREAS, the employees covered by this Resolution constitute Executive Management and Management personnel; and

WHEREAS, the City Council has consulted with the City Manager concerning the proposed employment terms contained herein;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Tustin (the "City") authorizes staff to implement the provisions of this Resolution and modify the City's Classification and Compensation Plans to reflect the changes approved in this Resolution, and that the wages, hours and conditions of employment be adopted and set forth as follows:

### **CHAPTER 1 – GENERAL PROVISIONS**

#### **Section 1: Classifications**

The Executive Management unit includes the classifications designated by the City as "department heads". The Management unit includes all other unrepresented FLSA-exempt classifications designated by the City as "management" employees.

Whenever the term "Executive Management" is used in this Resolution, it shall be understood to include the City Manager. The benefits and terms of employment of the City Manager and any other Executive Management employee employed under an individual employment agreement shall be as set forth herein, provided that any contrary written terms established by the City Council or City Manager, which provide a greater benefit than provided for in this Resolution, shall prevail.

#### **Section 2: Effective Dates**

The effective date of each Section is July 1, 2016, unless otherwise stated herein.

### **CHAPTER 2 – COMPENSATION**

#### **Section 3: Salary**

Effective the pay period which includes July 1, 2016, Executive Management and Management employees shall receive a three and one-half percent (3.5%) base salary

increase.

With the paycheck issued for the pay period which includes July 1, 2017, all Executive Management employees who are employed by the City on the effective date will receive a one-time lump sum payment of nine thousand, two hundred and ninety-two dollars (\$9,292.00). In accordance with the California Public Employees' Retirement System regulations and definition of Special Compensation (2 CCR §571), this lump sum payment will not be reported to CalPERS for purposes of retirement.

With the paycheck issued for the pay period which includes July 1, 2017, all Management employees who are employed by the City on the effective date will receive a one-time lump sum payment of seven thousand, one hundred and forty-one dollars (\$7,141.00). In accordance with the California Public Employees' Retirement System regulations and definition of Special Compensation (2 CCR §571), this lump sum payment will not be reported to CalPERS for purposes of retirement.

The monthly salaries for employees covered by this Resolution are hereby incorporated and listed in Appendix A and Appendix B. The attached salary ranges shall constitute the basic compensation plan consisting of six (6) steps in each range.

For all employees covered by this Resolution, the hourly rate of pay shall be the monthly rate multiplied by twelve (12) divided by two-thousand and eighty (2080) annual hours.

#### **Section 4: Bilingual Pay**

The City shall pay Bilingual Pay in the amount of one hundred dollars (\$100) per month (paid biweekly) to employees in City-designated positions who demonstrate conversational skill in Spanish or another language approved by the Director of Human Resources as necessary for City business.

To qualify for Bilingual Pay, the employee must 1) have a business need to speak Spanish or another City-approved language in the performance of his/her public contact duties on a frequent and recurring basis and 2) successfully pass a City-sponsored examination for conversational skill. The Director of Human Resources may limit the number of employees receiving Bilingual Pay based on the needs of the City and may discontinue Bilingual Pay for any employee who no longer uses bilingual skills in the course of work.

Individuals are eligible to receive Bilingual Pay at the beginning of the first pay period after the Human Resources Department receives the employee's passing test results.

In compliance with the California Public Employees' Retirement System regulations and definition of special compensation (2 CCR §571), the monetary value of bilingual pay (Bilingual Premium) shall be reported to CalPERS as special compensation described in Title 2 CCR, Section 571(a)(4) as a "special assignment pay" – a type of reportable special

compensation.

### **Section 5: Uniforms**

The City shall provide employees in the classification of Police Captain with uniforms, including replacements as needed. Additionally, employees in these classifications receive an allowance of \$16.50 per biweekly pay period, up to a maximum of \$429 per year, for care and maintenance of uniforms. In compliance with the California Public Employees' Retirement System regulations and definition of special compensation (2 CCR §571), for "classic members" as defined by the Public Employees' Pension Reform Act of 2013, the compensation paid for the maintenance of required uniforms shall be reported to CalPERS as special compensation described in Title 2 CCR, Section 571(a)(5) as a "statutory item" – a type of reportable special compensation.

The City shall provide uniforms, including replacements as needed, to employees in the classifications of Maintenance Supervisor, Water Maintenance and Construction Supervisor, and Water Treatment Supervisor. In compliance with the California Public Employees' Retirement System regulations and definition of special compensation (2 CCR §571), for "classic members" as defined by the Public Employees' Pension Reform Act of 2013, the monetary value of the rental and maintenance of the required uniforms shall be reported to CalPERS as special compensation described in Title 2 CCR, Section 571(a)(5) as a "statutory item" – a type of reportable special compensation.

### **Section 6: Educational Incentive Pay**

Employees in the classification of Police Captain who have obtained a master's degree and a POST Management Certificate are eligible to receive Educational Incentive Pay of \$500 per month (\$230.76 per pay period).

Such employees are eligible to receive Educational Incentive Pay at the beginning of the first pay period after Human Resources certifies that the employee has met all of the eligibility requirements.

In compliance with the California Public Employees' Retirement System regulations and definition of special compensation (2 CCR §571), the monetary value of educational incentive pay shall be reported to CalPERS as special compensation described in Title 2 CCR, Section 571(a)(2) as an "educational pay" – a type of reportable special compensation.

### **Section 7: Acting Pay**

An employee assigned to temporarily work in a higher classification will receive Acting Pay. At the City Manager's discretion, the employee will either receive Acting Pay in an amount equal to 5% of the employee's base pay or the employee's base salary will be moved to Step A of the higher classification during the Acting assignment. Acting Pay will be paid effective the beginning of the first full pay period in which the employee serves in

the Acting assignment.

In compliance with the California Public Employees' Retirement System regulations and definition of Special Compensation (2 CCR §571), the monetary value of Acting Pay shall be reported to CalPERS as Special Compensation. Acting Pay ("Temporary Upgrade Pay") is described in Title 2 CCR, Section 571(a)(3) as a "premium pay" – a type of reportable special compensation. In the event of a dispute, it is ultimately CalPERS who determines whether any form of pay is reportable special compensation.

### CHAPTER 3 – BENEFITS

#### Section 8: Flexible Benefits Plan

The City contracts with the California Public Employees' Retirement System (CalPERS) for the provision of medical insurance. All Confidential employees shall receive the minimum amount required under the Public Employees' Medical and Hospital Care Act (PEMHCA) (\$125 for calendar year 2016 and a yet to be determined amount for subsequent calendar years) as well as an additional amount which is provided under a Section 125 Flexible Benefits program. The amounts below include the minimum amount under PEMHCA.

Effective the pay period that includes July 1, 2016, the monthly Flexible Benefits contribution per eligible Executive Management employee and Management employee (hired into the Management unit on or before September 3, 2002) is as follows:

Employee Only	Employee + 1 Dependent	Employee + 2 or more Dependents
\$1,225	\$1,443	\$1,789

Effective the pay period that includes July 1, 2017, the monthly Flexible Benefits contribution per eligible Executive Management employee and Management employee (hired into the Management unit on or before September 3, 2002) is as follows:

Employee Only	Employee + 1 Dependent	Employee + 2 or more Dependents
\$1,275	\$1,493	\$1,839

Effective the pay period that includes July 1, 2016, the monthly Flexible Benefits contribution per eligible Management employee (hired into the Management unit on or after September 4, 2002) is as follows:

Employee Only	Employee + 1 Dependent	Employee + 2 or more Dependents
\$1,025	\$1,150	\$1,300

Effective the pay period that includes July 1, 2017, the monthly Flexible Benefits contribution per eligible Management employee (hired into the Management unit on or after September 4, 2002) is as follows:

Employee Only	Employee + 1 Dependent	Employee + 2 or more Dependents
\$1,075	\$1,200	\$1,350

Employees who do not take medical insurance through the program offered by the City shall receive \$425 per month effective the pay period that includes July 1, 2016 and \$450 per month effective the pay period that includes July 1, 2017 as the Flexible Benefits Opt-Out contribution. As a condition of receiving such amount, the employee must provide evidence, satisfactory to the City, that he/she has medical insurance coverage comparable to coverage available through the City program. If the employee also opts out of the City's dental insurance, the employee must also provide evidence, satisfactory to the City, that he/she has dental insurance coverage comparable to coverage available through the City program.

The Flexible Benefits contribution consists of mandatory and discretionary allocations which may be applied to City-sponsored programs, including required payment towards employee medical insurance under the Public Employees' Medical and Hospital Care Act (PEMHCA). Employees may allocate the remaining amount among the following City-sponsored programs:

1. Medical insurance
2. Dental insurance
3. Additional life insurance
4. Vision insurance
5. Deferred compensation
6. Section 125 Flexible Spending Account programs (medical and/or dependent care reimbursement programs)
7. Eligible catastrophic care programs
8. Cash

Discretionary allocations are to be made in accordance with program/City requirements, including restrictions as to the time when changes may be made in allocations to the respective programs.

The Flexible Benefits program is governed by Section 125 of the Internal Revenue Code (IRC). The City retains the right to change administrators.

Participation in the Section 125 medical and/or dependent care reimbursement programs is voluntary and employee-funded.

## **Section 9: Retirement**

Employees covered under this Resolution shall be members of the California Public Employees' Retirement System (CalPERS) and are subject to all applicable provisions of the City's contract with CalPERS.

Miscellaneous members employed by the City by December 31, 2011 shall be enrolled in the CalPERS 2% @ 55 plan in accordance with Government Code Section 21354 for Local Miscellaneous members. The plan includes both an employer and employee contribution. Effective the pay period that includes July 1, 2013, the employee is responsible for paying the employee contribution of 7% of the employee's wages through a pre-tax payroll deduction. 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. The plan has been amended to include Section 21573 (Third Level of 1959 Survivor Benefits), Section 20042 (One-Year Final Compensation), and Section 21024 (Military Service Credit as Public Service). The employee is responsible for paying the employee portion of the 1959 Survivor benefit premium.

These employees are also responsible for paying an additional pension contribution of three percent (3%) as cost sharing in accordance with Government Code section 20516(f), for a total employee pension contribution of ten percent (10%).

Miscellaneous members employed by the City on or after January 1, 2012 who are "classic members" as defined by the Public Employees' Pension Reform Act (PEPRA) of 2013 shall be enrolled in the CalPERS 2% @ 60 plan for Local Miscellaneous members. The plan includes both an employer and employee contribution.

The employee is responsible for paying the employee contribution of 7% of the employee's wages through a payroll deduction. 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. This plan provides retirement benefits based on the highest annual average compensation earnable during the three consecutive years of employment immediately preceding the effective date of his or her retirement or as designated by the employee in accordance with Government Code Section 20037. The plan provides for 3rd level of 1959 Survivor benefits with the employee paying the employee portion of the premium.

These employees are also responsible for paying an additional pension contribution of three percent (3%) as cost sharing in accordance with Government Code section 20516(f), for a total employee pension contribution of ten percent (10%).

Individuals first employed by the City on or after January 1, 2013 who are defined as "new members" by the Public Employees' Pension Reform Act (PEPRA) of 2013, shall be enrolled in the CalPERS 2% @ 62 plan for Local Miscellaneous members.

The employee is responsible for paying the employee contribution of one-half of the total normal cost of the plan, as defined by CalPERS, through a payroll deduction. Effective the pay period including July 1, 2015, the employee contribution is 6.25%. This amount will be determined by CalPERS in the future. 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.

This plan provides retirement benefits based on the highest annual average compensation earnable during the three consecutive years of employment immediately preceding the effective date of his or her retirement or as designated by the employee in accordance with Government Code Section 7522.32(a). The plan provides for 3rd level of 1959 Survivor benefits with the employee paying the employee portion of the premium.

Employees first hired by the City as Local Safety Members prior to January 1, 2012 shall be provided the CalPERS 3% @ 50 retirement formula in accordance with Government Code section 21362.2.

These employees are responsible for paying the employee contribution of 9% of the employee's wages through a pre-tax payroll deduction. 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.

These employees are also responsible for paying an additional pension contribution of three percent (3%) as cost sharing in accordance with Government Code section 20516(f), for a total employee pension contribution of twelve percent (12%).

The plan has been amended to include Section 21574 (Fourth Level of 1959 Survivor Benefits), Section 20042 (One-Year Final Compensation), and Section 21024 (Military Service Credit as Public Service). The employee is responsible for paying the employee portion of the 1959 Survivor benefit premium.

Employees first hired by the City as Local Safety Members on or after January 1, 2012 who are "classic members" as defined by the Public Employees' Pension Reform Act (PEPRA) of 2013 shall be provided the CalPERS 2% @ 50 retirement formula.

The employee is responsible for paying the employee contribution of 9% through a pretax payroll deduction. 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.

These employees are also responsible for paying an additional pension contribution of three percent (3%) as cost sharing in accordance with Government Code section 20516(f), for a total employee pension contribution of twelve percent (12%).

The plan includes Section 21574 (Fourth Level of 1959 Survivor Benefits) and Section 21024 (Military Service Credit as Public Service). The employee is responsible for paying the employee portion of the 1959 Survivor benefit premium. This plan provides retirement benefits based on the highest annual average compensation earnable during the three consecutive years of employment immediately preceding the effective date of his or her retirement or as designated by the employee in accordance with Government Code Section 20037.

Individuals first employed by the City on or after January 1, 2013 who are defined as “new members” by the Public Employees’ Pension Reform Act (PEPRA) of 2013, shall be enrolled in the CalPERS 2.7% @ 57 plan for Local Safety members.

The employee is responsible for paying the employee contribution of one-half of the total normal cost of the plan, as defined by CalPERS, through a payroll deduction. Effective the pay period including July 1, 2015, the employee contribution is 11.50%. This amount will be determined by CalPERS in the future. 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 plan includes Section 21574 (Fourth Level of 1959 Survivor Benefits) and Section 21024 (Military Service Credit as Public Service). The employee is responsible for paying the employee portion of the 1959 Survivor benefit premium. This plan provides retirement benefits based on the highest annual average compensation earnable during the three consecutive years of employment immediately preceding the effective date of his or her retirement or as designated by the employee in accordance with Government Code Section 7522.32(a).

### **Section 10: Life Insurance**

The City will provide life insurance for each Executive Management and Management employee and pay the required premiums. The death benefit of said policy shall be the greater of \$100,000 or one hundred percent (100%) of the employee's base annual salary, rounded to the next higher multiple of \$1,000, up to a maximum of \$200,000. The City will also provide \$1,000 per dependent of dependent life insurance and pay the required premiums.

### **Section 11: Short-Term / Long-Term Disability Insurance**

The City shall maintain a short-term / long-term disability (STD/LTD) insurance program for non-industrial illnesses or injuries. Eligibility for benefits is subject to the

requirements and approval of the STD/LTD insurance carrier.

An employee who is receiving STD benefits under the City's program will be granted a leave of absence for the duration of his/her non-industrial disability subject to a maximum period of six (6) months. Such leave of absence may be extended for an additional six (6) months under LTD, upon approval of the City Manager.

All unit employees are required to participate in the program. Premiums are deducted from the employee's pay on an after-tax basis.

In the event a non-industrial illness or injury is anticipated to exceed 30 days, the employee is first required to use 80 consecutive hours of his/her accrued leave during the 30 day period beginning with the first day of the leave. In the event no leave time is available, the employee shall be on leave without pay for 80 consecutive hours.

After the first 80 hours of leave, and for the remainder of the 30 day elimination period, the employee shall be compensated by the City at the rate of 60% of the employee's pre-disability base salary. This City payment is taxable income. The employee may supplement this City payment with accrued leave to enable him/her to receive an amount equivalent to no more than 100% of his/her pre-disability earnings.

In the event the employee is eligible for FMLA/CFRA leave, STD/LTD leave shall run concurrently with FMLA/CFRA leave.

For a new employee who has worked for the City for less than 12 consecutive months, and is therefore not eligible for FMLA/CFRA leave, the City will nevertheless provide the employee with the same Flexible Benefits contribution as was provided at the time of the non-industrial injury, for a period not to exceed 90 days. Should an employee receive 90 days of City-paid Flexible Benefits within the 12 month period prior to being eligible for this benefit pursuant to the FMLA/CFRA, and is subsequently eligible to receive this benefit pursuant to the FMLA/CFRA, the employee shall reimburse the City for his/her previous contribution.

Once the employee is on leave without pay, or the first 80 hours of leave has passed (whichever occurs first), no paid leave shall accrue to the employee.

After the 30 day elimination period, the STD/LTD carrier will provide the employee with a benefit of 60% of pre-disability base salary. The employee may supplement the STD/LTD carrier's payment with accrued paid leave to enable him/her to receive an amount equivalent to no more than 100% of his/her pre-disability earnings.

The employee is responsible for all benefit elections and payments during his/her leave unless he/she is eligible to opt out of such elections and chooses to do so. In the event the employee chooses to continue his/her benefit elections, the employee is required to make timely payment to the City for such elections (including the cost of the STD/LTD program). In the event timely payment is not made, the City is authorized to reduce the

employee's accrued paid leave accounts, in an amount equivalent to the premiums owed by the employee. In the event no paid leave is available, the City is authorized to cancel the employee's coverage.

An employee is only eligible for the City's 60% STD/LTD salary continuation benefit once in any rolling 12-month period.

### **Section 12: Vehicle Allowance**

Each Executive Management employee shall have his/her personal vehicle available and shall use his/her personal vehicle for City business. To cover these costs, except as noted below, Executive Management employees shall receive a \$400 monthly vehicle allowance.

In consideration of the duties associated with the classification, employees in the classifications of City Manager, Police Chief and Police Captain are provided with a City vehicle in lieu of a vehicle allowance.

### **Section 13: Textbook and Tuition Reimbursement**

The City shall provide eligible employees with textbook and tuition reimbursement in accordance with the guidelines and procedures specified in the Personnel Rules.

Employees are eligible for this benefit after completion of the initial probationary period. Requests to enroll in courses may be granted prior to the completion of probation; however, payment will not be made until the employee has completed the probationary period and attained regular status.

Employees may be reimbursed for up to \$4,000 per calendar year in covered expenses for attending graduate school, a four-year college or university, or a job-related program through University of California or California State University extended education programs and \$2,000 per year for attendance at a California Community College. This reimbursement benefit may be used for other job-related educational programs administered by other professional organizations with the express approval of the City Manager. If an employee separates from City service within one calendar year of receiving this Tuition Reimbursement benefit, the employee is responsible for refunding the City the full amount of the benefit that was paid. Funds will be deducted from the employee's final paycheck to cover the re-payment of the tuition reimbursement.

### **Section 14: Retiree Medical Insurance**

The City will reimburse eligible unit employees up to a maximum of \$350 per month for the payment of CalPERS retiree medical insurance premiums. This amount is in addition to the minimum contribution towards retiree medical insurance required under the PEMHCA program (\$125 per month for calendar year 2016 and a yet to be

determined amount for subsequent calendar years).

An employee hired by the City prior to July 1, 2011 is eligible for this benefit provided that he/she has been continuously employed by the City for five (5) full years, retires from the City and CalPERS, and enrolls in a CalPERS medical insurance plan immediately after retirement. Eligible employees who suffer a disability, are unable to return to work, and take a disability retirement from CalPERS may satisfy the five (5) year continuous service requirement using a combination of service with the City and service with any public agency with a reciprocal retirement system.

An employee hired by the City on or after July 1, 2011 is eligible for this benefit provided that he/she has been continuously employed by the City for ten (10) full years, retires from the City and CalPERS, and enrolls in a CalPERS medical insurance plan immediately after retirement. Eligible employees who suffer a disability, are unable to return to work, and take a disability retirement from CalPERS may satisfy the ten (10) year continuous service requirement using a combination of service with the City and service with any public agency with a reciprocal retirement system.

Reimbursement shall not be made until an employee appears on the City's CalPERS insurance billing. In order to maintain the retiree medical insurance stipend throughout retirement, an employee must maintain coverage in a CalPERS medical insurance plan; once coverage is dropped, reimbursement will cease and will not be reinstated.

## CHAPTER 4 – LEAVES OF ABSENCE

### Section 15: General Leave

Paid General Leave shall be granted to each full-time employee at the rates listed below per year, prorated on a biweekly basis for each biweekly pay period in which the employee is in paid status for at least 40 hours of the pay period. If the employee is in paid status between 40 – 80 hours of a pay period, his/her General Leave will be earned on a prorated basis for the pay period.

Service	Hours Per Year	Maximum Accrual
0 – 5 years	160	320
6 – 10 years	208	416
Over 10 years	248	496

When appointing an individual to an Executive Management or Management classification, the City Manager shall have the authority to consider the individual's prior employment in determining an advanced General Leave accrual rate.

Each January, Executive Management employees are eligible to receive up to sixteen (16) additional hours of General Leave for satisfactory performance as determined by the City Manager. Management employees may be entitled to eight (8) additional hours of General Leave as determined by their department head.

Once per fiscal year, Executive Management employees and Management employees with six (6) or more years of City service may request to cash out up to eighty (80) hours of accrued General Leave. Management employees with less than six (6) years of City service may request to cash out up to forty (40) hours of accrued General Leave.

In addition, for Fiscal Year 2015-16 through Fiscal Year 2017-18, once per fiscal year employees may cash out additional accrued General Leave as follows based on years of service used to determine General Leave accrual rates, provided employees have at least 160 hours of accrued General Leave at the time of cash out:

0-5 years	40 additional hours per year
6-10 years	50 additional hours per year
Over 10 years	60 additional hours per year

The additional hours may be cashed out at the same time as the initial 40 or 80 hours or at one additional time during each fiscal year. Additionally, any of the General Leave cash out may be directed to the employee's deferred compensation account up to the statutory limits for deferred compensation (in 2015, the statutory limits are \$18,000 per year, with a catch-up limit of \$36,000).

At any time, employees may accumulate General Leave to a maximum of two (2) times the employee's annual entitlement. Upon reaching the maximum, accrual will cease until leave is used to reduce the accrual below the maximum. Upon separation from City service the employee will be paid for unused Leave, not to exceed the maximum of two (2) years entitlement, at the employee's then current base salary rate.

### **Section 16: Administrative Leave**

As exempt employees under the Fair Labor Standards Act (FLSA), Executive Management and Management employees are compensated for meeting the requirements and performing the duties of their jobs, regardless of the number or scheduling of hours worked. Such employees may be required periodically or routinely to work long or irregular hours, and to attend various meetings and functions outside of normal "business hours" to fulfill their responsibilities. No overtime compensation shall be provided for Executive Management and Management employees unless otherwise required by State or Federal law.

In lieu of overtime compensation, the City will provide employees with an annual credit of forty (40) hours of paid Administrative Leave each January. During the first calendar year of employment as an employee covered by this Resolution, employees will be granted a prorated share of Administrative Leave at the time of appointment, with the amount dependent upon the employee's hire date as follows:

Hire Date	Administrative Leave
1 <sup>st</sup> Quarter (January – March)	40 hours
2 <sup>nd</sup> Quarter (April – June)	30 hours
3 <sup>rd</sup> Quarter (July – September)	20 hours
4 <sup>th</sup> Quarter (October – December)	10 hours

Each January, each Executive Management and Management employee is eligible to receive up to an additional forty (40) hours of Administrative Leave pursuant to the recommendation of his/her Department Head or the City Manager, with such recommendation based on the individual's prior year's job performance and his/her commitment of time dedicated to City business in excess of his/her regular work schedule. After the conclusion of the first calendar year of employment, employees shall be eligible for a prorated share of additional Administrative Leave, in accordance with the same guidelines as those governing the initial granting of Administrative Leave at time of appointment, as specified in this Section (e.g. an employee hired in the 3<sup>rd</sup> Quarter of Year 1 is eligible for up to 20 additional hours of Administrative Leave in January of Year 2). An employee whose performance is in need of improvement, pursuant to a performance evaluation or performance improvement plan, is not eligible to receive additional Administrative Leave. The accrual of Administrative Leave is limited to a maximum of eighty (80) hours at any time. Use of Administrative Leave is completely discretionary upon the approval of the Department Head or the City Manager.

### Section 17: Holidays

The following days shall be holidays for which all employees will receive compensation either in pay or paid time off:

January 1	New Year's Day
Third Monday in January	Martin Luther King Jr. Day
Third Monday in February	Presidents' Day
Last Monday in May	Memorial Day
July 4	Independence Day
First Monday in September	Labor Day
November 11	Veterans Day
Thanksgiving Day	Thanksgiving Day
Day following Thanksgiving Day	Day after Thanksgiving Day
December 24	Christmas Eve
December 25	Christmas Day
December 31	New Year's Eve

When a holiday occurs on a Sunday, the following Monday will be observed instead. When a holiday occurs on a Saturday, the preceding Friday will be observed instead. If a holiday falls on a day that is also an employee's regular day off, the employee will accrue nine hours to his/her General Leave bank for the holiday. If a holiday falls on an employee's regularly scheduled working Friday, the employee will receive eight hours of

holiday pay and accrue one hour to his/her General Leave bank.

**Section 18: Bereavement Leave**

Unit employees are allowed up to five (5) days of paid leave for the purpose of Bereavement Leave in the event of a death in the "immediate family". For purposes of this section, "immediate family" is defined as including spouse, registered domestic partner, mother, stepmother, father, stepfather, brother, sister, child, stepchild, grandparent, and grandchild of the employee or the employee's spouse/registered domestic partner.

**CHAPTER 5 – WORKING CONDITIONS**

**Section 19: Alternate Work Schedules**

Executive Management and Management employees are eligible for participation in the City's Alternate Work Schedule program. Such work schedules are subject to the needs of the City and the employee's department.

The City Manager has the authority to implement rules, policies and procedures for Alternative Work Schedules for Executive Management and Management employees.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Tustin held on the 21<sup>st</sup> day of June 2016.

\_\_\_\_\_  
JOHN NIELSEN  
Mayor

ATTEST:

\_\_\_\_\_  
ERICA N. RABE  
City Clerk

STATE OF CALIFORNIA )  
COUNTY OF ORANGE )     SS  
CITY OF TUSTIN        )

I, Erica N. Rabe, City Clerk and ex-officio Clerk of the City Council of the City of Tustin, California, do hereby certify that the whole number of the members of the City Council of the City of Tustin is five; that the above and foregoing Resolution No. 16-38 was duly passed and adopted at a regular meeting of the Tustin City Council, held on the 21<sup>st</sup> day of June 2016, by the following vote:

COUNCILMEMBER AYES: \_\_\_\_\_  
COUNCILMEMBER NOES: \_\_\_\_\_  
COUNCILMEMBER ABSTAINED: \_\_\_\_\_  
COUNCILMEMBER ABSENT: \_\_\_\_\_

\_\_\_\_\_  
ERICA N. RABE  
City Clerk

## APPENDIX A – EXECUTIVE MANAGEMENT MONTHLY SALARY RANGES

Effective the pay period that includes July 1, 2016

Classification	Step A	Step B	Step C	Step D	Step E	Step F
Assistant City Manager	13295.05	13975.82	14691.46	15443.75	16234.55	17046.28
Deputy City Manager	11302.20	11880.87	12489.17	13128.62	13800.81	14490.85
Director of Community Dev	11388.28	11971.42	12584.42	13228.82	13906.21	14601.52
Director of Economic Development	10511.64	11037.22	11589.08	12168.53	12776.96	13415.81
Director of Finance / City Treasurer	12168.53	12791.62	13446.63	14135.17	14858.97	15601.92
Director of Human Resources	10331.59	10860.63	11416.75	12001.35	12615.88	13246.68
Director of Parks & Rec	10645.84	11190.96	11764.00	12366.38	12999.61	13649.59
Director of Public Wks / CE	12459.37	13097.35	13768.01	14473.01	15214.11	15974.81
Police Chief	13959.80	14674.61	15426.04	16215.94	17046.28	17898.65

## APPENDIX B – MANAGEMENT MONTHLY SALARY RANGES

Effective the pay period that includes July 1, 2016

Classification	Step A	Step B	Step C	Step D	Step E	Step F
Accounting Supervisor	7599.56	7988.70	8397.76	8827.77	9279.80	9743.79
Administrative Services Mgr	8610.08	9050.96	9514.42	10001.62	10513.76	11039.44
Assistant Dir of Comm Dev	9490.70	9976.67	10487.54	11024.56	11589.08	12168.53
Assistant Dir of Comm Dev - Bldg	9965.23	10475.51	11011.92	11575.79	12168.53	12776.96
Assistant Dir of Comm Dev - Plan	9490.70	9976.67	10487.54	11024.56	11589.08	12168.53
Assistant Dir of Finance	8827.77	9279.80	9754.98	10254.49	10779.58	11318.56
Assistant Dir of Public Wks	10357.42	10887.78	11445.29	12031.35	12647.42	13279.79
Assistant to the City Manager	8610.08	9050.96	9514.42	10001.62	10513.76	11039.44
Building Inspection Supv	6640.97	6981.02	7338.49	7714.27	8109.28	8514.74
Building Official	9303.00	9779.37	10280.12	10806.53	11359.88	11927.87
City Clerk	8460.90	8894.15	9349.57	9828.33	10331.59	10848.17
Deputy Building Official	8503.26	8938.67	9396.38	9877.53	10383.31	10902.48
Deputy Director of Economic Dev	9490.70	9976.67	10487.54	11024.56	11589.08	12168.53
Deputy Director of Parks & Rec	8610.08	9050.96	9514.42	10001.62	10513.76	11039.44
Deputy Director of PW - Eng	10357.60	10887.97	11445.44	12031.44	12647.45	13279.82
Deputy Director of PW - Ops	9961.18	10471.19	11007.31	11570.88	12163.31	12771.47
Deputy Police Chief	12212.95	12838.33	13495.72	14170.51	14879.03	15622.98
Economic Devel & Housing Mgr	8805.76	9256.66	9730.65	10228.92	10752.70	11290.33
Field Services Manager	8610.08	9050.96	9514.42	10001.62	10513.76	11039.44
Finance Manager	8610.08	9050.96	9514.42	10001.62	10513.76	11039.44
Human Resources Manager	8610.08	9050.96	9514.42	10001.62	10513.76	11039.44
Information Tech Supervisor	8460.90	8894.15	9349.57	9828.33	10331.59	10848.17
Maintenance Supervisor	5803.30	6100.46	6412.84	6741.21	7086.40	7440.72
Plan Check Supervisor	6640.97	6981.02	7338.49	7714.27	8109.28	8514.74
Police Captain	11052.12	11618.05	12212.96	12838.33	13495.72	14170.51
Police Civilian Commander	8718.25	9164.67	9633.95	10127.26	10645.84	11178.13
Police Support Services Mgr	7449.26	7830.70	8231.68	8653.19	9096.28	9551.09
Principal Engineer	8503.26	8938.67	9396.38	9877.53	10383.31	10902.48
Principal Plan Check Engineer	8503.26	8938.67	9396.38	9877.53	10383.31	10902.48
Principal Planner	8314.31	8740.04	9187.58	9658.04	10152.58	10660.21
Public Works Inspection Supv	6223.55	6542.23	6877.22	7229.37	7599.56	7979.54
Public Works Manager	8231.72	8653.19	9096.28	9562.05	10051.69	10554.27
Recreation Superintendent	7505.27	7889.58	8293.57	8718.25	9164.67	9622.90
Recreation Supervisor	5745.63	6039.84	6349.11	6674.22	7015.97	7366.77
Senior Accountant	6040.14	6349.42	6674.54	7016.32	7375.60	7744.38
Senior Information Tech Spec	6131.00	6444.95	6774.96	7121.87	7486.56	7860.88
Senior Management Analyst	7943.49	8350.19	8777.72	9227.14	9699.57	10196.19

<b>Classification</b>	<b>Step A</b>	<b>Step B</b>	<b>Step C</b>	<b>Step D</b>	<b>Step E</b>	<b>Step F</b>
Senior Planner	6691.23	7033.86	7394.04	7772.65	8170.65	8579.18
Water Maint & Const Supv	6380.90	6707.63	7051.10	7412.15	7791.70	8181.28
Water Services Manager	9538.21	10026.62	10540.04	11079.75	11647.10	12229.45
Water Treatment Supervisor	7283.73	7656.70	8048.76	8460.90	8894.15	9338.86