

GARDEN GROVE CITY COUNCIL

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE ESTABLISHING SALARIES, FRINGE BENEFITS AND EXEMPTING CENTRAL MANAGEMENT CLASSIFICATIONS FROM MUNICIPAL CODE SECTION 2.44.390 AND OVERTIME.

WHEREAS, Chapter 2.44 of the Garden Grove Municipal Code, revised, Volume 1, provides that the City Council shall by resolution: set forth the classification of full-time positions in the various City departments and offices;

BE IT RESOLVED that the City Council does hereby rescind Resolution No. 9336-15; and

BE IT FURTHER RESOLVED that the City Council does establish the following:

SECTION 1: CENTRAL MANAGEMENT CLASSIFICATIONS

For purposes of this Resolution, Central Management positions are identified as follows:

<u>Classification</u>	<u>Salary Range</u>
Assistant City Manager	255
Community/Economic Development Director	245
Community Services Director	240
Economic Development Director	245
Finance Director	245
Fire Chief	253
Information Technology Director	240
Human Resources Director	240
Police Chief	258
Public Works Director	245
Deputy City Manager	240

SECTION 2: WAGES

Effective the first full pay period following July 1, 2017, a new step (Step "H") will be added to the salary schedule. Step "H" will be four percent (4%) higher than Step "G". All members listed in this Resolution, who were on Step "G" for twelve months or more on July 1, 2017, will be eligible to move to Step "H" (assuming they are eligible for a salary increase in accordance with Salary Step Increase provision) on the first day of the pay period following July 1, 2017. Any member of

the unit who was at Step "G" for less than 12 months on July 1, 2017, will be eligible to move to Step "H" in accordance with the Salary Step Increase provision.

SECTION 3: FRINGE BENEFITS

Unless otherwise provided, benefits and leave Policies as offered in the Middle Management group will be offered to the classifications listed in this Resolution.

Central Management employees are not eligible for any education incentive programs offered by the City, but are eligible to participate in the Tuition Reimbursement Program.

Central Management employees who meet the same qualifications for the vacation buy-back provision shall have the option to use this benefit any time during the calendar year.

Central Management employees are eligible for an executive medical (physical) examination on an annual basis, to be provided by the City if requested. Central Management employees also receive the executive long-term disability insurance benefit.

SECTION 4: RETIREMENT PLAN

i. Retirement Formula

- a) Miscellaneous Unit members who are "classic members" as defined by the Public Employees' Pension Reform Act of 2013 (PEPRA) are covered by the 2.5% @ 55 formula provided by the Public Employee's Retirement Law at Government Code section 21354.4. This formula applies to "classic members" defined as any member hired before December 31, 2012 as well as any member hired after January 1, 2013 who is a lateral hire from another PERS agency, public agency with reciprocity or a member who has had less than a six month break in service from his/her previous public agency employment.
 - i) One-Year Final Compensation option "single highest year" (Government Code section 20042.2).

- b) Miscellaneous Unit members hired on or after January 1, 2013 who are defined as "new members" under PEPRRA, are covered by the 2% @ 62 formula provided for by the Public Employees' Retirement Law at Government Code section 7522.20.
 - ii) Final compensation will be based on the highest annual average pensionable compensation during the 36 consecutive months immediately preceding the effective date of his or her retirement, or some other 36 consecutive month period designated by the member per Government Code section 7522.32(a).
- c) Safety Unit members who are "classic members" as defined by the Public Employees' Pension Reform Act of 2013 (PEPRA) are covered by the 3% @ 50 formula provided by the Public Employee's Retirement Law at Government Code section 21362.2. This formula applies to "classic members" defined as any member hired before December 31, 2012 as well as any member hired after January 1, 2013 who is a lateral hire from another PERS agency, public agency with reciprocity or a member who has had less than a six month break in service from his/her previous public agency employment.
 - iii) One-Year Final Compensation option "single highest year" (Government Code section 20042).
- d) Safety Unit members hired on or after January 1, 2013 who are defined as "new members" under PEPRRA, are covered by the 2.7% @ 57 formula provided for by the Public Employees' Retirement Law at Government Code section 7522.25(d).
 - iv) Final compensation will be based on the highest annual average pensionable compensation during the 36 consecutive months immediately preceding the effective date of his or her retirement, or some other 36 consecutive month period designated by the member per Government Code section 7522.32(a).

ii. Employee Contributions to the Retirement System

- a) Employees subject to the 2.5%@55 Formula:

These employees shall contribute eight percent (8%) as an employee retirement contributions.

b) Employees subject to the 2%@62 Formula:

Per the PEPRA and Government Code section 20516.5, these employees shall contribute the statutorily mandated employee contribution rate of one half of the normal cost as determined by CalPERS for the City.

c) Employees subject to the 3%@50 Formula:

These employees shall contribute twelve percent (12%) as an employee retirement contributions. The twelve percent shall be comprised of nine percent (9%) of compensation earnable as the required CalPERS member contribution and three percent (3%) of compensation earnable per Government Code section 20516(a).

b) Employees subject to the 2.7%@57 Formula:

Per the PEPRA and Government Code section 20516.5, these employees shall contribute the statutorily mandated employee contribution rate of one half of the normal cost as determined by CalPERS for the City.

c) The City has adopted the CalPERS resolution in accordance with and as permitted by IRS Code section 414(h)(2) to ensure that the employee contribution is made on a pre-tax basis.

f. Police Chief and Fire Chief

1) General Provision

The Police Chief and the Fire Chief will each receive a bank of 125 hours which is paid in-lieu of holiday leave for each of the holidays as designated below in subpart 4 of this subsection. This additional compensation will be paid as the holiday occurs and shall be reported to PERS as Special Compensation pursuant to Title 2, Division 1, Chapter 2 of the California Code of

Regulations, specifically § 571 (a)(5) – Statutory Items, Holiday Pay.

2) Part-Year Employment

A Fire Chief or Police Chief who commences employment at a time other than the beginning of a calendar year shall only be entitled to receive those holidays described in subpart 4 of this subsection that occur during the period actually worked.

3) Effect of Unpaid Leave of Absence

A Police Chief or Fire Chief who is on an unpaid leave of absence during any holiday designated in subpart 4 of this subsection is not entitled to receive any holiday benefits for that holiday.

4) Designated Holidays for Fire Chief and Police Chief

January 1st (New Year's Day)
Third Monday of January (Martin Luther King Jr. Day)
Third Monday of February (President's Day)
Last Monday of May (Memorial Day)
July 4th (Independence Day)
First Monday in September (Labor Day)
November 11th (Veteran's Day)
Fourth Thursday in November (Thanksgiving Day)
The Day after Thanksgiving
December 24th (Christmas Eve)
December 25th (Christmas Day)
December 26th (Day after Christmas)
December 30
December 31st (New Year's Eve)

SECTION 5: ADDITIONAL ASSIGNMENT PAY

The City Manager may authorize additional Management Incentive Premium compensation of up to five percent (5%) over base pay to an employee who has

assumed additional job duties. The assignment and duration of this additional pay shall be at the sole determination of the City Manager.

SECTION 6: POSITIONS EXEMPT FROM FLSA

Employees in Central Management classifications are designated as exempt from the provisions of the Fair Labor Standards Act (FLSA). Those employees who have used all their accrued leave benefits and are absent for less than one (1) day, shall not have that time treated as an absence without pay. Employees in this category shall be subject to disciplinary actions involving unpaid time off in accordance with FLSA regulations.

SECTION 7: ADMINISTRATIVE LEAVE

The Central Management positions listed in this Resolution shall be exempt from all overtime provisions contained in the Municipal Code or in any Memorandum of Understanding. The provisions of Administrative Leave for Middle Management will also be offered to the classifications listed in this Resolution.

SECTION 8: EXEMPT CENTRAL MANAGEMENT CLASSES

All classes listed in this Central Management Resolution shall be designated as exempt and be considered to be exempt from the provisions of the Municipal Code Section 2.44.390.

The appointment and removal of Department heads and the primary assistants in the City Manager's Office are governed by the Municipal Code Section 2.08.100.

SECTION 9: CITY AUTOMOBILE USAGE

Central Management employees may be assigned a City vehicle by the City Manager to conduct city business in accordance with the Administrative Regulations. The City Manager may, in lieu of assigning a City vehicle, provide the employee with an allowance equal to the City's budgeted equipment rental rate for a standard sedan.

Those employees assigned a City-owned vehicle to conduct City business, may also use the vehicle for private purposes in accordance with Administrative Regulations.

SECTION 10: SPECIAL VACATION ALLOWANCE

The City Manager, in his sole discretion, may authorize a central management employee to receive up to 80 additional vacation hours each fiscal year to recognize exceptional accomplishment and/or significant and ongoing work beyond the scope of their position. Such special vacation shall not affect the employee's vacation accrual rate.

SECTION 11: UNIFORM ALLOWANCE

Employees may be required to wear uniforms issued by the City if so determined by their respective department director(s). The City will replace uniforms due to normal wear.

The cost of uniforms shall not constitute compensation for purposes of the regular rate calculation under the Fair Labor Standard Act. This policy shall remain in effect unless a change is dictated by applicable law.

The City shall report to CalPERS the monetary value of uniforms and uniform maintenance for those employees required to wear uniforms. The monetary value by classification is listed in Exhibit A, entitled "UNIFORM ALLOWANCE."

Uniform allowance is defined as compensation paid or the monetary value for the purchase, rental and/or maintenance of required clothing, including clothing made from specially designed protective fabrics, which is a ready substitute for personal attire the employee would otherwise have to acquire and maintain.

EXHIBIT A	
CENTRAL MANAGEMENT UNIFORM ALLOWANCE	
TITLE	REPORTED TO PERS EACH PAY PERIOD
POLICE CHIEF	\$8.4
FIRE CHIEF	\$54.40

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