

RESOLUTION NO. 2022-33

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA AUTHORIZING ADJUSTMENTS TO THE CITY'S SALARY SCHEDULE AND COMPENSATION PLAN FOR MARINA DIRECTORS, AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF MARINA AND THE MARINA DIRECTORS, AUTHORIZING THE FINANCE DIRECTOR TO MAKE APPROPRIATE BUDGET AND ACCOUNTING ENTRIES AND RECEIVING AN ORAL REPORT ON CHANGES TO EXECUTIVE COMPENSATION IN COMPLIANCE WITH GOVERNMENT CODE SECTION 54953(C)(3)

WHEREAS, the City employs directors to manage the various departments of the City; and,

WHEREAS, these directors have a collective Memorandum of Understanding (MOU) and employment agreements (Contracts); and,

WHEREAS, the Director MOU lapsed January 1, 2021; and,

WHEREAS, the City Council has review various indicators of the cost of living, including the San Francisco June CPI which was up more than 2.5% from the year prior; and,

WHEREAS, consistent with the employee MOU's recently approved, the City wishes to increase the Directors broadband salary schedule by 2.5% for FY 21/22 and a variable cost of living adjustment for FY 22/23 based upon the April 2022 SF/Oakland CPI, but not less than 2% and not more than 3.5%; and,

WHEREAS, the 2.5% cost of living increase to the Directors broadband salary schedule results in the an increase in the range from \$10,535 - \$17,985 per month to \$10,798 - \$18,434 per month, as shown in Table 1 of **Exhibit "A"**; and,

WHEREAS, the Marina Directors group actual salaries as a result of the above compensation changes are summarized in Table 2 of **Exhibit "A"**; and,

WHEREAS, the Director's MOU contains salary ranges, benefits, terms and conditions of employment and is addition, the Directors individual Contracts which are based on the MOU. The MOU included as **Exhibit "B"** updates the Broadband Salary Range and will be effective as of July 1, 2021 through June 30, 2023.

WHEREAS, effective July 1, 2021, all positions listed above and in the attached resolution, will receive a cost-of-living increase to their salaries, in the amount of 2.5%; and,

WHEREAS, the following positions will receive an equity increase at the following rates, effective February 28, 2022:

- a. Fire Chief will receive a 14.5% equity increase;
- b. Police Chief will receive a 12.0% equity increase;

WHEREAS, the annual cost of the salary increases is approximately \$75,000 a year.

WHEREAS, Government Code section 54953(c)(3) requires that, before taking final action, the Board of Directors must orally report a summary of the recommendation regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executives; and,

WHEREAS, on March 1, 2022, the City Council received an oral report on the changes to executive compensation and approved this comprehensive memorializing the changes.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MARINA DOES HEREBY RESOLVE AS FOLLOWS:

1. Authorize adjustments to the City's salary schedule and compensation plan for Marina Directors; and,
2. Authorize the City Manager to execute a Memorandum of Understanding between the City of Marina and the Marina Directors Employees; and,
3. Authorize Finance Director to make appropriate accounting and budgetary entries; and,
4. Receive the executive compensation report in compliance with Government Code Section 54953(c)(3).

PASSED and ADOPTED by the City Council of the City of Marina at a regular meeting duly held on this 1st day of March 2022 by the following vote:

AYES, COUNCIL MEMBERS: Medina Dirksen, Burnett, Berkley, Delgado

NOES, COUNCIL MEMBERS: None

ABSENT, COUNCIL MEMBERS: Biala

ABSTAIN, COUNCIL MEMBERS: None

Bruce C. Delgado, Mayor

ATTEST:

Anita Sharp, Deputy City Clerk

EXHIBIT A

Director Salary Broadband Effective 7/5/2021

Table 1. Director's Monthly Broadband Salary Range

<u>Position</u>	<u>Monthly Broadband Range</u>
Assistant City Manager Community Development Director Finance Director Fire Chief Police Chief Recreation Director Public Works Dir/City Engineer	\$10,798 to \$18,435

Table 2. Executive Compensation Summary

<u>Position</u>	<u>Monthly Salary</u>
Assistant City Manager	\$16,628
Community Development Director	\$14,819
Finance Director	\$13,495
Fire Chief	\$16,405
Police Chief	\$16,984
Recreation Director	Currently vacant
Public Works Dir/City Engineer	\$15,307

Marina Directors
Memorandum of Understanding
Benefit Description

1. Directors Broadband Salary Range

<u>Position</u>	<u>Monthly Broadband Range</u>
Assistant City Manager Community Development Director Finance Director Fire Chief Police Chief Recreation Director Public Works Dir/City Engineer	\$10,798 to \$18,435

2. Medical, Dental & Vision, Flexible Benefit Plan

A. The City of Marina will contribute 70% of the low-cost health plan's premium offered by CalPERS towards whatever plan the employee selects.

B. The City shall pay Dental insurance premium per month as follows:

Dental Plan	Employee Only	Employee + 1	Employee + 2 or more
Premier Access	\$9.67	\$24.00	\$29.00

C. The City shall pay vision insurance premium per month as follows:

Vision Plan	Employee Only	Employee + 1	Employee + 2 or more
Vision Service Plan	\$20.00	\$20.00	\$20.00

D. Flexible Benefit Plan: The City shall implement a Section 125 Flexible Benefit Plan for the members of the Association, as follow"

E. City shall provide an allowance of \$575 per month to each member for medical insurance and voluntary programs such as Dental insurance, Vision insurance and Long-Term Disability Insurance, Term Life Insurance, Medical Expense Reimbursement Account and Dependent Care Reimbursement account.

F. The allowance must be applied toward payment of monthly premium for the PERS Health plan, previously described to all members for members and their families except a member may decline coverage for the member and/or a member's family if the member provides proof satisfactory to the City that the person for whom coverage is declined is covered under a qualifying group health insurance policy from another source.

G. City shall offer Dental insurance, Vision insurance, Term Life insurance, Medical Expense Reimbursement and Dependent Care Reimbursement on a voluntary basis. At the members election, the cost of these benefits may be paid from any portion of the allowance described above or an offset to the members salary, if the combined cost of the benefits exceeds the allowance.

- H. If the allowance is in excess of the cost of all benefits, the difference may be taken in cash. Any amounts taken in cash will be paid out in a bi-monthly payment. It is expressly understood that any future limit on the amount of cash and deferred compensation shall be subject to the meet-and-confer process.
 - I. City will provide a Medical Expense Reimbursement Account into which a member may pay any amount not to exceed \$2,160 annually (\$180 per month). A member may also pay into the Dependent Care Reimbursement Account which member may pay any amount not to exceed \$5,000 annually (\$416.66 per month). City shall prepare a Flexible Benefit Plan worksheet for distribution to all members, which shall reflect the premiums for each element of the plan.
 - J. City shall pay up to \$60.00 per member for the cost of setting up the Flexible Benefit Plan
 - K. City shall pay up to \$6.00 per member per month for the administrative fee Flexible Benefit Plan
3. **Life Insurance:** City will provide on behalf of the employee \$100,000.00 life insurance coverage at a cost not to exceed \$45.00 per month.
4. **Retirement:** The City shall provide retirement benefits the employee under the Public Employees' Retirement System (PERS), as follows:
- A. **Retirement Plans**
 - 1. For non-public safety employee:
 - a. Tier 1 – CalPERS 2% @ 55 provided to all miscellaneous member employees hired prior to December 31, 2012 or considered Classic members.
 - b. Tier 2 – CalPERS 2% @ 62 plan will be provided to all miscellaneous members hired on or after January 1, 2013 who are new members as defined under the PEPRA.
 - 2. For sworn public safety employee:
 - a. Tier 1 – CalPERS 3% @ 50 provided to all members hired prior to December 31, 2012 or are considered Classic members.
 - b. Tier 2 – CalPERS 2.7% @ 57 plan will be provided to all members hired on or after January 1, 2013 who are new members as defined under the PEPRA
 - B. **Contributions**
 - a. Effective January 1, 2013 Tier 1 members will pay the full member contribution rate required by CalPERS
 - b. Effective January 1, 2013, Tier 2 members shall pay 50% of the normal cost of the retirement plan as identified annually by CalPERS. This contribution may change annually as required by the PEPRA

5. **Survivor Benefits**

- A. The City will amend the PERS contract to include 1959 Survivors Benefit Level four for the Association. The employee cost will be \$2.00 per month.

6. **Holiday Schedule**

- A. For each member of the group the following holiday schedule shall apply

- Martin Luther King Jr. Birthday (3rd Monday of January)
- Presidents Day (3rd Monday of February)
- Memorial Day (Last Monday of May)
- Independence Day (July 4)
- Labor Day (First Monday of September)
- Veterans Day (November 11)
- Thanksgiving Day and the next day (4th Thursday and next Friday of November)
- Winter Break (December 24 – January 1)

- B. When one of the above designated holidays falls on a weekend, then the weekday nearest that day will be considered as that holiday.

7. **Leaves:** The employee's leave shall accrue and be administered, as follows:

- A. **Administrative Leave:** Employee shall receive two hundred (200) hours' yearly Administrative Leave, earned in a lump sum on July 1st of each year. Unused Administrative Leave to be paid at current salary upon termination of employment to a maximum of one hundred and sixty (160) hours.

Cash-out Unless otherwise specified in the Director's Contract, the City will pay employee at their request a maximum amount of one hundred (100) hours of administrative leave each fiscal year, at the employee's individual regular rate of pay.

- B. **Personal Leave Time:** Employee shall accrue Personal Leave Time as in lieu of Sick and Vacation time. The accrual rate will be as follows.

First Through Fifth Year of Service. Twenty-two (22) working days per year.

Sixth Through Fifteenth Year of Service. Twenty-seven (27) working days per year.

Sixteenth Year of Service and On. Twenty (32) working days per year.

Personal Leave Time shall not accrue in excess of 960 hours. Upon resignation, employee shall receive compensation for unused Personal Leave Time to a maximum of 300 hours. Upon retirement, employee shall receive compensation for unused Personal Leave Time to a maximum of 800 hours.

Cash-out: The City will pay employee at their request a maximum amount of eighty (80) hours of personal leave each fiscal year, at the employee's individual regular rate of pay.

Emergency Compensation: For Personal Leave Time. Upon a written request certifying and explaining a health-related emergency, the City Manager may authorize Employee to receive compensation for Personal Leave Time for a maximum of 80 hours.

8. Physicals:

- A. City shall pay up to \$300.00 for the cost of a physical examination for the Employee, on an annual basis.

9. Training Day:

- A. City shall budget \$500.00 for the Employee as Department Director Training Day

10. Educational Programs:

- A. The City will pay the tuition cost for educational programs in which the Employee participates, subject to the prior approval of the City Manager, provided the training is determined to be relevant to the Employee's job. The annual aggregate cost for tuition shall not exceed \$2,000.00.

11. Longevity Compensation:

- A. After ten (10) years of accumulated service with the City, the employee shall receive an additional five percent (5%) in salary.
- B. An advancement in longevity pay from 10 years to 9 years would go to employees who had an overall rating of "highly competent" on their most recent evaluation.

12. Business Expense Allowance: Employee shall receive a business expense allowance of \$50.00 per month.

13. Non-Covered Items. Items not covered in this agreement are governed by the City's Employee Handbook.

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of March 1, 2022

**CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2022-,
AUTHORIZING ADJUSTMENTS TO THE CITY'S SALARY SCHEDULE
AND COMPENSATION PLAN FOR MARINA DIRECTORS,
AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM
OF UNDERSTANDING BETWEEN THE CITY OF MARINA AND THE
MARINA DIRECTORS, AUTHORIZING THE FINANCE DIRECTOR TO
MAKE APPROPRIATE BUDGET AND ACCOUNTING ENTRIES AND
RECEIVING AN ORAL REPORT ON CHANGES TO EXECUTIVE
COMPENSATION IN COMPLIANCE WITH GOVERNMENT CODE
SECTION 54953(C)(3)**

REQUEST:

It is requested that the City Council consider adopting Resolution No. 2022-:

1. Authorizing adjustments to the City's salary schedule and compensation plan for Marina Directors; and,
2. Authorizing the City Manager to execute a Memorandum of Understanding between the City of Marina and the Marina Directors Employees; and,
3. Authorizing Finance Director to make appropriate accounting and budgetary entries; and,
4. Receiving an oral report on changes to the executive compensation plan in compliance with Government Code Section 54953(c)(3).

BACKGROUND:

The City of Marina City Council has delegated all hiring authority to the City Manager including director positions of Assistant City Manager, Police Chief, Fire Chief, Finance Director, Public Works Director, Community Development Director and Recreation Director. The salary ranges, benefits, terms and conditions of employment are included in the Director's Memorandum of Understanding (MOU). In addition, the directors have specific contracts which are based on the MOU. When a new director is hired, he or she is hired within the broadband salary range dependent on his or her position, experience, skills and abilities.

Government Code section 54953(c)(3) requires that, before taking final action, the Board of Directors must orally report a summary of the recommendation regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executives.

ANALYSIS:

The Director MOU lapsed January 1, 2021. Consistent with the employee MOU's recently approved, it is recommend that the Directors be provided a 2.5% cost of living adjustment for FY 21/22 and a variable cost of living adjustment for FY 22/23 based upon the April 2022 SF/Oakland CPI, but not less than 2% and not more than 3.5%. The FY 21/22 cost of living adjustment to be effective the first full pay period in July 2021.

The 2.5% cost of living adjustment to the City's current Director's broadband salary range results in the changes demonstrated in Table 1 below.

Table 1. Director's Monthly Broadband Salary Range

<u>Position</u>	<u>Current Monthly Broadband Range</u>	<u>Proposed Monthly Broadband Range with 2.5 % COLA</u>
Assistant City Manager Community Development Director Finance Director Fire Chief Police Chief Recreation Director Public Works Dir/City Engineer	\$10,535 to \$17,985	\$10,798 to \$18,435

The attached MOU documents the salary adjustments noted above and will be effective as of July 1, 2021 through June 30, 2023. There are no changes to benefits or other compensations as a result of the cost-of-living adjustment.

Executive Compensation Changes

Government Code section 54953(c)(3) requires that, before taking final action, the Board of Directors must orally report a summary of the recommendation regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of local agency executives. Below in Table 2 is a list of employees who constitute local agency executives in the Marina Directors group.

Assistant City Manager
Community Development Director
Finance Director
Fire Chief
Police Chief
Recreation Director
Public Works Dir/City Engineer

Effective July 1, 2021, all positions listed above and in the attached resolution, will receive a cost-of-living increase to their salaries, in the amount of 2.5%.

In addition, the following positions will receive an equity increase at the following rates, effective February 28, 2022:

- a. Fire Chief will receive a 14.5% equity increase;
- b. Police Chief will receive a 12.0% equity increase;

Executive Compensation Summary

The Marina Directors group actual salaries as a result of the above compensation changes are summarized in Table 2 below.

Table 2. Executive Compensation Summary

<u>Position</u>	<u>Monthly Salary</u>
Assistant City Manager	\$16,628
Community Development Director	\$14,819
Finance Director	\$13,495
Fire Chief	\$16,405
Police Chief	\$16,984
Recreation Director	Currently vacant
Public Works Dir/City Engineer	\$15,307

FISCAL IMPACT:

The annual costs of the above-described changes to the executive compensation schedule are approximately \$75,000 a year.

CONCLUSION:

This report is presented for Council's consideration.

Respectfully submitted,

Catrina Scharf
Human Resource Analyst
City of Marina

REVIEWED/CONCUR:

Layne Long
City Manager
City of Marina