

RESOLUTION NO. 33-2023

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN
OF TIBURON REPEALING RESOLUTION NO. 04-2023
AND ADOPTING AN AMENDED MID-MANAGEMENT AND UNREPRESENTED
EMPLOYEES RECOGNITION AND
INCENTIVE COMPENSATION PROGRAM FOR FISCAL YEAR 2023-24**

WHEREAS, in January 2002, the Town Council established and adopted a Mid-Management and Unrepresented Employee Recognition and Incentive Compensation Program in order to attract and retain professional, competent and qualified employees to carry out the Town's public service mission, and

WHEREAS, such a program enhances the professional growth, motivation, and loyalty of mid-management, professional and confidential employees and promotes a consistently higher level of service to the public, and

WHEREAS, the Town Council has updated and amended the Mid-Management and Unrepresented Employee Recognition and Incentive Compensation Program most recently in January 2023 by the adoption of Resolution No. 04-2023; and

WHEREAS, the Town Council wishes to further amend the Mid-Management and Unrepresented Employee Recognition and Compensation Program to amend Section 3 (Benefits and Insurances); and

WHEREAS, the Town of Tiburon Unrepresented employees are defined to include the following positions:

Accountant I
Accountant II
Accounting & HR Technician
Administration Assistant I
Administration Assistant II
Administrative Services & EOC Coordinator
Assistant Planner
Associate Engineer
Associate Planner
Building Inspector
Building Official
Building Permit Clerk
Building Permit Technician
Community Development Aide
Engineering Technician/Inspector
Finance & Accounting Manager
IT Coordinator
Management Analyst

Planning Manager
 Planning Technician
 Police Captain
 Public Works Division Manager-Operations
 Public Works Division Manager-Engineering / Town Engineer
 Superintendent of Public Works
 Senior Planner
 Town Clerk

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Tiburon does hereby repeal Resolution No. 04-2023 and all predecessor versions of the Mid-Management and Unrepresented Employees Recognition and Incentive Compensation Program and adopts the following amended Mid-Management and Unrepresented Employees Recognition and Incentive Compensation Program:

SECTION 1. SALARIES

Effective July 1, 2023 salary ranges for positions covered by this resolution shall be:

Accountant I	\$5,846 - \$7,307
Accountant II	\$6,513 - \$8,141
Administration Assistant I	\$5,074 - \$6,343
Administration Assistant II	\$5,328 - \$6,660
Admin Services & EOC Coordinator	\$6,906 - \$8,632
Assistant Planner	\$6,206 - \$7,757
Associate Engineer	\$8,466 - \$10,582
Associate Planner	\$6,895 - \$8,619
Building Inspector	\$7,786 - \$9,732
Building Official	\$10,231 - \$12,789
Building Permit Clerk	\$5,074 - \$6,343
Building Permit Technician	\$5,856 - \$7,319
Community Development Aide	\$4,706 - \$5,882
Engineering Technician	\$6,627 - \$8,284
Finance & Accounting Manager	\$8,973 - \$11,216
HR & Accounting Technician	\$4,499 - \$5,624
Information Technology Coordinator	\$8,426 - \$10,533
Management Analyst	\$7,375 - \$9,218
Planning Technician	\$5,074 - \$6,343
Police Captain	\$12,406 - \$15,508
PW Division Manager - Operations	\$11,328 - \$14,160
PW Division Manager/Town Engineer	\$11,328 - \$14,160
Senior Planner	\$8,719 - \$10,898
Superintendent of Public Works	\$9,803 - \$12,253
Town Clerk/Communications Manager	\$9,261 - \$11,576

SECTION 2. SALARY ADJUSTMENTS

Movement through the salary ranges will be based upon merit following a comprehensive written performance evaluation by the employee's supervisor.

SECTION 3. BENEFITS AND INSURANCES

The Town shall contribute a dollar amount equal to the combined total of the CalPERS Kaiser two-party premium and Delta Dental family premium to each Mid-Management and Unrepresented employee's cafeteria plan to purchase medical, dental, life and disability insurance. This dollar amount will float with the increase or decrease in the cost of the CalPERS Kaiser two-party and Delta Dental family rate. In addition, for active employees with 2 or more qualifying dependents, the Town will contribute the dollar amount equal to the difference between the Kaiser 2-party rate and the Kaiser Employee & 2+ premium rate towards an employee's medical insurance premiums. If the full sum specified is exceeded for group insurances of a given employee, then that employee shall pay the balance of the monthly cost via a payroll deduction from the first two payrolls of the month. If the full sum specified is not used for the group insurances cost of a given employee, then that amount, not to exceed \$400 per month, shall be deposited into one of the Town's Deferred Compensation Plans in the employee's name. Any employee who on December 31, 2008 receives more than \$400 per month accruing fringe shall be capped at the higher amount. Should, at any time, such employee's accruing fringe fall below the grandfathered cap, but more than \$400 per month, the lower amount becomes that employee's new cap. The enhanced medical benefit for employees with 2 or more dependents will not increase the cafeteria allowance nor expand eligibility for the deferred compensation contribution of unused cafeteria allowance amounts. The cafeteria allowance will remain equal to the Kaiser two-party rate and the Delta Dental family rate in effect on January 1 of each year. Any part-time employee shall receive a prorated amount of the monthly cafeteria allowance based on their full-time equivalent.

Retirement – The Town contracts with CalPERS for the provision of a retirement program for its miscellaneous and public safety employees. The Town does not administer the retirement program and makes no representation of the specific parameters of the program beyond what is provided in the Town's contract with CalPERS. Employees may obtain a copy of the CalPERS contract to review all elements of the current program.

Effective July 1, 2015, all employees considered "classic" under CalPERS shall "pick up" 1% of the CalPERS Employers rate. This additional 1% is above the Employee's normal rate of 7% for Miscellaneous and 9% for Safety. Employees considered "new" under PEPR shall continue to pay 50% of the normal cost. The employee retirement contribution shall be made on a pre-tax basis as allowed under Internal Revenue Code 414(h)(2).

For Miscellaneous Members of the Public Employee's Retirement System hired prior to January 1, 2013, the Town of Tiburon shall provide the CalPERS 2% @ 55 retirement formula, with the highest single year calculation. Public Safety members hired prior to

January 1, 2013 shall receive the 3% @ 55 retirement formula with the highest 36 months calculation.

Miscellaneous members hired after July 1 2013, who are “new members” of the retirement system as defined by CA Government Code Section 7522.04(f) shall be provided the 2% at 62 benefit formula with the highest 36 months calculation. Public Safety employees hired on or after January 1, 2013, who are “new members” of the retirement system as defined by CA Government Code Section 7522.04(f), shall receive the 2.7% @ 57 retirement formula with the highest 36 months calculation

Medical Insurance - The Town of Tiburon offers its employees and their dependents medical/hospital insurance coverage. An employee covered under this resolution may choose from the plans offered through the Public Employees Retirement System Health Benefits Division for medical/hospital insurance coverage. Such insurance is mandatory for employees unless they can demonstrate compliance with other coverage.

Dental Insurance - The Town of Tiburon offers employees and their dependents a dental plan. Such insurance is mandatory for all employees unless they can demonstrate compliance with other coverage.

Life Insurance - The Town of Tiburon offers employee covered by this resolution a \$25,000 life insurance policy. Such insurance is mandatory. The Town of Tiburon offers employees covered by this resolution additional life insurance above the mandatory \$25,000 policy, up to a combined total of no more than \$95,000. Participation is optional.

Disability Insurance - The Town of Tiburon offers employees covered by this resolution long term disability insurance which provides two-thirds of an employee’s salary up to a maximum benefit of \$4,500/month. Such insurance is mandatory.

Long Term Care - The Town of Tiburon offers covered employee a long-term care policy. Participation is optional.

Deferred Compensation Plan - The Town of Tiburon offers a choice of two deferred compensation plan to employees. Such monies deposited would become tax-deferred and would be subject to income taxation in the year they are withdrawn from the deferred compensation plan. Participation is optional.

IRS Section 125 Plan - The Town of Tiburon offers employees the ability to participate in its IRS Section 125 Plan. Participation is optional.

SECTION 4. VACATION LEAVE

Mid-management and Unrepresented employees shall accumulate vacation time in accordance with the following vacation entitlement schedule:

<u>Service</u>	<u>Work Days</u>
0-5 Years	12 Days
6-10 Years	18 Days
11+ Years	20 Days

Upon termination of a covered employee's service with the Town, such employee shall be paid a lump sum equivalent to his/her accrued vacation leave. Maximum accumulation of vacation leave is 35 workdays.

SECTION 5. SICK LEAVE

Mid-management and Unrepresented employees shall be entitled to accrue one working day of sick leave for each month or major fraction thereof. Sick leave may be accrued by qualified employees without a maximum limitation.

SECTION 6. SICK LEAVE PAY OFF

Mid-management and Unrepresented employees hired prior to July 1, 2001 may receive cash equivalent compensation of 50% of their accrued sick leave, up to a total of 60 days, if the following conditions are met:

- a. The employee files for a service retirement from the Town, or
- b. The employee voluntarily separates from the Town and has at least 15 years of service with the Town.

Effective July 1, 2011, the cash value of this benefit will be determined based on each employee's hourly rate and number of eligible hours for cash-out purposes (50% of sick leave balance, up to 60 days). This value will be documented and the value capped. This value cannot grow through additional accrued sick leave or through increases in pay. Employees with 15 years or more service with the Town may request a cash-out of 60% of the eligible hours (early cash-out option). Should an employee request the early cash-out of 60% of the eligible sick leave hours, they will not be entitled to any further sick leave cash-out upon retirement or separation of employment with the Town. Those hours cashed out will be deducted from the employee's sick leave balance. If an employee is not eligible for, or elects not to take, the early cash-out option, they shall be paid the frozen dollar value upon separation of employment with the Town. The only way the frozen dollar amount can be lowered is if an employee has less accrued sick leave hours upon separation of employment than they do on July 1, 2011. For tax planning purposes, should an employee desire to take the early cash out option, they will be allowed to take this payment in either 2011 or in January 2012.

For employees hired after July 1, 2001 in Mid-Management and Unrepresented positions may accrue unlimited sick leave with no option for "cashback" benefits.

SECTION 7. HOLIDAYS

The Town agrees to provide Mid-Management and Unrepresented employees the following holidays:

Independence Day	Tuesday, July 4
Labor Day	Monday, September 4
Thanksgiving Holiday	Thursday, November 23 Friday, November 24
Christmas Eve	Observed Tuesday December 26
Christmas Day	Observed Monday, December 25
<i>Veterans Day</i>	<i>Observed Friday, December 29</i>
New Year's Day	Observed Monday, January 1, 2024
New Year's Eve	Observed Tuesday, January 2, 2024
Martin Luther King Day	Monday, January 15
President's Day	Monday, February 19
Memorial Day	Monday, May 27

When a holiday falls on a Saturday, the preceding Friday shall be observed. However, if a holiday falls on a Saturday and the preceding Friday is also a holiday, the Town Manager may designate the preceding Thursday or following Monday to observe the holiday. When a holiday falls on Sunday, the following Monday shall be observed. However, when a holiday falls on a Sunday and the following Monday is also a holiday, the Town Manager may designate the preceding Friday or following Tuesday to observe the holiday.

SECTION 8. HOLIDAY CLOSURE

All represented and non-represented employees will be required to take 1 day vacation or administrative leave as part of the holiday closure program. The Town will also contribute one day off as part of the program. Tiburon Town Hall will be closed from December 22, 2023 through January 2, 2024.

Proposed Schedule:

Friday, December 22, 2023	Town Hall Closed
Monday, December 25, 2023	Christmas Day Holiday Observed
Tuesday, December 26, 2023	Christmas Eve Observed
Wednesday, December 27, 2023	Town contributes a day
Thursday, December 28, 2023	Employee Contributes a Day
Friday, December 29, 2023	Veteran's Day Observed
Monday, January 1, 2024	New Year's Day Observed
Tuesday, January 2, 2024	New Year's Eve Observed

SECTION 9. ADMINISTRATIVE LEAVE

In recognition of the long hours required to perform at the Mid-Management and Unrepresented level, including attendance at numerous meetings outside normal working hours, the following Administrative Leave policy shall be implemented.

Each exempt Mid-Management or Unrepresented employee may receive up to ten days administrative leave annually, to be awarded at the discretion of the Town Manager. Administrative Leave shall be taken in one hour increments.

SECTION 10. DINNER ALLOWANCE

All Mid-Management and Unrepresented employees who live more than 10 miles from Town and who are required to attend night meetings or work after office hours beyond 7:00 P.M. may be reimbursed an amount not to exceed \$25.00 for the purchase of dinner for that night. Employee reimbursement is subject to the approval of the Town Manager and must be accompanied by a restaurant receipt which shall include the amount, date, meeting or purpose, and the employee's name.

SECTION 11. TUITION REIMBURSEMENT

In order to promote continued development of skills, knowledge, and abilities among employees, the Town of Tiburon shall reimburse the costs of tuition, books and fees at the rate of the California State University system. Employees must receive prior approval of the Town Manager and submit certified transcripts with the evidence of a grade of "C" or better from an accredited college or university and submit bona fide receipts to qualify for tuition reimbursement. This provision has been suspended since FY 2011-12.

SECTION 12. RETIRED EMPLOYEE'S MEDICAL ALLOWANCE

For employees covered by this Resolution and who were hired prior to July 1, 2009, the Town of Tiburon will make contributions toward a retired employee's medical insurance plan based upon the following conditions:

- a. Employee must retire directly from employment with the Town of Tiburon and apply to PERS for retirement benefits.
- b. The retiree's medical insurance allowance is fixed and capped at the Kaiser single rate that is in effect at the time of the employee's retirement.
- c. The Town's contribution rate is based on the following formula:

Percent of Kaiser <u>Single Rate</u> 50%	Years of Consecutive <u>Service to Town</u> 15 Years
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75%	20 Years
100%	25 Years

Such coverage is not extended to employee's spouse or dependents.

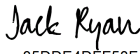
Employees hired after July 1, 2009, shall not be eligible for retiree medical allowance.

SECTION 13. PERSONNEL RULES & REGULATIONS

In the event any provisions of this Resolution contradict those included in the Town's Personnel Rules & Regulations, the terms of this Resolution shall prevail.

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of Tiburon on June 21, 2023 by the following vote:

AYES:	COUNCILMEMBERS:	Fredericks, Ryan, Welner
NAYS:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	Thier, One Vacant Seat

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 JACK RYAN, MAYOR
 TOWN OF TIBURON

ATTEST:
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 LEA DILENA, TOWN CLERK