

RESOLUTION NO. 42/2018

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF CORTE MADERA
FIXING COMPENSATION AND ESTABLISHING CERTAIN BENEFITS
FOR DEPARTMENT HEAD EMPLOYEES OF THE TOWN OF CORTE MADERA*
COMMENCING JULY 2, 2018 AND ENDING JULY 4, 2021

RESOLVED, by the Town Council of the Town of Corte Madera that:

1. Compensation Schedules

The compensation schedules attached hereto and entitled, respectively “Compensation Schedule A” “Compensation Schedule B” and “Compensation Schedule C”, hereby are incorporated and are adopted as the Compensation Schedules for the employees of the Town of Corte Madera shown therein beginning July 2, 2018 and ending July 4, 2021.

2. Application of Salary and Wage Rates

Department Head employees shall be assigned a salary or wage by the Town Manager within the range established for the appropriate position. The minimum rate generally shall be assigned to employees upon original appointment; however, the Town Manager may, when circumstances warrant it, appoint, reinstate or promote at other than the minimum rate, but not more than the maximum rate.

3. Advancement Within Salary and Wage Range

Department Head employees who have performed at satisfactory levels shall be eligible for advancement to the next higher step in the salary range if they have not reached the salary range maximum. If the Town Manager concludes that an employee has not performed satisfactorily, the employee will not be advanced.

Salary advancement shall be only be based on merit as established by record of the employee's performance. The Town Manager shall discuss the employee's performance and possible salary advance, if any, prior to finalizing the decision.

No salary advancement shall be made so as to exceed any maximum rate established in the Salary Schedule for the employee's position nor be automatic merely upon completion of a specified period of service.

Department Head employees who have performed at satisfactory levels in a given classification for a period of six (6) months of continuous service after initial appointment shall be eligible for advancement to a higher rate in the salary range for the classification. Such salary advancement shall be in an amount 5%. After the initial salary advancement as specified above, employees who have performed at satisfactory levels may be considered for periodic increases one year from the prior increase. Continued satisfactory performance is required to maintain any salary increases above the initial increase.

*Some benefit sections of this Resolution pertain to the Town Manager as CalPERS regulations do not allow a single occupant employee group.

A Department Head employee's performance will be evaluated at least every six (6) months until he/she is receiving the maximum rate for the classification at which time performance evaluations shall occur annually. Only performance evaluations which have been designated as "salary review" performance evaluations will be utilized to advance an employee through the salary range.

4. Insurance Allowances – Active Employees

The Town establishes a flexible benefit plan structure effective March 5, 2012 for Department Heads and the Town Manager to accommodate the tiered retiree medical benefit provision in Section 5 of this Resolution.

Under the Flexible Benefit Plan the Town's monthly contribution for the individual employee and the employee's eligible dependents shall be One Hundred Thirty Three dollars (\$133.00) per month toward the CalPERS medical plan of the employee's choice and shall adjust in accordance with the Minimum Employer Contribution (MEC) established by the Public Employees Medical and Hospital Care Act.

In addition, the Town provides an Internal Revenue Code Section 125 Plan that contains the components of benefit allowance, premium conversion, health care reimbursement account, and dependent care reimbursement account.

The Town shall contribute the below-listed amount per month toward each employee's Section 125 Plan benefit allowance components:

<u>Family Status</u>	<u>Town Contribution</u>
Employee only	CalPERS Bay Area Kaiser rate for Employee Only, less PERS required MEC
Employee plus one	CalPERS Bay Area Kaiser rate for Employee plus one, less PERS required MEC
Employee plus two or more	CalPERS Bay Area family rate, less PERS required MEC

An employee may use any benefit allowance stated above toward the cost of employer-provided PERS Health Insurance for the employee and eligible dependents.

An employee may not use the benefit allowance for other reasons.

Any employee that enrolls in a Medical Plan that has a higher premium than the Town's contribution, as stated above, will pay the difference via pre-tax payroll deductions.

The Town shall contribute an amount necessary to pay the full cost for maintaining the existing (1) dental insurance, (2) life insurance, (3) long-term disability insurance, and (4) vision insurance.

5. Retiree Medical

- a. Department Head or Town Manager Employees hired or rehired by the Town after August 1, 2011. The Town's retiree medical contribution shall be limited to the PERS Minimum Employer Contribution (MEC). In addition to the MEC, the Town shall make the contributions to a Retirement Health Savings Account (RHSA) in accordance with the table below for employees hired or rehired after August 1, 2011:

<u>Years of Service</u>	<u>Town Contribution</u>
0 -3	No contribution
Beginning of 4 th – 10	\$1,200 annual
Beginning of 11 th plus	\$1,500 annual

- b. Department Head or Town Manager Employees hired and continuously employed by the Town before August 1, 2011. The Town's Retiree medical contribution shall be in accordance with the following table:

<u>Family Status</u>	<u>Town Contribution</u>
Employee only	CalPERS Bay Area Kaiser rate for Employee Only, less PERS required MEC
Employee plus one	CalPERS Bay Area Kaiser rate for Employee plus One, less PERS required MEC
Employee plus two or more	CalPERS Bay Area Kaiser rate for Employee plus One, less PERS required MEC
Medicare Eligible Employee only	Medicare Eligible CalPERS Bay Area Kaiser rate for Employee Only, less PERS required MEC
Medicare Eligible Employee plus one	Medicare Eligible CalPERS Bay Area Kaiser rate for Employee plus One, less PERS required MEC
Medicare Eligible Employee plus two or more	Medicare Eligible Marin Kaiser rate for Employee plus One, less PERS required MEC

6. Department Head Employees Administrative Leave Policy

The Town Manager may at his/her discretion grant up to twelve (12) working days off per fiscal year to Department Head employees for administrative leave. Any such award shall be based upon hours previously worked during the fiscal year for regular overtime, Town required evening meeting attendance, emergency call-back, required weekend work, or in recognition of other time put in beyond a normal management work week as defined by the Town Manager. Said time off may not be accumulated beyond the fiscal year earned.

7. CalPERS Retirement

Classic PERS employees will be members of the Town's miscellaneous 2.5% at 55 PERS retirement plan. Department Heads and the Town Manager who are classic PERS employees

will pay the PERS employee contribution, 8% of salary.

Employees who meet the definition of a new member under PEPRA will be members of the Town's miscellaneous 2% at 62 PERS retirement plan. Such members shall contribute at least 50% of the normal cost rate to PERS.

All employee contributions to PERS shall be pursuant to Internal Revenue Code Section 414(h) (2).

8. Department Head Employees and the Town Manager-payment of a portion of the Employer's (Town's) Contribution Rate towards PERS

As cited above in Section 7, Department Head employees and the Town Manager shall participate in the PERS Retirement Tax Deferral Plan as authorized under Section 414 (h) (2) of the Internal Revenue Code. All employee contributions made on the behalf of the Town shall be pursuant to Internal Revenue Code Section 414 (h) (2):

Classic PERS employees will pay 5.5% of salary toward the PERS employer contribution rate.

9. Holidays

a. Benefit

Regular and probationary full-time employees shall be entitled to take the following authorized holidays at full pay, not to exceed eight (8) hours for any one (1) day:

1. July 1st, Floating Holiday.*
(This holiday received in exchange for the first Tuesday after the first Monday in November, known as "Election Day".)
2. July 4th, known as "Independence Day".
3. The first Monday in September, known as "Labor Day".
4. The second Monday in October, known as "Columbus Day".*
5. November 11th, known as "Veteran's Day".
6. The fourth Thursday in November, known as "Thanksgiving Day".
7. The Friday following Thanksgiving.
(This holiday received in exchange for September 9th, known as "Admission Day".)
8. December 25th, known as "Christmas Day".
9. One floating holiday to be taken on either the last working day prior to Christmas or New Years Day, only after prior approval is obtained from the

Department Head. Town offices and services are to be available to the public on both days on a full-time basis.

- 10. January 1st, known as "New Years Day".
- 11. The third Monday in January, known as "Martin Luther King's Birthday".
- 12. February 12th, known as "Lincoln's Birthday".*
- 13. The third Monday in February, known as "Washington's Birthday".
- 14. The last Monday in May, known as "Memorial Day".

* See subsection "b" below.

b. Exchange of Designated Holidays for Floating Holidays

July 1st, Columbus Day and Lincoln's Birthday shall be considered floating holidays and may be taken off on the date of the holiday or subsequent to the date of the holiday (i.e., July 1st, the second Monday in October and February 12th respectively) with prior approval of the Town Manager.

Such floating holidays must be taken during the fiscal year in which the holiday was earned and if not taken, shall be forfeited. Employees must be in a pay status at the time the July 1st, Columbus Day and Lincoln's Birthday holidays occur in order to have earned such holidays.

c. Holidays on Saturday or Sunday

When a holiday falls on Sunday, the following Monday shall be observed. When a holiday falls on Saturday, the previous Friday shall be observed.

10. Vacations

a. Vacation Allowance

Regular and probationary full-time employees shall be entitled to vacation leave as follows:

Vacation Accumulation

Department Head Employees hired or rehired by the Town after August 1, 2011

<u>Work Week</u>	<u>Days Per Year</u>	<u>Monthly by the Day</u>	<u>Monthly by the Hour</u>	<u>Bi-Weekly by the Hour</u>
		<u>0 through 1 Year</u>		
40 hrs.	10 Days	0.83 day	6.67 hrs.	3.08 hrs.
		<u>2 through 5 Years</u>		
40 hrs.	12 Days	1 day	8 hrs.	3.70 hrs.

40 hrs.	15 Days	<u>6 through 10 Years</u> 1.25 days	10 hrs.	4.62 hrs.
40 hrs.	20 Days	<u>11 through 19 Years</u> 1.67 days	13.33 hrs.	6.16 hrs.
40 hrs.	21 Days	<u>20 or more Years</u> 1.75 days	14 hrs.	6.46 hrs.

Vacation Accumulation

Department Head Employees hired and continuously employed by the Town before August 1, 2011

<u>Work Week</u>	<u>Days Per Year</u>	<u>Monthly by the Day</u>	<u>Monthly by the Hour</u>	<u>Bi-Weekly by the Hour</u>
40 hrs.	12 Days	<u>0 through 5 Years</u> 1 day	8 hrs.	3.70 hrs.
40 hrs.	15 Days	<u>6 through 10 Years</u> 1.25 days	10 hrs.	4.62 hrs.
40 hrs.	20 Days	<u>11 through 15 Years</u> 1.67 days	13.33 hrs.	6.16 hrs.
40 hrs.	25 Days	<u>16 or more Years</u> 2.09 days	16.67 hrs.	7.69 hrs.

After six (6) months of continuous service, employees shall be eligible to use the vacation leave actually accrued.

b. Vacation Accumulation

No employee shall be allowed to have an accumulation of more than 300 hours of vacation accrual to his/her credit at any one time unless prior special arrangements have been made with the Town Manager. An employee who is on vacation shall continue to accumulate vacation while using his/her previously earned vacation. An employee who is on leave without pay shall not accumulate vacation credits.

c. Vacation Scheduling

The time during a fiscal year at which an employee may take his/her vacation shall be determined by the Town Manager with due regard for the wishes of the employee and the needs of the Town.

d. Holiday During Vacation

When a paid holiday falls within a vacation period assigned to an employee by prior arrangement with the employee and with due regard for his/her preference, the Town may extend the vacation period by the length of the paid holiday or may return to the employee's vacation leave balance the length of the paid holiday.

- e. Vacation Pay at Termination
After completion of six (6) months of Town service, an employee shall be paid for his/her accrued vacation upon resignation (after giving two (2) weeks written notice) or upon separation by any other method except dismissal for fraud or other act as a result of which the employee owes the Town money.

11. Sick Leave

- a. Accrual
Sick leave, with pay, shall be allowed for all full-time regular and probationary employees only in case of necessity and actual personal sickness or disability and for necessary medical and dental appointments. Sick leave shall be accrued in accordance with the below schedule.

Sick Leave Accumulation

<u>Work Week</u>	<u>Monthly By the Day</u>	<u>Monthly By the Hour</u>	<u>Bi-Weekly By the Hour</u>
40 hrs.	1 day	8 hrs.	3.70 hrs.

- b. Usage
In order to receive compensation while absent on sick leave as provided above, the employee shall notify the Town Manager at least 15 minutes prior to beginning his/her daily duties. An employee taking sick leave may be required to file a physician's certificate or other proof of illness with the Town Manager.
- c. Accumulation
Sick leave accrual is unlimited. An employee who is off on sick leave shall continue to accumulate earned sick leave while using his/her previously earned sick leave. An employee who is on leave without pay shall not accumulate sick leave credits. In no event shall sick leave benefits be convertible to cash bonus.
- d. Holidays During Absence on Sick Leave
In the event that one or more Town holidays fall within a period of an employee's illness on paid sick leave, such holiday shall not be charged against the employee's sick leave balance.

12. Leaves of Absence

- a. Job Incurred Illness or Injury Leave
 - (1) Local Miscellaneous Employees
Any miscellaneous employee covered by this Resolution who has suffered a disability caused by illness or injury arising out of and in the course of his/her

employment, as defined by the Workers' Compensation laws of the State of California, shall be entitled to disability leave while so disabled as follows:

- (a) Full pay for the first day on which the employee is injured or becomes ill.
- (b) During the next five (5) workdays of disability, the employee may utilize unused sick leave integrated with Workers' Compensation payments.
- (c) If the disability extends beyond the five (5) workdays specified in (b) above, the employee shall be entitled to disability leave while so disabled without loss of compensation for the continuing period of disability to a maximum of sixty (60) calendar days. Said sixty (60) day period shall not apply if an employee has a recurrence of a specific illness or injury or suffers an injury or illness directly related to a prior illness or injury. (For example, if an employee suffers a job related back injury, and is unable to work at full capacity because of his/her back pain or re-injures his/her back while performing work, said employee would be paid for the last day worked and thereafter any pay would be deducted from his/her sick leave balance, if any).
- (d) If the employee's disability caused by illness or injury arising out of and in the course of his/her employment extends beyond the sixty (60) calendar days described in (c) above, the employee may integrate his/her unused sick leave with the Workers' Compensation payments provided that the sum of the Workers' Compensation payments and paid leave does not exceed the employee's regular rate pay for said period.

During the period the employee is paid by the Town, the employee shall endorse to the Town any benefit payments received as a result of Workers' Compensation insurance coverage. The Town reserves the right to withhold payment of any disability benefit until such time as it is determined whether or not the illness or injury is covered by Workers' Compensation.

b. Funeral Leave

In the event of a death in the immediate family of an employee, he/she shall, upon request, be granted such time off with pay as is necessary to make arrangements for the funeral and attend same, not to exceed three (3) working days for each leave unless extended by the Town for good cause. In no event shall funeral leave be granted in excess of five (5) working days in any one (1) fiscal year. This provision does not apply if the death occurs during the employee's paid vacation, or while the employee is on leave of absence, sick leave, or layoff. "Immediate family" includes

father, mother, brother, sister, spouse, spouse's parents, child of the employee or spouse, and grandparents and grandchildren of the employee or spouse. At the request of the Town, the employee shall furnish a death certificate and proof of relationship.

Funeral leave applies only in instances in which the employee attends the funeral, or is required to make funeral arrangements, but is not applicable for other purposes such as settling the estate of the deceased.

The employee may request to use accrued vacation if he/she desires to extend such leave.

c. Family Illness Leave

A maximum of five (5) days of accumulated sick leave may be taken each calendar year in case an employee's presence is required elsewhere because of sickness or disability of members of his/her immediate family as defined in Sub-Section 8b. In each such case, leave shall be granted by the Town Manager when, in his/her opinion, the relationship of the sick or disabled person to the employee and the specific circumstances warrant such use of accumulated sick leave.

d. Personal Leave

The Town Manager may, upon written request of an employee and due consideration of the circumstances, grant a leave of absence without pay. Upon expiration of an approved leave, the employee shall be returned to duty in an equivalent position and at the salary received at the time leave was granted. Failure on the part of an employee on leave to report for duty at its expiration shall be cause for discharge. The time the employee is on a leave of absence without pay shall not be credited toward length of service in computing sick leave or vacation eligibility.

e. Jury Duty

Any employee required for jury service shall be entitled to the difference between jury duty pay and his/her regularly scheduled pay during such period of time. In order to receive compensation while absent on jury duty, the employee shall notify the Town Manager in advance that he/she has been selected as a juror and the probable duration of the jury duty if known. Days of jury duty and all fees paid shall be verified by the court official responsible for issuing checks in payment of jury service.

f. Family Medical Leave Act

Family medical leave shall be granted in accordance with the Federal Family and Medical Leave Act of 1993 and the California Family Rights Act of 1991, as amended. Requests for family leave are to be submitted to the Town Manager for approval. Employees may be required to use appropriate accrued and unused vacation leave and/or administrative leave before going on a leave without pay status.

To be eligible for family leave an employee must have worked continuously for the Town for at least twelve (12) months and worked at least 1250 hours within that period.

Family leave may be used in accordance with the law; for the birth of a child or placement of a child for adoption or foster care; to care for an immediate family member (spouse, child or parent) with a serious health condition; or to take medical leave when the employee is unable to work because of a serious health condition. An eligible employee will be entitled to up to twelve (12) weeks unpaid leave of absence, which need not be consecutive, subject to the conditions indicated herein. During such approved leave time the Town will continue to provide paid medical benefits.

13. Mileage Reimbursements

Mileage reimbursements to Town employees for use of their own motor vehicles on Town business shall be at the rate of \$ 0.545 per mile or, only if higher, the rate accepted by the IRS.

14. Educational Reimbursement

The Town shall reimburse Department Head employees receipted costs for tuition, fees and books incurred by attending educational programs/classes which are related to the present or known future needs of the Town or to employee's career development in employee's current professional field. This includes individual classes meeting requirements for an undergraduate or graduate degree that is job-related. In order to be reimbursed for such costs, the educational program must be approved in advance by the Town Manager, and the employee must attain a passing grade of "B" or better. For programs where a passing grade is not provided, presentation of a certificate of completion will be required. Reimbursement will be made for each employee up to \$1,200 per fiscal year. The number of courses reimbursed each year shall be limited to four (4) under the quarter system and three (3) under the semester system.

15. Health Club Membership

The Town shall reimburse employees a maximum of \$500 per year per employee for membership in a health club or for other wellness expenses. Alternatively, the Town shall pay a maximum of \$500 per year for the cost of an employee's health club membership directly to the health club or directly to the wellness services provider. An invoice or receipt is required for reimbursement or direct payment.

16. Cell phone reimbursement

The Town will provide a cell phone for employees who are on call 24 hours per day. The employee may choose instead for the Town to reimburse the cost of an employee owned cell phone up to a maximum of \$150 per month.

17. No Relationship To Other Employee Agreements

The compensation and benefits for Department Head employees are established entirely apart from the compensation and benefits provided in agreements with employee unions or other bargaining groups.

18. Retroactive Pay

Retroactive pay, if applicable, shall be rendered to personnel who are employed by the Town on the date this Resolution is adopted. Former employees who have left the Town's

employment prior to that date shall not be eligible for any retroactive pay.

19. Repeal of Conflicting Resolutions

Resolution No. 3698, Resolution No. 14/2015 and any other resolution to the extent that it is inconsistent with the terms stated herein are hereby repealed and superseded by this Resolution effective July 2, 2018.

BE IT FURTHER RESOLVED that the compensation herein fixed shall be effective as of July 2, 2018 and ending July 4, 2021.

* * * * *

I HEREBY CERTIFY that the foregoing Resolution No. 42/2018 was duly and regularly adopted by the Town Council of Corte Madera, at a regular meeting thereof held on the 21st day of August 2018 by the following vote:

AYES, and in favor thereof, Councilmembers:	Andrews, Beckman, Kunhardt, Ravasio
NOES, Councilmembers:	- None -
ABSENT, Councilmembers:	Bailey

Robert Ravasio, Mayor

ATTEST:

Rebecca Vaughn, Town Clerk

COMPENSATION SCHEDULE A - DEPARTMENT HEAD EMPLOYEES
Salary Range Effective July 2, 2018

Position	Range	Steps	Min	2	Midpoint	4	Max
Director of Public Works							
(Manager of Sanitary District 2;	21DA	monthly	12,556	13,184	13,843	14,535	15,263
Field Maintenance and Engineering)		hourly	72.44	76.06	79.87	83.86	88.05
Director of Finance/Town Treasurer	20DA	monthly	12,457	13,080	13,734	14,421	15,142
		hourly	71.87	75.46	79.24	83.20	87.36
Director of Planning & Building	20D	monthly	12,457	13,080	13,734	14,421	15,142
		hourly	71.87	75.46	79.24	83.20	87.36
Director of Recreation & Leisure Services	14D	monthly	9,316	9,783	10,272	10,786	11,326
		hourly	53.75	56.44	59.26	62.23	65.34

All positions listed on this salary schedule receive \$432 per month automobile allowance in addition to the salaries listed above.

COMPENSATION SCHEDULE B - DEPARTMENT HEAD EMPLOYEES
Salary Range Effective July 1, 2019

Position	Range	Steps	Steps				
			Min	2	Midpoint	4	Max
Director of Public Works							
(Manager of Sanitary District 2; Field Maintenance and Engineering)	21DA	monthly	12,932	13,580	14,258	14,971	15,720
		hourly	74.61	78.34	82.26	86.38	90.70
Director of Finance/Town Treasurer	20DA	monthly	12,831	13,472	14,146	14,854	15,596
		hourly	74.02	77.73	81.61	85.70	89.98
Director of Planning & Building	20D	monthly	12,831	13,472	14,146	14,854	15,596
		hourly	74.02	77.73	81.61	85.70	89.98
Director of Recreation & Leisure Services	14D	monthly	9,596	10,076	10,580	11,110	11,666
		hourly	55.36	58.13	61.04	64.10	67.30

All positions listed on this salary schedule receive \$432 per month automobile allowance in addition to the salaries listed above.

COMPENSATION SCHEDULE C- DEPARTMENT HEAD EMPLOYEES
Salary Range Effective July 6, 2020

Position	Range	Steps	Steps				
			Min	2	Midpoint	4	Max
Director of Public Works							
(Manager of Sanitary District 2; Field Maintenance and Engineering)	21DA	monthly	13,191	13,851	14,544	15,271	16,035
		hourly	76.10	79.91	83.91	88.10	92.51
Director of Finance/Town Treasurer	20DA	monthly	13,087	13,742	14,429	15,151	15,908
		hourly	75.50	79.28	83.25	87.41	91.78
Director of Planning & Building	20D	monthly	13,087	13,742	14,429	15,151	15,908
		hourly	75.50	79.28	83.25	87.41	91.78
Director of Recreation & Leisure Services	14D	monthly	9,788	10,278	10,792	11,332	11,899
		hourly	56.47	59.30	62.26	65.38	68.65

All positions listed on this salary schedule receive \$432 per month automobile allowance in addition to the salaries listed above.