

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. 15,622

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD  
ESTABLISHING RULES FOR THE APPLICATION OF COMPENSATION RATES AND  
BENEFIT LEVELS FOR EXECUTIVE AND NON-REPRESENTED EMPLOYEES

RESOLVED, by the City Council of the City of Oxnard, as follows:

Section I. Applicability

- A. General. Employees subject to this Resolution are classified as either Executive or unrepresented. The listing in Exhibit A, which is attached hereto and incorporated by this reference provides a list of classifications with the category they are assigned.

Section II. Salaries

- A. The following salary increases are provided:

Employees in classifications designated as executive or unrepresented will be paid in accordance with the hourly rate established in the annual classification and salary resolution.

During the term of this Resolution, the salary ranges for all classifications listed in Exhibit A shall increase by 3%. Employees in unrepresented classifications shall receive a 3% COLA in the first pay period of August 2022, First full pay period of July 2023, and the first full pay period in July 2024.

B. Annual Increases

- i. Based on City Manager review, every year department heads are eligible for a minimum 3% increase in their salary which is effective the first full pay period of January. Unrepresented classifications in this Resolution are eligible for a 5% increase in their salary which is effective the first full pay period of January. Notwithstanding the foregoing, no employee shall be able to receive an increase in excess of the salary range established or their classification.

When the City Manager determines that an employee has demonstrated an exceptional level of job performance and efficiency, the City Manager may grant a merit increase in excess of three percent (3.0%). No merit increase shall cause an employee's salary to exceed the top of the salary matrix established for the classification.

- ii. Eligible employees will receive their annual increase effective the first full pay period of January. Newly hired employees or employees promoted during the preceding calendar year will have their merit increase pro-rated based on their service during the calendar year.

C. Automobile Allowance

- i. Executive Employees will be provided a biweekly automobile allowance as follows:

- |   |          |
|---|----------|
| 1. Assistant City Manager                 | \$184.62 |
| 2. Department Heads / Deputy City Manager | \$161.54 |

- ii. Eligible employees who receive approval to use a City vehicle instead of receiving an automobile allowance shall have computations of other benefits/compensation calculated as if they received an allowance.
- iii. Mileage reimbursement for local in County travel will not be reimbursed if the employee receives a car allowance. Mileage reimbursement shall be approved for out of area business travel at a rate equivalent to the standard mileage rate established by proclamation of the Internal Revenue Service.

Section III. Other Compensation Provisions

A. Mileage for Travel Outside City Limits

- i. When employees are required by City to use their personal vehicle to perform their assigned duties for City, and they so utilize their own vehicles in traveling directly and uninterruptedly from one assigned work location to another assigned work location, at least one of which is located outside of the City limits, City shall provide mileage reimbursement. Employees shall make claims for mileage compensation that are consistent with current IRS rates on City designated forms.

B. Fire Chief Mutual Aid Response

The Fire Chief, with approval of the City Manager, when assigned to, in support of, or pre-positioned for, any mutual aid incident, will be compensated portal to portal at their regular rate of pay for hours worked outside of their regular work hours.

Section IV. Holidays

A. Observed holidays include:

New Year's Day (January 1st)  
Martin Luther King's Day (the third Monday in January)  
Presidents' Day (the third Monday in February)  
Cesar Chavez Day (March 31)  
Memorial Day (the last Monday in May)  
Independence Day (July 4th)  
Labor Day (the first Monday in September)  
Veterans' Day (November 11th)  
Thanksgiving Day  
The day after Thanksgiving  
Christmas Eve half day (December 24<sup>th</sup>)  
Christmas Day (December 25th)  
New Year's Eve half day (December 31st)

Employees shall be entitled to holiday pay if an observed holiday falls on an employee's regularly scheduled workday and if the employee is in paid status on the day before or the day after an observed holiday.

Section V. Paid Leaves

A. Annual Leave

i. Accrual Levels:

Unrepresented Employees will accrue annual leave based on the following schedule:

<b>Years of Service</b>	<b>Months of Service</b>	<b>Biweekly Accruals</b>	<b>Annual Accruals</b>	<b>Maximum Accrual</b>
<5	0-59	6.24	162.24	324.48
5-6	60-71	7.47	194.22	388.44
6-7	72-83	7.78	202.28	404.56
7-8	84-95	8.09	210.34	420.68
8-9	96-107	8.40	218.40	436.80
9-10	108-119	8.70	226.20	452.40
10-11	120-131	9.54	248.04	496.08
11-12	132-143	9.85	256.10	512.20
12-13	144-155	10.16	264.16	528.32
13-14	156-167	10.46	271.96	543.92
14-15	168-179	10.77	280.02	560.04
15+	180+	11.78	306.28	612.56

Executive Employees will accrue annual leave based on the following schedule:

<b>Years of Service</b>	<b>Months of Service</b>	<b>Biweekly Accruals</b>	<b>Annual Accruals</b>	<b>Maximum Accruals</b>
<2	0-23	7.16	186.16	372.34
2-5	24-59	9.62	250.12	500.24
5	60+	12.08	314.08	628.16

iii. Maximum Annual Leave Accrual

- a. Once an employee reaches his or her maximum annual leave accrual, he or she will not be permitted to accrue any additional annual leave until he or she uses sufficient annual leave so as to bring his or her annual leave balance below the applicable cap. Accrual will recommence in the following pay period.

iv. Redemption

- a. Employees, regardless of full-time years of service, may receive pay for redemption of up to one hundred (100) hours of annual leave during each calendar year. The redemption may occur at any time and will be requested using the appropriate form provided by Payroll.
- b. Executive employees who have any leave banks outside of their current annual leave bank, administrative leave bank, or sick leave bank, may convert the hours which equate to \$25,000 per year at their current hourly rate and have that sum placed into their 401(a) account. The amount to be converted and deposited into the 401(a) account may not exceed the annual IRS limits and shall be done in December of each calendar year.

v. Payment Upon Separation

- a. Any employee who leaves the service of the City shall be paid for accrued annual leave to which such employee is otherwise entitled at his/her then current base wage as of the effective date of separation from City service.
- b. Executive Employees who are retiring from City Service and were promoted from a lower level position into an executive position and accrued sick leave in a previous bargaining unit, shall be eligible to receive cash for their accrued sick leave at the rate of pay they made when they last held a non-executive position. The cash out will be fifty percent (50%) of the bank not to exceed 600 hours. Public Safety Employees who opt to purchase the CalPERS service credit are not eligible for this cash out.

vi. Discontinuance of Reserve Leave Program and Treatment of Accrued Reserve Leave.

- b. If an employee were previously permitted to create and maintain a reserve leave bank, such employee's reserve leave bank balance will remain available for use by employees as annual leave, subject to the conditions for use set forth in this section. Employees will no longer be permitted to add additional hours to their reserve leave banks and new employees will not be permitted to create reserve leave banks.

B. Administrative Leave

- i. At the start of each fiscal year, Unrepresented Employees will be granted sixty (60) hours of administrative leave.
- ii. At the start of each fiscal year, Executive Employees will be granted eighty (80) hours of administrative leave.

- iii. Administrative leave not taken during the fiscal year in which it is granted shall not be carried over to the subsequent fiscal year; employees shall not be permitted to maintain an administrative leave balance in excess of what they receive annually. Administrative Leave has no cash value and cannot be cashed out if unused at the end of the fiscal year in which it was granted or upon separation.

**Section VI. Health and Welfare Benefits**

**A. Health Insurance**

The City offers affordable health coverage that meets minimum value standards under the Patient Protection and Affordable Care Act (PPACA) to all eligible members. An eligible member is one who qualifies under the Look Back Measurement Safe Harbor (average of 30 hours per week), as adopted by Resolution and implemented under the City's implementation plan.

Medical - The City will establish a two level medical plan whereby the first level may only consist of employees who were employed with the City prior to January 1, 2023. All employees hired on or after January 1, 2023 shall only be eligible for the medical benefits described under level two. Employees will be able to make a change during the open enrollment period which commences in the fall of 2022. At that time, employees will be able to elect a change into one of the two levels.

**i. Level One**

Under the tier one plan, the City shall freeze its contribution at \$1,543 per month for those employees who elect a medical plan. The City shall provide \$1,243 to those employees who "waive" health insurance and provide proof of other coverage with a medical plan which does not consist of any plan on the "Covered California" Exchange.

Employees who receive cash back will continue to receive this benefit. Cash back is defined as the difference between the premium for the plan the employee has chosen and the \$1,543 contribution the City makes. It is understood that by remaining in the tier one program that this cash back will diminish as medical insurance premiums increase each year.

Provided that the employee has no changes in plan selection or level of plan, i.e. employee, employee plus one, or family, the employee may remain in the tier one plan. The following changes would prompt removal from tier one and placement into tier two:

1. An employee who experiences a change of family circumstances such as a marriage, divorce, birth, child aging out etc., which would change their level of coverage.
2. An employee who elects to change their insurance carrier, i.e. changing from Kaiser to Blue Shield.
3. The employee opts to waive coverage or drops coverage due to securing coverage elsewhere.

An employee will not be changed from tier one to two tier if the change of insurance carrier is due to no fault of their own, i.e. PERS discontinues your insurance carrier, or there is a death in the family.

**ii. Level Two**

Employees who begin their employment with the City after January 1, 2023, or current employees who make any changes to their health care plan including a change in coverage level

i.e., employee, employee plus one, family and/or a change in carrier, will be placed into the second tier medical plan. The specifics of this plan are as follows:

***Single, Single plus one, and Family Plan – City contribution change is effective the first full pay period in January of the year specified***

2023 – City contribution will increase by \$231 per month to \$1,774

2024 – City contribution will increase by 5% to \$1,863 per month

2025 – City contribution will increase by 5% to \$1,956 per month

Effective the 2023 benefit plan year, employees who elect medical will not receive any cash back from the City's contribution if such contribution is in excess of the plan premium.

Employees who show proof of other qualifying coverage, which does not include any plans contained in "Covered California, are eligible to receive \$500/month for waiving coverage.

**B. Dental Insurance**

- i. The City shall contribute the sum of thirty dollars and eighty-three cents (\$30.83) biweekly to the employee's dental insurance cafeteria plan for dental programs provided by the City. Regular full time employees that are employees for more than ninety (90) days and who "opt-out" of dental coverage will receive \$30.83 bi-weekly additional taxable income.

**C. Flex Spending Plan**

- i. Employees may participate in the voluntary Flex Spending Plan so long the plan is offered by the City and permitted under IRS rules and regulations.

**Section VII. Term Life Insurance/STD/LTD**

- A. The City shall provide a term life insurance policy to all employees covered by this Resolution in the amount of five thousand dollars (\$5,000). Additionally, employees will be provided a term life insurance policy of one time their annual salary. City-provided life insurance coverage is only in effect as long as the employee is employed by the City. Additional group term life insurance may be purchased by the individual employee.
- B. The City shall provide a Short Term Disability (STD) plan and a Long Term Disability (LTD) plan.

**Section VIII. Deferred Compensation**

- A. Employees shall be permitted to participate in the City's section 457 deferred compensation plan for as long as such a plan is maintained by the City. Employees will have the option to convert up to eighty (80) hours of accrued vacation or annual leave for deposit into a section 457 deferred compensation plan each calendar year. Employees who have 5 years of service will have eighty (80) hours of vacation or annual leave placed into the 401(a) account provided that this conversion does not draw their leave balance below 200 hours. This conversion is in lieu of the previously mentioned 80 hour conversion for the 457 account. Employees do not have the option to opt out of this annual conversion. The conversion will occur with the first full pay

period in July of each year.

- B. The City shall make a non-elective employer contribution of four point five percent (4.5%) of employee base pay/salary to the City-sponsored 401(a) plan for all employees in this Resolution.
- C. Effective the first full pay period in August 2022, the City shall establish a retirement health savings account for each employee under this Resolution. The City shall make a non-elective employer contribution of one percent (1%) of employee base pay/salary to the plan.

**Section IX. Retirement**

**A. CalPERS Retirement for Miscellaneous Employees Hired before January 1, 2013**

- i. The City's contract with CalPERS provides for the two percent (2%) at age fifty- five (55) retirement formula.
- ii. The City's contract with CalPERS provides for the "Single Highest Year" retirement benefit.
- iii. Executive Employees and unrepresented employees who are subject to the "classic miscellaneous formula" will pay the full employee share of seven percent (7%).
- iv. The City has adopted the CalPERS resolution in accordance with 26 U.S.C. section 414, subdivision (h)(2) to ensure that the employee contribution is made on a pre-tax basis

**B. CalPERS Retirement for Miscellaneous Employees Hired on or after January 1, 2013**

- iii. "New Members", as defined by the Public Employees' Pension Reform Act ("PEPRA") are covered by the two percent (2%) at age sixty two (62) retirement formula.
- iv. New Members' retirement benefit will be based on the highest 36 consecutive months of compensation earnable.
- iii. New Members will pay an employee contribution to CalPERS at the rate of fifty percent (50%) of the total "normal cost" of the plan as defined by CalPERS. This amount may change from year to year, as determined by CalPERS. This employee contribution will be paid through a payroll deduction.
- iv. The City has adopted the CalPERS resolution in accordance with 26 U.S.C. section 414, subdivision (h)(2) to ensure that the employee contribution is made on a pre-tax basis. The City's contract with CalPERS contains the Fourth Level Survivor Benefit and Military Service Credit for all employees.

**C. CalPERS Retirement for Safety Employees Hired before January 1, 2013**

- i. The City's contract with CalPERS provides for the three percent (3%) at age fifty (50) retirement formula.
- ii. The City's contract with CalPERS provides for the "Single Highest Year" retirement benefit.
- iii. Permanent safety Executive Employees will pay 7% of the employee contribution and

the City will pick up the remaining 2%.

- iv. The City has adopted the CalPERS resolution in accordance with 26 U.S.C. section 414, subdivision (h)(2) to ensure that the employee contribution is made on a pre-tax basis.
- v. For Department Heads who are designated as Safety, the City shall provide uniforms with the estimated value of \$450 per year. Such amount shall be reported to CalPERS pursuant to the City's contract with CalPERS.

D. CalPERS Retirement for Safety Employees Hired on or after January 1, 2013

- i. The City's contract with CalPERS provides for the two point seven percent (2.7%) at age fifty-seven (57) retirement formula.
- ii. New Member's retirement benefit will be based on the highest 36 consecutive months of compensation earnable.
- iii. New Members of the City's police retirement plan will pay an employee contribution to PERS at the rate of fifty percent (50%) of the total "normal cost" of the plan as defined by CalPERS. This amount may change from year to year, as determined by CalPERS. This employee contribution will be paid through a payroll deduction.

E. Supplemental Retirement Contribution

- i. For employees under this Resolution who are in the legacy "PARS" supplemental retirement program (program), the City shall continue to provide the supplemental retirement benefits to include the three percent (3%) at age sixty (60) supplemental retirement formula and the highest consecutive twelve-month period retirement formula.
- ii. The employees' contribution to the program shall be eight percent (8%) of the wages upon which the employee's retirement contributions are computed. The City shall pay three percent (3%) of the employee contribution for eligible executives, in addition to the actuarially calculated employer contribution. Eligible executive employees shall contribute the remaining five percent (5%). The City shall pay two point five percent (2.5%) of the employee contribution for Confidential Non- Management Employees, in addition to the actuarially calculated employer contribution. Confidential Non-Management Employees shall contribute the remaining five point five percent (5.5%).
- iii. Under California Government Code section 20636, subdivision (c)(4), the City shall report to the program as compensation earnable the City's payment of the required employee retirement contributions to PERS.
- iv. Employees hired on or after January 1, 2013, who are "new members" as defined in PEPR, including "classic" employees coming from another CalPERS jurisdiction, shall not be eligible to receive any of the programs' benefit.

Section X. City Rights

- A. The City has and will continue to retain, whether exercised or not, the unilateral and exclusive right operate, administer and manage its municipal services and workforce performing those



services in all respects. The exclusive rights of City shall include, but not be limited to, the right to determine the organization of City government and the purpose and mission of its constituent agencies, to set standards of services to be offered to the public, and, through its City Manager and department directors to exercise control and discretion over its organization and operations, to establish and implement administrative regulations and employment rules and regulations consistent with law, to direct employees, to classify and reclassify positions, to take disciplinary action for just cause, to relieve employees from duty because of lack of work or for other legitimate reasons, to determine whether goods or services shall be made, purchased or contracted for, to determine the methods, means and numbers and kinds of personnel by which City's services are provided, including the right to schedule and assign work and overtime, and to otherwise act in the interest of efficient service to the community.

Section XI. Severance

- A. This section only applies to employees under this Resolution who are considered "At-will" pursuant to City Ordinance. At the option of the City Manager, at will employees whose services are terminated by the City Manager may receive severance up to \$75,000. If a severance offer is extended, such offer will be accompanied by a waiver of liability agreement which has been approved by the City Attorney, which the employee must sign to be eligible for the severance. The amount of the severance is exclusive of any applicable leave cash outs required by law.

Section XII. Moving Expenses

- A. The City Manager is authorized to approve reimbursement for moving expenses when it is deemed necessary to successfully recruit management level candidates. The maximum allowed is \$10,000.

Section XI. Severability

- A. It is understood and agreed that this Resolution is subject to all current and future applicable Federal and State laws and regulations and the current provisions of the Oxnard City Code. If any part or provision of this Resolution is in conflict or inconsistent with such applicable provisions of those Federal, State, or City enactments or is otherwise held to be invalid or unenforceable by any court of competent jurisdiction, such part or provisions shall be suspended and superseded by such applicable law or regulations, and the remainder of this Resolution shall not be affected

Section XII. Conflicting Resolutions

- A. All resolutions, parts of resolutions, contracts, or City policies and procedures in conflict with this Resolution, are hereby repealed. This Resolution hereby supersedes Resolution No. 15,285 adopted by the City Council on November 19, 2019.

Section XIII. Effective Date

- A. This Resolution shall become effective upon its adoption by the City Council. This Resolution shall remain in full force and effect, unless amended, repealed or otherwise modified by the City Council.

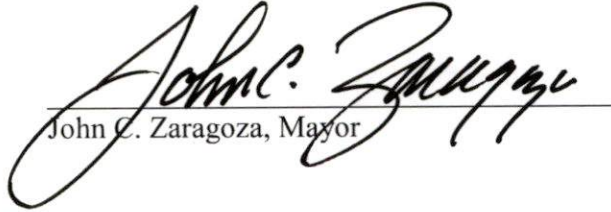
PASSED AND ADOPTED this 28<sup>th</sup> day of July 2022, by the following vote:

AYES: Councilmembers Basua, Lopez, MacDonald, Madrigal, Perello, Teran  
and Zaragoza.

NOES: None.

ABSENT: None.

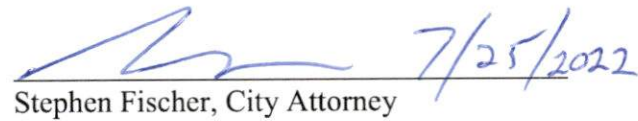
ABSTAIN: None.

  
\_\_\_\_\_  
John C. Zaragoza, Mayor

ATTEST:

  
\_\_\_\_\_  
Rose Chaparro, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Stephen Fischer, City Attorney

## EXHIBIT A

### **Executive Classifications**

Assistant City Manager  
City Attorney  
City Clerk  
City Manager  
Deputy City Manager  
Department Head I  
Department Head II  
Department Head III  
Fire Chief  
Police Chief

### **Unrepresented**

Assistant City Attorney  
Chief Assistant City Attorney  
Deputy City Attorney I/II/III  
Assistant Director I NRC  
Assistant Director II NRC