

RESOLUTION NO. 22-197

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING
STANDARD TERMS AND CONDITIONS FOR EMPLOYMENT AGREEMENTS OF
UNREPRESENTED DEPARTMENT HEAD POSITIONS**

WHEREAS, the City of Madera adopted Authorized Terms and Conditions for Employment Agreements with Unrepresented Department Heads on November 17, 2021, that established the parameters of authority for the City Manager relative to wages, benefits, and terms of employment for employment agreements with his direct reports; and

WHEREAS, the City desires to modify the Authorized Terms and Conditions to include additional cost-of-living increases that have been offered to the City's bargaining units.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF MADERA hereby resolves, finds, and orders as follows:

1. The above recitals are true and correct.
2. The City Manager is authorized to execute individual at-will employment agreements within the parameters as set forth in the Authorized Terms and Conditions for Employment Agreements with Unrepresented Department Heads as set forth in Attachment A to this resolution which is incorporated by reference and approved.
3. This resolution is effective immediately upon adoption.

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PASSED AND ADOPTED by the City Council of the City of Madera this 16th day of December, 2022 by the following vote:

AYES: Mayor Garcia, Councilmembers Gallegos, Rodriguez, Montes, Evans, Mejia and Villegas.

NOES: None.

ABSTENTIONS: None

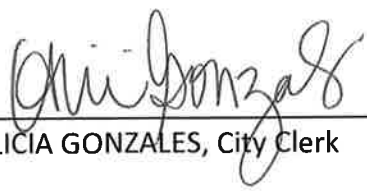
ABSENT: None.

APPROVED:



SANTOS GARCIA, Mayor

ATTEST:



ALICIA GONZALES, City Clerk



Authorized Terms and Conditions for Employment Agreements with Unrepresented Department Heads

I. Unrepresented Department Head Positions

- Police Chief
- Director of Parks & Community Services
- City Engineer
- Director of Human Resources
- Information Services Manager
- Chief Building Official
- Planning Manager
- Director of Financial Services
- Public Works Operations Director
- Director of Community Development

II. Employment Agreement Term

- Up to 4 years

III. Annual Salary

- Salary range assignments for each position are published on the City of Madera Salary Schedule publicly adopted by the City Council.
- The City Manager is authorized to set salaries for Department Heads consistent with the Salary Schedule.
- The City Manager is authorized to provide merit step increases for satisfactory job performance within the salary steps defined on the published Salary Schedule.
- The City Manager is authorized to provide Cost of Living Adjustment (COLA) increases to Department Heads as follows:
 - Effective the first paycheck on or after November 17, 2021, positions listed in Section I will receive a 2% base wage increase.
 - Effective the first paycheck on or after July 1, 2022, positions listed in Section I will receive a 2% base wage increase.
 - Effective the pay period beginning December 31, 2022, with paycheck date January 20, 2023, positions listed in Section I will receive a 2% base wage increase.
 - Effective June 17, 2023, with paycheck date July 7, 2023, positions listed in Section I will receive a 2% base wage increase.
 - Effective December 30, 2023, with paycheck date January 19, 2024, positions listed in Section I will receive a 2% base wage increase.
 - Effective June 15, 2024, with paycheck date July 5, 2024, positions listed in Section I will receive a 2% base wage increase.

Authorized Terms and Conditions for Employment Agreements with Unrepresented Department Heads

- Effective December 28, 2024, with paycheck date January 17, 2025, positions listed in Section I will receive a 2% base wage increase.
- In addition to the percent-based wage increases noted above, the City Manager is authorized to provide each employee employed by the City in positions listed in Section I with a lump sum \$1,500 payment to be paid on the first regular paycheck on or after November 17, 2021; July 1, 2022; July 1, 2023; and July 1, 2024; subject to applicable taxes and deductions.

IV. Severance

- Employment Agreements may include 1 ½ months salary & health benefits severance in one (1) lump sum payment for separation without cause

V. Paid Leave – Employment Agreements may include benefits as follows:

- Vacation – accrues based on years of service consistent with Mid Management accrual schedule; maximum accrued balance will be 360 hours. Employee also receives an 8-hour credit to vacation each year on the employee’s hire anniversary date.
 - Vacation Cash-out: Employee may cash-out unused vacation once per year if vacation balance is at least 160 hours.
 - 0-5 years of total City service – 40 hours
 - 6+ years of total City service – 80 hours
- Sick leave – accrues each pay cycle consistent with Mid Management accrual schedule; no cap on accrual. After 5 years of City service, employee may cash-out unused sick leave with positive separation or retirement based on the following schedule:

Years of Service	Sick Leave Cash-Out
5	7.5%
7	10.5%
10	15.0%
15	22.0%
20	30.0%

- Family Sick Leave - Up to 72 hours of sick leave may be used each year for family.
- Administrative Leave – 40 hours credited each July 1. Not available for carryover or cash-out. A pro-rated amount will be credited for the remainder of the fiscal year based on hire date if employee is hired mid-fiscal year.
- Holidays – Observed paid holidays will be consistent with Mid Management paid holidays.

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- Floating Holiday – Employees with 5-9 years of total City service are credited with 20 hours of Floating Holiday each July 1; employees with 10+ years of total City service are credited with 40 hours of Floating Holiday each July 1.
- Holiday Closure - Employee will receive the same Holiday Closure benefit as that received by the City of Madera Mid Management Employee Group.

VI. Retirement

- CalPERS formula is defined by date of hire and position
 - Employee pays Employee Contribution to CalPERS
 - Employee pays an additional 2.375% of base pay for Miscellaneous employees and 3% of base pay for Safety employees towards Employer Contribution through either a salary reduction or post-tax payroll deduction.
 - Employee pays for 1959 Survivor Benefit.

VII. Health Insurance

- Employee will receive the same plan offerings and employer contribution as that received by the City of Madera Mid Management Employee Group.

VIII. Longevity Pay

- Longevity pay was frozen as of June 30, 2019. Employees in the positions listed in Section I who had achieved longevity pay as of that date continue to receive the benefit but cannot achieve additional longevity pay with additional years of service. This benefit is not available to employees hired or promoted into the positions listed in Section I after June 30, 2019.

IX. Retiree Medical

- Individuals who retire from City service are eligible to purchase medical, dental, and vision insurance for the retiree and eligible dependents at the retiree's expense until such time as the individual is eligible for Medicare
- For individuals who were employed in the positions listed in Section I as of April 3, 2019, and had at least fifteen (15) years of City service at that time, the City will contribute up to a cap of \$600 per month for retiree medical insurance until the individual is eligible for Medicare and up to a cap of \$300 per month for a Medicare supplement plan after the individual is eligible for Medicare. This benefit is not available to employees hired or promoted into the positions listed in Section I after April 3, 2019.

X. Other Benefits

- Employee may elect to receive a City-issued smart phone or use his/her personal phone and receive a \$75/month stipend. If stipend is elected, personal phone number must be publicly available.

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- The Police Chief will receive the same Uniform Allowance as sworn members of the Law Enforcement Mid Management Group.
- Bereavement Leave: In addition to paid leave available, Employee will receive 3 days of leave per fiscal year in the event of the death of a grandparent, parent, spouse, registered domestic partner, or child.
- City paid life/AD&D insurance: \$50,000 employee/\$5,000 dependent; employee can purchase additional voluntary life insurance for self, spouse and/or dependents through the City's provider through payroll deduction.
- City paid Long Term Disability insurance