

RESOLUTION NO. 33-2008

A RESOLUTION OF THE TOWN COUNCIL OF THE
TOWN OF TIBURON REPEALING RESOLUTION NO. 30-2007 AND ADOPTING AN
AMENDED MID-MANAGEMENT, PROFESSIONAL & CONFIDENTIAL
EMPLOYEES RECOGNITION AND INCENTIVE COMPENSATION PROGRAM

WHEREAS, in January 2002, the Town Council established and adopted a Mid-management 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 Recognition and Incentive Compensation Program most recently in 2007 by the adoption of Resolution No. 30-2007; and

WHEREAS, the Town of Tiburon mid-management, supervisory and confidential employees are defined to include the following positions:

Assistant Planner	Assistant to the Building Official
Associate Planner	Superintendent of Public Works
Building Official	Information Technology Coordinator
Emergency Services Coordinator	Police Secretary
Police Captain	Planning Manager
Town Clerk	

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Tiburon does hereby repeal Resolution No. 30-2007 and all predecessor versions of the Mid-Management, Profession & Confidential Employees Recognition and Incentive Compensation Program and adopts the following amended Mid-Management, Profession & Confidential Employees Recognition and Incentive Compensation Program:

SECTION 1. SALARIES

Effective July 1, 2008 salary ranges for qualified positions shall be:

Assistant Planner	\$4,094 - \$ 5,118
Associate Planner	\$4,550 - \$ 5,687
Assistant to the Building Official	\$4,573 - \$ 5,716
Building Official	\$6,500 - \$ 8,125
Superintendent of Public Works	\$6,742 - \$ 8,427
Emergency Services Coordinator	\$4,357 - \$ 5,446

Information Technology Coordinator	\$5,603 - \$ 7,004
Police Captain	\$8,179 - \$10,224
Police Secretary	\$4,318 - \$ 5,398
Planning Manager	\$5,460 - \$ 6,825
Town Clerk	\$5,081 - \$ 6,351

SECTION 2. SALARY ADJUSTMENTS

The Town Manager shall submit annually to the Town Council recommended salary ranges for mid-management, professional and confidential employees. These ranges will be based upon the Compensation Policy adopted by the Town Council. 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

Effective January 1, 2009, the Town shall contribute \$1075 per month towards a mid-management employee's fringe benefit coverage. If the full sum specified is exceeded for group insurance 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 insurance cost of a given employee, then the employee shall have the option to have an amount not to exceed \$400 per month 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 fall below the grandfathered cap, the new lower amount shall become their new cap and the employee shall not be able to return to the higher figure in the future.

Retirement - For Miscellaneous Members of the Public Employee's Retirement System, the Town of Tiburon shall provide PERS 2% @ 55 retirement benefits, with highest single year calculation and service credit for unused sick leave. For Local Safety Members of the Public Employee's Retirement System the Town shall provided 3% @ 55 retirement benefit, average three highest years calculation, and service credit for unused sick leave. The Town shall contribute the full employee employer retirement contributions.

Medical Insurance - The Town of Tiburon offers its employees and their dependents medical/hospital insurance coverage. A qualified employee 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 covered employees unless they can demonstrate compliance with other coverage.

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

Life Insurance - The Town of Tiburon offers qualified employees a \$25,000 life insurance policy. Such insurance is mandatory for all full-time employees. The Town of Tiburon offers qualified employees 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 qualified employees long term disability insurance. Such insurance is optional, except for the position of Captain.

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 deferred compensation plan to qualified 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 covered employees the ability to participate in its IRS Section 125 Plan. Participation is optional.

SECTION 4. VACATION LEAVE

Mid-management, professional and confidential 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. VACATION LEAVE CONVERSION

After one year's service with the Town, qualified employees who use at least 10 working days of vacation leave may convert into cash payment up to 50% of the total number of vacation hours taken in a calendar year, not to exceed 10 working days. Vacation leave that is converted into cash shall be deducted from the employee's vacation leave balance. Vacation leave conversion will be granted during the month of December each calendar year.

SECTION 6. SICK LEAVE

Mid-management, professional and confidential 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 7. SICK LEAVE PAY OFF

Mid-management, professional and confidential 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.

For employees hired after July 1, 2001, in the mid-management, professional or confidential positions, they may accrue unlimited sick leave with no option for "cashback" benefits.

SECTION 8. HOLIDAYS

The Town agrees to provide management employees the following holidays:

New Year's Day	January 1
Martin Luther King Day	Third Monday in January
President's Day	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Veterans Day	December 26
Thanksgiving Day	Fourth Thursday in November
Day After Thanksgiving	Friday after Thanksgiving
Christmas Eve	December 24
Christmas Day	December 25
New Year's Eve	December 30

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. For mid-management employees who work an alternative work schedule and a holiday falls on his/her regular day off, he/she shall select either the preceding or

following regular working day off. Affected employees shall provide the Town Manager with at least one week's notice as to which day they will observe as a holiday.

SECTION 9. FURLOUGH

All represented employees will be required to take a 2-day furlough. The days furloughed will be December 29 and December 30, 2008. Tiburon Town Hall will be closed from December 24, 2007 through January 1, 2008.

However, employees may not suffer compensation loss. The Town will provide a one-time paid day off for the December 29, 2008 day and the employee will be required to take a vacation day for the December 30, 2008 furloughed day.

Proposed Schedule:

Wednesday, December 24, 2008	Christmas Eve Holiday
Thursday, December 25, 2008	Christmas Holiday
Friday, December 26, 2008	Veterans Day Observance
Monday, December 29, 2008	Furlough Day #1 (On Town)
Tuesday, December 30, 2008	Furlough Day #2 (mandatory vacation day)
Wednesday, December 31, 2008	New Years Eve Holiday
Thursday, January 1, 2009	New Years Holiday

SECTION 10. ADMINISTRATIVE LEAVE

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

Each exempt mid-management, professional or confidential 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 day increments.

SECTION 11. DINNER ALLOWANCE

All mid-management, professional and confidential 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 in an amount not to exceed \$20.00 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 12. 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.

SECTION 13. RETIRED EMPLOYEE'S MEDICAL ALLOWANCE

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 contributions rate is based on the following formula:

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

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

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SECTION 14. PERSONNEL RULES & REGULATIONS

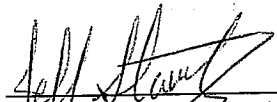
In the event any provisions of this Resolution contradict those included in the Town's Personnel Rules & Regulations, the terms of this Resolution shall prevail.

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of Tiburon on June 18, 2008, by the following vote:

AYES: COUNCILMEMBERS: Berger, Collins, Fredericks, Gram, Slavitz


NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None



JEFF SLAVITZ, MAYOR
TOWN OF TIBURON

ATTEST:



DIANE CRANE IACOPI, TOWN CLERK