

RESOLUTION NO. 08- _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, REVISING THE EXECUTIVE COMPENSATION PLAN AND EXECUTIVE SALARY SCHEDULE TO REFLECT CHANGES IN THE ESTABLISHED LABOR MARKETPLACE.

The City Council of the City of Costa Mesa does hereby resolve, determine and order as follows:

SECTION 1. The Costa Mesa City Council previously established the Executive Compensation Plan to: 1) promote maximum commitment by City executives to objectives and standards of the City Council and City Manager; 2) establish a system in which compensation serves as an effective device for promoting better job performance; 3) foster the identification of an executive employee group and recognize the distinct character of executive jobs; and, 4) improve the City's ability to attract and retain outstanding executives.

The Human Resources Division annually conducts a survey of the total compensation paid to comparable executive positions in the defined labor marketplace using the most current information available. Historically, the elements of total compensation used in the comparisons are as follows: top step base salary; employer-paid member retirement contribution; 125 cafeteria accounts or individual premiums for health, dental, life and disability insurances at the family rate; deferred compensation contributions paid by the employer; auto allowance; the value of enhanced retirement plans greater than the PERS 2%@60 (nonsworn) or PERS 2%@50 (safety) formulas; other elements prevalent within the marketplace that the City Manager considers appropriate and that may influence the City's ability to retain and recruit executive employees or remain competitive.

SECTION 2. The following job classifications, placed under the Executive Salary Schedule, are hereby revised to reflect the salary ranges and monthly rates of pay specified, effective the pay period beginning August 19, 2007. The rate of pay for individual executives may be anywhere within the monthly minimum and maximum salary steps.

Class Code	Class Title	Grade	Step							
			1	2	3	4	5	6	7	
<u>APPOINTED AT-WILL EXECUTIVES</u>										
0075	Assistant City Manager	810	\$10,789	\$11,328	\$11,894	\$12,489	\$13,114	\$13,769	\$14,458	Monthly
			\$129,468	\$135,936	\$142,728	\$149,868	\$157,368	\$165,228	\$173,496	Annual
			\$62.24	\$65.35	\$68.62	\$72.05	\$75.66	\$79.44	\$83.41	Hourly
0076	City Manager	840	\$14,102	\$14,807	\$15,547	\$16,324	\$17,141	\$17,998	\$18,898	Monthly
			\$169,224	\$177,684	\$186,564	\$195,888	\$205,692	\$215,976	\$226,776	Annual
			\$81.36	\$85.43	\$89.69	\$94.18	\$98.89	\$103.83	\$109.03	Hourly

<u>APPOINTED AT-WILL SWORN DEPARTMENT DIRECTORS</u>										
0223	Fire Chief	793	\$12,032	\$12,634	\$13,266	\$13,929	\$14,626	\$15,357	\$16,125	Monthly
			\$144,384	\$151,608	\$159,192	\$167,148	\$175,512	\$184,284	\$193,500	Annual
			\$69.42	\$72.89	\$76.53	\$80.36	\$84.38	\$88.60	\$93.03	Hourly
0207	Police Chief	792	\$12,246	\$12,859	\$13,502	\$14,177	\$14,886	\$15,630	\$16,411	Monthly
			\$146,952	\$154,308	\$162,024	\$170,124	\$178,632	\$187,560	\$196,932	Annual
			\$70.65	\$74.19	\$77.90	\$81.79	\$85.88	\$90.17	\$94.68	Hourly
<u>APPOINTED AT-WILL DEPARTMENT DIRECTORS</u>										
0091	Administrative Services Director	775	\$10,042	\$10,544	\$11,071	\$11,625	\$12,206	\$12,816	\$13,457	Monthly
			\$120,504	\$126,528	\$132,852	\$139,500	\$146,472	\$153,792	\$161,484	Annual
			\$57.93	\$60.83	\$63.87	\$67.07	\$70.42	\$73.94	\$77.64	Hourly
0069	Finance Director	772	\$9,906	\$10,401	\$10,921	\$11,467	\$12,040	\$12,642	\$13,275	Monthly
			\$118,872	\$124,812	\$131,052	\$137,604	\$144,480	\$151,704	\$159,300	Annual
			\$57.15	\$60.01	\$63.01	\$66.16	\$69.46	\$72.93	\$76.59	Hourly
0117	Public Services Director	791	\$10,595	\$11,125	\$11,681	\$12,265	\$12,878	\$13,522	\$14,199	Monthly
			\$127,140	\$133,500	\$140,172	\$147,180	\$154,536	\$162,264	\$170,388	Annual
			\$61.13	\$64.18	\$67.39	\$70.76	\$74.30	\$78.01	\$81.92	Hourly
<u>DEPARTMENT DIRECTORS IN THE CLASSIFIED SERVICE</u>										
0155	Development Services Director	797	\$10,794	\$11,334	\$11,901	\$12,496	\$13,121	\$13,777	\$14,466	Monthly
			\$129,528	\$136,008	\$142,812	\$149,952	\$157,452	\$165,324	\$173,592	Annual
			\$62.27	\$65.39	\$68.66	\$72.09	\$75.70	\$79.48	\$83.46	Hourly
<u>SWORN DIVISION MANAGERS IN THE CLASSIFIED SERVICE</u>										
0214	Battalion Chief	728	\$8,116	\$8,522	\$8,948	\$9,395	\$9,865	\$10,358	\$10,876	Monthly
			\$97,392	\$102,264	\$107,376	\$112,740	\$118,380	\$124,296	\$130,512	Annual
			\$46.82	\$49.17	\$51.62	\$54.20	\$56.91	\$59.76	\$62.75	Hourly
0220	Deputy Fire Chief	771	\$10,018	\$10,519	\$11,045	\$11,597	\$12,177	\$12,786	\$13,425	Monthly
			\$120,216	\$126,228	\$132,540	\$139,164	\$146,124	\$153,432	\$161,100	Annual
			\$57.80	\$60.69	\$63.72	\$66.91	\$70.25	\$73.77	\$77.45	Hourly
0219	Fire Marshal	154	\$9,036	\$9,488	\$9,962	\$10,461	\$10,984	\$11,533	\$12,109	Monthly
			\$108,432	\$113,856	\$119,544	\$125,532	\$131,808	\$138,396	\$145,308	Annual
			\$52.13	\$54.74	\$57.47	\$60.35	\$63.37	\$66.54	\$69.86	Hourly
<u>DIVISION MANAGERS IN THE CLASSIFIED SERVICE</u>										
0157	Assistant Development Services Director	761	\$9,031	\$9,483	\$9,957	\$10,455	\$10,978	\$11,527	\$12,103	Monthly
			\$108,372	\$113,796	\$119,484	\$125,460	\$131,736	\$138,324	\$145,236	Annual
			\$52.10	\$54.71	\$57.44	\$60.32	\$63.33	\$66.50	\$69.83	Hourly
0068	Assistant Finance Director	750	\$8,198	\$8,608	\$9,038	\$9,490	\$9,965	\$10,463	\$10,986	Monthly
			\$98,376	\$103,296	\$108,456	\$113,880	\$119,580	\$125,556	\$131,832	Annual
			\$47.30	\$49.66	\$52.14	\$54.75	\$57.49	\$60.36	\$63.38	Hourly
0059	Budget & Research Officer	740	\$7,806	\$8,196	\$8,606	\$9,036	\$9,488	\$9,962	\$10,460	Monthly
			\$93,672	\$98,352	\$103,272	\$108,432	\$113,856	\$119,544	\$125,520	Annual
			\$45.03	\$47.28	\$49.65	\$52.13	\$54.74	\$57.47	\$60.35	Hourly

ATTACHMENT I

0142	Building Official	754	\$8,942	\$9,389	\$9,858	\$10,351	\$10,869	\$11,412	\$11,983	Monthly
			\$107,304	\$112,668	\$118,296	\$124,212	\$130,428	\$136,944	\$143,796	Annual
			\$51.59	\$54.17	\$56.87	\$59.72	\$62.71	\$65.84	\$69.13	Hourly
0023	City Clerk	892	\$7,338	\$7,705	\$8,090	\$8,494	\$8,919	\$9,365	\$9,833	Monthly
			\$88,056	\$92,460	\$97,080	\$101,928	\$107,028	\$112,380	\$117,996	Annual
			\$42.33	\$44.45	\$46.67	\$49.00	\$51.46	\$54.03	\$56.73	Hourly
0112	City Engineer	751	\$8,430	\$8,852	\$9,294	\$9,759	\$10,247	\$10,759	\$11,297	Monthly
			\$101,160	\$106,224	\$111,528	\$117,108	\$122,964	\$129,108	\$135,564	Annual
			\$48.63	\$51.07	\$53.62	\$56.30	\$59.12	\$62.07	\$65.18	Hourly
0416	Fairview Park Plan Administrator	102	\$6,616	\$6,947	\$7,295	\$7,659	\$8,042	\$8,444	\$8,867	Monthly
			\$79,392	\$83,364	\$87,540	\$91,908	\$96,504	\$101,328	\$106,404	Annual
			\$38.17	\$40.08	\$42.09	\$44.19	\$46.40	\$48.72	\$51.16	Hourly
0090	Human Resources Manager	748	\$8,829	\$9,270	\$9,734	\$10,220	\$10,731	\$11,268	\$11,831	Monthly
			\$105,948	\$111,240	\$116,808	\$122,640	\$128,772	\$135,216	\$141,972	Annual
			\$50.94	\$53.48	\$56.16	\$58.96	\$61.91	\$65.01	\$68.26	Hourly
0047	Information Technology Manager	741	\$7,937	\$8,334	\$8,751	\$9,188	\$9,648	\$10,130	\$10,636	Monthly
			\$95,244	\$100,008	\$105,012	\$110,256	\$115,776	\$121,560	\$127,632	Annual
			\$45.79	\$48.08	\$50.49	\$53.01	\$55.66	\$58.44	\$61.36	Hourly
0077	Legislative & Public Affairs Manager	140	\$7,985	\$8,385	\$8,804	\$9,244	\$9,706	\$10,192	\$10,701	Monthly
			\$95,820	\$100,620	\$105,648	\$110,928	\$116,472	\$122,304	\$128,412	Annual
			\$46.07	\$48.38	\$50.79	\$53.33	\$56.00	\$58.80	\$61.74	Hourly
0451	Maintenance Services Manager	733	\$8,022	\$8,424	\$8,845	\$9,287	\$9,751	\$10,239	\$10,751	Monthly
			\$96,264	\$101,088	\$106,140	\$111,444	\$117,012	\$122,868	\$129,012	Annual
			\$46.28	\$48.60	\$51.03	\$53.58	\$56.26	\$59.07	\$62.03	Hourly
0160	Neighborhood Improvement Manager	719	\$7,350	\$7,717	\$8,103	\$8,508	\$8,934	\$9,380	\$9,849	Monthly
			\$88,200	\$92,604	\$97,236	\$102,096	\$107,208	\$112,560	\$118,188	Annual
			\$42.40	\$44.52	\$46.75	\$49.08	\$51.54	\$54.12	\$56.82	Hourly
0097	Police Administrative Services Commander	756	\$8,934	\$9,381	\$9,850	\$10,343	\$10,860	\$11,403	\$11,973	Monthly
			\$107,208	\$112,572	\$118,200	\$124,116	\$130,320	\$136,836	\$143,676	Annual
			\$51.54	\$54.12	\$56.83	\$59.67	\$62.65	\$65.79	\$69.08	Hourly
0305	Recreation Manager	893	\$7,578	\$7,957	\$8,355	\$8,773	\$9,211	\$9,672	\$10,156	Monthly
			\$90,936	\$95,484	\$100,260	\$105,276	\$110,532	\$116,064	\$121,872	Annual
			\$43.72	\$45.91	\$48.20	\$50.61	\$53.14	\$55.80	\$58.59	Hourly
0236	Telecommunications Manager	894	\$8,048	\$8,450	\$8,873	\$9,317	\$9,782	\$10,272	\$10,785	Monthly
			\$96,576	\$101,400	\$106,476	\$111,804	\$117,384	\$123,264	\$129,420	Annual
			\$46.43	\$48.75	\$51.19	\$53.75	\$56.43	\$59.26	\$62.22	Hourly
0113	Transportation Services Manager	745	\$8,453	\$8,876	\$9,320	\$9,786	\$10,275	\$10,789	\$11,328	Monthly
			\$101,436	\$106,512	\$111,840	\$117,432	\$123,300	\$129,468	\$135,936	Annual
			\$48.77	\$51.21	\$53.77	\$56.46	\$59.28	\$62.24	\$65.35	Hourly

SECTION 3. The City of Costa Mesa has contracted with the California Public Employees Retirement System (CalPERS) to provide retirement benefits to eligible City employees under the 2% at 55 formula for non-sworn classifications, 3% at 50 formula for sworn police classifications and 3% at 55 formula for sworn fire classifications. For non-sworn classifications, the City pays 7% of the employees' retirement contribution to the CalPERS, and for sworn classifications, the City pays 9% of the employees' retirement contribution to CalPERS. The City shall pay each affected employee's CalPERS normal member contribution (as defined in §20677 of the California Government Code) into an individual employee account with CalPERS, pursuant to §20615 of the California Government Code, and will include this payment in the employee's compensation earnable that is reported to CalPERS, pursuant to §20023(c)(4) of the California Government Code.

The City agrees to implement procedures to amend the CalPERS Miscellaneous Plan to provide Government Code §21354.4 (2.5@55) retirement benefits to be effective on or about October 1, 2008 for non-sworn classifications. Pursuant to CalPERS regulations, this new formula will apply to all employees that are in active status on the date this amendment takes effect. This new formula will apply to each year of eligible service credited with the City of Costa Mesa.

In conjunction with the salary adjustments, employees in non-sworn classifications covered by this resolution shall contribute 1% of their salary toward the cost of the 2.5% at 55 CalPERS retirement benefit. To the extent permitted by CalPERS and the IRS regulations, this 1% contribution shall be implemented through payroll deduction on a pre-tax basis.

Effective the pay period that includes September 1, 2008 the City will adjust the monthly base salary for employees covered by this agreement by the average fair wage increase. In conjunction with the salary adjustments, employees in non-sworn classifications shall contribute an additional 2.6% of their salary toward the cost of the 2.5% at 55 CalPERS retirement benefit for a total cost of 3.6% (both employer and employee rate based on CalPERS actuarial data on September 1, 2007 and subject to update in 2008). If the total cost exceeds 4%, the parties agree to meet and discuss the payment for the excess amount over 4%. To the extent permitted by CalPERS and the IRS regulations, this 2.6% or greater contribution shall be implemented through payroll deduction on a pre-tax basis.

SECTION 4. The following classifications shall be provided with a City vehicle or monthly automobile allowance:

Assigned City Vehicle: Fire Chief, Deputy Fire Chief, Fire Marshal, Police Chief, Public Services Director

\$450 Monthly Automobile Allowance: City Manager, Assistant City Manager, Development Services Director, Finance Director, Administrative Services Director

The monthly automobile allowance will be adjusted on an annual basis by the Department of Labor's actual June Consumer Price Index (CPI-W) for Urban Wage Earners and Clerical Workers for the Los Angeles-Anaheim-Riverside region up to a maximum amount equal to the average monthly automobile allowance of the established survey agencies. In all situations, the City Manager has the sole discretion to grant, modify or deny use of a City vehicle or grant an allowance for Department Directors and Division Managers

SECTION 5. With exception of the City Manager, a pay-for-performance evaluation and compensation system will be utilized for all employees in executive job classifications. All compensation increases for executives will be based upon continued meritorious service to the City. Though the City Manager may receive labor marketplace salary adjustments, annual performance evaluations for this position will be conducted in the fall of each year by the City Council.

SECTION 6. The City shall contribute an amount toward the executive flexible benefit plan bucket for the payment of premiums for affected employees and dependents based upon the following criteria:

- Full family coverage for the PERS Choice medical plan under the California Public Employees' Retirement System (CALPERS) health insurance programs;
- Full family coverage for the Dental Indemnity plan;
- Full premium payment for Life Insurance;
- For Department Directors, the Long Term Disability premium will be based upon the top step salary of the highest-salaried Department Director within the classified service;
- For Division Managers, the Long Term Disability premium will be based upon the top step salary of the highest-salaried Division Manager within the classified service.

Any amounts necessary to maintain benefit premiums in excess of the City contribution specified above shall be borne entirely by the executive employee.

SECTION 7. The City agrees to the implementation of a Fire Management Certification/Education Program for Battalion Chiefs/Deputy Chiefs similar in nature to the POST (Police Officer Standards and Training) program for Police Management. The specific awards and criteria will be established by the Fire Chief with the assistance of Human Resources and subject to the approval of the City Manager or designee. Compensation will range from 2.5% to 7.5%, but will not exceed a maximum of 7.5% (cumulative amount).

SECTION 8. Administrative Regulation 2.19 on Executive Leave establishes the provision of 80 hours (112 hours for Battalion Chiefs) of Executive Leave for every executive employee. Executives who are regularly assigned as staff support to the City Council, Planning Commission or the Parks and Recreation Commission may be annually granted additional Executive Leave up to forty (40) hours. Executives who are involved in extraordinary major projects or assignments may also be granted additional Executive Leave up to forty (40) hours based upon a Department Director recommendation, which includes documentation of additional hours regularly worked. The City Manager has the sole discretion to grant or deny additional Executive Leave hours. No employee shall be granted more than 120 Executive Leave hours annually and, if additional hours are approved, the hours are subject to the same carry forward limitations detailed in Administrative Regulation 2.19.

Off-duty executives in the Battalion Chief classification who are assigned by the Fire Chief or designee to a twenty-four (24) hour fire suppression work shift for an emergency assignment associated with an ongoing emergency incident or to replace another Battalion Chief who is on an approved leave of absence, will receive an amount equivalent to one and one-half times (1 ½) their regular rate of pay (overtime). Monthly staff meetings or regular assignments will not be eligible for overtime and shift exchanges between two Battalion Chiefs will not qualify for overtime compensation.

SECTION 9. Pursuant to the Executive Professional Development Reimbursement Program, the City agrees to reimburse Department Directors up to \$2,000 and Division Managers up to \$1,000 per fiscal year for activities, materials, equipment or fees that will aid in their individual professional development. The intent of this program is to encourage and recognize executive staff for pursuing educational, professional or community-oriented activities, enhancing job skills and expertise, and/or purchasing materials/equipment, which improve the executive's performance. These activities, materials, equipment or fees are intended to be beyond what is budgeted for individuals through the annual budget cycle. The reimbursement options available include the following:

- Professional memberships, licenses and certificates that are job-related;
- Professional conferences that are job-related including fees and other expenses while attending;
- Membership dues in community organizations relevant to the executive's job assignment;
- Purchase of job-related professional journals, periodicals, books or other written materials which further knowledge or improvement of effectiveness in performance of duties;
- Education fees that exceed the City's annual \$1,000 tuition reimbursement limit;
- Direct purchase of qualifying computer equipment defined in Administrative Regulation 2.29;
- Annual payments for the Executive Computer Loan Guarantee Program defined below up to the maximum \$2,000 per fiscal year for Department Directors and \$1,000 for Division Managers.

The Department Director and Administrative Services Director must approve participation in the activities and/or purchase of the materials/equipment in advance. Claims for reimbursement must be accompanied by documentation that an eligible expense has been incurred during the fiscal year for the executive employee only. Any portion of the reimbursement amount not incurred within the fiscal year shall remain City funds unless prior approval has been received by the City Manager. Requests to carry forward unencumbered amounts to the next fiscal year must receive approval by the City Manager prior to the end of the fiscal year. All payments will be in the form of reimbursement and no executive employee will directly receive cash for this benefit. Reimbursements, which are subject to taxation, will be processed through the payroll system. The Finance Department shall administer this program in accordance to the stated purpose and will provide the appropriate forms and procedures. This reimbursement program does not prohibit individual departments from continuing to budget funds for executive staff attendance at professional conferences and seminars, for the payment of professional membership dues, and/or for the purchase of books, journals and written materials that are job-related and will enhance an executive's knowledge or expertise.

SECTION 10. Executive employees who have passed probation and at-will Department Directors are eligible to participate in the Executive Computer Loan Guarantee Program. The City shall specify the minimum equipment configuration and it is the employee who is responsible to negotiate the price for the equipment and to bring a copy of the order/quote to the MIS Division for approval before loan application and purchase. The executive must apply for a loan with the Costa Mesa Federal Credit Union that will be subject to all Credit Union lending practices. The City will agree to guarantee the loan for the executive, which thereby will lower the interest rate on the loan.

Loan payments must be by payroll deduction. Each loan payment period shall not exceed 30 months and the aggregate value of the loan(s) shall not exceed \$3,500 per executive. As a condition of the program, terminating executives participating in the program must satisfy any outstanding amounts of the loan with the final paycheck. The City will continue to provide the software necessary for executives to have remote access to the City's servers and compatibility to City software. In order for an executive to receive a loan under the program for equipment upgrades or purchase of new equipment components that meet the City-approved minimum configuration, the executive must certify that he/she already owns the remaining components required to meet the minimum equipment configuration. Equipment purchased under this program becomes the property of the executive. No more than once a year an executive may request reimbursement for payments under the Executive Computer Loan Guarantee Program along with Credit Union verification that the payments have been made by the employee. Department Directors may request up to \$2,000 and Division Managers up to \$1,000 per fiscal year under the Executive Professional Development Reimbursement Program.

SECTION 11. Employees hired after January 1, 2004 will participate in the mandatory Retirement Health Savings defined contribution plan and are not eligible for the Retired Employees' Medical Program. The purpose of the Defined Contribution Retirement Health Savings Plan (Plan) is to establish a tax protected savings program for every full-time employee that will:

- Provide a retiree medical benefit for employees hired after January 1, 2004 who will not be eligible for the health insurance contribution under the Council Policy 300-1.
- Provide a supplemental benefit to the City contribution under Council Policy 300-1 for current employees (hired before January 1, 2004).

The program will require mandatory participation by all full-time employees. Employees will make a monthly contribution to the plan equal to 1% of their base monthly salary, which will be matched by a 1% salary monthly contribution from the City into employees' accounts. The account assets that accumulate, plus investment earnings, will be used in retirement to pay health insurance premiums and other eligible out-of-pocket medical expenses such as deductibles, co-payments, vision care or dental care. Employee contributions plus vested employer contributions will be portable if an employee should leave employment with Costa Mesa prior to retirement.

SECTION 12. The 401(a) deferred compensation plan provides executives with another tax-deferred savings plan for future financial planning. The City will provide a .5% per pay period employer contribution for any executive whose management group elects to participate in the 401(a) plan. The employer contribution will be reflected in that executive's annual total compensation calculation. However, the City will not provide an employer contribution to the current 457 deferred compensation plan and the executive must make all 457 contributions.

SECTION 13. All resolutions and parts of resolutions in conflict herewith are hereby rescinded.

PASSED AND ADOPTED this 1st day of April, 2008.

Eric R. Bever, Mayor

ATTEST:

APPROVED AS TO FORM:

Julie Folcik, City Clerk

Kimberly Hall Barlow, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF COSTA MESA)

I, Julie Folcik, City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that the above and foregoing is the original of Resolution No. 08-___ and was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 1st day of April, 2008, by the following roll call vote, to wit:

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this 2nd day of April, 2008.

JULIE FOLCIK, CITY CLERK

(SEAL)