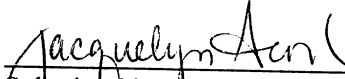





City of Carson Report to Mayor and City Council

April 5, 2011
New Business Consent

SUBJECT: CONSIDERATION OF ADOPTION OF RESOLUTION NO. 11-028 AMENDING RESOLUTION NO. 10-077 TO INCORPORATE CERTAIN CHANGES TO THE RETIREMENT, POST-RETIREMENT, AND HOLIDAY LEAVE BENEFITS OF THE UNCLASSIFIED MANAGEMENT EMPLOYEES


Submitted by Jacquelyn Acosta
Administrative Services General Manager


Approved by Clifford W. Graves
Interim City Manager

I. SUMMARY

On July 21, 2010, the City Council adopted Resolution No. 10-077, (Exhibit No. 1) a resolution establishing the salary and benefits for Unclassified Management Employees. This resolution needs to be amended to conform with the recently negotiated and approved CalPERS contract amendments for retirement, post-retirement, and holiday leave benefits. Therefore, Resolution No. 11-028 (Exhibit No. 2) amending the current resolution is being presented for your approval.

II. RECOMMENDATION

WAIVE further reading and ADOPT Resolution No. 11-028 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING RESOLUTION NO. 10-077 TO INCORPORATE CERTAIN CHANGES TO THE RETIREMENT, POST-RETIREMENT, AND HOLIDAY LEAVE BENEFITS OF THE UNCLASSIFIED MANAGEMENT EMPLOYEES."

III. ALTERNATIVES

None. The CalPERS contract amendments were negotiated as part of the current multi-year agreements with the city's various bargaining units.

IV. BACKGROUND

This Resolution contains four modifications:

1. The city's current Memoranda of Understanding with all of the city's represented bargaining units allows the city to amend its contract with CalPERS to establish a second tier retirement formula at 2%@55 for all employees hired after the effective date of the contract amendment. CalPERS retirement law requires that the contract provisions apply to all of the City's miscellaneous employees covered by the retirement contract. Consequently, this resolution will bring the unclassified management employees into conformity with the rest of the city's represented employees. The second tier retirement formula will become effective on the actual date that this contract

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amendment with CalPERS becomes effective.

- 2. The second tier retirement formula (2%@55) requires a 7% employee contribution. Traditionally, the city has paid the entire 7% on behalf of the employee. New employees hired under the second tier retirement formula will be required to pay 2%, by payroll deduction, and the city will pay the remaining 5% on their behalf.
- 3. The revised resolution also includes a 10-year vesting schedule for post-retirement healthcare.
- 4. The revised resolution also provides for holidays that fall on a Friday or Saturday to be converted to 10 hours of accrued vacation leave.

V. FISCAL IMPACT

None. There will be no immediate cost savings related to this contract amendment. However, over time, this amendment will result in substantial savings associated with the cost of the city's retirement benefits and the city's post-retirement medical benefits.

VI. EXHIBITS

- 1. Resolution No. 11-028. (pgs. 4 - 8)
- 2. Resolution No. 10-077. (pgs. 9 - 34)

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Prepared by: Jackie Acosta, Administrative Services General Manager

TO:Rev010511

Reviewed by:

City Clerk	<u>City Treasurer</u>
<u>Administrative Services</u>	<u>Development Services</u>
<u>Economic Development Services</u>	<u>Public Services</u>

Action taken by City Council

Date _____

Action _____

RESOLUTION NO. 11-028

A RESOLUTION OF THE CITY COUNCIL

OF THE CITY OF CARSON, CALIFORNIA,

AMENDING RESOLUTION NO. 10-077

TO INCORPORATE CERTAIN CHANGES TO

THE RETIREMENT, POST-RETIREMENT,

AND HOLIDAY LEAVE BENEFITS

OF THE UNCLASSIFIED MANAGEMENT EMPLOYEES

FOR THE PERIOD JULY 1, 2010 – JUNE 30, 2011

ADOPTED APRIL 5, 2011

WHEREAS, the City Council adopted Resolution No. 10-077 on July 21, 2010, establishing the salary and benefits for the Unclassified Management Employees; and

WHEREAS, the City subsequently negotiated certain changes to retirement, post-retirement, and holiday benefits of the City's employees; and

WHEREAS, those changes will also affect the Unclassified Management Employees.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARSON DOES HEREBY RESOLVE, FIND, DETERMINE AND ORDER AS FOLLOWS:

Section 1. Resolution No. 10-077 establishing the salary and benefits for the Unclassified Management Employees is hereby amended as follows:

ARTICLE III
INSURANCE AND RETIREMENT BENEFITS

Effective April 5, 2011, this Section 1.4 is hereby added to Resolution No. 10-077:

SECTION 1 - HEALTH INSURANCE PREMIUM:

- 1.4 Eligible retired Unit members shall be covered by the health insurance provided by the City according to the rules established by CalPERS. For Unit members hired prior to the effective date of the CalPERS contract amendment providing for a two-tiered retiree health insurance program, the City shall pay the monthly health insurance premium for eligible retired Unit members' health insurance in the same monthly amount as provided for active full-time Unit members for the term of this MOU. For Unit members hired on or after the effective date of the CalPERS contract amendment providing for a two-tiered retiree health insurance program, the City shall pay a monthly health insurance premium for eligible retired Unit members' health insurance in accordance with the schedule below:

<u>Full-Time service with Carson at time of retirement</u>	<u>% of difference between the required minimum contribution and the amount the City pays for active employees</u>
0 – 4.99 years	0%
5 years	50%
6 years	60%
7 years	70%
8 years	80%
9 years	90%
10 years	100%

This Section 5 of Article III replaces and supersedes Section 5 of Article III of Resolution No. 10-077:

SECTION 5 - PUBLIC EMPLOYEES' RETIREMENT SYSTEM (PERS):

- 5.1 For those Unclassified Management Employees hired before the effective date of the CalPERS contract amendment providing for a tiered retirement benefit, the City shall include those Unclassified Management employees in the CalPERS "3% at 60" Plan with the following optional public agency contract provisions:
- a. The optional contract provision relating to one (1) year final compensation;
 - b. The optional contract provision relating to military service credit as public service;
 - c. The optional contract provision relating to the 1959 Survivors Program at the level four benefits;
 - d. The optional contract provision relating to City payment of the Unclassified Management employee's normal CalPERS member contribution so long as the normal member contribution established by CalPERS does not exceed seven percent (7%) of the Unclassified Management employee's salary. In the event the amount of normal CalPERS member contribution exceeds seven percent (7%) of the Unclassified Management employee's salary, the Unclassified Management employee shall be personally responsible for making any such additional CalPERS member contribution.
 - e. The optional contract provision relating to the ability to participate in the part time buyback program, but solely at their own cost.
- 5.2 For those Unit members hired on or after the effective date of the CalPERS contract amendment providing for a tiered retirement benefit, the City shall include such Unit members in the CalPERS "2% at 55" Plan with the following optional public agency contract provisions:
- a. The optional contract provision relating to one (1) year final compensation;
 - b. The optional contract provision relating to military service credit as public service;
 - c. The optional contract provision relating to the 1959 Survivors Program at the level four benefits;
 - d. The optional contract provision relating to City payment of a portion of the Unclassified Management Employee's normal CalPERS member contribution so long as the normal member contribution established by CalPERS does not exceed seven percent (7%) of the Unclassified



Management Employee's salary. In the event the amount of normal CalPERS member contribution exceeds seven percent (7%) of the Unclassified Management Employee's salary, the Unclassified Management Employee shall be personally responsible for making any such additional CalPERS member contribution. For Unclassified Management Employees hired on or after the date of the CalPERS contract amendment providing for two-tiered retirement and two-tiered employer paid member contributions, the Unclassified Management Employee shall pay two percent (2%) of the Unclassified Management Employee's normal member contribution.

- e. The optional contract provision relating to the ability to participate in the part time buyback program, but solely at their own cost.

These Sections 5.2 and 5.3 of Article VI replace and supersede Sections a and b of Article VI of Resolution No. 10-077:

SECTION 5 - HOLIDAY LEAVE:

- 5.2 When any day designated as a holiday falls on a Friday or Saturday, the ten (10) hours of holiday leave will be converted to annual leave and added to the Unclassified Management employees annual leave balance. When any day designated as a holiday falls on a Sunday, the following Monday shall be observed as the holiday. In order to be paid for a holiday or get the leave conversion, the Unclassified Management employee must work his or her full regularly-scheduled workday immediately before and after the holiday unless the Unclassified Management employee is absent from any portion or all of his or her regularly-scheduled workday immediately before or after the holiday on authorized paid leave. An Unclassified Management employee shall not receive pay for a holiday, or receive the leave conversion, if any leave without pay (except furlough leave) was used by the Unclassified Management employee on his or her regularly-scheduled workday immediately before or after the holiday.
- 5.3 In the event that the Mayor or the City Council declares a portion of the day before Christmas (December 24th) or a portion of the day before New Year's Day (December 31st) to be a holiday, the Unclassified Management employee must use such additional holiday leave when granted, and such leave cannot be accrued. Unclassified Management employees absent on other paid leave when such additional holiday leave is granted shall not receive compensatory leave or additional pay because of their absence. An Unclassified Management employee shall not receive holiday pay for this half-day holiday if any leave without pay (except furlough leave) was used by the Unclassified Management employee during his or her regularly-scheduled workday immediately before or after the half-day holiday.



PASSED, APPROVED and ADOPTED this 5th day of April, 2011.

MAYOR JIM DEAR

ATTEST:

HELEN S. KAWAGOE, CITY CLERK, MMC

APPROVED AS TO FORM:

CITY ATTORNEY



RESOLUTION NO. 10-077

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF CARSON, CALIFORNIA,
ESTABLISHING THE SALARY AND BENEFITS
FOR UNCLASSIFIED MANAGEMENT EMPLOYEES**

JULY 1, 2010 – JUNE 30, 2011

ADOPTED JULY 21, 2010

THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

ARTICLE I
DEFINITION OF TERMS

The following terms shall have the meanings set forth in this article.

SECTION 1 - ACTING DUTY:

The performance of the duties by an employee of a classification with a higher pay range than the employee's usual classification. This assignment is on a temporary basis.

SECTION 2 - CLASSIFICATION:

A position or positions assigned to the same job title.

SECTION 3 - DAY:

A calendar day.

SECTION 4 - UNCLASSIFIED EMPLOYEE:

An individual compensated through the City payroll and appointed to one of the following classifications:

- City Manager
- Administrative Services General Manager
- Development Services General Manager
- Economic Development General Manager
- Public Services General Manager
- City Engineer
- Finance Officer
- Human Resources Officer
- Planning Officer

SECTION 5 - LEAVE:

An authorized leave of absence from work.

SECTION 6 - POSITION:

The duties and responsibilities assigned to an employee within a classification.



SECTION 7 - PREVAILING PAY RATE:

The basic pay rate within a pay range paid to an employee for the performance of the duties of the classification.

SECTION 8 - EMPLOYEE:

An individual performing the duties and responsibilities of the job titles listed in Section 4 of this Article.

SECTION 9 - WORKDAY:

A workday is any 24-hour period within a seven consecutive day (168-hour) workweek.

SECTION 10 - WORKWEEK:

A workweek is a fixed and regularly recurring period of 168 hours - seven consecutive 24-hour periods (workdays) - which begins at 12:01 a.m. on Saturday and ends at 12:00 a.m. on Friday.

SECTION 11 - WORK SCHEDULE:

A work schedule is a 40-hour per week schedule consisting of:

- 11.1 Eight (8) hours in a workday for five (5) consecutive workdays within a workweek; or
- 11.2 Ten (10) hours in a workday for four (4) consecutive workdays within a workweek.

**ARTICLE II
COMPENSATION**

SECTION 1 - SALARY RANGE ADJUSTMENTS OF UNCLASSIFIED MANAGEMENT EMPLOYEES & FURLOUGH DAYS:

- 1.1 FY 2010/11: No COLA.
- 1.2 General Managers' pay ranges shall be assigned and maintained at a range that is at least 20% higher than the range assigned to their highest paid subordinate or manager.



- 1.3 Pursuant to Code of Federal Regulations, Title 29, Section 541.710, during the 2010/11 fiscal year, which commences on July 1, 2010, and concludes on June 30, 2011, Unclassified Management employees acknowledge and agree to be "furloughed" and will not receive pay for a minimum of twelve (12) furlough days. The date of each furlough day shall be determined by City's City Manager within forty-five (45) days of the Effective Date of this resolution.

SECTION 2 – LONGEVITY PAY:

- 2.1 The City agrees to pay Unclassified Management employees 2½% of their prevailing pay rate as longevity pay commencing after they have attained fifteen (15) years service credit.
- 2.2 The City agrees to pay Unclassified Management employees an additional 2½% of their prevailing pay rate as longevity pay commencing after they have attained twenty (20) years service credit.
- 2.3 The City agrees to pay Unclassified Management employees an additional 2½% of their prevailing pay rate as longevity pay commencing after they have attained thirty (30) years service credit.

SECTION 3 - CITY MANAGER PROVISIONS:

All provisions of this resolution apply to the City Manager with the exception of automobile allowance which is contained in a separate contract for the City Manager.

SECTION 4 - ACTING DUTY PAY:

- 4.1 The City Manager, or his/her designee, may appoint an employee to acting duty status to perform the duties of a higher classification that is vacant, either permanently or temporarily, or newly created, subject to numbers 4.2 through 4.19 below.
- 4.2 An employee may serve in acting duty status only until such time as the City Manager, or his/her designee, makes a regular appointment to the classification or until such time that the incumbent employee returns to work. Only employees in good standing, e.g. not currently rated unsatisfactory, not currently on a work improvement plan, or not currently having disciplinary action pending or in effect, may be appointed to acting duty.
- 4.3 An acting duty appointment may be effective for a period of up to thirty (30) days, except for special circumstances as defined by the City Manager, or his/her designee. The City Manager, or his/her designee, may extend an acting duty appointment, at their sole discretion. Special circumstances include, but are not limited to, needing required licenses, certificates, or degrees, or needing certain training or abilities.

- 4.4 An employee appointed to acting duty status shall be paid a rate not less than the minimum pay range for the acting classification. Acting duty pay shall be at least 10% more than the employee's prevailing pay rate.
- 4.5 An employee appointed to acting duty status shall not be paid more than the maximum pay rate in the pay range for the acting duty classification.
- 4.6 While serving in acting duty status an employee shall continue to receive any pay adjustments, advancements and fringe benefit increases granted to the employee's regular classification. These adjustments or advancements may cause an employee's acting duty pay rate to increase correspondingly, if still under the maximum acting pay rate noted in subsection 5 of this section.
- 4.7 An employee appointed to acting duty status shall receive acting duty pay immediately upon assuming the acting duty position, provided the assignment is for at least one scheduled work week (40 consecutive work hours).
- 4.8 An employee has the right to refuse or discontinue any acting duty assignment with 72-hours written notice to the employee's General Manager with a "cc" copy to the Human Resources Manager.
- 4.9 An employee may be removed from any acting duty assignment for any reason, as determined by the City Manager, or his/her designee.
- 4.10 An employee may be appointed to an acting duty assignment while serving in their initial probationary period in the City service, at the discretion of the City Manager, or his/her designee.
- 4.11 If an employee in a subordinate classification is appointed to acting duty status in a higher classification and an employee in a superior classification is bypassed, the employee in the superior classification may submit a statement of exception to the City Manager, or his/her designee. This sub-section will not apply if an employment eligibility list as noted in subsection 15 of this section was properly utilized as the list from which the subordinate employee was chosen.
- 4.12 Employees that are appointed to acting duty in positions that are FLSA exempt from overtime, will not be subject to those provisions provided by the FLSA and will receive overtime compensation.
- 4.13 An employee in an acting duty appointment for 90 days or longer, shall receive leave and holiday pay at the acting rate for all such subsequent leaves and holidays that fall after the 90th day, provided that the position is not backfilled with another acting appointment.
- 4.14 The City shall not employ temporary or contract employees in any vacant or newly created budgeted position or for a temporary assignment where an acting appointment could be offered to a full-time employee.

- 4.15 The City shall continue a citywide policy of rotating acting duty appointments, based on the following order: 1) from the current employment eligibility list, 2) from a list of employees, within the respective division, in the immediately subordinate classification(s) of the vacant position, ranked by seniority, as defined by time in the classification(s), 3) from a list of employees, within the respective work group, in the immediately subordinate classification(s) of the vacant position, ranked by seniority, as defined by time in the classification(s), 4) from a list of employees, from outside the respective work group, in the immediately subordinate classification(s) of the vacant position, ranked by seniority, as defined by time in the classification(s). An acting appointment from outside the work group can only be made upon the approval of the General Managers of the two affected work groups. The rotation of acting appointments should be used for all periods exceeding thirty (30) calendar days, unless extended by the City Manager or his/her designee. Upon completion of the acting assignment, the employee will be placed at the bottom of the acting rotation list. For an employee that was previously not eligible for acting duty but subsequently becomes eligible, their name will be added to the rotation list in seniority order. Copies of acting duty rotation lists should be provided to both Human Resources and Payroll.
- 4.16 An employee on an acting duty rotation list may only be by-passed by receipt of written memorandum from the employee's General Manager to the employee stating the reasons for omission from this round of acting duty. Such notice shall be provided within one week. The memo shall state whether the employee is being placed on the bottom of the list i.e. to gain more experience, etc. or whether they are being left at the top of the rotating list for the next available acting assignment i.e. a shorter term acting assignment. An employee may not be removed from an acting duty eligibility list without their written permission.
- 4.17 When an employee is appointed to an acting position, his regular position will not be automatically filled by a subordinate employee in an acting capacity (cascading acting) unless the anticipated work load in that unit will be sufficient to warrant this action. This decision will be made in consultation with the division's supervisors, manager and the work group's General Manager.
- 4.18 The "Notification of Acting Appointment" form (Form 1201/1099), must be completed and authorized by both the City Manager, or his/her designee, and the Human Resources Officer prior to the first day of the acting assignment, unless unforeseen circumstances occur which prevent such completion.
- 4.19 Although employees may be given the opportunity to accept an acting duty assignment, the placement in acting duty assignments will not negate the need to meet the required minimum qualifications of the position during the recruitment process for that position.

SECTION 5 – PROFESSIONAL DEVELOPMENT PAY:

The City agrees to provide each Unclassified Management employee, within the first quarter of each fiscal year, the sum of eight hundred dollars (\$800.00) for reimbursement in anticipation of expenditures for professional development. Such expenditures may include: costs incurred for job-related classes or seminars not paid for by the City; computer equipment and job-related software; books, reference publications or other educational materials; membership or association fees; or any other expenses which promote the professional development of the Unclassified Management employee and promote the best interests of the City.

SECTION 6 - SALARY ADVANCEMENT:

6.1 Advancement shall mean a pay rate increase given to an Unclassified Management employee contingent upon merit and performance, within the pay range established for the Unclassified Management employee's classification. An Unclassified Management employee's pay rate increase shall be effective the first day of the payroll period closest to the date the Unclassified Management employee is granted the advancement.

6.2 In addition to those conditions provided for in standard management procedures, Unclassified Management employees shall be eligible for advancement when the Unclassified Management employee's length of satisfactory service in their classification satisfies at a minimum the following requirements:

Monthly Rate Step A	Monthly Rate Step B	Monthly Rate Step C	Monthly Rate Step D	Monthly Rate Step E	Monthly Rate Step F
Date of appointment	6 mos. after appt.	12 mos. after appt.	after at least 12 months in Step C	after at least 12 months in Step D	after at least 12 months in Step E

6.3 The City Manager has the sole discretion to authorize salary advancements of Unclassified Management employees.

SECTION 7 - AUTO ALLOWANCE:

7.1 Effective July 1, 2010, the City shall reimburse General Manager's for use of their personal automobiles for official City business at the rate of six hundred dollars (\$600.00) per month. Effective July 1, 2010, the City shall reimburse the City Engineer, Finance Officer, Human Resources Officer and Planning Officer for use of their personal automobiles for official City business at the rate of five hundred dollars (\$500.00) per month.



- 7.2 Effective August 1, 2010, the City shall reimburse General Manager's for use of their personal automobiles for official City business at the rate of five hundred dollars (\$500.00) per month. Effective August 1, 2010, the City shall reimburse the City Engineer, Finance Officer, Human Resources Officer and Planning Officer for use of their personal automobiles for official City business at the rate of four hundred dollars (\$400.00) per month.

SECTION 8 - REDEMPTION OF ACCUMULATED LEAVE:

- 8.1 During the 2010/11 fiscal year, Unclassified Management employees agree not to be entitled to redeem for cash accrued leave(s); provided, however, that any leave accrued during the 2010/11 fiscal year will continue to accumulate and, if necessary, maximum accrual caps will be waived by City during the period(s) of the suspension of leave redemptions. During the 2011/12 fiscal year, Unclassified Management employees may redeem any accumulated leave in each calendar year of this resolution up to the hours indicated in 8.2, 8.3 and 8.4 of this Section. Sick leave shall be redeemed at a rate of one (1) hour of pay for each two (2) hours of sick leave redeemed. All other types of leave shall be redeemed at a rate of one (1) hour of pay for each one (1) hour of leave redeemed.
- 8.2 The City Manager may redeem up to one hundred eighty (180) hours of any accumulated leave in each calendar year as described in 8.1 above.
- 8.3 The General Managers may redeem up to one hundred twenty (120) hours of any accumulated leave in each calendar year as described in 8.1 above.
- 8.4 The City Engineer, Finance Officer, Human Resources Officer and Planning Officer may redeem up to one hundred (100) hours of any accumulated leave in each calendar year as described in 8.1 above.

SECTION 9 - REDEVELOPMENT AGENCY MEETING PAY:

The City shall pay thirty dollars (\$30.00) for attendance at each adjourned or special Redevelopment Agency meeting to all persons required to attend such meetings.

SECTION 10 - PAYDAY AND PAYCHECK DISTRIBUTION:

- 10.1 Payday shall be bi-weekly on Thursday.
- 10.2 Paychecks shall be dated and distributed bi-weekly on the Thursday payday.
- 10.3 If any pay date falls on a holiday, the pay date shall be the preceding Wednesday.



SECTION 11 - OVERPAYMENT REMEDY:

Unclassified Management employees covered herein shall reimburse the City for any overpayment of wages or benefits. Unclassified Management employees shall notify the City within the next available working day of any such overpayment. Said reimbursement shall not be required until the City notifies the affected Unclassified Management employee in writing. Reimbursement may be accomplished by lump-sum deduction made on the next subsequent employee payroll warrant following overpayment notification, or by other reasonable repayment method acceptable to the Unclassified Management employee and the City, except that the lump-sum deduction shall be required if the next subsequent employee payroll warrant is the final or termination warrant issued to the affected Unclassified Management employee. The Human Resources Department shall not unreasonably withhold approval of payroll deductions to recover the overpayment.

SECTION 12 - RELOCATION REIMBURSEMENT

The City agrees to provide relocation reimbursement to Unclassified Management employees. Relocation shall apply to reasonable moving costs related to acceptance of employment with the City of Carson. Such costs, not to exceed \$2,500.00, shall be payable within six months of appointment.

ARTICLE III INSURANCE AND RETIREMENT BENEFITS

SECTION 1 - HEALTH INSURANCE PREMIUM:

- 1.1 Effective July 1, 2010, the City shall pay up to, but not exceed, the total amount of one thousand, one hundred and ten dollars (\$1,110.00) per month for health insurance provided by the City for each Unclassified Management employee and his/her eligible dependents, with a cafeteria cap on the use of excess monies of one hundred fifty-five dollars (\$155.00) per month for employee-only coverage and one hundred and forty-four dollars (\$144.00) per month for employee-plus one coverage.
- 1.2 Unclassified Management employees may elect to discontinue or not elect health insurance coverage provided that they submit written proof of equivalent health insurance coverage. Unclassified Management employees electing to discontinue or not electing health insurance coverage shall receive either 75% of the amount previously paid on the premium or 75% of the lowest 2-party premium, whichever is greater, to be put into a City-sponsored deferred compensation plan credited to the Unclassified Management employee.
- 1.3 Unclassified Management employees shall have the right to use monies remaining from the monthly sum originally provided for health insurance to purchase additional term life insurance, vision care and/or long term care insurance offered by the City.



SECTION 2 - DENTAL INSURANCE PREMIUM:

- 2.1 The City shall pay up to, but not to exceed the amount of \$87.00 per month for dental insurance premium provided by the City for each Unclassified Management employee and his/her eligible dependents.
- 2.2 Unclassified Management employees may elect to discontinue or not enroll for dental insurance provided that they submit written proof of equivalent coverage. Unclassified Management employees electing to discontinue or not enroll for dental insurance shall receive 75%, or \$65.25, to be placed into a City-sponsored deferred compensation plan credited to the Unclassified Management employee.

SECTION 3 - LIFE INSURANCE PREMIUM:

- 3.1 The City shall provide the City Manager with term life insurance coverage of not less than two hundred fifty thousand dollars (\$250,000.00) after an evidence of insurability (EOI) form is submitted and approved by the City's life insurance carrier; if the EOI form is not submitted, \$110,000.00 is the maximum coverage and is subject to any age reduction schedules mandated by the insurance company.
- 3.2 The City shall provide the General Managers with term life insurance coverage of not less than two hundred thousand dollars (\$200,000.00) after an evidence of insurability (EOI) form is submitted and approved by the City's life insurance carrier; if the EOI form is not submitted, \$110,000.00 is the maximum coverage and is subject to any age reduction schedules mandated by the insurance company.
- 3.3 The City shall provide the City Engineer, Finance Officer, Human Resources Officer and Planning Officer with term life insurance coverage of not less than one hundred fifty thousand dollars (\$150,000.00) after an evidence of insurability (EOI) form is submitted and approved by the City's life insurance carrier; if the EOI form is not submitted, \$110,000.00 is the maximum coverage and is subject to any age reduction schedules mandated by the insurance company.
- 3.4 Unclassified Management employees shall have the right to purchase additional (supplemental) term life insurance through the City-sponsored programs using monies remaining from the monthly sum originally provided by the City for the employees' health insurance, or, if none, by paying the additional premiums themselves through payroll deduction. The maximum additional (supplemental) term life insurance an Unclassified Management employee may purchase is up to the basic minimums listed above for each classification, provided the EOI form is submitted and approved by the City's life insurance carrier. Otherwise, the maximum additional term life insurance (supplemental insurance) an Unclassified Management employee may purchase is \$110,000.00.



SECTION 4 - LONG TERM DISABILITY INSURANCE PROGRAM:

- 4.1 The City shall provide long term disability insurance (or "LTD") benefits for the Unclassified Management employees as follows:
 - a. The City shall provide an LTD insurance plan for the Unclassified Management employees under the terms, requirements and conditions set forth in the policy underwritten by Standard Insurance.
- 4.2 The City shall provide short term disability insurance (or "STD") benefits for the Unclassified Management employees as follows:
 - a. Solely in order to provide a maximum 60-day waiting period, the City shall provide a STD insurance plan for the Unclassified Management employees under the terms, requirements and conditions set forth in the policy underwritten by Standard Insurance. Nothing herein shall bind the City to provide STD insurance coverage if an alternate LTD policy is available at a cost that is acceptable to the City with a 60-day waiting period.
- 4.3 After a maximum of a 60-day waiting period:
 - a. An Unclassified Management employee who has been employed with the City for five (5) or more years, and who is disabled from his or her own occupation, shall be entitled to sixty-six and two-thirds percent ($66\frac{2}{3}\%$) of his or her base pay rate to a maximum pay rate of seven thousand five hundred dollars (\$7,500.00) per month at the commencement of disability leave up to age sixty-five (65); and
 - b. An Unclassified Management employee who has been employed with the City for fewer than five (5) years and who is disabled from his or her own occupation shall be entitled to sixty-six and two-thirds percent ($66\frac{2}{3}\%$) of his or her base pay rate to a maximum pay rate of seven thousand five hundred dollars (\$7,500.00) per month at the commencement of disability leave for twenty-four (24) months. An Unclassified Management employee who has been employed with the City for fewer than five (5) years and who is disabled from all occupations shall be entitled to sixty-six and two-thirds percent ($66\frac{2}{3}\%$) of his/her base pay rate to a maximum pay rate of seven thousand five hundred dollars (\$7,500.00) per month at the commencement of disability leave up to age sixty-five (65).
 - c. There shall be no reduction of LTD or STD benefits for a workers' compensation award.
 - d. There shall be no exclusion for "soft tissue injuries", including but not limited to musculoskeletal and connective tissue disorders, strains and sprains of the cervical, thoracic and lumbosacral spine.



- e. The only allowable offsets are those listed in the Standard Insurance LTD and STD policies.
- 4.4 The provision of the Standard Insurance LTD Plan and the Standard Insurance STD Plan is conditioned upon the following:
- a. The continued availability of insurance coverage for LTD and/or STD at a comparable cost as set forth in the LTD and STD policies, subject only to increases in premium not to exceed applicable increases in the consumer price index for each year for the LTD and STD Plans underwritten by Standard Insurance or other insurance carrier.
 - b. Eligibility for and administration of benefits under the Standard Insurance STD Plan and the Standard Insurance LTD Plan and including the determination whether an Unclassified Management employee is disabled from his or her own occupation, shall be determined by Standard Insurance, not by the City.
 - c. Eligibility for and administration of benefits for existing LTD claimants, including the determination whether an Unclassified Management employee is disabled from his or her own occupation, shall be determined by the City after consultation with Standard Insurance.
- 4.5 Except as to the existing LTD claimants discussed in 4.1b, above, the City is not required to provide LTD and/or STD coverage or benefits on a self-funded basis, now or in the future. The City reserves the right to change the LTD carrier and/or LTD benefits provided, on such terms as the City determines are in its best interests.
- 4.6 For injuries and other disabilities covered under California workers' compensation laws, Unclassified Management employees shall be paid their regular pay rate for up to seventeen (17) weeks from the date of such disability ("workers' compensation leave") or until the City's workers' compensation administrator terminates workers' compensation leave either due to payment of a "compromise and release" settlement, a disability and/or service retirement, the Unclassified Management employee returns to work, or a refusal by the Unclassified Management employee to return to work following a determination by a physician that the Unclassified Management employee is no longer temporarily disabled, whichever comes first. In the event of a dispute between the treating physician and another physician as to the Unclassified Management employee's temporary disability status, such dispute shall be resolved in accordance with applicable California Workers' Compensation laws. If an Unclassified Management employee is approved for workers' compensation leave, the Unclassified Management employee shall not be eligible for STD or LTD benefits during the period of such workers' compensation leave. LTD eligibility for Unclassified Management employees who are still disabled after

seventeen (17) weeks shall be determined by the terms of the LTD insurance plan described in section 4.1, above.

- 4.7 Unclassified Management employees may use annual leave, administrative leave or sick leave for the additional one-third (1/3) of his or her salary while on long term disability.

SECTION 5 - PUBLIC EMPLOYEES' RETIREMENT SYSTEM (PERS):

- 5.1 The City shall include the Unclassified Management employees in the CalPERS "3% at 60" Plan with the following optional public agency contract provisions:
- a. The optional contract provision relating to one (1) year final compensation;
 - b. The optional contract provision relating to military service credit as public service;
 - c. The optional contract provision relating to the 1959 Survivors Program at the level four benefits;
 - d. The optional contract provision relating to City payment of the Unclassified Management employee's normal CalPERS member contribution so long as the normal member contribution established by CalPERS does not exceed seven percent (7%) of the Unclassified Management employee's salary. In the event the amount of normal CalPERS member contribution exceeds seven percent (7%) of the Unclassified Management employee's salary, the Unclassified Management employee shall be personally responsible for making any such additional CalPERS member contribution.
 - e. The optional contract provision relating to the ability to participate in the part time buyback program, but solely at their own cost.

SECTION 6 - DEFERRED COMPENSATION PROGRAMS:

- 6.1 The City shall continue to sponsor voluntary deferred compensation programs.
- 6.2 The City agrees to match the amount, dollar for dollar, up to seven thousand dollars (\$7,000.00) per calendar year, contributed to the City Manager's deferred compensation account.
- 6.3 The City agrees to match the amount, dollar for dollar, up to six thousand dollars (\$6,000.00) per calendar year, contributed to the General Managers' deferred compensation accounts.

- 6.4 The City agrees to match the amount, dollar for dollar, up to five thousand dollars (\$5,000.00) per calendar year, contributed to the employees' deferred compensation account for the positions of City Engineer, Finance Officer, Human Resources Officer and Planning Officer.

SECTION 7 - VISION CARE PLAN:

The City shall sponsor a vision care plan for Unclassified Management employees. Unclassified Management employees shall pay the premium for the vision care plan and increases in the premium for the duration of this resolution. Unclassified Management employees may use monies remaining from the monthly sum originally provided by the City for health insurance to pay the premium for Vision Care.

SECTION 8 - SERVICE ORGANIZATION MEMBERSHIP:

- 8.1 The City shall pay up to \$350.00 for the City Manager toward the annual membership fee for one service organization or non-profit board based in Carson. The membership fee notice must be provided by the organization to the City.
- 8.2 The City shall pay up to \$250.00 for the General Managers toward the annual membership fee for one service organization or non-profit board based in Carson. The membership fee notice must be provided by the organization to the City and authorized by the City Manager.
- 8.3 The City shall pay up to \$200.00 for the City Engineer, Finance Officer, Human Resources Officer and Planning Officer toward the annual membership fee for one service organization or non-profit board based in Carson. The membership fee notice must be provided by the organization to the City and authorized by the City Manager.

ARTICLE IV
SAFETY

SECTION 1 - SAFETY RESPONSIBILITIES:

- 1.1 The City shall make a good faith effort to provide and maintain a safe and healthful place of employment.
- 1.2 The City shall encourage Unclassified Management employees to perform their assigned duties safely using the practices, means, methods, operations, and processes prescribed by law, occupational safety or health standard, safety order, or safety rule and regulation. Unclassified Management employees shall report any unsafe practices, equipment, or hazardous conditions promptly to their immediate supervisor.



- 1.3 The City shall not require nor permit any Unclassified Management employee to go or be in any employment or place of employment not reasonably safe and healthful.
- 1.4 The City shall not discipline any Unclassified Management employee for refusing to perform tasks in the performance of which any law, occupational safety or health standard, or safety order would be violated, and if such violation would create a real or apparent hazard to the Unclassified Management employee.

SECTION 2 - SAFETY DEVICES AND SAFEGUARDS:

The City shall furnish and the Unclassified Management employee shall use safety devices and safeguards. The City shall adopt and use practices, means, methods, operations, and processes which are reasonably adequate to render City employment safe and healthful.

SECTION 3 - USE OF VETERANS PARK SPORTS COMPLEX:

All City employees and their families shall be entitled to use all facilities and programs at Veterans Sports Complex at the rates below:

Employee - \$100.00 per year
Employee and family - \$150.00 per year

Employees who renew memberships shall receive the same percentage discount on the above prices as the general public receives at the time of renewal. For the purposes of this section, family shall mean those family members eligible for coverage under the PERS Health Insurance provided by the City.

ARTICLE V CITY RIGHTS

SECTION 1 - EXCLUSIVE CITY RIGHTS AND AUTHORITY:

The City retains the exclusive right to manage and direct the performance of City services and the workforce performing such services. The City retains the exclusive right to exercise its right to manage and direct the performance of the City services and the workforce performing such services. The following matters shall not be subject to the meet and confer process, but shall be within the exclusive authority of the City. Unclassified Management employees have no rights to meet and confer on any of the City's rights or the effects of the exercise of any of its rights.

The consideration of the merits, necessity, or organization of any service or activity conducted by the City shall include but not be limited to the City's right to:

- a. Determine issues of public policy;
- b. Determine and change the facilities, methods, means, and personnel by which City operations are to be conducted;
- c. Expand or diminish services;
- d. Determine and change the number of locations, relocations, and types of operations and processes and materials to be employed in carrying out all City functions, including but not limited to the right to subcontract any work or operation;
- e. Determine the size and composition of the workforce, to assign work to employees in accordance with requirements as determined by the City, and to establish and change work assignments;
- f. Determine job classifications;
- g. Appoint, transfer, promote, demote and lay off employees for lack of work or other appropriate reasons;
- h. Initiate disciplinary action for legitimate reasons;
- i. Determine policies, procedure, and standards for selection, training, and promotion of employees;
- j. Establish employee performance standards, including but not limited to quality and quantity standards;
- k. Maintain the efficiency of governmental operations;
- l. Exercise complete control and discretion over its organization, and the technology of performing its work and services;
- m. Establish reasonable work and safety rules and regulations in order to maintain the efficiency and economy desirable in the performance of City services;
- n. Determine any and all necessary actions to carry out its missions in emergencies.

The exclusive decision making authority of the City on matters involving City rights and authority shall not be in any way, directly or indirectly, subject to the grievance procedure. The employees may grieve the impact of the exercise of exclusive City rights and authority that directly relate to matters not reserved to the City.

ARTICLE VI
MISCELLANEOUS PROVISIONS

SECTION 1 – UNCLASSIFIED MANAGEMENT EMPLOYEES:

The authority of the City to institute disciplinary action against the General Managers, the City Engineer, Finance Officer, Human Resources Officer or Planning Officer, and the rights of those employees with respect to such disciplinary action shall be governed by the provisions of Ordinance No. 78-455 of the City amending the Carson Municipal Code, Chapter 9, Article II, Section 2903.

SECTION 2 - JURY DUTY/COURT SUMMONS/SUBPOENA:

Unclassified Management employees summoned to a court to provide testimony on behalf of the City or as directed by the City Manager, shall be paid their prevailing rate during such court service. Pay for jury service shall be limited to ten (10) working days in any one calendar year.

SECTION 3 - VACATION LEAVE:

The City shall provide Unclassified Management employees with vacation leave subject to the following conditions:

3.1 Unclassified Management employees shall be credited with vacation leave at the following rates:

- i. Ten (10) hours for each month of service or major portion thereof from the date of appointment;
- ii. Thirteen and thirty-three hundredths (13.33) hours for each month of service or major portion thereof upon commencement of the Unclassified Management employee's eleventh year of service.
- iii. Upon the twentieth anniversary date, Unclassified Management employees will be credited with ten (10) hours of vacation leave, in addition to the credit under Section 3.1.ii.
- iv. Upon the twenty-first anniversary date, Unclassified Management employees will be credited with ten (10) hours of vacation leave, in addition to the credit under Sections 3.1.ii and 3.1.iii.
- v. Upon the twenty-second anniversary date, Unclassified Management employees will be credited with ten (10) hours of vacation leave, in addition to the credit under Sections 3.1.ii., 3.1.iii., and 3.1.iv.



- vi. Upon the twenty-third anniversary date, and each anniversary date thereafter, Unclassified Management employees will be credited with ten (10) hours of vacation leave, in addition to the credit under Sections 3.1.ii, 3.1.iii., 3.1.iv., 3.1.v.
- 3.2 Unclassified Management employees shall not be credited with vacation leave during leaves of absence without pay exceeding eighty (80) working hours in any calendar month.
- 3.3 Unclassified Management employees may use vacation leave only after completing their initial six (6) months of service. Unclassified Management employees shall not use less than one (1) hour of vacation leave at any one time.
- 3.5 Except during the 2010/11 and 2011/12 fiscal years, Unclassified Management employees shall not accrue more than a total of six hundred (600) hours of vacation leave. During the 2010/11 and 2011/12 fiscal years, the maximum accrual cap for vacation leave shall be waived.

SECTION 4 - SICK LEAVE:

The City shall provide Unclassified Management employees with sick leave subject to the following conditions:

- 4.1 Unclassified Management employees shall be credited with sick leave at the rate of ten (10) hours of sick leave for each month of service or major portion thereof. Sick leave shall not be credited for leaves of absence without pay exceeding eighty (80) working hours in any calendar month.
- 4.2 Except during the 2010/11 and 2011/12 fiscal years, Unclassified Management employees may accrue a maximum of one thousand forty (1,040) hours of sick leave hours. Unclassified Management employees may use accrued sick leave only after completing their initial month of service. During the 2010/11 and 2011/12 fiscal years, the maximum accrual cap for sick leave shall be waived.
- 4.3 Unclassified Management employees may not use sick leave at their discretion, but only in cases of actual personal sickness. Sick leave shall be used for medical and dental appointments and pregnancy.
- 4.4 When an Unclassified Management employee uses sick leave, the Unclassified Management employee will complete and submit a signed leave request form stating the need for such sick leave, including partial day absences. When an Unclassified Management employee uses sick leave in excess of two (2) consecutive working days, the City may require an Unclassified Management employee to present, upon return to work, a medical certification signed by a physician or licensed medical practitioner verifying the need for such sick leave.



- 4.5 When an Unclassified Management employee wishes to use accrued sick leave, the Unclassified Management employee shall notify the City Manager and/or General Manager, as applicable, either before, or within one (1) hour after the time set for beginning the work period, of the intended absence due to sickness, unless the Unclassified Management employee is incapacitated and physically unable to provide the required notification. Unclassified Management employees on sick leave shall regularly inform the City Manager and/or General Manager of their physical condition.
- 4.6 When an Unclassified Management employee separates from the City service for whatever reason the Unclassified Management employee shall be compensated for one-half (1/2) the value of accrued sick leave. The value of accrued sick leave shall be calculated using such Unclassified Management employee's prevailing pay rate on the date of the employee's separation from City service.
- 4.7 The City shall provide Unclassified Management employees with thirty (30) days of sick leave at the time of hire. Sick leave advanced to Unclassified Management employees under this section shall be considered to be loaned to the Unclassified Management employee and the Unclassified Management employee shall not accrue additional sick leave for a thirty (30) month period.

SECTION 5 - HOLIDAY LEAVE:

The City shall provide Unclassified Management employees with the following thirteen holidays with pay subject to the following conditions:

- 5.1 January 1 (New Years Day)
 The third Monday in January (Martin Luther King Day)
 The third Monday in February (President's Day)
 March 31st (Cesar Chavez Day)
 The last Monday in May (Memorial Day)
 July 4th (Independence Day)
 The first Monday in September (Labor Day)
 November 11th (Veteran's Day)
 The fourth Thursday in November (Thanksgiving Day)
 December 25th (Christmas)
 Three (3) floating holidays (30 hours); and
 Every day proclaimed by the President, Governor, or Mayor of this City as a public holiday.
- 5.2 When any day granted as a holiday falls on a Friday, Saturday or Sunday, the following Monday shall be considered the holiday. In order to be paid for the holiday, the employee must work the scheduled work period immediately before the holiday unless the employee is absent from the scheduled work period immediately before the holiday on authorized paid leave.



- 5.3 In the event that the Mayor or the City Council declares a portion of the day before Christmas (December 24th) or a portion of the day before New Year's Day (December 31st) to be a holiday, the employee must use such additional holiday leave when granted, and such leave cannot be accrued. Any Unclassified employee absent on other paid leave when such additional holiday leave is granted shall not receive compensatory leave or additional pay because of their absence.
- 5.4 Floating holiday leave shall be provided to Unclassified Management employees subject to the following conditions:
- i. The Unclassified Management employee's immediate supervisor has the exclusive authority to approve floating holiday leave. Unless the Unclassified Management employee's use of floating holiday leave interferes with departmental operations, the Unclassified Management employee's immediate supervisor shall permit the Unclassified Management employee to use floating holiday leave at the Unclassified Management employee's discretion.
 - ii. Unclassified Management employees shall not use less than one (1) hour of floating holiday leave at any one time.
 - iii. Unclassified Management employees are encouraged to use floating holiday leave during the fiscal year. However, holiday leave shall be converted to vacation leave if not used by the end of the fiscal year.
 - iv. When an Unclassified Management employee separates from the City service for any reason, the City shall compensate the Unclassified Management employee for any floating holiday leave not taken for floating holidays occurring prior to their separation date.
 - v. New Unclassified Management employees will be credited with floating holiday leave for floating holidays which occur subsequent to their date of hire.

SECTION 6 - ADMINISTRATIVE LEAVE:

The City shall provide Unclassified Management employees with administrative leave as time off from work, instead of pay or compensatory leave credit for overtime work, subject to the following conditions:

- 6.1 Effective July 1, 2010, the City Manager and General Managers shall be credited with thirty (30) hours of administrative leave for each month of service or major portion thereof. Effective August 1, 2010, the City Manager and General Managers shall be credited with fifteen (15) hours of administrative leave for each month of service or major portion thereof.

- 6.2 Effective July 1, 2010, the City Engineer, Finance Officer, Human Resources Officer and the Planning Officer shall be credited with twenty (20) hours of administrative leave for each month of service or major portion thereof. Effective August 1, 2010, the City Engineer, Finance Officer, Human Resources Officer and the Planning Officer shall be credited with five (5) hours of administrative leave for each month of service or major portion thereof.
- 6.2 Except during the 2010/11 and 2011/12 fiscal years, Unclassified Management employees shall not accrue more than three hundred (300) hours of administrative leave. During the 2010/11 and 2011/12 fiscal years, the maximum accrual cap for administrative leave shall be waived.
- 6.3 Unclassified Management employees shall use administrative leave only upon written approval of the immediate supervisor.
- 6.4 When an Unclassified Management employee separates from the City service for any reason, the City shall compensate the Unclassified Management employee for any accrued administrative leave up to a maximum of three hundred (300) hours, except if that Unclassified Management employee separates during the time that the accrual caps are waived. In that event, the Unclassified Management employee will be compensated for all accrued administrative leave. The value of accrued administrative leave shall be calculated using the Unclassified Management employee's prevailing pay rate on the date of his separation from City service.

SECTION 7 - WORKER COMPENSATION LEAVE:

The City shall provide Unclassified Management employees with workers' compensation leave subject to the following conditions:

- 7.1 Except as otherwise provided, an Unclassified Management employee substantially disabled by bodily injury or sickness in the course and scope of employment shall be paid his/her regular pay rate for up to seventeen (17) weeks from the date of disability, or until the City's workers' compensation insurance carrier terminates temporary disability payments either by means of a lump sum settlement or a retirement with pension, whichever occurs first.
- 7.2 When an Unclassified Management employee receives workers' compensation payments, the City shall pay such Unclassified Management employee only the difference between such workers' compensation payments and such Unclassified Management employee's regular pay rate. During the time such Unclassified Management employee is substantially disabled, such Unclassified Management employee shall continue to accrue vacation leave, sick leave, personal leave, administrative leave, and seniority for purposes of pay adjustments or advancements.



SECTION 8 - MILITARY LEAVE:

The City shall grant military leave to Unclassified Management employees as provided in California Military and Veterans Code Sections 389 through 395. An Unclassified Management employee on ordered military leave shall be paid their regular pay rate in addition to their military pay.

SECTION 9 - LEAVE OF ABSENCE WITHOUT PAY:

The appointing authority has the exclusive authority to approve an Unclassified Management employee's request for leave of absence from work without pay. Such leave of absence shall not be approved unless the Unclassified Management employee provides the appointing authority with a written reason for the request. If the appointing authority approves such leave of absence for a period of ten (10) working days or less, the Unclassified Management employee shall not lose any seniority for such leave of absence. After the expiration of an approved leave of absence without pay, Unclassified Management employees shall be reassigned to their former classification. A leave of absence without pay will not be granted in excess of one (1) year.

The City has the authority to grant or deny an Unclassified Management employee's request for leave of absence from work without pay, except that the City shall not unreasonably deny a request for unpaid leave due to the medical disability of the Unclassified employee or a member of his/her immediate family. In accordance with Federal and/or State laws, the City has the right to grant an Unclassified Management employee's request for up to 12 weeks of unpaid, job protected leave to eligible employees for certain family and medical reasons under the Family and Medical Leave Act of 1993 (FMLA). The City shall not grant an unpaid leave in excess of one (1) year for Unclassified Management employees with five (5) years or less seniority, in excess of three (3) years for Unclassified Management employees with more than ten (10) years seniority. An Unclassified Management employee on an unpaid leave for 61 days or more shall not accrue seniority for that portion of the leave over 50 days. After the expiration of the unpaid leave, the Unclassified Management employee shall be assigned to his/her former classification. The Unclassified Management employee requesting the leave shall state in writing the reasons for the request.

SECTION 10 - TIME OFF FOR VOTING:

The City shall provide Unclassified Management employees with time off for voting subject to the following conditions:

- 10.1 When an Unclassified Management employee claims not to have sufficient time outside of working hours to vote at a statewide election, the Unclassified Management employee may, without loss of pay, with the approval of the Human Resources Officer, take off enough working hours which when added to the voting hours available outside of working hours will enable the Unclassified Management employee to vote. The Human Resources Officer may not



authorize an Unclassified Management employee to take off more than two (2) hours from work for voting with pay. The time off authorized for voting shall be only at the beginning or end of a work period, whichever allows the Unclassified Management employee the most time for voting and the least time off from work.

- 10.2 If the Unclassified Management employee knows or has reason to believe that time off for voting shall be necessary on election day, the Unclassified Management employee shall notify the Human Resources Officer of that fact at least two (2) work periods in advance.

SECTION 11 - DISCRETIONARY LEAVE:

- 11.1 All discretionary leave taken by the General Managers shall be approved, in advance, by the City Manager and shall be without pay.
- 11.2 All discretionary leave taken by the City Engineer, Finance Officer, Planning Officer or Human Resources Officer shall be approved, in advance, by his/her General Manager and shall be without pay.

SECTION 12 - LEGAL COUNSEL:

The City agrees to provide legal counsel for Unclassified Management employees in matters in which an Unclassified Management employee must provide a legal defense for job related matters other than a grievance in accordance with state law.

ARTICLE VII MODIFICATION AND DURATION

SECTION 1 - MODIFICATION AND WAIVER:

This resolution contains all the terms, covenants and stipulations of employment for Unclassified Management employees and supersedes all prior resolutions and practices. The City's Personnel Rules do not apply to Unclassified Management persons covered by this resolution. Except as provided in Article V, Section 1 of this resolution and subject to the provisions of the City's Municipal Code, the City and the persons covered by this resolution may, upon mutual agreement, meet and discuss any subject or matter covered by this resolution.

SECTION 2 - SEVERABILITY:

In the event that any article, section, or subsection of this resolution shall be declared invalid by any court or any state or federal law or regulation, or should a decision by any court or any state or federal law or regulation diminish the benefits provided by this resolution, or impose additional obligations on the City, the City and the employees shall discuss the affected article, section or subsection. In such event, all other articles, sections or subsections of this resolution not affected shall continue in full force and

effect.

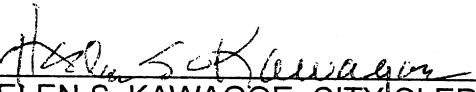
SECTION 3 - DURATION:

- 3.1 This resolution shall be binding on the City and Unclassified Management employees when adopted by City Council.
- 3.2 Except as otherwise provided herein, this resolution shall be in full force and effect from July 1, 2010, and shall remain in full force and effect up to and including June 30, 2011.
- 3.3 This resolution supersedes Resolution No. 06-090.

PASSED, APPROVED and ADOPTED this 21st day of July, 2010.


MAYOR JIM DEAR

ATTEST:


HELEN S. KAWAGOE, CITY CLERK, MMC

APPROVED AS TO FORM:


CITY ATTORNEY

Attachment A

**City of Carson
 Monthly Salary Schedule
 Unclassified Employees
 Effective June 26, 2010 (0% Increase)
 (last increase effective June 28, 2008 was 3.6%)**

TITLE	RANGE	STEP A	STEP B	STEP C	STEP D	STEP E	STEP F
Administrative Services General Manager	181	10,785	11,324	11,890	12,484	13,108	13,763
City Engineer	172	8,636	9,068	9,521	9,997	10,497	11,022
City Manager	650-Contract	14,659	15,392	16,161	16,969	17,817	18,707
Development Services General Manager	181	10,785	11,324	11,890	12,484	13,108	13,763
Economic Development General Manager	181	10,785	11,324	11,890	12,484	13,108	13,763
Finance Officer	172	8,636	9,068	9,521	9,997	10,497	11,022
Human Resources Officer	172	8,636	9,068	9,521	9,997	10,497	11,022
Planning Officer	172	8,636	9,068	9,521	9,997	10,497	11,022
Public Services General Manager	181	10,785	11,324	11,890	12,484	13,108	13,763

