

BEFORE THE TOWN COUNCIL OF THE TOWN OF MORAGA

In the Matter of:

Establishing the Compensation Package)
for Mid-Management / Professional)
Employees Effective July 1, 2022 to)
June 30, 2025)

Resolution No. 45 - 2022

WHEREAS, Resolution 32-2019 dated April 24, 2019 establishing the compensation package for Mid-Management/Professional employees will expire on June 30, 2022; and

WHEREAS, it is a goal of the Town to recruit and retain exceptional and loyal staff to stabilize the workforce and make progress on priority projects and initiatives while containing current and future costs and maintaining a balanced and sustainable budget; and

WHEREAS, the Town Manager and Town Council have reviewed and discussed the compensation package applicable to the Mid-Management/Professional employees; and

WHEREAS, the Town has designated the Accountant job classification as a confidential employee pursuant to California Government Code 3507.5; and as the confidential employee is privy to confidential information leading to decisions affecting employee relations and matters that are used to contribute significantly to the development of management positions, that the confidential employee is precluded from representing the collective bargaining group; and

WHEREAS, the Town Manager and Mid-Management/Professionals have met, conferred, and come to agreement on the provisions of this successor resolution.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Moraga that the following compensation and benefits package applies to these positions effective July 1, 2022 through June 30, 2025:

- Accountant (designated as confidential employee)
- Associate Engineer
- Associate Planner
- Police Lieutenant
- Public Works/Parks Maintenance Manager
- Public Works/Parks Maintenance Supervisor
- Recreation Supervisor
- Principal Planner
- Senior Accountant (designated as confidential employee)
- Senior Civil Engineer

Senior Planner
Senior Planner/Economic Development Coordinator

As the confidential employees are privy to information leading to decisions of Town management affecting employee relations or matters of confidential information that is used to contribute significantly to the development of management positions, they are therefore precluded from collective bargaining due to their proximity to labor negotiations.

Job classifications may change if the Town finds it necessary for financial or program needs.

BE IT FURTHER RESOLVED THAT the Town Council does approve the following compensation and benefit plan as follows:

I. SALARY ADJUSTMENTS

- A. Effective the first pay period of July 2022, the Town will implement a 5.2% Cost of Living Adjustment (COLA) to base salary. The Police Lieutenant salary that was adjusted effective April 1, 2022 to reflect median market salary rate of comparable cities in the area, will not be adjusted. The revised FY 2022-23 Salary Schedule is attached to this Resolution as Appendix A – Town of Moraga Salary Schedule for Mid-Management/Professionals.
- B. Effective the first pay period of July 2023, the Town will implement a 3% COLA to base salary. The revised FY 2023-24 Salary Sables is included in Appendix A.
- C. Effective the first pay period of July 2024, the Town will implement a 3% COLA to base salary. The revised FY 2024-25 Salary Schedule is included in Appendix A.

II. RETIREMENT

- A. For “Classic” members, as defined by the California Public Employees’ Retirement System (CalPERS):
 - a. The Town participates in the “2% at 55” Miscellaneous retirement program for non-sworn Mid-Management/Professional positions.
 - b. Town participates in the “2% at 50” Police Safety retirement program for sworn Mid-Management/Professional positions.
 - c. The Town plan shall provide the “average of three years” benefit.
 - d. The Town plan shall provide the sick leave conversion benefit.
 - e. The Town plan shall include credit for military service time.
 - f. The Town plan shall include 1959 Survivor Benefits – Level 4.
 - g. The Employee will continue to pay 100% of the CalPERS-established required employee contribution (7% of salary for the Miscellaneous Plan and 9% for the Police Safety Plan) and the additional 4% cost sharing required by the prior CalPERS contract amendment for a total of 11% for the Miscellaneous Plan and 13% for the Police Safety Plan.

- B. For “New” members, as defined by CalPERS, the Town will comply with the California Public Employees’ Pension Reform Act of 2013 (PEPRA) that went into effect on January 1, 2013:
 - a. The Town participates in the “2% at 62” Miscellaneous retirement program for non-sworn Mid-Management/Professional positions.
 - b. The Town participates in the “2% at 50 / 2.7% at 57” Police Safety retirement program for sworn Mid-Management/Professional positions.
 - c. The Town plan shall provide the “average of three years” benefit.
 - d. The Town and the Employee will share equally the normal cost of the CalPERS contribution.

- C. Retirement benefits are subject to all applicable CalPERS regulations and relevant law, and the Town cannot provide retirement benefits that are inconsistent with the Public Employees’ Retirement Law and related CalPERS rules and regulations. Employees should consult with CalPERS in calculating the amount of benefits they will receive after retirement.

III. DEFERRED COMPENSATION

- A. Town employees may make a voluntary contribution to ICMA 457, up to the maximum amount allowable by law.

- B. Town employees may elect to contribute to an ICMA 401a “final payout” plan. Employees must elect to participate in this Plan within the first thirty (30) days of employment. Per IRS rules, election to participate and level of contribution is irrevocable.

IV. SICK LEAVE

- A. Sick leave shall be earned at the rate of eight (8) hours per month.

- B. All Mid-management/Professional employees may accrue unlimited sick leave.

V. FAMILY MEDICAL LEAVE/BEREAVEMENT LEAVE

Family and Medical Leave shall be provided to eligible employees in accordance with federal and state law.

In addition, employees shall be granted a maximum of three (3) days leave for each incident relating to matters arising out of a major family illness or death of any immediate family member in California. In cases where the death of an immediate family member is outside California and the employee is required to travel out of state to attend to the death of the family member, the employee shall be granted a maximum of five (5) days leave. Employees requiring more than the leaves set forth in this section are able to utilize vacation and/or other available leave for such purposes, subject to reasonable notice and the operational needs of the department, as determined by the Department Head. “Immediate Family” is defined as wife, husband, domestic partner, son, daughter,

mother, father, brother, or sister of employee, parent of a spouse or domestic partner, and close blood relatives or close relatives living in the member's household.

VI. ADMINISTRATIVE LEAVE

- A. Accrual - Administrative leave shall be given at a rate in the amount of 80 hours beginning each fiscal year and is not accruable. Leave is prorated based on the date hired or promoted and made available the first month following the date of hire or promotion.

- B. Administrative Leave Cash-Out Option - Employees may elect to cash-out up to 40 hours of accrued administrative leave each calendar year so long as the employee is in "good standing" within the past 12 months as verified by employee's respective Department Director.
 - i. In November 2022, up to 20 hours of administrative leave may be cashed out.

 - ii. Starting in calendar year 2023, as required by the Internal Revenue Service, employees who wish to cash-out leave are required to pre-elect annual leave cash-out amounts in the calendar year prior. Employees who wish to sell back leave must submit an annual Leave Sell-Back Irrevocable Election form by December 15 of the prior year to sell back leave in the upcoming year. Sell-back requests will be processed twice annually, the last pay period of the fiscal year and the last pay period of the calendar year. For example, to sell back leave in 2023, employees must complete a Leave Sell-Back Irrevocable Election form by December 15, 2022 and indicate how many hours they want to sell back in June 2023 and how many hours they want to sell back in December 2023 for a total not to exceed 40 hours.

VII. VACATION

- A. Vacation Accrual – Vacation leave shall be earned, beginning in year one of employment at the rate of 3.08 hours per pay period (80 hours per year). Subsequently, an additional 8 hours per year shall be earned per year of service, up to a maximum of 200 hours per year.

Vacation Accrual Schedule:

Years of Service	Accrual Hours/Year
0-1	80
Every additional year	Additional 8 hours

- B. Additional Vacation Accrual -Town Manager may authorize higher vacation accrual for newly hired employees based on prior years of local agency experience, difficulty in recruiting and retaining employees, and consideration of internal equity and fairness.

If a higher vacation accrual is granted to a newly hired employee, the additional annual vacation accrual of 8 hours shall begin once the employee reaches the

number of employment years equivalent to the vacation accrual calculated according to Section VII-A above.

C. Employees are encouraged to take annual vacation leave equal to time accrued.

D. Vacation Accrual Cap

a) For employees hired on or after July 1, 2017 - an employee may accrue a maximum of 240 hours. Once the accrual maximum has been reached, no additional vacation shall be earned or accrued until the balance falls below the 240-hour maximum accrual amount.

b) For employees hired before July 1, 2017 - an employee may accrue a maximum of 280 hours. Once the accrual maximum has been reached, no additional vacation shall be earned or accrued until the balance falls below the 280-hour maximum accrual amount.

E. Vacation Cash Out - Employees may request to cash-out up to 60 hours of accrued vacation leave each calendar year so long as the employee maintains a 120 hour vacation accrual minimum after the vacation accrual cash-out and the employee is in "good standing" within the past 12 months as verified by the employee's respective Department Director.

i. In November 2022, up to 30 hours of vacation leave may be cashed out.

ii. Starting in calendar year 2023, as required by the Internal Revenue Service, employees who wish to cash-out leave are required to pre-elect annual leave cash-out amounts in the calendar year prior. Employees who wish to sell back leave must submit an annual Leave Sell-Back Irrevocable Election form by December 15 of the prior year to sell back leave in the upcoming year. Sell-back requests will be processed twice annually, the last pay period of the fiscal year and the last pay period of the calendar year. For example, to sell back leave in 2023, employees must complete a Leave Sell-Back Irrevocable Election form by December 15, 2022 and indicate how many hours they want to sell back in June 2023 and how many hours they want to sell back in December 2023 for a total not to exceed 60 hours.

VIII. HOLIDAYS

Holidays Observed - Employees shall receive a total of 13 paid days off (eleven scheduled holidays and two floating holidays per year). Employees regularly assigned a "9/80" work schedule shall receive a nine-hour holiday when the holiday is observed on a regularly scheduled nine-hour work day, and an eight-hour holiday when the holiday is observed on a regularly scheduled eight-hour work day.

The following are paid holidays:

- 1) New Year's Day (January 1st)
- 2) Martin Luther King Jr Day
- 3) Presidents' Day
- 4) Memorial Day
- 5) Independence Day (July 4th)
- 6) Labor Day
- 7) Veterans Day
- 8) Thanksgiving Day
- 9) Day after Thanksgiving
- 10) Christmas Eve (December 24th)
- 11) Christmas (December 25th)
- 12) Floating Holidays (2)

Floating Holidays - may be scheduled with the consent of their respective Department Director as nine-hour holidays when the holiday is observed on a regularly scheduled nine-hour work day, and an eight-hour holiday when the holiday is observed on a regularly scheduled eight-hour work day.

Floating holidays do not accrue from year to year, are not payable upon separation from Town service and must be used within the fiscal year.

IX. MEDICAL BENEFIT

The Town will provide at least three (3) options for medical insurance coverage, including the Kaiser HMO – Gold level plan, for employees and their eligible dependents (employee, employee/spouse, employee/child(ren) or employee/family) through the term of this agreement.

- A. Employer Contribution - The Town will contribute monthly toward the medical insurance premium for medical coverage for each employee and eligible dependent up to a maximum of the Kaiser HMO – Gold B level plan for the 2022 plan year.
- B. Employee Contribution - If an employee chooses a plan other than the Kaiser HMO – Gold B level plan, the Town agrees to contribute the value of the full monthly premium cost for the employee and eligible dependents as established under the Kaiser HMO – Gold B level plan, for the 2022 plan year, toward the premium of one of the other medical plan options as selected by the employee.

If the monthly premium for the plan option and coverage level selected by the employee exceeds the Town's monthly contribution as described in paragraph IX. D. for the same coverage level (i.e., employee, employee/spouse, employee child(ren), or employee/family), the employee shall pay the balance of the premium cost through a pre-tax payroll deduction.

- C. In the event the Kaiser HMO – Gold B level plan is discontinued or no longer available, the Town will offer a mutually agreeable plan equivalent to the Kaiser HMO-Gold B level.

- D. Change in Premium Rates - For the term of this agreement, the Town agrees to contribute up to the monthly premium rates established under the Kaiser HMO – Gold B level plan for the January 1, 2022 – December 31, 2022 plan year for medical insurance coverage for each employee and eligible dependent. For each subsequent plan year, the Town’s contribution shall include the amount of any premium increases for the Kaiser HMO – Gold B level plan not to exceed twelve percent (12%) for each employee and their eligible dependents.

Any increase exceeding twelve percent (12%) and less than twenty (20%) will be paid by the employee. If the Kaiser HMO-Gold B level plan premium increase is twenty percent (20%) or greater, the Town Council agrees to reconsider Section IX.D. of this Resolution.

- E. Medical Insurance Opt-Out - With proof of alternative medical insurance, an employee may opt to receive \$600 per month as cash in-lieu of medical coverage or as a contribution into the individual’s deferred compensation (ICMA 457) account in lieu of medical benefits.
- F. Regular (Permanent) Part-time Employees – The Town will pay pro-rated amounts for medical insurance coverage for regular (permanent) part-time employees who are regularly scheduled to work at least 60 hours but less than 80 hours in a two-week period, or at least 1,560 hours but less than 2080 hours per year.

X. DENTAL BENEFIT

The Town agrees to pay the entire premium for the level of coverage selected by the employee (e.g., employee only, employee plus one or family) for a Dental Plan of the Town's choice, which has substantially the same benefits as the dental plan in effect on June 30, 2022.

For regular (permanent) part-time employees who are regularly scheduled to work at least 60 hours but less than 80 hours in a two-week period, or at least 1,560 hours but less than 2080 hours per year, the Town will pay pro-rated amounts for dental insurance coverage.

XI. VISION BENEFIT

The Town agrees to pay the entire premium for the level of coverage selected by the employee (e.g., employee only, employee plus one or family) a Vision Plan through ‘VSP’ or comparable, which has an annual twenty-five dollar (\$25) co-pay that is paid by the employee for services rendered through the plan.

For regular (permanent) part-time employees who are regularly scheduled to work at least 60 but less than 80 hours in a two-week period, or at least 1,560 hours but less than the 2080 hours per year, the Town will pay pro-rated amounts for vision insurance coverage.

XII. LIFE INSURANCE BENEFIT

The Town shall provide a life insurance policy in the sum of \$150,000 for full-time employees. For regular (permanent) part-time employees, the Town will provide a life insurance policy in the sum of \$100,000.

XIII. LONG-TERM DISABILITY/ SHORT-TERM DISABILITY BENEFITS

The Town provides for group long-term and short-term disability insurance.

XIV. UNIFORMS

The Police Lieutenant shall receive \$1,200 annually and the Public Works/Parks Maintenance Manager and Public Works/Parks Maintenance Supervisor shall receive \$850 annually for the purchase, cleaning, and maintenance of uniforms. This benefit will be paid in 26 equal payments, one in each pay period.

XV. WORK HOURS

Each Mid-Management/Professional employee shall set a weekly work schedule with the respective Department Director according to the needs of the department that ensures a continued level of high quality service to the public. Generally, the regular work schedule shall be a "9/80" work schedule unless otherwise agreed upon between employee, Department Director and Town Manager.

XVI. MEET AND CONFER

To facilitate positive labor relations, the Town shall serve written notice prior to implementing personnel changes, which may include modifications of existing policies and procedures that will have a significant impact on work schedules or duties of a mid-management/professional employee. Upon request by the Mid-Management Group, the parties shall meet and confer prior to implementation of the proposed change.

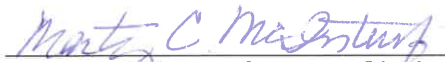
PASSED AND ADOPTED by the Town Council of the Town of Moraga at a regular meeting held on May 11, 2022 by the following vote:

AYES: Mayor Sos, Vice Mayor Woehleke, Councilmember Onoda
NOES: Councilmember McCluer
ABSTAIN: None
ABSENT: Councilmember Makker



Renata M. Sos, Mayor

Attest:



Marty C. McInturf, Town Clerk

APPENDIX A
TOWN OF MORAGA
SALARY SCHEDULE FOR MID MANAGEMENT/PROFESSIONALS

Classification	Type	Step A	Step B	Step C	Step D	Step E
FY 2022-23 Effective July 3, 2022						
Accountant (Confidential)	M	7,317	7,682	8,067	8,470	8,893
Associate Civil Engineer	M	8,763	9,201	9,661	10,144	10,652
Associate Planner	M	7,476	7,849	8,242	8,654	9,087
PW/Parks Maint Manager/Supervisor	M	8,292	8,706	9,142	9,599	10,079
Police Lieutenant	M	12,736	13,373	14,041	14,744	15,481
Principal Planner	M	10,317	10,833	11,374	11,943	12,540
Recreation Supervisor	M	6,188	6,497	6,822	7,163	7,521
Senior Accountant (Confidential)	M	8,780	9,219	9,680	10,164	10,672
Senior Civil Engineer	M	10,517	11,043	11,595	12,175	12,783
Senior Planner	M	8,597	9,027	9,478	9,952	10,450
Senior Planner/Econ Dev Coord	M	8,597	9,027	9,478	9,952	10,450
FY 2023-24 Effective July 2, 2023						
Accountant (Confidential)	M	7,536	7,913	8,309	8,724	9,160
Associate Civil Engineer	M	9,026	9,477	9,951	10,449	10,971
Associate Planner	M	7,700	8,085	8,489	8,913	9,359
PW/Parks Maint Manager/Supervisor	M	8,541	8,968	9,416	9,887	10,381
Police Lieutenant	M	13,118	13,774	14,463	15,186	15,945
Principal Planner	M	10,626	11,158	11,716	12,301	12,917
Recreation Supervisor	M	6,373	6,692	7,027	7,378	7,747
Senior Accountant (Confidential)	M	9,043	9,496	9,970	10,469	10,992
Senior Civil Engineer	M	10,832	11,374	11,943	12,540	13,167
Senior Planner	M	8,855	9,298	9,762	10,251	10,763
Senior Planner/Econ Dev Coord	M	8,855	9,298	9,762	10,251	10,763
FY 2024-25 Effective June 30, 2024						
Accountant (Confidential)	M	7,762	8,150	8,558	8,986	9,435
Associate Civil Engineer	M	9,297	9,762	10,250	10,762	11,300
Associate Planner	M	7,931	8,327	8,744	9,181	9,640
PW/Parks Maint Manager/Supervisor	M	8,797	9,237	9,699	10,183	10,693
Police Lieutenant	M	13,512	14,187	14,897	15,641	16,423
Principal Planner	M	10,945	11,493	12,067	12,671	13,304
Recreation Supervisor	M	6,565	6,893	7,238	7,599	7,979
Senior Accountant (Confidential)	M	9,315	9,780	10,269	10,783	11,322
Senior Civil Engineer	M	11,157	11,715	12,301	12,916	13,562
Senior Planner	M	9,120	9,577	10,055	10,558	11,086
Senior Planner/Econ Dev Coord	M	9,120	9,577	10,055	10,558	11,086