

RESOLUTION OF THE CITY OF MERCED CITY
COUNCIL REGARDING CERTAIN TERMS AND
CONDITIONS OF EMPLOYMENT FOR THE
MERCED EXECUTIVE UNIT



Effective August 5, 2024

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Article 1- Recognition

This Resolution covers employees in the classifications listed in Appendix "A".

Article 2- Overtime

2.1. Exempt Classifications

All classifications are classified as exempt employees under the Fair Labor Standards Act (FLSA). They are expected to work the hours necessary to accomplish the job requirements, including alternate shifts and irregular hours, attending evening meetings, and traveling to attend classes, meetings, and/or seminars as required. Exempt employees are generally expected to be available during regular hours of their normal workdays, except as required to meet other job requirements. These employees are not eligible for overtime.

2.2. Declared Emergency

When the City Council declares an emergency, exempt employees who are required to work in excess of their regularly scheduled hours for that emergency will be paid at time and one-half of their regular rate of pay for those hours.

2.3. Administrative Leave

Employees receive eighty (80) hours of administrative leave annually in the first full pay period of the year. Employees may not accrue more than eighty (80) hours of administrative leave. Upon hire, employees will receive eighty (80) hours of administrative leave. Upon separation, administrative leave is paid at the employee's straight-time rate of pay.

2.4. Administrative Leave Cash Out

By November 1 of each year, employees may make an irrevocable election to cash out up to forty (40) hours of Administrative Leave that will accrue in the next calendar year. Employees will receive the cash out at their straight-time hourly rate on the first paycheck in December of the following year.

Article 3- Wages

3.1. Salary Schedule

The salary schedule consists of five (5) steps, with approximately five percent (5.0%) between steps.

3.2. Salary Increases

Effective August 5, 2024, the salaries of all classifications will be set as outlined in Appendix "A" of the Salary Schedule.

All classifications will receive a three percent (3.0%) equity adjustment effective October 14, 2024.

All classifications will receive a four percent (4.0%) increase effective June 23, 2025.

Effective June 23, 2025, the Deputy City manager will receive a two-and-a-half percent (2.5%) equity adjustment.

All classifications will receive a four percent (4.0%) increase effective June 22, 2026.

Effective June 22, 2026, the Deputy City manager will receive a two-and-a-half percent (2.5%) equity adjustment.

3.3. Longevity Pay

Employees receive longevity pay as follows:

Upon completion of ten (10) years of service with the City, employees receive one and a half percent (1.5%) of their base hourly rate of pay.

Upon completion of fifteen (15) years of service with the City, employees receive an additional one and a half percent (1.5%) of their base hourly rate of pay.

Upon completion of twenty (20) years of service with the City, employees receive an additional one and a half percent (1.5%) of their base hourly rate of pay.

Upon completion of twenty-five (25) years of service with the City, employees receive an additional one and a half percent (1.5%) of their base hourly rate of pay.

Following verification, employees with prior full-time public sector employment with the State of California or a California county, city, local agency, or special district will receive a Longevity Pay based on their cumulative prior years of public service.

3.4. Bilingual Pay

Employees who speak or write Spanish, American Sign Language, or other approved languages other than English and who can do so fluently as determined by the City receive Bilingual Pay weekly as follows:

| | |
|---------------------------|---------|
| Verbal Skills Only | \$23.08 |
| Written Skills Only | \$34.62 |
| Verbal and Written Skills | \$46.15 |

Mutual Aid

Employees deployed on mutual aid reimbursable incidents will be paid at time and one-half of the employee's base rate of pay for all hours worked outside of the employee's regularly scheduled shift. Mutual aid deployments for exempt employees require the express written approval of the City manager.

Article 4- Insurances

4.1. Benefits Provided and Required

The City provides employees with a "cafeteria" plan. Employees are required to enroll in each of the plans below:

- Hospital/medical care plan,
- Dental care plan,
- Vision care plan,
- Disability insurance plan,
- Life insurance in the amount of \$50,000.

Employees may request a waiver for medical, dental, and/or vision coverage from the Support Services Department. Waivers may be granted only if the employee shows proof of other coverage through the employee's spouse or registered domestic partner. Should an employee who has obtained a waiver to this provision lose such alternative coverage, the employee must provide proof to the Support Services Department within thirty (30) business days and enroll in a City-provided insurance program.

Participation for the employees' dependents is optional.

4.2. Plan Selection and Employee Benefit Committee

The City provides at least two (2) options each for medical, dental, vision, life insurance, and disability insurance plans. The plans will be selected solely by the City following the

review of proposals by the Employee Benefits Committee. The Employee Benefits Committee is advisory to the City Council and comprises representatives of each of the City's bargaining units and management.

4.3. Schedule of Allowances Per Pay Period

The City contributes an amount per bi-weekly pay period (based on twenty-six pay periods annually) as the Cafeteria Allowance. For medical employee only \$281.41, employee plus one \$576.05, employee plus two or more \$846.67. For Dental, Vision, Disability, and life insurance employee only \$35.52, employee plus one \$52.70, and employee plus two or more \$77.93.

The City will pay fifty-five percent (55%) of the sum of the core premium increases, which will be reflected in the Cafeteria Allowance.

The employee is responsible for the balance of the premiums, if any, beyond the Cafeteria Allowance. No employee will receive cash back for having waived required coverage, except that an employee who is married and whose spouse or domestic partner is also a current City of Merced employee, accepted for waiver of medical coverage, will receive cash back equal to twenty-five percent (25%) of the core medical premium for a single individual.

Article 5- Retiree Medical, Dental, and Vision

5.1. Eligibility

The City provides a medical plan for eligible retirees. The medical care plan is selected solely by the City and provides essentially the same benefits to retirees as are provided to full-time employees. An employee is considered a retiree of the City if the employee retires in the California Public Employees' Retirement System and their last active place of full-time employment within the system was with the City. Retirees must meet at least one (1) of the following criteria to enroll in the City's retiree medical plan:

The retiree is age 50 or over with at least ten (10) years of service with the City; or

Retiree is retired because of a service-connected disability; or

Retiree is retired because of a non-service-connected disability with at least ten (10) years of service with the City.

5.2. Groups

Group 1 consists of employees who retired before January 1, 2009.

Group 2 consists of employees hired before July 5, 2006, who retired after December 31, 2008.

Group 3 consists of employees hired after July 4, 2006.

5.3. Benefits Provided Per Group

Eligible Group 1 employees and their spouse or registered domestic partner and/or other dependents will continue to be covered under the City's medical plan until the retired employee and their spouse or registered domestic partner reach age 65. The City pays the premium for the retired employee, and the spouse/registered domestic partner and dependent(s) premium(s) are the responsibility of the retired employee. At the age of 65, the City's medical plan will be secondary to Medicare medical coverage or any other benefit coverage available to the retired employee and eligible spouse or registered domestic partner. Retired employees, their spouse, registered domestic partner and/or eligible dependents in Group 1 are eligible to continue dental and vision care coverage at the expense of the retired employee.

Eligible Group 2 employees receive a monthly stipend of \$390.55 monthly for retirees over 65 or \$546.51 monthly for retirees under 65 towards the City's medical plan. The retiree pays any amount over the stipend. Eligible employees' spouse, registered domestic partner and/or eligible dependents in Group 2 are eligible to continue medical coverage at the expense of the retired employee. At the age of 65, the City's medical plan is secondary to Medicare medical coverage or any other benefit coverage available to the retired employee and eligible spouse or registered domestic partner. Retired employees, their spouse, registered domestic partner and/or eligible dependents in Group 2 are eligible to continue dental and vision care coverage at the expense of the retired employee.

Eligible Group 3 employees are eligible to continue medical, dental, and vision care coverage at the expense of the retired employee.

Article 6- Retirement

6.1. Miscellaneous California Public Employees Retirement System (CalPERS)

Employees hired before December 10, 2012, receive the 2.5% at 55 miscellaneous CalPERS formula with the three (3) year final average compensation period and modified Social Security Coverage. These employees pay the required eight percent (8%) member contribution pre-tax.

Employees hired after December 9, 2012, who are not classified as new members will receive the 2% at 60 miscellaneous CalPERS formula with the three (3) year final average compensation period and modified Social Security Coverage. These employees pay the required seven and a half percent (7.5%) member contribution pre-tax.

Employees hired after December 31, 2012, who are classified as new members will receive the 2% at 62 miscellaneous CalPERS formula with the three (3) year three-year final average compensation period and full Social Security Coverage. These employees pay one-half of the total normal cost as determined annually by CalPERS pre-tax.

All miscellaneous retirement formulas have the following optional CalPERS retirement benefits:

- Non-Industrial Disability – Standard
- Post-Retirement Death Benefits
 - Lump Sum \$2,000
- 2% Retirement COLA

6.2. California Public Employees Retirement System (CalPERS) for Police

Employees hired before December 10, 2012, receive the 3% at 50 safety CalPERS formula with the three (3) year final average compensation period. These employees pay the required nine percent (9%) member contribution pre-tax.

Employees hired after December 9, 2012, who are not classified as new members will receive the 3% at 55 safety CalPERS formula with the three (3) year final average compensation period. These employees pay the required nine percent (9%) member contribution pre-tax.

Employees hired after December 31, 2012, who are classified as new members will receive the 2.7% at 57 safety CalPERS formula (25443) with the three (3) year three-year final average compensation period. These employees pay one-half of the total normal cost as determined annually by CalPERS pre-tax.

All safety retirement formulas have the following optional CalPERS retirement benefits:

- Social Security Coverage - Full
- Non-Industrial Disability – Standard
- Industrial Disability – Standard
- Pre-Retirement Death Benefits
- Special
- Post-Retirement Death Benefits
- Lump Sum \$2,000
- 2% Retirement COLA

6.3. California Public Employees Retirement System (CalPERS) for Fire

Employees hired before October 7, 2011, receive the 3% at 50 safety CalPERS formula with the three (3) year final average compensation period. These employees pay the required nine percent (9%) member contribution pre-tax.

Employees hired after October 6, 2011, who are not classified as new members will receive the 3% at 55 safety CalPERS formula with the three (3) year final average compensation period. These employees pay the required nine percent (9%) member contribution pre-tax.

Employees hired after December 31, 2012, who are classified as new members will receive the 2.7% at 57 safety CalPERS formula (25443) with the three (3) year three-year final average compensation period. These employees pay one-half of the total normal cost as determined annually by CalPERS pre-tax.

All safety retirement formulas have the following optional CalPERS retirement benefits:

- Social Security Coverage – Full
- Non-Industrial Disability – Standard
- Industrial Disability – Standard
- Pre-Retirement Death Benefits
 - Special
- Post-Retirement Death Benefits
- Lump Sum \$2,000
 - 2% Retirement COLA

6.4. Deferred Compensation Plan

Employees may contribute to the City's Deferred Compensation Plan.

Article 7- Leaves

7.1. Vacation Leave

Employees earn vacation leave as follows.

With less than three (3) years of public service, full-time employees earn 3.696 hours of vacation leave each biweekly pay period to a maximum of 192.00 hours.

After three (3) years of public service, full-time employees earn 4.616 hours of vacation leave each biweekly pay period to a maximum of 240.00 hours.

After seven (7) years of public service, full-time employees earn 6.160 hours of vacation leave each biweekly pay period to a maximum of 320.00 hours.

After fifteen (15) years of public service, full-time employees earn 6.928 hours of vacation leave each biweekly pay period to a maximum of 360.00 hours.

After twenty (20) years of public service, full-time employees earn 7.696 hours of vacation leave each biweekly pay period to a maximum of 400.00 hours.

After twenty-five (25) years of public service, full-time employees earn 9.232 hours of vacation leave each biweekly pay period to a maximum of 480.00 hours.

7.1. Vacation Leave Upon Hire

Upon hire, the City Manager may grant new employees up to eighty (80) hours of vacation based on their education, experience, and difficulty filling the position.

7.2. Maximum Vacation Accrual

When an employee accumulates the maximum number of vacation hours, vacation ceases to accrue until the accrued hours fall below the cap. Employees are paid out for their accrued vacation upon separation at their straight-time rate of pay.

7.3. Vacation Cash Out

By November 1 of each year, employees who have at least one hundred (100) hours of vacation may make an irrevocable election to cash out up to forty (40) hours of vacation that will accrue in the next calendar year. The employee will receive the cash out on the first paycheck in December of the following year.

7.4. Holidays

The City recognizes the following holidays:

- New Year's Day
- Martin Luther King Jr.'s Birthday
- President's Day
- Cesar Chavez Day
- Memorial Day
- Juneteenth
- Independence Day
- Labor Day
- Veteran's Day
- Thanksgiving Day
- Day after Thanksgiving
- December 24th or December 31st
- December 25th

Employees receive eight (8) hours of holiday pay for each holiday listed above.

7.5. Holiday Observed

When a holiday falls on a Sunday, the following Monday is considered the holiday. When a holiday falls on a Saturday, the preceding Friday is considered the holiday.

7.6. Floating Holiday

Employees receive eight (8) hours of floating holiday annually in the first full pay period of the year. Employees may not accrue more than eight (8) hours of floating holiday. Upon separation, employees will be paid for their floating holiday hours at their straight-time rate of pay. Upon hire, employees hired before the second Monday in October will receive eight (8) hours of floating holiday.

7.7. Sick Leave

Full-time employees earn 3.696 hours of sick leave each biweekly pay period of continuous service to a maximum of 1056.00 hours. When an employee accumulates the maximum number of sick leave hours, sick leave ceases to accrue until they fall below the accrual cap. An employee separated from employment for reasons other than retirement forfeits all unused sick leave.

Part-time employees earn sick leave at a pro-rata.

Abuse of sick leave may be subject to disciplinary actions.

7.8. Sick Leave Usage

Employees may use up to one-half of their annual accrued sick leave for the required care of a spouse, domestic partner, parent, child, sibling, grandparent, grandchildren, or domestic partner's child who is ill as defined by statute. Leave for this purpose may not be taken until it has actually accrued.

7.9. Payment of Unused Sick Leave

Annually in January, employees who have sick leave hours over 960 as of the last pay period in the preceding December will receive payment for fifty percent (50%) of their sick leave hours over 960 at their straight-time hourly rate of pay and the remaining fifty percent (50%) of hours above 960 will be forfeited.

7.10. Sick Leave Upon Retirement

Employees who retire concurrently from the City and CalPERS will receive payment for fifty percent (50%) of their accrued sick leave at their straight-time hourly rate of pay, and the remaining hours will be forfeited.

7.11. Bereavement Leave

Employees who the City has employed for at least thirty (30) days are entitled to five (5) days of protected bereavement leave in the event of the death of a “family member.” Employees will also receive twenty-four (24) hours of paid leave for the death of a family member who resides within the State or forty-eight (48) hours of paid leave for the death of a family member who resides out of the state that must be used concurrently with any bereavement leave taken. Employees must first utilize unused vacation or sick leave for the remaining portion of any unpaid bereavement leave.

A “family member” means any parent, spouse, registered domestic partner, child, child of an employee’s registered domestic partner, grandchild, grandparent, brother, sister, mother-in-law, father-in-law, or the death of any child or close relative who resided with the employee at the time of death.

Employees who utilize bereavement leave must notify their Department Head or designee of the intent to use such leave. Employees may use such leave on a non-consecutive basis but must complete leave within three (3) months of the date of death of a “family member.” The City may request an employee seeking bereavement leave to provide documentation to support the leave.

Article 8- Voluntary Resignation

Employees absent without official leave for two (2) or more consecutive days or absent an aggregate of sixteen (16) hours in any calendar month without a satisfactory explanation will be deemed to have voluntarily resigned from the City of Merced.

Article 9- Layoffs

In lieu of being laid off, an employee may elect demotion (“bumping”) to:

- A. Any class in the same class series with a lower maximum salary.
- B. A class in the same line of work (as determined by the City) as the class of layoff but of lesser responsibility and with substantially the same or a lower maximum salary.

To bump to a new classification, the employee must have more seniority than the employee who will be displaced.

The employee bumping to a new classification must have held that classification at some time in their career in the City of Merced.

Seniority is determined by the time in the class from which the employee is bumping plus time in any higher classification in the same series.

To be considered for a demotion in lieu of layoff, an employee must notify the Personnel Manager within five (5) days of receiving the notice of layoff.

In cases where there are two (2) or more employees in a class from which the layoff is to be made, employees will be laid off in inverse order of seniority.

Employees bumping to a lower or similar class will be placed at the salary step, representing the least loss of pay without exceeding the employee's current rate of pay.

The names of persons laid off or demoted will be placed on a re-employment list in the order of layoff.

The re-employment list expires after two (2) years, except that persons appointed to regular positions of the same or higher level will be removed from the list upon appointment.

Refusal of a person to accept the first offer of re-employment with the same classification or a classification at the same or higher range will result in the person being removed from the re-employment list. Failure of a person to respond within seven (7) workdays to the offer of re-employment is deemed a refusal.

Employees from other bargaining units may only bump into previously held classifications.

Article 10- Vehicle Allowance

Employees who regularly use their vehicles for City business may be eligible to receive a monthly vehicle allowance in lieu of using a City-provided vehicle.

Article 11- Education Reimbursement

Employees may be eligible for education reimbursement for graduate and postgraduate courses by submitting a written proposal to the City Manager requesting approval and outlining the benefits to the City.

Article 12- Term

This Resolution is effective August 5, 2024, and supersedes all prior written agreements, memorandums of understanding, and side letters.

Appendix "A" Salary Schedule

Management Wage Summary Effective Pp17 - 8/5/2024

| Title | Step 1 | Step 2 | Step 3 | Step 4 | Step 5 | |
|--------------------------------------|----------|----------|----------|----------|----------|----------|
| Chief Building/Construction Official | \$10,203 | \$10,713 | \$11,249 | \$11,812 | \$12,402 | |
| | \$306 | \$321 | \$337 | \$354 | \$372 | Prem Pay |
| City Engineer | \$12,021 | \$12,622 | \$13,253 | \$13,916 | \$14,612 | |
| | \$361 | \$379 | \$398 | \$417 | \$438 | Prem Pay |
| Deputy City Manager | \$14,793 | \$15,533 | \$16,309 | \$17,125 | \$17,981 | |
| | \$444 | \$466 | \$489 | \$514 | \$539 | Prem Pay |
| Dir Of Development Services | \$11,899 | \$12,494 | \$13,119 | \$13,775 | \$14,463 | |
| | \$357 | \$375 | \$394 | \$413 | \$434 | Prem Pay |
| Dir Of Economic Development | \$11,355 | \$11,923 | \$12,519 | \$13,145 | \$13,802 | |
| | \$341 | \$358 | \$376 | \$394 | \$414 | Prem Pay |
| Dir Of Human Resources | \$10,956 | \$11,504 | \$12,079 | \$12,683 | \$13,317 | |
| | \$329 | \$345 | \$362 | \$380 | \$400 | Prem Pay |
| Dir Of Information Technology | \$11,015 | \$11,566 | \$12,144 | \$12,751 | \$13,389 | |
| | \$330 | \$347 | \$364 | \$383 | \$402 | Prem Pay |
| Dir Of Parks & Community Services | \$11,032 | \$11,584 | \$12,163 | \$12,771 | \$13,410 | |
| | \$331 | \$348 | \$365 | \$383 | \$402 | Prem Pay |
| Dir Of Public Works | \$12,105 | \$12,710 | \$13,345 | \$14,012 | \$14,713 | |
| | \$363 | \$381 | \$400 | \$420 | \$441 | Prem Pay |
| Fire Chief | \$12,015 | \$12,615 | \$13,246 | \$13,908 | \$14,604 | |
| | \$360 | \$378 | \$397 | \$417 | \$438 | Prem Pay |
| Police Chief | \$13,712 | \$14,397 | \$15,117 | \$15,873 | \$16,667 | |
| | \$411 | \$432 | \$454 | \$476 | \$500 | Prem Pay |

Management Wage Summary
Effective Pp22 - 10/14/2024

| Title | Step 1 | Step 2 | Step 3 | Step 4 | Step 5 |
|--------------------------------------|----------|----------|----------|----------|----------|
| Chief Building/Construction Official | \$10,509 | \$11,035 | \$11,587 | \$12,166 | \$12,774 |
| City Engineer | \$12,382 | \$13,001 | \$13,651 | \$14,333 | \$15,050 |
| Deputy City Manager | \$15,237 | \$15,999 | \$16,799 | \$17,639 | \$18,520 |
| Dir Of Development Services | \$12,256 | \$12,869 | \$13,512 | \$14,188 | \$14,897 |
| Dir Of Economic Development | \$11,696 | \$12,280 | \$12,894 | \$13,539 | \$14,216 |
| Dir Of Human Resources | \$11,285 | \$11,849 | \$12,441 | \$13,063 | \$13,717 |
| Dir Of Information Technology | \$11,346 | \$11,913 | \$12,508 | \$13,134 | \$13,791 |
| Dir Of Parks & Community Services | \$11,363 | \$11,932 | \$12,528 | \$13,155 | \$13,812 |
| Dir Of Public Works | \$12,468 | \$13,091 | \$13,746 | \$14,433 | \$15,154 |
| Fire Chief | \$12,375 | \$12,994 | \$13,643 | \$14,326 | \$15,042 |
| Police Chief | \$14,123 | \$14,829 | \$15,571 | \$16,349 | \$17,167 |

Management Wage Summary
Effective PP14 - 6/23/2025

| Title | Step 1 | Step 2 | Step 3 | Step 4 | Step 5 |
|--------------------------------------|----------|----------|----------|----------|----------|
| Chief Building/Construction Official | \$10,930 | \$11,476 | \$12,050 | \$12,653 | \$13,285 |
| City Engineer | \$12,877 | \$13,521 | \$14,197 | \$14,907 | \$15,652 |
| Deputy City Manager | \$16,227 | \$17,039 | \$17,891 | \$18,785 | \$19,724 |
| Dir Of Development Services | \$12,746 | \$13,384 | \$14,053 | \$14,755 | \$15,493 |
| Dir Of Economic Development | \$12,163 | \$12,772 | \$13,410 | \$14,081 | \$14,785 |
| Dir Of Human Resources | \$11,736 | \$12,323 | \$12,939 | \$13,586 | \$14,265 |
| Dir Of Information Technology | \$11,799 | \$12,389 | \$13,009 | \$13,659 | \$14,342 |
| Dir Of Parks & Community Services | \$11,818 | \$12,409 | \$13,029 | \$13,681 | \$14,365 |
| Dir Of Public Works | \$12,966 | \$13,615 | \$14,295 | \$15,010 | \$15,761 |
| Fire Chief | \$12,870 | \$13,513 | \$14,189 | \$14,899 | \$15,644 |
| Police Chief | \$14,688 | \$15,422 | \$16,193 | \$17,003 | \$17,853 |

All numbers have been rounded to the nearest \$1

Management Wage Summary
Effective PP14 - 6/22/2026

| Title | Step 1 | Step 2 | Step 3 | Step 4 | Step 5 |
|--------------------------------------|----------|----------|----------|----------|----------|
| Chief Building/Construction Official | \$11,367 | \$11,935 | \$12,532 | \$13,159 | \$13,817 |
| City Engineer | \$13,392 | \$14,062 | \$14,765 | \$15,503 | \$16,278 |
| Deputy City Manager | \$17,282 | \$18,146 | \$19,053 | \$20,006 | \$21,006 |
| Dir Of Development Services | \$13,256 | \$13,919 | \$14,615 | \$15,346 | \$16,113 |
| Dir Of Economic Development | \$12,650 | \$13,282 | \$13,947 | \$14,644 | \$15,376 |
| Dir Of Human Resources | \$12,206 | \$12,816 | \$13,457 | \$14,129 | \$14,836 |
| Dir Of Information Technology | \$12,271 | \$12,885 | \$13,529 | \$14,206 | \$14,916 |
| Dir Of Parks & Community Services | \$12,291 | \$12,905 | \$13,550 | \$14,228 | \$14,939 |
| Dir Of Public Works | \$13,485 | \$14,159 | \$14,867 | \$15,611 | \$16,391 |
| Fire Chief | \$13,385 | \$14,054 | \$14,757 | \$15,495 | \$16,269 |
| Police Chief | \$15,276 | \$16,039 | \$16,841 | \$17,683 | \$18,567 |

All numbers have been rounded to the nearest \$1

Appendix "C" 2024 Cash-Outs

For 2024 only, employees with a minimum of 100 hours of vacation leave may elect to cash out twenty (20) hours on the first paycheck in December. This provision will be removed from this document following the first paycheck in December.

For 2024 only, employees may elect to cash out forty (40) hours of administrative leave on the first paycheck in December. This provision will be removed from this document following the first paycheck in December.