

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
SEPTEMBER 1, 2009 AGENDA**

Subject:	Type:	Submitted By:
AMENDING THE COMPENSATION ORDINANCE & SETTING RATES OF AUTO ALLOWANCE	◆ RESOLUTION ◆ ORDINANCE RECEIVE/FILE	RITA M. RAMIREZ ASSISTANT CITY ADMINISTRATOR

SYNOPSIS

A resolution has been prepared to authorize monthly auto and mobile phone allowances. An ordinance to amend the compensation ordinance has been prepared to reflect the following items established as part of the FY10 municipal budget:

- A 3 percent adjustment to the salary ranges for non-exempt full-time City employees not covered by collective bargaining agreements.
- A 3 percent adjustment to the salary ranges for salaried exempt full-time City employees.
- A 3 percent adjustment to the salary ranges for management exempt employees.
- A 3 percent Pay for Performance base factor for all City employees not covered by collective bargaining agreements or an express employment contract.
- A 3 percent COLA in the hourly wage rate for non-exempt full-time Public Works employees covered by the Memorandum of Understanding adopted on September 18, 2007.
- Addition of the following new positions: City Engineer/Asst. Public Works Director, Community Relations Coordinator, Fire Training Officer.
- Such auto allowances and mobile phone allowances as established in the budget.

FISCAL IMPACT

The FY 09/10 municipal budget includes funding for the proposed amendments.

RECOMMENDATION

Approval and waiver of readings.

BACKGROUND

Each year as part of the budget process recommendations are made regarding wage rates for employees. Over the past year Council has taken several steps toward the implementation of a Pay for Performance (PFP) compensation system for employees not covered by a collective bargaining agreement or express employment contract. The Council Policy Statement adopted regarding PFP calls for Council to annually determine an adjustment to the salary ranges (which does not increase employee pay) and establish a base factor, which is a salary increase percentage that employees subject to PFP would be eligible to receive based on their performance. These two issues were discussed with Council in April of 2009 and the budget was prepared with salary ranges adjusted by 3% and a base factor for wage increases of 3%.

FY10 is the third year of a three year agreement with the Public Works Department and negotiations are currently underway with the Fraternal Order of Police as their two year agreement expires September 30, 2009.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING MONTHLY VEHICLE AND MOBILE PHONE ALLOWANCES FOR SPECIFIC OFFICERS AND EMPLOYEES OF THE CITY.

WHEREAS, the Mayor and City Council establish by ordinance the compensation for officers and employees of the City of La Vista and said ordinance establishes that the Mayor and Council may additionally fix by resolution such vehicle and other allowances as may from time to time be fixed in the municipal budget; and

WHEREAS, the FY10 municipal budget establishes funds for vehicle and mobile phone allowances for various officers and employees of the City and are recommended by the Finance Director and City Administrator.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the following vehicle and mobile phone allowances:

Position	Monthly Vehicle Allowance	Position	Monthly Vehicle Allowance
Mayor	\$150	City Clerk	\$100
City Administrator	\$300	Assistant City Administrator	\$75
1st Asst. Fire Chief	\$100	2nd Asst. Fire Chief	\$100
District Fire Chief	\$100	Public Information Officer – Fire	\$100
Community Development		City Planner	\$50
Director	\$50		
Library Director	\$45	Asst. Library Director	\$33

NOW THEREFORE BE IT FURTHER RESOLVED, that the Finance Director may establish monthly mobile phone allowances as follows: mobile phone service for the Recreation Director, Park Superintendent and Golf Course Superintendent in an amount not to exceed \$50; mobile phone data package charges for the City Administrator, Assistant City Administrator, and City Clerk in an amount not to exceed \$45; and mobile phone service and data package charges for the Mayor, Public Works Director and Street Superintendent in an amount not to exceed \$85.

PASSED AND APPROVED THIS 1ST DAY OF SEPTEMBER 2009.

CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

Pamela A. Buethe
City Clerk

ORDINANCE NO. _____

AN ORDINANCE TO FIX THE COMPENSATION OF OFFICERS AND EMPLOYEES OF THE CITY OF LA VISTA; TO PROVIDE FOR THE REPEAL OF ALL PRIOR ORDINANCES IN CONFLICT HERewith; ORDERING THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM; AND TO PROVIDE THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA:

Section 1. City Council. The compensation of members of the City Council shall, in addition to such vehicle and other allowances as may from time to time be fixed by the Budget or other Resolution of the City Council, be, and the same hereby is, fixed at the sum of \$4,320.00 per year for each of the members of the City Council.

Section 2. Mayor. The compensation of the Mayor shall, in addition to such vehicle and other allowances as may from time to time be fixed by the Budget or other Resolution of the City Council, be, and the same hereby is, fixed at the sum of \$10,800.00 per year.

Section 3. City Administrator. The compensation of the City Administrator shall, in addition to such vehicle and other allowances as may from time to time be fixed by the Budget or other Resolution of the City Council, be established by contractual agreement.

Section 4. Management Exempt Employees. The management exempt employees hereafter named shall, in addition to such vehicle and other allowances as may from time to time be fixed by Resolution of the City Council, receive annualized salaries fixed in accordance with the schedules of Table 200, set forth in Section 22 of this Ordinance, for the following respective wage ranges, and in accordance with such rules as the City Council may by resolution establish:

Position	Range
Asst. City Administrator	215
City Clerk	205
City Engineer/Asst. Public Works Director	210
Community Development Director	210
Finance Director	210
Fire Chief	210
Library Director	205
Police Chief	215
Public Buildings and Grounds Director	200
Public Works Director	215
Recreation Director	205

Section 5. Salaried Exempt Employees. The monthly salary compensation rates of the salaried exempt employees of the City of La Vista shall be, and the same hereby are, fixed in accordance with the schedules of Table 100, set forth in Section 22 of this Ordinance, for the following respective wage ranges, and in accordance with such rules as the City Council may by resolution establish:

Position	Range
Asst. Golf Superintendent	140
Asst. Recreation Director	175
Chief Building Official	175
Community Relations Coordinator	150
Deputy City Clerk/Office Manager	165
Golf Course Services Manager	165
Golf Course Superintendent	175
Human Resources Generalist	165
Librarian II – Inter-Library Loan/Public Services	160
Librarian III	175
Park Superintendent	180
Planner	175
Police Captain	190
Program Coordinator	160
Street Superintendent	180

Section 6. Hourly Non-Exempt Employees. The hourly compensation rates of the hourly (non-exempt) employees of the City of La Vista shall be, and the same hereby are, fixed in accordance with the schedules of Table 100, Table 300, and Table 400, set forth in Section 22 of this Ordinance, for the following respective wage ranges, and in accordance with such rules as the City Council may by Resolution establish:

Position	Range
Accountant	145
Accounting Clerk	130
Administrative Assistant	130
Mechanic	140
Building Inspector I	140
Building Inspector II	160
Code Enforcement Officer	130
Executive Assistant	140
Fire Training Officer	165
Foreman – B&G	160
Librarian II – Computer/Reference Services	160
Librarian I	140
Maintenance Worker I	311
Maintenance Worker II	316
Park Foreman	320
Police Sergeant	426
Police Officer	423
Police Data Entry Clerk	120
Public Buildings & Grounds MWI	125
Public Buildings & Grounds MWII	130
Secretary II	125
Secretary/Receptionist	120
Sewer Foreman	320
Street Foreman	320
Shop Foreman	322

Section 7. Part-Time and Temporary Employees. The hourly compensation rates of part-time, seasonal and temporary employees of the City of La Vista shall be, and the same hereby are, fixed in accordance with the schedules of Table 100, set forth in Section 22 of this Ordinance, for the following respective wage ranges, and in accordance with such rules as the City Council may by Resolution establish:

Position	
Assistant Pool Manager	100
Circulation Clerk I	100
Clerical (PW)	100
Custodian	100
Evidence Technician	130
Intern/Special Projects (CD)	115
Lifeguard	100
Pool Manager	110
Recreation Supervisor	100
Seasonal GC Clubhouse & Grounds	100
Seasonal PW All Divisions 1-5 Years	100
Seasonal PW All Divisions 5+ Years	110
Shop Assistant	100
Special Services Bus Driver	110
Temporary/PT Professional (PW)	160

Part-time employees shall receive no benefits other than salary or such benefits as established in accordance with such rules as have been or may be established by Resolution of the City Council:

Section 8. Pay for Performance. Employees not covered by a collective bargaining agreement or express employment contract shall be subject to the City's Pay for Performance (PFP) compensation system as outlined in Council Policy Statement. PFP salary ranges are set forth in Table 100 and 200 of Section 22 of this Ordinance. The base factor for fiscal year 2010 shall be set at three percent (3%).

Section 9. Certification Incentive Pay for Chief Building Official and Building Inspectors. Employees of the City in the positions of Chief Building Official and Building Inspector are eligible to receive a one time only incentive payment of \$1,000 for each certification obtained in an applicable construction field/trade. Such payment must be approved by the City Administrator.

Section 10. Legal Counsel. Compensation of the legal counsel other than special City Prosecutor for the City shall be, and the per diem rates respecting same shall be, at 90% of the standard hourly rate the firm may from time to time charge. Compensation for Special City prosecution shall be as agreed upon at the time of specific employment.

Section 11. Engineers. Compensation of Engineers for the City shall be, and the same hereby is, fixed in accordance with such schedules of hourly and per diem or percentage rates as shall from time to time be approved by Resolution of the City Council. Travel allowances respecting same shall be as may from time to time be fixed by Resolution of such City Council.

Section 12. Longevity Pay for Salaried Full-Time Employees and Hourly Paid Full-Time Employees, Including Police Employees. Employees of the City in the positions set forth in Section 3 and Tables 300 and 400 of this Ordinance, including police positions, shall receive longevity pay in an amount equal to the following percentage of the hourly rate set forth in Section 3 and Tables 300 and 400 of this Ordinance, rounded to the nearest whole cent:

<u>Length of Service</u>	<u>Allowance Per Hour</u>
Over 7 Years	2.00% (or .02)
Over 10 Years	2.75% (or .0275)
Over 15 Years	4.00% (or .04)
Over 20 Years	4.50% (or .0450)

Section 13. Health, Dental Life and Long Term Disability Insurance. Subject to the terms, conditions and eligibility requirements of the applicable insurance plan documents and policies, regular full-time employees of the City of La Vista and their families shall be entitled to be enrolled in the group life, health, and dental insurance program maintained by the City. Regular full-time employees shall also be entitled to be enrolled in the long term disability insurance program maintained by the City.

Unless otherwise provided by collective bargaining agreement, or other applicable agreement, the City's employer share shall be ninety (90) percent of the amount of the actual premium and the employee shall pay the ten percent (10%) balance of the actual premium via payroll deduction for employees enrolled in single coverage. The City's employer share shall be eighty percent (80%) of the amount of the actual premium and the employee shall pay the twenty percent (20%) balance of the actual premium via payroll deduction for any employee enrolled in a level of coverage other than single. Those employees electing not to participate in these programs will receive no other form of compensation in lieu of this benefit.

Section 14. Establishment of Shifts. The City may establish duty shifts of such length, and to have such beginning and ending times, and to have such meal and break times, as it may deem appropriate or necessary, respecting employees of the City.

Section 15. Special Provisions.

- A. Employees covered by the "Agreement Between the La Vista Fraternal Order of Police Lodge No. 28 and the City of La Vista, Nebraska, covering the period from October 1, 2007 through September 30, 2009," shall receive compensation and benefits and enjoy working conditions, as described, provided and limited by such Agreement. The terms of such Agreement shall supersede any provisions of this Ordinance inconsistent therewith, and be deemed incorporated herein by this reference.
- B. Holiday Pay shall be compensated as set forth in the Agreement between the La Vista Fraternal Order of Police Lodge No. 28 and the City of La Vista for police officers and as set forth in the Personnel Manual for all other full time employees.
- C. Subject to subsection 15.D. hereof, each full time hourly non-exempt employee of the City shall be entitled to receive overtime pay at the rate of one and one half times the employee's regular rate for each hour worked in excess of forty hours during a work week. If called out at any time other than during regular assigned work hours during the pay period, such employee shall be entitled to compensation at the rate of one and one half times the regular rate for each hour so worked, provided that in no case shall an employee receive less than two hours over time pay for such call out work, and further provided there shall be no pyramiding of hours for purposes of computing overtime. For purposes of this subsection an employee's "regular rate" shall be the sum of his or her hourly rate specified in Section 6 of this Ordinance and any longevity pay due under this Ordinance.

- D. Police Department employees covered by the "Agreement Between the La Vista Fraternal Order of Police Lodge No. 28 and the City of La Vista, Nebraska," described in subsection 15.A hereof shall, as provided in such Agreement, be paid overtime at one and one half times the employee's hourly rate (including any longevity allowance) for each hour worked in excess of 80 hours during any 14 day work period coinciding with the pay period established by Section 17 of this Ordinance.
- E. All Management Exempt Employees and all Salaried Exempt Employees are considered to be salaried employees and shall not be eligible for overtime pay, holiday pay, or other special pay as provided by this section.
- F. Employees covered by the "Memorandum of Understanding" with the Public Works Employees Collective Bargaining Group may submit to the City for reimbursement for the cost of work boots in an amount not to exceed \$120.
- G. Employees covered by the "Memorandum of Understanding" with the Public Works Employees Collective Bargaining Group may submit to the City for reimbursement for the difference in cost between a Nebraska Driver's License and a "CDL" driver's license within 30 days of obtaining a CDL license when a CDL license is required as a part of the covered employee's job description.
- H. Employees covered by the "Memorandum of Understanding" with the Public Works Employees Collective Bargaining Group shall be provided by the City five safety work shirts in each fiscal year at no cost to the employee.

Section 16. Pay for Unused Sick Leave Upon Retirement or Death. Employees who voluntarily retire after twenty or more years of service with the City and have no pending disciplinary action at the time of their retirement, shall be paid for any unused sick leave. Employees who began their employment with the City after January 1, 2005, or who began their employment prior to this date but elected to waive their eligibility for emergency sick leave, shall be paid for any unused sick leave, if they voluntarily leave City employment and have no pending disciplinary action, according to the following sliding schedule: After 10 years of employment – 100% of sick leave hours accrued over 660 and up to 880; after 15 years of employment – 100% of sick leave hours accrued over 440 hours and up to 880; after 20 years of employment – 100% of sick leave hours accrued up to 880. No other employee shall be paid for any unused sick leave upon termination of employment.

A regular full-time employee's unused sick leave shall also be paid if, after October 1, 1999, the employee sustains an injury which is compensable by the City or the City's insurer under the Nebraska Workers' Compensation Act and such injury causes the death of the employee within two years after the date of injury. Any payment made pursuant to the preceding sentence shall be made to the surviving spouse of the employee; provided, such payment shall be made to the employee's estate if the employee leaves no surviving spouse or if, prior to his or her death, the employee filed with the City Clerk a written designation of his or her estate as beneficiary of such payment.

Section 17. Pay Periods. All employees of the City of La Vista shall be paid on a bi-weekly basis. The pay period will commence at 12:01 a.m. Sunday and will conclude at 11:59 p.m. on the second succeeding Saturday. On the Friday following the conclusion of the pay period, all employees shall be paid for all compensated time that they have been accredited with during the pay period just concluded.

Section 18. Public Works Lunch and Clean-up Times. Lunch period for employees of the Public Works Department shall be one half hour (30 minutes) in duration. Public Works employees shall be granted a 5 minute clean-up period prior to start of lunch period, and shall be granted an additional 5 minutes clean-up period prior to the end of the work day.

Section 19. Sick Leave and Personal Leave. Sick leave and personal leave will be awarded and administered in conjunction with the provisions set forth in the personnel manual and the Agreement between the La Vista Fraternal Order of Police Lodge No. 28 and the City of La Vista, as applicable to the employee in question.

Section 20. Vacation Leave. Upon satisfactory completion of six months continuous service, regular full-time employees and permanent part-time employees shall be entitled to vacation leave. Such vacation shall not be used in installments of less than one hour. Increments of vacation leave of less than four hours must have 48 hours prior approval and can be taken only at the beginning or at the end of the work day.

Section 21. Vacation Entitlement.

- A. All full-time employees whose employment is governed by the Agreement described in Section 15, Paragraph A. of this Ordinance shall earn and be eligible for vacation as provided in such Agreement.
- B. All other full-time Hourly Non-Exempt Employees shall earn: six (6) days of paid vacation during the first year of continuous full-time employment; eleven (11) days of paid vacation during the second year of continuous full-time employment; and thereafter, eleven (11) days of paid vacation during each subsequent year of continuous full-time employment, plus one (1) additional day of paid vacation for each year of continuous full-time employment in excess of two years. Notwithstanding the foregoing, no employee shall earn more than twenty-three (23) days of paid vacation per employment year.
- C. All Management Exempt Employees, and Salaried Exempt Employees, shall earn ten (10) days paid vacation during the first year of continuous employment, and one (1) additional vacation day for each additional year of continuous employment not to exceed twenty-six (26) days.
- D. All Permanent Part Time Employees working a minimum of twenty (20) hours per week shall earn forty (40) hours of paid vacation time per year after six (6) months of employment and successful completion of the initial or extended initial probationary period. Total paid vacation time earned per year shall not exceed forty (40) hours.
- E. Exempt, Non-Exempt, and Permanent Part-Time Employees shall be allowed to accrue unused vacation leave from previous years to a maximum of 220 hours.

Section 22. Wage Tables.

Table 100 Salaried Exempt Employees Hourly Non-Exempt Employees					
Range	Minimum	Maximum	Range	Minimum	Maximum
100 Hourly	8.95	11.63	145 Hourly	16.30	21.18
Monthly	1,551	2,016	Monthly	2,825	3,671
Annual	18,616	24,190	Annual	33,904	44,054
110 Hourly	10.99	14.28	150 Hourly	17.13	22.25
Monthly	1,905	2,475	Monthly	2,969	3,857
Annual	22,859	29,702	Annual	35,630	46,280
115 Hourly	11.82	15.36	160 Hourly	18.79	24.40
Monthly	2,049	2,662	Monthly	3,257	4,229
Annual	24,586	31,949	Annual	39,083	50,752
120 Hourly	12.71	16.51	165 Hourly	20.01	26.00
Monthly	2,203	2,862	Monthly	3,468	4,507
Annual	26,437	34,341	Annual	41,621	54,080
125 Hourly	13.68	17.77	175 Hourly	23.59	30.63
Monthly	2,371	3,080	Monthly	4,089	5,309
Annual	28,454	36,962	Annual	49,067	63,710
130 Hourly	14.15	18.38	180 Hourly	26.14	33.95
Monthly	2,453	3,186	Monthly	4,531	5,885
Annual	29,432	38,230	Annual	54,371	70,616
140 Hourly	15.48	20.11	190 Hourly	32.30	41.96
Monthly	2,683	3,486	Monthly	5,599	7,273
Annual	32,198	41,829	Annual	67,184	87,277

Table 200
Management Exempt Employees

Ordinance No. _____

Range		Minimum	Maximum
200	Hourly	33.04	42.17
	Monthly	5,727	7,309
	Annual	68,723	87,714
205	Hourly	34.32	43.81
	Monthly	5,949	7,594
	Annual	71,386	91,125
210	Hourly	36.52	46.50
	Monthly	6,330	8,060
	Annual	75,962	96,720
215	Hourly	39.74	50.72
	Monthly	6,888	8,791
	Annual	82,659	105,498

Table 300
Public Works Collective Bargaining
Hourly Non-Exempt

Range		A	B	C	D	E	F	G
322	Hourly	17.63	18.51	19.44	20.40	21.41	22.51	23.62
	Monthly	3,056	3,208	3,369	3,537	3,712	3,901	4,094
	Annual	36,678	38,499	40,427	42,441	44,540	46,811	49,125
320	Hourly					20.01	21.43	22.51
	Monthly					3,468	3,715	3,901
	Annual					41,621	44,583	46,811
318	Hourly	16.66	17.45	18.34	19.26	20.19	21.22	22.28
	Monthly	2,887	3,024	3,180	3,339	3,499	3,678	3,862
	Annual	34,643	36,292	38,156	40,063	41,991	44,133	46,340
316	Hourly		15.48	16.77	17.62	18.50	19.41	20.38
	Monthly		2,683	2,907	3,055	3,206	3,364	3,533
	Annual		32,198	34,878	36,656	38,478	40,363	42,398
311	Hourly				14.15	15.02	15.76	
	Monthly				2,453	2,603	2,732	
	Annual				29,432	31,236	32,779	

Table 400
Classification: FOP Collective Bargaining
Hourly Non-Exempt

Range		A	B	C	D	E	F
426	Hourly				29.03	30.23	32.16
	Monthly				5,032	5,240	5,574
	Annual				60,382	62,878	66,893
423	Hourly	19.04	20.31	22.32	23.63	25.79	27.13
	Monthly	3,300	3,520	3,869	4,096	4,470	4,703
	Annual	39,603	42,245	46,426	49,150	53,643	56,430

Section 23. Repeal of Ordinance No. 1087. Ordinance No. 1087 originally passed and approved on the 17th day of March 2009 is hereby repealed.

Ordinance No. _____

Section 24. Effective Date. This Ordinance shall take effect after its passage, approval and publication as provided by law, but not prior to October 1, 2009.

Section 25. This Ordinance shall be published in pamphlet form and take effect as provided by law.

PASSED AND APPROVED THIS 1ST DAY OF SEPTEMBER 2009.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

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