

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
SEPTEMBER 18, 2007 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 and the compensation ordinance amended to reflect the following items established as part of the FY08 municipal budget:

- A 3 percent Cost of Living Adjustment (COLA) in the hourly wage rate for non-exempt full-time City employees not covered by collective bargaining agreements.
- A 3 percent COLA in the monthly salary compensation rate for salaried exempt full-time City employees.
- A 3 percent COLA in the monthly salary compensation rate for management exempt employees.
- 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: Special Services Driver.
- Such auto allowances and mobile phone allowances as established in the budget.

FISCAL IMPACT

The FY 07/08 municipal budget provides funding for the proposed amendments.

RECOMMENDATION

Approval and waiver of readings.

BACKGROUND

Each year as the budget is prepared the Consumer Price Index (CPI) is considered when making a recommendation regarding wage rates. The unadjusted CPI for the Midwest Urban region, all items, for the 12 months ending May 2007 was 2.89%. Based on that, a 3% COLA was recommended for all employee groups not covered by collective bargaining agreements.

Negotiations have been completed with the Public Works Department (pending Council approval) and they have agreed to a 3% COLA for the next three years beginning in FY08. Negotiations with the Fraternal Order of Police are on-going.

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 of the City of La Vista, Nebraska, hereafter named, and collectively referred to as department head level employees, 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 not to exceed the amounts established in Table A, set forth in Section 210 of this Ordinance, for the following respective wage ranges:

| Position | Range |
|--|-------|
| Asst. City Administrator | 39 |
| City Clerk | 37 |
| Community Development Director | 38 |
| Finance Director | 38 |
| Fire Chief | 38 |
| Library Director | 37 |
| Police Chief | 39 |
| Director of Public Buildings and Grounds | 36 |
| Public Works Director | 39 |
| Recreation Director | 37 |

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 210 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 | 111 |
| Asst. Recreation Director | 120 |
| Chief Building Official | 128 |
| Golf Course Services Manager | 113 |
| Golf Course Superintendent | 116 |
| Human Resources Assistant | 115 |
| Office Manager | 122 |
| Park Superintendent | 128 |
| Planner | 128 |
| Police Lieutenant | 131 |
| Program Director | 116 |
| Street Superintendent | 128 |

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 200, Table 300, and Table 400, set forth in Section 210 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 |
|-------------------------------------|-------|
| Accounting Clerk | 214 |
| Administrative Assistant | 215 |
| Administrative Secretary | 215 |
| Asst. Mechanic | 318 |
| Building Inspector | 218 |
| Building Inspector II | 223 |
| Code Enforcement Officer | 215 |
| Custodian | 210 |
| Evidence Technician | 211 |
| Executive Assistant | 217 |
| Librarian III | 217 |
| Librarian II | 215 |
| Librarian I | 214 |
| Maintenance Assistant | 216 |
| Maintenance Worker I | 311 |
| Maintenance Worker II | 316 |
| Park Foreman | 320 |
| Police Sergeant | 426 |
| Police Officer | 423 |
| Police Data Entry Clerk | 212 |
| Program Coordinator | 212 |
| Records Clerk & Computer Specialist | 218 |
| Secretary II | 214 |
| Secretary/Receptionist | 211 |
| Sewer Foreman | 320 |
| Street Foreman | 320 |
| Shop Foreman | 322 |

Section 7. Part-Time and Temporary Employees. The compensation of part-time and temporary City employees shall be, and the same hereby is, continued in accordance with the following schedule and in accordance with such rules as have been or may be established by Resolution of the City Council:

- | | |
|-------------------------------------|---|
| A. Part-Time Help/Seasonal | An hourly rate not to exceed \$10.50 per hour. |
| B. Temporary/Part-Time Professional | An hourly rate not to exceed \$22.00 per hour. |
| C. Part-Time Help | An hourly compensation rate as fixed in accordance with the schedules of Table 200, set forth in Section 210 of this Ordinance. |

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. 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 9. 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 10. 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 11. 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 Sections 3, 5 and 6 of this Ordinance, including police positions, shall receive longevity pay as follows:

An amount equal to the following percentage of the hourly rate set forth in Section 3, 5 and 6 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 12. 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 13. 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 14. 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, 2004 through September 30, 2006," 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 14.D. hereof, each regular full-time salaried non-exempt employee and each full time hourly paid 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 5 or 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 14.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 16 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 15. 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 16. 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, except for Police Officers, in which case the pay period will commence at 11:00 p.m. Saturday and will conclude at 10:59 p.m. on the second succeeding Sunday. 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 17. 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 18. 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 19. Vacation Leave. Upon satisfactory completion of the probationary period applicable to the employee in question, 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 two hours. 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 20. Vacation Entitlement.

- A. All full-time employees whose employment is governed by the Agreement described in Section 14, 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 upon completion of one (1) year of continuous full-time employment; eleven (11) days of paid vacation upon completion of two (2) years of continuous full-time employment; and thereafter, eleven (11) days of paid vacation upon completion of 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 after one (1) 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.

Section 21. Wage Tables.

| Table A | | | | | | |
|--|----------|----------|----------|----------|----------|----------|
| Classification: Management Exempt Employees | | | | | | |
| Range | A | B | C | D | E | F |
| 39 Monthly | 6,492 | 6,817 | 7,158 | 7,516 | 7,891 | 8,286 |
| Annual | 77,907 | 81,803 | 85,893 | 90,187 | 94,696 | 99,431 |
| 38 Monthly | 5,953 | 6,251 | 6,563 | 6,891 | 7,236 | 7,598 |
| Annual | 71,435 | 75,007 | 78,757 | 82,695 | 86,829 | 91,170 |
| 37 Monthly | 5,608 | 5,888 | 6,182 | 6,492 | 6,816 | 7,157 |
| Annual | 67,292 | 70,657 | 74,190 | 77,899 | 81,793 | 85,883 |
| 36 Monthly | 5,398 | 5,668 | 5,951 | 6,248 | 6,561 | 6,889 |
| Annual | 64,773 | 68,011 | 71,412 | 74,982 | 78,731 | 82,668 |

| Table 100 | | | | | | |
|--|----------|----------|----------|----------|----------|----------|
| Classification: Salaried Exempt Employees | | | | | | |
| Range | A | B | C | D | E | F |
| 131 Monthly | 4,482 | 4,706 | 5,010 | 5,187 | 5,445 | 5,717 |
| Annual | 53,786 | 56,475 | 60,121 | 62,249 | 65,336 | 68,606 |
| 128 Monthly | 3,857 | 4,047 | 4,249 | 4,461 | 4,684 | 4,921 |
| Annual | 46,279 | 48,566 | 50,988 | 53,534 | 56,209 | 59,050 |
| 123 Monthly | 3,238 | 3,401 | 3,570 | 3,749 | 3,936 | 4,132 |
| Annual | 38,861 | 40,811 | 42,844 | 44,987 | 47,230 | 49,584 |
| 122 Monthly | 2,813 | 3,025 | 3,233 | 3,444 | 3,617 | 3,798 |
| Annual | 33,761 | 36,302 | 38,792 | 41,332 | 43,398 | 45,570 |
| 120 Monthly | 2,765 | 2,904 | 3,049 | 3,201 | 3,361 | 3,529 |
| Annual | 33,184 | 34,844 | 36,587 | 38,416 | 40,337 | 42,354 |
| 116 Monthly | 2,562 | 2,690 | 2,824 | 2,965 | 3,114 | 3,269 |
| Annual | 30,739 | 32,276 | 33,888 | 35,583 | 37,362 | 39,231 |
| 115 Monthly | 2,371 | 2,489 | 2,614 | 2,743 | 2,879 | 3,025 |
| Annual | 28,457 | 29,866 | 31,366 | 32,912 | 34,547 | 36,298 |
| 113 Monthly | 1,996 | 2,094 | 2,203 | 2,311 | 2,429 | 2,550 |
| Annual | 23,952 | 25,127 | 26,439 | 27,727 | 29,151 | 30,603 |
| 111 Monthly | 1,662 | 1,713 | 1,799 | 1,889 | 1,983 | 2,082 |
| Annual | 19,940 | 20,555 | 21,583 | 22,662 | 23,795 | 24,985 |

Table 200
Classification: Hourly Non-Exempt

| Range | A | B | C | D | E | F | G |
|----------|-------|-------|-------|-------|-------|-------|-------|
| 223 Hrly | 18.13 | 19.04 | 19.99 | 20.99 | 22.04 | 23.14 | - |
| 218 Hrly | 15.71 | 16.50 | 17.32 | 18.19 | 19.10 | 20.05 | 21.06 |
| 217 Hrly | 15.08 | 15.82 | 16.61 | 17.45 | 18.31 | 19.24 | - |
| 216 Hrly | 14.36 | 15.07 | 15.80 | 16.60 | 17.43 | 18.29 | - |
| 215 Hrly | 13.69 | 14.36 | 15.08 | 15.82 | 16.61 | 17.45 | - |
| 214 Hrly | 12.63 | 13.24 | 13.89 | 14.60 | 15.35 | 16.11 | - |
| 213 Hrly | 11.57 | 12.13 | 12.77 | 13.41 | 14.09 | 14.80 | - |
| 212 Hrly | 11.53 | 12.07 | 12.71 | 13.37 | 14.04 | 14.71 | - |
| 211 Hrly | 11.14 | 11.68 | 12.30 | 12.88 | 13.53 | 14.21 | - |
| 210 Hrly | 8.65 | 9.08 | 9.53 | 10.02 | 10.51 | 11.03 | - |

Table 300
Classification: Public Works Collective Bargaining
Hourly Non-Exempt

| Range | A | B | C | D | E | F | G |
|----------|-------|-------|-------|-------|-------|-------|-------|
| 322 Hrly | 16.62 | 17.45 | 18.32 | 19.23 | 20.18 | 21.21 | 22.26 |
| 320 Hrly | 15.85 | 16.61 | 17.46 | 18.33 | 19.22 | 20.20 | 21.21 |
| 318 Hrly | 15.70 | 16.45 | 17.29 | 18.16 | 19.03 | 20.00 | 21.00 |
| 316 Hrly | 14.36 | 15.06 | 15.81 | 16.61 | 17.44 | 18.29 | 19.21 |
| 311 Hrly | 11.63 | 12.21 | 12.81 | 13.46 | 14.16 | 14.85 | - |

Table 400
Classification: FOP Collective Bargaining
Hourly Non-Exempt

| Range | A | B | C | D | E | F |
|----------|-------|-------|-------|-------|-------|-------|
| 426 Hrly | - | - | - | 25.54 | 26.28 | 27.96 |
| 423 Hrly | 17.19 | 18.33 | 20.15 | 21.33 | 23.28 | 24.49 |

|
| Section 22. Repeal of Ordinance No. 10164. Ordinance No. 10164 originally passed and approved on the 19th^{7th} day of December~~November~~ 2006, is hereby repealed.

Section 23. Effective Date. This Ordinance shall take effect after its passage, approval and publication as provided by law.

Section 24. This Ordinance shall be published in pamphlet form and take effect as provided by law.

| PASSED AND APPROVED THIS 189TH~~th~~ DAY OF SEPTEMBER~~DECEMBER~~ 2007~~6~~.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Bueth, CMC
City Clerk

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 FY 08 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:

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

NOW THEREFORE BE IT FURTHER RESOLVED, that the Finance Director may establish a monthly allowance for mobile phone service for the Mayor, Public Works Director, Park Superintendent and Street Superintendent in an amount not to exceed \$50 per month based upon a review of actually monthly expenses related to City services.

PASSED AND APPROVED THIS 18TH DAY OF SEPTEMBER 2007.

CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

Pamela A. Buethe, CMC
City Clerk