

CITY OF MOUNTAIN VIEW
RESOLUTION NO.
SERIES 2021

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW AUTHORIZING THE CITY MANAGER OR DESIGNEE TO MODIFY COMPENSATION FOR UNREPRESENTED CONFIDENTIAL EMPLOYEES, FIRE MANAGERS, POLICE MANAGERS, DEPARTMENT HEADS, COUNCIL APPOINTEES, AND HOURLY EMPLOYEES FOR THE PERIOD OF JULY 1, 2021 THROUGH JUNE 30, 2023; MODIFY CITY COUNCIL POLICY D-9, COUNCIL APPOINTEE COMMUNICATIONS AND PERFORMANCE EVALUATION PROCESS; AND AUTHORIZE THE MAYOR TO AMEND THE EMPLOYMENT AGREEMENTS FOR CITY ATTORNEY, CITY CLERK, AND CITY MANAGER

WHEREAS, on April 28, 2020, the City Council of the City of Mountain View adopted a resolution for compensation for unrepresented employees for the period of July 1, 2020 to June 30, 2021;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mountain View that the City Council hereby adopts the modifications to City Council Policy D-9, as shown in Exhibit A, attached to this resolution, and amends or approves the following compensation for Unrepresented Confidential employees for July 1, 2021 through June 30, 2023:

Common Provisions for all Unrepresented Employees

1. Term: Two-year compensation packages beginning July 1, 2021 and ending June 30, 2023.
2. 3.0% COLA, Fiscal Year 2021-22: Effective June 27, 2021, the City shall amend the salary plan to increase the salary ranges of all Unrepresented Confidential employees, Fire Managers, Police Managers, Department Heads, Council Appointees, and Hourly Employees by a 3.0% cost-of-living adjustment (COLA) with the exception of hourly Police Reserve Rate 1, which will increase to meet minimum wage requirements. All increases shall be computed to the nearest one-tenth percent (0.1%) and rounded to the nearest penny in accordance with the procedures established by the Human Resources Director and Finance and Administrative Services Director or their designees.

Common Provisions for Unrepresented Confidential Employees, Fire Managers, Police Managers, Department Heads, and Council Appointees

1. Lump Sum Payment, Fiscal Year 2021-22: Members who are City employees during the first full pay period including June 27, 2021 will receive a one-time lump sum payment of \$2,750 (prorated for part-time employees). The parties intend and understand that this lump sum payment is nonpensionable and will not be reported to CalPERS. The parties also agree that this payment is intended to be specific to the pay period in which it is paid and is to be considered part of the regular rate of pay for this pay period only.

2. Parity with Represented Employees: If the City reaches an agreement with any other bargaining unit that includes COLA and lump sum (or equivalent) increases exceeding those agreed to herein during the time period covered by this agreement (and considering any offsetting differences, such as an agreement to hours in lieu of a lump sum bonus), the parties will meet and discuss over the application of equivalent increases (and offsets) to the bargaining unit. Any changes will be by mutual agreement, and the negotiations will consider the net impact of equivalent benefits. This provision shall specifically exclude any market-based equity increases negotiated as part of the Year 2 Wage reopener.

3. Pilot Program for Front-Line Employee Development Funds, Fiscal Year 2021-22: The City will continue the Pilot Program for Front-Line bargaining unit members to be eligible for reimbursement through Fiscal Year 2021-22. Effective the first full pay period following City Council adoption of the resolution authorizing the amendment of the MOU, Front-Line bargaining unit members will be eligible for reimbursement of up to \$600 for eligible expenses as set forth in Administrative Instruction 3-2. The Pilot Program is intended as a one-time eligibility for reimbursement and will expire June 30, 2022.

4. Reopener on Salary, Fiscal Year 2022-23: All parties agree to a reopener in the second year on wages for Fiscal Year 2022-23. In addition, the parties agree to review the benchmark classifications in the City's Total Compensation Survey to be performed prior to negotiations in 2022. The parties intend the Total Compensation Survey to provide information to support consideration of market-based equity adjustments for individual classifications to be implemented as part of negotiations covering the 2022-23 fiscal year.

5. Lump Sum Payment, Fiscal Year 2022-23: Members who are City employees during the pay period including July 1, 2022 will receive an additional one-time lump sum payment of \$2,750 (prorated for part-time employees). The parties intend and understand that this lump sum payment is nonpensionable and will not be reported to CalPERS. The parties also agree that this payment is intended to be specific to the pay

period in which it is paid and is to be considered part of the regular rate for this pay period only.

Common Provisions for Unrepresented Miscellaneous Employees: Confidential, Miscellaneous Department Heads, and Council Appointees

1. Health Benefits Committee: In 2018, the City formed a joint committee with interested miscellaneous labor groups to engage in a focused discussion to consider potential solutions to address the high cost of employee health benefits while ensuring both the sustainability of health benefits and that the benefits remain competitive with comparison agencies. The committee recommended the City initiate a Request for Proposals (RFP) for medical coverage, to which the City agreed and will initiate for the 2022 plan year.

Common Provisions for Unrepresented Safety Employees: Fire Managers, Police Managers, Fire Chief, and Police Chief

1. Employee Assistance Program: Effective January 1, 2022, the City will implement the First Responder Specialty Program, which covers up to 10 counseling sessions per incident, per year.

2. Retirement Health Savings Account: The Parties agree to meet over the portion of sick leave payout (as determined by the sick leave payout formula) which will be deposited in the Retirement Health Savings Account and the portion which will be paid out as taxable cash upon retirement. Any changes will be by mutual agreement. Meetings will occur during July and August 2021 with the intention of reaching agreement in time to include the change in the new Plan Document with Empower Retirement, the City's new plan administrator. This provision excludes the Police Chief and Fire Chief.

Unrepresented Fire Managers

1. Equity Adjustment: Effective June 27, 2021, the City shall increase the salary ranges for Deputy Fire Chief and Battalion Chief by 2.5%. Any employee in the classification whose current salary falls below the new salary range shall receive a salary increase sufficient to place them at the bottom of the salary range effective June 27, 2021.

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032-06-22-21r-4

Exhibit: A. Council Policy D-9, Council Appointee Communications and Performance Evaluation Process (redlined)

CITY COUNCIL POLICY

SUBJECT: COUNCIL APPOINTEE COMMUNICATIONS AND
PERFORMANCE EVALUATION PROCESS

NO.: D-9

PURPOSE:

To establish procedures governing communications between Council appointees and the City Council, and the performance evaluation process for Council appointees.

POLICY:

1. Council appointees shall provide the City Council with periodic written communications regarding items of current interest and/or importance.

The City Manager shall provide this communication to the City Council on a weekly basis. The City Attorney shall provide this communication on a monthly basis and the City Auditor and City Clerk on an as-needed basis.

2. The City Council shall follow the process as described below for evaluating the performance of ~~its~~ City Council appointees. Two processes are described: Standard and Expanded. Annually, prior to the Vice Mayor's development of the evaluation process schedule, the City Council shall determine whether to implement a Standard or Expanded process and whether a professional facilitator shall be hired to assist with the process. If a facilitator will be utilized, the City Council shall appropriate funding accordingly. As a guideline, the Expanded process would normally use a professional facilitator and would normally not be implemented more frequently than once every three years. Additionally, the City Council shall determine, if the Expanded process is chosen, whether ~~it~~ the City Council will include executive staff (department heads) evaluations of appointees.

A. Standard Evaluation Process

1. The City Council's annual goal-setting process (beginning January/February of each year) shall serve as a guide to Council appointees in the development of their goals for the upcoming fiscal year.
2. In late June, with assistance from the City Clerk's Office and City Manager's Office, the Vice Mayor shall develop a schedule with specific dates, based on the guidance in this ~~p~~ Policy, for the appointee

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performance evaluation process. The City Auditor's evaluation process and schedule may differ from that established for other appointees.

3. A City Council subcommittee composed of the Mayor and Vice Mayor shall meet with each appointee individually in late August of each year to initiate the performance review process.

The meeting may include a discussion/review of topics, such as:

- a. The procedures and time-line for the evaluation process;
 - b. Any specific issues an appointee would like to discuss during the process; ~~and/or~~
 - c. Any particular areas of emphasis that the performance evaluation subcommittee wishes to make an appointee aware of prior to the beginning of the evaluation process; ~~and/or~~
 - d. Any process issues relative to compensation.
4. By early September, each Council appointee shall prepare a memorandum to the City Council:
 - a. Including a summary of issues and accomplishments for the past fiscal year; and
 - b. Establishing goals for the upcoming fiscal year (based on the City-wide goals adopted by the City Council the previous May/June).

Compensation issues can be addressed in this memorandum or no later than the date set forth in Paragraph 6.

5. The City Council shall meet in late September in a Closed Session (which may require one or more evenings) to hear presentations by the City Clerk, City Attorney, and City Manager regarding their written memorandums. The City Council shall develop follow-up questions that

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the Vice Mayor will provide to the City Clerk, City Attorney, and City Manager within three days.

6. The City Council shall meet in early October in a Closed Session for: (1) ~~the~~ appointees to respond verbally to Council's follow-up questions; and (2) the preparation of the ~~-~~consensus evaluations.
7. The Mayor and Vice Mayor shall confirm that the wording of the written consensus evaluations is consistent with the City Council's input from ~~Step Paragraph (6.)~~, and the Vice Mayor shall deliver the written evaluations to appointees by late October.
8. The City Council shall meet in early November in two Closed Sessions (which can be on the same night) to: (1) review written evaluations with appointees; and (2) provide "financial parameters" to the Mayor and Vice Mayor to guide compensation negotiations with appointees. A copy of the annual compensation survey shall be available to the City Council at this time.

The City Auditor's annual report and fiscal year work plan will be reviewed at the same time as ~~8(1)written evaluations per Paragraph 8(1)~~.

9. The Mayor and Vice Mayor shall meet with appointees individually in mid-November to discuss compensation adjustments.

~~Appointees shall receive the Cost of living adjustments (COLA) adjustments approved by City Council for unrepresented department heads in the same amount and at the same time as the COLA adjustment are provided to department heads provided to other unrepresented employees.~~

~~a. The The timing and amount of equity adjustments and merit increases shall be at ~~is to be implemented at~~ Council's discretion. Appointees shall receive the compensation adjustments (cost-of-living (COLA), lump sum payments, one-time leave hours)~~

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approved by the City Council in the same amount and at the same time as they are approved to unrepresented department heads.

b. If further direction on compensation is needed from ~~the~~ Council, a Closed Session will be scheduled. If not, the Mayor and Vice Mayor shall instruct the ~~Employee Services~~ Human Resources Director to prepare Council agenda items on appointee compensation if additional compensation adjustments are to be implemented.

B. Expanded Evaluation Process

1. The City Council's annual goal-setting process (beginning January/February of each year) shall serve as a guide to Council appointees in the development of their goals for the upcoming fiscal year.
2. In June, with assistance from the City Clerk's Office and City Manager's Office, the Vice Mayor shall develop a schedule with specific dates, based on the guidance in this policy, for the appointee performance evaluation process. The expanded evaluation process does not include the City Auditor evaluation process. Therefore, in years when the expanded process is implemented, the City Auditor standard evaluation process will be separate but aligned to the extent possible with the schedule established herein.
3. A City Council subcommittee composed of the Mayor and Vice Mayor shall meet with each appointee individually in late August of each year to initiate the performance review process.

The meeting may include a discussion/review of topics, such as:

- a. The procedures and time-line for the evaluation process;
- b. Any specific issues an appointee would like to discuss during the process; ~~and/or~~

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- c. Any particular areas of emphasis that the performance evaluation subcommittee wishes to make an appointee aware of prior to the beginning of the evaluation process; and /or
 - d. Any process issues relative to compensation.
4. By early September, the City Manager, City Attorney_z and City Clerk shall each prepare a self-evaluation for the City Council, using an evaluation form provided by a chosen consultant and approved by the City Council or the evaluation form provided as Attachment 1. ~~the respective evaluation form provided (Example: Attachment 1).~~ In addition, Councilmembers shall prepare their individual evaluation forms for each of these appointees, and the Vice Mayor (or consultant) shall coordinate the preparation of individual evaluation forms for each of these appointees on the part of the executive staff, if included in the scope of the expanded evaluation ~~(Example: Attachment 1).~~
5. The City Council shall meet in late September in a Closed Session (which may require one or more evenings) with the City Clerk, City Attorney_z and City Manager regarding their evaluations. The City Council shall develop follow-up questions that the Vice Mayor will provide to the City Clerk, City Attorney_z and City Manager within three days.
6. The City Council shall meet in early October in a Closed Session for: (1) ~~the~~ appointees to respond verbally to Council's follow-up questions; and (2) the preparation of the consensus evaluations by ~~the~~ Council.
7. The Mayor and Vice Mayor shall confirm that the wording of the written consensus evaluations is consistent with the City Council's input from Step Paragraph (6.), and the Vice Mayor shall deliver the consensus evaluations to the City Clerk, City Attorney_z and City Manager by late October.
8. The City Council shall meet in early November in two Closed Sessions (which can be on the same night) to: (1) review written evaluations with appointees and appointees' compensation expectation memorandums;

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and (2) provide “financial parameters” to the Mayor and Vice Mayor to guide compensation negotiations with appointees. A copy of the annual compensation survey shall be given to the City Council at this time.

The City Auditor’s annual report and fiscal year work plan will be reviewed at the same time as ~~8(1)written evaluations per Paragraph 8(1).~~

9. The Mayor and Vice Mayor shall meet with appointees individually in mid-November to discuss compensation adjustments.

~~Appointees shall receive the Cost-of-living adjustments (COLA) adjustments approved by City Council for unrepresented department heads in the at the same time as the COLA adjustments are provided to other unrepresented department headsemployees.~~

~~a. The Timing and amount of equity adjustments and merit increases shall be is to be implemented at Council’s discretion. Appointees shall receive the compensation adjustments (cost-of-living- (COLA), lump sum payments, one-time leave hours) approved by the City Council in the same amount and at the same time as they are provided to unrepresented department heads.~~

~~b. If further direction on compensation is needed from the Council, a Closed Session will be scheduled. If not, the Mayor and Vice Mayor shall instruct the Employee ServicesHuman Resources Director to prepare Council agenda items on appointee compensation if additional compensation adjustments are to be implemented.~~

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3. This ~~p~~Policy acknowledges that other formal and informal methods of Council/appointee communications, goal-~~setting~~, and performance evaluations exist. This policy does not preclude the use of these other methods.

Revised: June 22, 2021, Resolution No. XX

Revised: April 24, 2007, Resolution No. 17202

Revised: November 19, 2002, Resolution No. 16745

Revised: April 28, 1998

Revised: February 9, 1993, Resolution No. 15532

Effective Date: January 9, 1978, Resolution No. 15038

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