

RESOLUTION NO. 2013-007

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROHNERT PARK APPROVING AN AMENDMENT OF THE CITY'S PERSONNEL RULES, AND OF THE OUTLINE OF CERTAIN CONDITIONS OF EMPLOYMENT, FRINGE BENEFITS, AND SALARY ADJUSTMENTS FOR THE MANAGEMENT UNIT

WHEREAS, the City Council adopted Resolution 2004-299 on November 9, 2004, approving the City's current Personnel Rules and Regulations which presently apply to all management employees except the City Manager and City Attorney; and

WHEREAS, the City Council adopted Resolution 2012-61 on June 12, 2012, approving the *Outline Of Certain Conditions Of Employment, Fringe Benefits, And Salary Adjustments For The Management Unit* ("Management Outline") which presently applies to all management employees except the City Manager and City Attorney; and

WHEREAS, the City Council recognizes the organizational utility of voluntary at-will employment at the executive management level, and intends to establish such a category of employment and will amend the Personnel Rules and Management Outline to reflect the rights governing the at-will employment relationship; and

WHEREAS, the City Council recognizes that incumbent executive management level employees shall remain in their current employment status subject to the Personnel Rules and Management Outline, unless the employee voluntarily elects to enter into a mutually acceptable at-will employment agreement with the City;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Rohnert Park that it does hereby authorize and approve the following: 1) the amendment of the City's Personnel Rules and Regulations, Section 1 as shown in the attached "Exhibit A," which is attached hereto and incorporated herein by this reference, to exempt executive managers entering into at-will employment agreements with the City from specific provisions of the Personnel Rules; 2) the amendment of the Management Outline to remove the executive management job classes of the City (defined as department heads and exempt management employees assigned to the Office of the City Manager), as the positions become vacant or incumbent employees enter into at-will employment agreements; and 3) the City Manager to negotiate at-will employment agreements with incumbent management level employees subject to Council approval and ratification.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to execute documents pertaining to same for and on behalf of the City of Rohnert Park.

DULY AND REGULARLY ADOPTED this 8th day of January, 2013.

CITY OF ROHNERT PARK

Pam Stafford
Mayor

ATTEST:

John M. Bunker
City Clerk



Exhibit Attached

Ahanotu: AYE Belforte: AYE Mackenzie: AYE Callinan: ABSENT Stafford: AYE
AYES: (4) NOES: (0) ABSENT: (1) ABSTAIN: (0)

EXHIBIT A TO RESOLUTION NO. 2013-007

SECTION 1 - INTRODUCTION

- A. **Purpose** - The City Manager, as Personnel Officer for the City or his/her designee, is charged with the responsibility of the City's personnel practices. In order to establish an equitable and uniform procedure for dealing with personnel matters and to attract to municipal service the best and most competent persons available, to assure that appointment and promotions of persons will be based on merit and fitness and to provide a reasonable degree of security for qualified employees, the following rules and regulations are established.
- B. **Coverage** - These rules and regulations apply to all offices, all regular full-time employees, regular part-time employees, and all positions and employments in the service of the City, except;
1. Elective officers in the performance of their elective duties and Members of appointed boards, commissions and committees.
 2. Persons engaged under contract to supply expert, professional, technical or other services.
 3. Volunteer personnel, such as volunteer auxiliary firefighters and public safety reserve officers.
 4. City Manager and City Attorney.
 5. Probationary employees, except as expressly provided herein.
 6. Limited Service Personnel (i.e. temporary or seasonal employees employed by the City not more than six (6) months during the fiscal year for special purposes).
 7. Part-time employees paid by the hour or day who do not meet the definition of regular part-time employees.

C. Executive Management Employee Exemptions

Executive management employees (defined as department heads and exempt management employees assigned to the Office of the City Manager) who have entered into an at-will employment agreement with the City are exempt from the following rules and regulations: Section 2 (Pay Plans and Compensation), Section 4 (In-House Recruitment) Section 5 (Recruitment Process); Section 6 (Separation and Reinstatement) and Section 8 (Disciplinary Action). This group will remain subject to the remaining Personnel Rules and Regulations.