Seventh Amendment to Unrepresented Compensation Program
Between
CITY OF ST. HELENA AND MID-MANAGER AND DEPARTMENT HEADS

As authorized by the City Council through Resolution 2020-79, approved on July 14, 2020, this Seventh Amendment to the Unrepresented Compensation Program dated October 22, 2019 is made amended and effective July 1, 2020 between the City of St. Helena ("City"), a municipal corporation (City) and Mid-Managers and Department ("Employee"), collectively "the Parties."

RECITALS

WHEREAS, the COVID-19 pandemic has catastrophically impacted the City’s current and next fiscal years' budgets; and

WHEREAS, the City has engaged in a thorough and robust analysis of its options for a variety of cost-savings measures; and

WHEREAS, the City's goal is to spread the personnel-related cost-savings measures across its workforce in order to attempt to maintain employment for as many employees as possible and to achieve rough fairness among its employees with respect to concessions required; and

WHEREAS, to accomplish this goal, certain amendments to the City’s Unrepresented Employee Compensation ("Program") Sixth Amendment, approved on October 22, 2019, are needed; and

WHEREAS, Unrepresented Compensation Program Sixth Amendment dated October 22, 2019 ("the Program") is one such program to be amended to address various cost-saving measures;

NOW, THEREFORE, in consideration of the mutual premises, covenants and conditions herein contained, the Parties agree to amend the Unrepresented Compensation Program as of July 1, 2020 follows:

SECTION 3 - EMPLOYEE SALARY COMPENSATION

The salaries provided for in Section 3 and Exhibit 1 to the Program shall be modified by 5% reduction effective July 1, 2020 through June 30, 2021. Further, all step increases for which employees would otherwise be eligible shall be suspended and not granted from July 1, 2020 through June 30, 2021. Eligibility for, and implementation of single step increases will resume effective July 1, 2021.

In exchange for a 5% reduction in salary, all unit employees will be provided with a bank of 13 days (104 hours) of leave ("Budget Reduction Bank Hours") that each employee must utilize by June 30, 2022. The Budget Reduction Bank Hours can not be cashed out and any unused amount will expire on June 20, 2022. Budget Reduction Bank Hours can be taken in increments of at least one (1) hour. Employees shall use the request and approval process applicable to
vacation time to request use of Budget Reduction Bank Hours.

SECTION 7 – VACATION LEAVE
Subsection 7.2
Effective July 1, 2020 through June 30, 2022, the vacation accrual cap will be extended by 104 hours.

SECTION 10 – TRAINING AND PROFESSIONAL GROWTH
Subsection 10.3 College Tuition Reimbursement
The college tuition reimbursement provided for shall be suspended July 1, 2020 through June 30, 2021.

SECTION 11 – OTHER BENEFITS
Subsection 11.2 Deferred Compensation Plan
Effective July 1, 2020 through June 30, 2021, the Deferred Compensation Program City match shall be suspended.

Subsection 11.4 – Sick Leave Payout
Effective July 1, 2020, Section 11, Subsection 11.4 is permanently amended as follows:

11.4.3 The City will not pay the employee upon separation in good standing from City employment for unused sick leave accrued on or after July 1, 2020. No new sick leave hours will be eligible for the conversion or payout benefits described in Section 11.4 of the Program beginning July 1, 2020. Those employees who had accrued hours eligible for this benefit on or before June 30, 2020 will have such eligible hours placed into a separate bank and will permitted to be convert them in accordance with the provisions of Section 11.4.

Subsection 11.5 – St. Helena Charity Based Events
Effective July 1, 2020 through June 30, 2021, the Charity Event reimbursement program shall be suspended.

SECTION 13 (NEW) – RESTORATION
Effective July 1, 2021, all concessions agreed upon in this amendment will be restored.

Furthermore, if during FY 2020-21, the City receives COVID-19 related federal relief revenues, COVID-19 related state relief revenues (other than the $75,000 accounted for in the adopted FY 2020-21 budget), increases in transient occupancy tax (TOT) revenues, or increases in sales tax revenues that collectively exceed $1,000,000 (net) beyond the FY 2020-21 budgeted amount of $3,746,907, the parties agree to restore all of the unused concessions agreed to in this Agreement (e.g. if 50 of the 104 Budget Reduction Bank Hours have been used, the employee will receive compensation for the remaining 54 Budget Reduction Bank Hours and any remaining Budget Reduction Bank Hours will be removed).

Except as expressly modified in this Amendment, the existing provisions of the Program shall remain in full force and effect.
TERM
The term of the Program shall be extended to June 30, 2022.

IN WITNESS WHEREOF, the Parties hereto have accepted, made, and executed this Unrepresented Compensation Program upon the terms, conditions, and provision above stated, the day and year first above written.

CITY OF ST. HELENA
A Municipal Corporation

Mark T. Prestwich, City Manager

Cindy Tzafopoulos, City Clerk

Approved as to form:

Kara K. Ueda, City Attorney