



Our vision of Coeur d'Alene is of a beautiful safe city
that promotes a high quality of life and sound economy
through excellence in government

GENERAL SERVICES/PUBLIC WORKS COMMITTEE

with

Council Members McEvers, Miller & Gookin

February 27, 2023, 12:00 p.m.

Library Community Room

702 Front Avenue

AGENDA

*****ITEMS LISTED BELOW ARE CONSIDERED TO BE ACTION ITEMS**

- Item 1 Request the Declaration of Two (2) Surplus Vehicles and Authorize the Sale at Auction – Police Chief Lee White, Police Department.
- Item 2 Request Approval of the Refund of Sanitary Sewer Funding to the City of Dalton Gardens – City Engineer Chris Bosley, Streets and Engineering Department.
- Item 3 Request Approval of Amendments to Personnel Rule 11, Unpaid Leave of Absence, and Personnel Rule 27, FLSA Exempt Employees – Director Melissa Tosi, Human Resources Department.
- Item 4 Request Approval of the Police Captains Memorandum of Understanding (MOU) for the term of October 1, 2022, through September 30, 2023 – City Administrator Troy Tymesen.

The City of Coeur d'Alene will make reasonable accommodations for anyone attending this meeting who requires special assistance for hearing, physical or other impairments. Please contact Juanita Knight, Senior Legal Assistant, at (208) 769-2348 at least 24 hours in advance of the meeting date and time.

**GENERAL SERVICES/PUBLIC WORKS COMMITTEE
STAFF REPORT**

DATE: FEBRUARY 27, 2023
FROM: STEVE MORAN, POLICE FLEET MANAGER
SUBJECT: SURPLUS OF POLICE VEHICLES

DECISION POINT:

The Police Department requests authorization to surplus one 2002 Chevrolet Tahoe and one 2005 Chevrolet Impala and sell at auction.

HISTORY:

The 2002 Chevrolet Tahoe was purchased new in 2002. It served in Patrol until 2010 when it was rotated to Investigations, and then SWAT around 2016. With 162,000 miles on this vehicle, it is beginning to develop engine noises as well as experiencing many suspension related wear.

The 2005 Chevrolet Impala was also purchased new in 2005. It served in Patrol until 2008 and was then rotated to Investigations, and finally the Volunteer department. At 120,000 miles it has developed some electrical issues that have required it to be towed back to the shop several times. The exact issues have not been determined at this time which has left this vehicle very unreliable.

FINANCIAL ANALYSIS:

There is no financial impact to the City, other than minimal costs of transportation to Post Falls for auction. The auctioneer receives a 20% commission for sales between \$500 and \$749.99, 15% commission for sales from \$750 to \$999.00 and 10% for sales over \$1000. These fees are deducted from the item auction proceeds and a check provided to the owner for the balance. Proceeds from the sale of these vehicles will be returned to the General Fund.

DECISION POINT:

Staff recommends the City Council authorize the declaration of one 2002 Chevrolet Tahoe and one 2005 Chevrolet Impala assigned to the Police Department as surplus and sold at auction.

VEHICLE SURPLUS LIST:

2002 Chevrolet Tahoe - 1GNEK13V52J233728 – 162,000 miles
2005 Chevrolet Impala - 2G1WF55K659305427 – 120,000 miles

**GENERAL SERVICES/ PUBLIC WORKS COMMITTEE
STAFF REPORT**

DATE: FEBRUARY 27, 2023

FROM: CHRIS BOSLEY – CITY ENGINEER

SUBJECT: REFUND TO DALTON GARDENS FOR REMAINING SANITARY SEWER FUNDING ASSOCIATED WITH THE GOVERNMENT WAY RECONSTRUCTION

DECISION POINT:

Should the City Council approve payment to the City of Dalton Gardens for the remaining sanitary sewer funding associated with the Government Way project?

HISTORY:

Through an MOU with the City of Coeur d’Alene, the City of Dalton Gardens contributed \$1,019,988 to the sanitary sewer construction associated with the Government Way reconstruction project between Hanley Avenue and Prairie Avenue. The intent was to provide sanitary sewer service to the commercial properties along the corridor. The funding amount was based on a construction cost estimate prepared at the time of the MOU. The final construction cost associated with the sewer totaled \$775,773.49, leaving \$244,214.51 to be reimbursed to Dalton Gardens. In 2022, years after the completion of the project, the Idaho Transportation Department (ITD) refunded the remaining project balance of \$191,600.82 to the City of Coeur d’Alene, leaving a shortage of \$52,613.56 in the refund to Dalton Gardens. In order to reimburse Dalton Gardens, requests were sent to the two other funding partners, Lakes Highway District and the City of Hayden, for their proportionate shares. The City of Hayden sent their portion (\$10,522.71) directly to the City of Dalton Gardens. Lakes Highway District sent their portion (\$15,784.04) to the City of Coeur d’Alene. That amount will be combined with Coeur d’Alene’s portion (\$26,306.78) and the \$191,600.82 of remaining project balance that was received in 2022. The total amount to be transferred from the City of Coeur d’Alene to the City of Dalton Gardens is \$233,691.80.

FINANCIAL ANALYSIS:

The \$233,691.80 reimbursement will come from the \$191,600.82 refund amount, the \$15,784.07 from Lakes Highway District, and an additional \$26,306.91 from impact fees.

PERFORMANCE ANALYSIS:

Approval of this payment fulfills the MOU between the City of Coeur d’Alene and the City of Dalton Gardens.

DECISION POINT/RECOMMENDATION:

City Council should approve payment to the City of Dalton Gardens for the remaining sanitary sewer funding associated with the Government Way project.

**GENERAL SERVICES/PUBLIC WORKS COMMITTEE
STAFF REPORT**

DATE: FEBRUARY 27, 2023

FROM: MELISSA TOSI; HUMAN RESOURCES DIRECTOR

SUBJECT: PERSONNEL RULE AMENDMENTS

DECISION POINT: Should the City Council approve amendments for Rule 11 – Unpaid Leave of Absence and Rule 27 – FLSA Exempt Employees?

HISTORY: The proposed amendments to Rule 11 require more explanation from the employee in the reason for the leave, the length of the leave, why it is necessary, and any additional information that would be helpful in making a final determination with the request. The main amendment in the current language is changing the approval process of unpaid leave beyond twelve weeks from being approved by City Council to being approved by the City Administrator, after conferring with the applicable Department Head and Human Resources Director. This would be a more standard internal approval process for employees related to leave and also protect any discussions that are related to protected medical/health information.

The proposed amendments to Rule 27, besides some general housekeeping amendments, are due to the Deputy Fire Chiefs’ previously negotiated Memorandum of Understanding (MOU) benefits, now being proposed to be incorporated into the Personnel Rules. The Deputy Fire Chiefs have agreed to no longer be covered by their previous MOU and, as a result, will move under the Personnel Rules. The on-call compensation benefit was approved by Council at the December 20, 2022, City Council meeting and is for the rotating weekly on-call schedule, for on-call hours outside of their typical work schedule, which is prepared by the Fire Chief.

These proposed amendments to the Personnel Rules have been discussed by the Executive Team and posted for all employees to review. Additionally, the Lake City Employees Association (LCEA), Police Association, and Fire Union were notified of the changes prior to posting with no concerns being mentioned.

FINANCIAL ANALYSIS: There are no hard costs associated with the Personnel Rule amendments to Rule 11. Adding the Deputy Fire Chiefs to Rule 27, specifically the On-Call Compensation benefit, will add an additional \$24,366 for fiscal year 2023-2024. Due to the benefit being paid in the next fiscal year, this will allow the City to budget the expense in the next budget year for the three Deputy Fire Chiefs.

PERFORMANCE ANALYSIS: Authorizing the above noted Personnel Rule amendments are necessary to provide consistent and clear policies with up-to-date, relevant information. Additionally, adding the Deputy Fire Chiefs to the Personnel Rules captures all exempt positions into the Personnel Rules with the exception of Police Captains.

RECOMMENDATION: The City Council should approve the amendments for Rule 11 – Unpaid Leave of Absence and Rule 27 – FLSA Exempt Employees.

SECTION 7.

Unpaid Leave of Absence

- ~~(a) Short Term Unpaid Leave: Department Heads may grant a regular appointed or probationary employee an unpaid leave of absence for up to one (1) calendar week. The leave must be approved in writing and be reported to the Human Resources Director.~~
- ~~(b) Extended Unpaid Leave: The Human Resources Director may grant a regular appointed or probationary employee an unpaid leave of absence for up to twelve (12) calendar weeks. The leave must be requested and approved in writing and the written request must explain the reason for the leave. Prior to beginning an unpaid leave of absence under this subsection, the employee must have exhausted all vacation, sick, or comp time leave that is available to the employee under these rules. Service time will not accrue during the period of unpaid leave.~~
- ~~(c) Unpaid Leave Beyond Twelve (12) Weeks: An unpaid leave of absence of twelve (12) calendar weeks or more must be approved in writing by the City Council. The Leave must be requested in writing and state the reason for the request. Prior to beginning an unpaid leave of absences under this subsection, the employee must have exhausted all vacation, sick, or comp time leave that is available to the employee under these rules. Service time will not accrue during the period of unpaid leave.~~

~~Return to Work: Upon expiration of a regularly approved leave, the employee shall be reinstated in the position held at the time leave was granted. Failure of an employee to return to work on the agreed upon date may be treated as a resignation by the City.~~

- (a) Requests: All requests for an unpaid leave of absence by a regular appointed or probationary employee must be made in writing to the employee's Department Head and the Human Resources Director. Requests shall explain the reason(s) for the leave, the length of the leave requested, why it is necessary, and any other applicable information that would be helpful in making a final determination on the request, including medical documentation if available or requested. Unpaid leave is not a right, but is granted only in extraordinary circumstances upon a showing of good cause. Unpaid leave may be denied if coverage for the employee's work duties and responsibilities is not reasonably practicable.
- (b) Duration of Unpaid Leave of Absence:
 - a. Less than one (1) week: The Department Head, in consultation with the Human Resources Director, may grant an employee up to one (1) calendar week of unpaid leave.
 - b. Extended unpaid leave: The Human Resources Director may grant unpaid leave for up to twelve (12) calendar weeks. After conferring with the employee's Department Head, the Human Resources Director will provide the employee a written response to the employee's request.
 - c. Beyond twelve (12) weeks: The City Administrator may grant unpaid leave for more than twelve (12) weeks. The City Administer shall confer with the employee's Department Head and the Human Resources Director

prior to making a determination. The Human Resources Director will provide the employee a written response to the employee's request.

- (c) Exhausting Paid Leave: Prior to use of unpaid leave, an employee shall have exhausted all accrued vacation and compensatory leave. If the reason of the leave of absence is an allowable use under the sick leave policy, then all sick leave shall also be exhausted prior to going into an unpaid leave status.
- (d) Leave Accruals: During an unpaid leave of absence, an employee is not eligible for vacation or sick leave accruals.
- (e) Employee Benefits: If an employee has a full calendar month of unpaid leave, the employee is responsible for both the employee's and employer's cost share of any insurance benefit the City provides. The employee will be advised of COBRA continuation rights.
- (f) Return to Work: An Employee shall be reinstated in the position held at the time leave was approved upon return to work following unpaid leave. Failure of an employee to return to work on the agreed upon date may be treated as a resignation by the City or may subject the employee to disciplinary action up to and including termination.

RULE 27: FLSA EXEMPT EMPLOYEES

SECTION 1. Purpose/Intent

The purpose of this rule is to establish consistent rules and policies for FLSA exempt employees other than Department Heads.

SECTION 2. Definitions

For the purpose of this section, the following term has the following meaning:

- (a) **FLSA Exempt:** Employees responsible for management within a city department, and under the day to day guidance and supervision of the Department Head, includes the following positions: Accountant, Assistant Street & Engineering Superintendent, Assistant Wastewater Superintendent, Assistant Water Superintendent, Senior Planner, Attorneys, Comptroller, Deputy Fire Chiefs, ~~Deputy Library Director~~, IT Network Administrator, Network Specialist, IT Database Application Developer, IT Systems Analyst Coordinator, Police Captains, Project Coordinator, Assistant Project Manager, Project Managers, Building Official, City Engineer/Lead Project Manager, Parks Superintendent, Recreation Superintendent and Capital Program Manager.

SECTION 3. Conditions of Employment

- (a) **FLSA Exempt:** FLSA exempt employees are classified as exempt employees under the Fair Labor Standards Act and are ineligible to receive compensatory or overtime pay.
- (b) **Residency:** At the discretion of the city administrator, certain FLSA exempt employees may be required to reside within a twenty (20) minute driving response time to the city limits.
- (c) **Duties:** FLSA exempt employees' duties and responsibilities are outlined in the adopted job description for each position.
- (d) **Application of Personnel Rules:** FLSA exempt employees are regulated by the personnel rules except as specifically provided by this rule or as otherwise provided by a written agreement.
- (e) FLSA exempt employees follow the observed Holidays listed in Rule 11, Section 10.
- (f) In addition to the personnel rules, FLSA exempt employees must follow all policies and procedures applicable to them that are approved by the City Council by resolution.

SECTION 4. Appointment

- (a) **Compensation:** FLSA exempt employees will be appointed and paid a salary within the range identified in the currently adopted classification and

compensation plan.

- (b) Promotional Appointments: Current city employees who are promoted to a FLSA exempt position will receive a minimum of a 10% salary increase and must use any accrued compensatory time at a rate of at least 40 hours a year until the accrued compensatory leave balance is exhausted.

SECTION 5. Benefits

(a) Vacation:

- (1) Accrual Rate: Vacation accruals will be earned over twenty-four (24) pay periods rather than twenty-six (26) pay periods. This means in the two months when employees receive three wage disbursements, employees will not receive accruals on the third disbursement. Vacation leave for FLSA exempt employees will accrue as follows:
- (i) 1st through 3rd Year of Service: 8 hours of leave accrues for each complete month of service; accrued at a rate of four (4) hours per pay period.
 - (ii) 4th through 5th Year of Service: 12 hours of leave accrues for each complete month of service; accrued at a rate of six (6) hours per pay period.
 - (iii) 6th through 10th Year of Service: 16 hours of leave accrues for each complete month of service; accrued at a rate of eight (8) hours per pay period.
 - (iv) After ten (10) or more Years of Service: 20 hours of leave accrues for each complete month of service; accrued at a rate of ten (10) hours per pay period.
- (2) Existing Accrual Rate: The employee will not lose any vacation leave accrued at the time the employee becomes an exempt employee.
- (3) Maximum Vacation Accrual: FLSA exempt employees may not accumulate more than 360 hours of vacation leave. Any excess vacation leave as of October 1st of each year will be forfeited unless used by January 15th of the following year unless otherwise approved by the city administrator in writing.
- (4) Vacation Accrual During Leave: No vacation leave will be accrued after 60 consecutive days of absence.
- (5) Reporting Usage: Vacation usage must be reported on time records in half day increments.

(b) Sick Leave:

- (1) Accrual Rate: Sick leave accruals will be earned over twenty-four (24) pay periods rather than twenty-six (26) pay periods. This means in the two months when employees receive three wage disbursements, employees will not receive accruals on the third disbursement. FLSA exempt employees will accrue ten (10) hours for each month of service; accrued at a rate of five (5) hours per pay period.

- (2) Reporting Usage: Sick leave usage must be reported on time records in half day increments.
- (3) Sick Leave Bank: FLSA exempt employees are eligible to participate in the sick leave bank.
- (4) Maximum Sick Leave Accrual: FLSA exempt employees will not receive compensation for accumulated sick leave unless the FLSA exempt employee retires from the City of Coeur d'Alene pursuant to the provisions of Idaho Code. The FLSA exempt employee must select sick leave option 1 or 2, found in Rule 11, Section 4.
(i) Under Option 2, found in Rule 11, Section 4, FLSA exempt employees (with the exception of Deputy Fire Chiefs) shall be paid for thirty-five percent (35%) of the employee's banked excess sick leave. Deputy Fire Chiefs shall be paid for forty-one (41%) of employee's banked excess sick leave.

(c) Compensation/Performance Based Salary Increases:

- (1) All FLSA exempt employees are eligible for a pay increase ranging from 5% to 8% 12 months after their appointment date and annually thereafter based on a performance evaluation from the department head.
- (2) Maximum Salary: FLSA exempt employees' salaries cannot exceed the maximum amount authorized in the currently adopted classification and compensation plan.

(d) Cost of Living Increases: In addition to performance-based salary increases, FLSA exempt employees will receive annual cost of living increase of 2.5%. Cost of living increases will be effective at the beginning of the pay period that includes ~~on~~ October 1st.

(e) Car Assignment: The city administrator will authorize car assignments based upon adopted city policies for vehicle assignment and usage. The FLSA exempt employee must follow all adopted city policies for vehicle usage.

(g) Additional Benefits: FLSA exempt employees will receive the same VEBA, medical, dental and vision insurance, Social Security (F.I.C.A.), PERSI, life insurance, and long-term disability insurance authorized by the council for the employees represented by LCEA.

(1) Social Security for Deputy Fire Chiefs: Acknowledging that a referendum was held resulting in the loss of Social Security coverage for the Deputy Fire Chiefs, the City agrees, in lieu of paying Social Security employer contributions, to contribute 6.2% of the Deputy Fire Chiefs compensation into their PERSI Choice plan with a required minimum employee match of 1%. This applies to any compensation that would have otherwise been taxable social security wages. If the Social Security tax obligation is, at any time changed for general employees, the City's contribution to the Deputy Fire Chiefs shall also be changed to the then-current Social Security employer rate.

(2) Administrative On-Call Compensation for Deputy Fire Chiefs: The Fire Chief shall create a quarterly on-call rotating weekly schedule for the Deputy Fire Chiefs. The City agrees to compensate the Deputy Fire

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Chiefs for a total of one hundred thirty-two (132) hours per fiscal year in recognition of their scheduled on-call service outside of their typical work schedule. The completed annual schedule and hours shall be approved by the Fire Chief and submitted to the Human Resources Director for payment in conjunction with the fire department's annual holiday pay compensation report. If the Deputy Fire Chief does not complete the required on-call hours, compensation will be pro-rated accordingly. Compensation shall be paid on or before December 1st of each year for the entire preceding calendar year. Compensation shall be based on Deputy Fire Chiefs' base hourly rate of pay when work was completed and shall be paid once a year.

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Rule 11 – Unpaid Leave of Absence

- a. **Requests:** Explain the reason for the leave, the length of the leave requested, why it is necessary, any additional helpful information.
- b. **Duration of Unpaid Leave of Absence:**
 - a. Less than one (1) week
 - b. Extended unpaid leave
 - c. Beyond twelve (12) weeks: [change approval process from City Council to City Administrator](#)
- c. **Exhausting Paid Leave:** Prior to use of unpaid leave, an employee shall have exhausted all applicable leave (i.e. vacation, comp-time, sick leave).
- d. **Leave Accruals:** Not eligible to accrue leave while on leave of absence.
- e. **Employee Benefits:** Responsible for benefits if employee doesn't work at all within a month.
- f. **Return to Work:** Reinstated to position held at the time leave was approved. Failure to return, may be treated as a resignation or employee may be subject to discipline.



Rule 27 – FLSA Exempt Employees

(Adding Deputy Fire Chiefs)

Maximum Sick Leave Accrual/Sick Leave Option 2

- FLSA exempt employees shall be paid 35% of employee's banked excess sick leave.
- Deputy Fire Chiefs shall be paid 41% of employee's banked excess sick leave.

Social Security for Deputy Fire Chiefs

- The City agrees to continue paying the Social Security employer contributions of 6.2% into PERSI Choice plan with required minimum employee match of 1% since fire employees are not eligible for Social Security coverage.



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Rule 27 – FLSA Exempt Employees

(Adding Deputy Fire Chiefs)

Administrative On-Call Compensation*

- The Fire Chief will create quarterly on-call rotating weekly schedules for Deputy Fire Chiefs.
- The City agrees to compensate the Deputy Fire Chiefs for a total of 132 hours per year paid at the employees base hourly rate in recognition of their scheduled on-call service outside of their typical work schedule.
- Compensation shall be paid on or before December 1st of each year for the entire preceding calendar year.

*Benefit approved by Council at 12/20/22 Council Meeting



**GENERAL SERVICES/PUBLIC WORKS COMMITTEE
STAFF REPORT**

DATE: FEBRUARY 27, 2023

FROM: TROY TYMESEN, CITY ADMINISTRATOR

SUBJECT: POLICE CAPTAINS' MEMORANDUM OF UNDERSTANDING
(MOU)

DECISION POINT:

Should Council approve the proposed Police Captain MOU establishing compensation and benefits for a one-year contract?

HISTORY:

The MOU shall be applicable to the two (2) Police Captains for a term commencing October 1, 2022, and ending September 30, 2023. All prior resolutions between the City and the Police Captains will no longer be applicable.

FINANCIAL:

The following are the changes in the MOU from the previous MOU:

- 1-year term;
- Police Captains will be leveled in the City's compensation/classification plan for the FY 2022 – 2023 with a minimum salary of \$104,794 per annum and a maximum of \$147,430 per annum – this includes the agreed eight percent (8%) increase;
- The pay increase was effective on October 1, 2022, and the Captains have been paid in full for back wages at the end of December 2022;

PERFORMANCE ANALYSIS:

The proposed MOU with the Police Captains was discussed in good faith with the City, and the compensation and benefits included will provide a competitive package for the two Captains represented. The Captains have agreed to these changes.

DECISION POINT/RECOMMENDATION:

City Council should approve the proposed Police Captains MOU establishing compensation and benefits for a one-year contract.

Memorandum of Understanding

This understanding is made and entered into this 7th day of, March, 2023, by and between the **City of Coeur d'Alene**, hereinafter referred to as the "City," and the **Police Department Captains**, hereinafter referred to as "Captains." The understanding shall be for a term commencing October 1, 2022, and ending September 30, 2023, except as specifically provided herein.

Section 1. Purpose/Intent

The purpose of this document is to create an understanding that specifically pertains to Captains, who are FLSA "exempt employees." Captains perform work under the day-to-day guidance of the Police Chief.

Section 2. Definitions

- (a) Police Department Captains shall mean employees responsible for the management of one or more major divisions within the Police Department with a rank of captain.
- (b) Administrative exempt employee shall be the Fair Labor Standards Act classification under which Captains will be regulated. As such, Captains shall be paid on a salary basis and shall not be eligible for compensatory or overtime pay.

Section 3. Conditions of Employment

- (a) Residency: Captains must disclose to the Police Chief any intent to change residency because Captains, at the discretion of the Police Chief, may be required to reside within twenty (20) miles of City limits.
- (b) Duties: A Captain's duties and responsibilities shall be in accordance with the adopted job description, as well as all duties assigned by the Police Chief.
- (c) Application of Personnel Rules: Captains shall be exempt from the personnel rules except the following and as may be determined by City Council hereafter.
 - 1. Rule I, Section 11, "Standards and Conduct"
 - 2. Rule 11, Section 43, "Sick Leave"
 - 3. Rule 11, Section 5, "Bereavement Leave," allowing for up to 40 hours of leave without pay
 - 4. Rule 11, Section 6, "Military Leave"
 - 5. Rule 11, Section 8, "Witness and Jury Leave"
 - 6. Rule 11, Section 10, "Holidays"
 - 7. Rule 11, Section 11, "Family and Medical Leave"
 - 8. Rule 11, Section 12, "Retirement Consultation Benefit"
 - 9. Rule 14, "Disciplinary Action – Layoff – Resignation"
 - 10. Rule 15, "Grievance Procedures"

11. Rule 16, "Personnel Appeals Procedures"
12. Rule 18, Section 5, " City Property"
13. Rule 19, "Authorization and Procedures for Expense Reimbursement"
14. Rule 21, "Drug/Alcohol Policy"
15. Rule 22, "Prohibition Against Harassment and Violence in the Workplace"
16. Any other rule that, by its terms, is specifically applicable to Police Department Captains.

- (d) In addition to the personnel rules listed above, Captains must follow all policies and procedures applicable to them that are approved by the City Council by resolution.

Section 4. Benefits

- (a) Vacation Accruals: Vacation accruals shall be as follows:

1. First through third year of service: Eight (8) hours for each month of service.
2. Fourth through fifth year of service: Twelve (12) hours for each month of service.
3. Sixth through tenth year of service: Sixteen (16) hours for each month of service.
4. After ten (10) or more years of service: Twenty (20) hours for each month of service.

Vacation usage must be reported on time records in half day increments. A Captain with more than three hundred sixty (360) hours vacation leave as of each October 1 (the first day of the City's fiscal year) shall utilize the excess leave before January 15 of the following calendar year, unless otherwise approved by the Police Chief and by the Human Resources Director.

Vacation Accrual Credit for Past Work Experience: Captains may be given credit for vacation accrual based on past similar work experience. In order to qualify, the Captain must provide their previous job description and any other relevant information to the Human Resources Director who will review the information to determine if the prior position was sufficiently similar to the adopted job description for the position to warrant vacation accrual credit for the past work experience.

- (b) Sick Leave: As an FLSA exempt employee, Captains shall continue to accrue sick leave according to Rule 11, Section 4 (ten hours per month). Sick leave usage must be reported on time records in half day increments. Captains shall be eligible to participate in the sick leave bank. Captains shall not receive compensation for accumulated sick leave unless the employee retires from the City of Coeur d'Alene pursuant to the provisions of Idaho Code. Sick leave options 1 and 2, found in Rule 11, Section 4, are applicable.
- (c) Compensatory Time (comp time): As an FLSA exempt employees, Captains are not eligible for comp time.

- (d) Compensation/Performance Based Salary Increases: Captains shall be paid a salary as set herein within the City of Coeur d'Alene adopted compensation/classification plan. ~~Captains' identified range in the compensation plan is a Pay Grade 19.~~

Captains shall receive annual salary increases based on a performance-based evaluation from the Police Chief. Captains will receive a salary increase ranging from 5% to 8% if the performance is rated an overall average or above rating. If performance is below average, a Captain is not eligible for any increase until performance is at a minimum of an overall average. A salary increase will only be granted following a minimum of twelve consecutive months of service from the previous performance salary increase and salary increases will continue, not to exceed the maximum salary of the pay/classification plan as follows:

<u>Police Captain (Exempt)</u>	<u>Minimum</u>	<u>Maximum</u>
<u>FY 2022 – 2023</u>	<u>\$104,794</u>	<u>\$147,430</u>

The above minimum and maximum ~~of the compensation/classification plan~~ includes ~~the an~~ agreed upon 82.5% increase. Cost of Living Adjustment (COLA) All back wages included in the terms of this Memorandum of Understanding owed to Captains have been paid in full through payroll to Captains at the end of December 2022. Any other changes to the compensation/classification plan will only be made if approved by the Captains and the City Administrator.

Captains who earn a degree reasonably related to their job function from accredited colleges shall be paid an additional amount based upon the following:

Associate degree:	\$.19 per hour
Bachelor's degree:	\$.37 per hour
Master's degree:	\$.47 per hour

- (e) Additional Benefits: Captains shall receive the same Social Security (F.I.C.A.), Public Employees Retirement System of Idaho (PERSI), medical, dental, and vision insurance, and long-term disability insurance authorized by the City Council for the employees represented by the Police Association.
- (f) Health Reimbursement Arrangement (HRA/VEBA): The City will contribute one hundred thirty-three dollars (\$133.00) per month to each Captain's HRA/VEBA Plan.

If the Captain is covered on the City of Coeur d'Alene's medical plan, the City agrees to contribute One Thousand Dollars (\$1,000) annually for an individual employee deductible and Two Thousand Dollars (\$2,000) annually for an employee family deductible into the Captain's HRA/VEBA plan. The contribution will be deposited into the Captain's HRA/VEBA plan on a monthly basis with the applicable deductible contribution divided by the applicable months of eligible coverage.

If a Captain elects to opt out of the City's medical insurance plan, the Captain's premium on the selected medical insurance plan that the City would have paid for single coverage will be placed in the Captain's HRA/VEBA. Proof of other medical insurance, not provided by the City, must be provided by the Captain.

A Captain who retires from the City of Coeur d'Alene pursuant to the provisions of Idaho Code will receive a lump sum payment to the Captain's HRA/VEBA plan for vacation and eligible sick leave balances.

- (g) Administrative Call-Out Compensation for Exempt Police Captains: The City agrees to compensate Captains for up to 50 hours per fiscal year in recognition of unplanned hours worked outside of a typical exempt employee work schedule. Hours shall be recorded and approved by the Police Chief and compensation shall be based on Captains' gross hourly rate of pay and placed into their HRA/VEBA plan.
- (h) Life Insurance: The City will provide life insurance for Captains and dependents as follows:
 - 1) Captain life insurance shall be \$50,000;
 - 2) Dependent life insurance, \$1,000;
 - 3) Accidental death and dismemberment insurance, Captain only, shall be \$50,000.
- (i) Tuition Reimbursement: The City agrees to reimburse Captains at the in-state tuition rates for public education institutions in Idaho. The City will reimburse one hundred percent (100%) with an "A" or "B" grade and eighty (80%) with a "C" grade for the cost of approved job-related educational courses at accredited colleges and universities which are directly related to the Captain's present position or expected promotional position, but which courses are not required by the City and are attended upon the Captain's personal volition. All books, supplies and travel expenses shall be paid by the Captain. The courses shall be approved for reimbursement by the Chief of Police thirty (30) days prior to the start of the course and forwarded to the Human Resources Director.

If a Captain voluntarily separates from the City's employment within two years of receipt of tuition reimbursement, he/she agrees to reimburse the City in full for the total amount of tuition reimbursement paid by the City to the Captain.
- (j) Miscellaneous: The Police Chief shall authorize car assignments. Any personal use of a City assigned vehicle may be taxable to the Captain per IRS Publication 15-B.

Section 5. Supervision

Captains shall be supervised by the Police Chief and subject to disciplinary action as deemed appropriate by the Police Chief.

IN WITNESS WHEREOF, the Mayor and City Clerk of the City of Coeur d'Alene have executed this Memorandum of Understanding on behalf of said City, and the Captains have caused the same to be signed, the day and year first above written.

CITY OF COEUR D'ALENE,
KOOTENAI COUNTY, IDAHO

CAPTAINS

By: _____
James Hammond, Mayor

By: _____
David Hagar

ATTEST:

By: _____
Renata McLeod, City Clerk

By: _____
Jeff Walther