

RESOLUTION NO. RES-2017-215

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING THE CITY OF SANTA ROSA SALARY AND COMPENSATION PLAN TO AUTHORIZE STRAIGHT-TIME OVERTIME FOR ALL EXEMPT CITY EMPLOYEES DURING EMERGENCY AND DISASTER ACTIVATION, TEMPORARILY INCREASING THE VACATION ACCRUAL MAXIMUM, AND AUTHORIZING DEVELOPMENT AND IMPLEMENTATION OF A DISASTER LEAVE POLICY

WHEREAS, the City of Santa Rosa experienced a large scale fire event beginning in the early morning hours of October 9, 2017; and

WHEREAS, due to the severity of the fires and the magnitude of the destruction with more destruction imminent, the City of Santa Rosa declared a state of emergency on October 9, 2017; and

WHEREAS, a State of Emergency has subsequently been declared by the Governor of the State of California and the President of the United States of America for the current fire disaster; and

WHEREAS, per the Federal Fair Labor Standards Act, the City of Santa Rosa's management employees are exempt from overtime; and

WHEREAS, the City of Santa Rosa exempt management employees have been stationed in the City Emergency Operations Center and at other locations to provide coordination and management of the disaster response; and

WHEREAS, the City Manager, Human Resources Director, and Chief Financial Officer recommend that the City Council approve amending the City's Compensation and Salary plan, effective October 9, 2017, to allow payment of straight-time overtime to exempt employees for hours worked beyond 40 hours in a workweek during the current fire disaster, which shall be deemed to continue to exist until the City Council declares termination of the City's proclamation of existence of local emergency; and

WHEREAS, the City Manager, Human Resources Director, and Chief Financial Officer recommend that the City Council approve straight-time overtime to exempt employees for hours worked beyond 40 hours in a workweek for any future emergency or disaster declared by the City Manager, as the Director of Emergency Services, and/or proclaimed by the City Council, and/or federally proclaimed, caused by but not limited to such conditions as fire, flood, storm, mudslides, torrential rain, wind, earthquake, drought, or other causes; and

WHEREAS, due to the current disaster relief efforts many employees, exempt and non-exempt, have reached their leave accrual caps and are at risk of losing the ability to continue to accrue vacation time; and

WHEREAS, the City, through the City Manager's authority, proposes to temporarily increase employees' leave accrual caps to allow for continued accruals for employees who have reached or will reach the maximum vacation accrual during the duration of the City's current proclamation of existence of a local emergency; and

WHEREAS, City Council desires to authorize the City Manager and Human Resources Director to develop and implement a disaster leave program for disaster leave that allows City employees to donate accrued compensatory time and vacation leave to other City employees who have lost work time because they have been a victim of a disaster affecting their primary residence

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa amends the salary and compensation plan to authorize straight-time overtime for all exempt city employees during current and future declarations of local emergency and disaster activation declared by the City Manager and/or City Council, and/or federal government.

BE IT FURTHER RESOLVED that the Council authorizes the City Manager to temporarily increase the vacation accrual maximum.

BE IT FURTHER RESOLVED that the Council authorizes the City Manager and Human Resources Director to develop and implement a disaster leave policy.

IN COUNCIL DULY PASSED this 24th day of October, 2017.

AYES: (6) Mayor Coursey, Vice Mayor Tibbetts, Council Members Olivares, Rogers, Sawyer, Schwedhelm

NOES: (0)

ABSENT: (1) Council Member Combs

ABSTAIN: (0)

ATTEST: \_\_\_\_\_ APPROVED: \_\_\_\_\_  
City Clerk Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney