

RESOLUTION NO. RES-2018-023

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING A ONE-TIME ALLOCATION OF EIGHTY (80) HOURS OF ADDITIONAL ADMINISTRATIVE LEAVE TO CITY MANAGER AND CITY ATTORNEY IN RECOGNITION OF THEIR EXTRAORDINARY SERVICE DURING THE FIRE EMERGENCY AND DISASTER ACTIVATION

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 was subsequently declared by the Governor of the State of California and the President of the United States of America as a result of the fire disaster in Santa Rosa, other parts of Sonoma County and Napa County; and

WHEREAS, per the federal Fair Labor Standards Act, the City of Santa Rosa's management employees – including the City Manager and City Attorney – are not entitled to overtime; and

WHEREAS, the City of Santa Rosa's exempt management employees – including the City Manager and City Attorney – were stationed in the City Emergency Operations Center and at other locations to provide coordination and management of the disaster response; and

WHEREAS, on October 24, 2017 the City Council adopted Resolution 2017-215, 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 State of Emergency declared by the City of Santa Rosa and future declarations of local emergency and disaster activation declared by the City Manager and/or City Council, and/or federal government; and

WHEREAS, although it is not uncommon for the City Manager and the City Attorney to work in excess of 40 hours in a workweek to fulfill their duties and obligations, the City Manager and the City Attorney worked exceptionally long hours for sustained periods of time, often without days off and far exceeding 40 hours per workweek, to coordinate and manage the City of Santa Rosa's critical disaster response efforts during the fire emergency and disaster activation; and

WHEREAS, the compensation of the City Manager and the City Attorney was not affected by Resolution 2017-215, and neither the City Manager nor the City Attorney has received any additional compensation for the extraordinary hours they each worked for the City of Santa Rosa as a result of the fire emergency; and

WHEREAS, pursuant to their Employment Agreements with the City of Santa Rosa, the City Manager and the City Attorney receive eighty (80) hours of administrative leave annually in accordance with the City's Administrative Leave Policy; and

WHEREAS, the City Council desires to authorize a one-time allocation of eighty (80) hours of additional administrative leave, to be used no later than December 31, 2020, to the City Manager and the City Attorney in recognition of their extraordinary service to the City of Santa Rosa during the fire emergency.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa authorizes a one-time allocation of eighty (80) hours of additional administrative leave, to be used no later than December 31, 2020, to the City Manager and the City Attorney in recognition of the extraordinary number of hours they worked on behalf of the City of Santa Rosa during the fire emergency.

BE IT FURTHER RESOLVED that any unused administrative leave allocated pursuant to this Resolution shall not be paid out upon retirement or termination of employment.

IN COUNCIL DULY PASSED this 13th day of February, 2018.

AYES: (7) Mayor Coursey, Vice Mayor Rogers, Council Members Combs, Olivares, Sawyer, Schwedhelm, Tibbetts

NOES: (0)

ABSENT: (0)

ABSTAIN: (0)

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

APPROVED AS TO FORM:

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