

REPORT TO CITY COUNCIL

DATE: JUNE 24, 2009

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER

BY: NATHAN HAMBURGER, ASSISTANT CITY MANAGER
CELESTE BIRD, ADMINISTRATIVE ANALYST

SUBJECT: RESOLUTION NO. 09-1534; AMENDING RULE VI, SECTION 9, AND
RULE VIII, SECTION 1 AND SECTION 2, OF THE PERSONNEL RULES

The purpose of this report is to receive approval to make amendments to the City's Personnel Rules in order to provide greater clarification, consistency, and accuracy.

In June 2007, Council approved an amendment Rule VI (Leaves), Section 9 (Holiday Leave), Item H, which simplified tracking holiday hours and brought the rule current to the exiting 9/80 work schedule. As a result of these changes, the latter portion of Item H currently reads: *"...This compensatory holiday time off must be used within the current fiscal year (July 1 – June 30) or unused holiday compensatory time will return to a zero balance on July 1st of the new fiscal year..."* The most recent version of the California Labor Code (CLC) Section 227.3 prohibits the use of the use-it-or-loose-it method of accruing compensatory holiday time, therefore, in an effort to be in compliance with state law, staff proposes that this portion of Rule VI, Section 9, Item H, be amended to read: *"This compensatory holiday time will be accumulated to a maximum of (thirty) 30 hours. Once an employee reaches the maximum compensatory holiday time accrual, the employee shall cease to accrue any further compensatory holiday time, until the amount of accumulated leave falls below the maximum."*

Rule VIII (Employee Expenses), Section 1 (Mileage Expense) currently reads: *"Any employee, including a volunteer, who is required to use his or her private automobile for City assignments shall be reimbursed at the standard mileage rate set by the City..."*. Staff proposes that this portion of Rule VIII, Section 1, be amended to read: *"Any employee, including a volunteer, who is required to use his or her private automobile for City assignments, shall be reimbursed at the standard mileage rate set by the Internal Revenue Service (IRS)." This amendment will bring the current mileage rate in compliance with the current rate set by the IRS, and will eliminate the need for staff to seek Council approval whenever there is a change in the mileage rate.*

Rule VIII (Employee Expenses), Section 2 (Automobile Allowance) currently reads: *"The City may offer an employee an automobile allowance in the amount determined by the City, from time to time, for the use of his/her personal automobile in conduct of City business for travel within Los Angeles, Orange, Ventura, Santa Barbara, and San Diego Counties."* Since current business travel frequently includes areas beyond the referenced counties, staff recommends that all references of specific counties be removed and this portion of the rule be amended to read:

“The City may offer an employee an automobile allowance in the amount determined by the City, from time to time, for the use of his/her personal automobile in the conduct of all City business.”

RECOMMENDATION

It is respectfully recommended the City Council approve Resolution No. 09-1534; Amending Rule VI, Section 9, and Rule VIII, Section 1 and Section 2, of the Personnel Rules.

Attachment: Resolution No. 09-1534

RESOLUTION NO. 09-1534

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF AGOURA HILLS, CALIFORNIA,
AMENDING RULE VI, SECTION 9, AND RULE VIII,
SECTION 1 AND SECTION 2, OF THE PERSONNEL
RULES**

THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA,
HEREBY FINDS, RESOLVES, AND ORDERS AS FOLLOWS:

SECTION 1. Personnel Rule VI (Leaves), Section 9 (Holiday Leave), Item H, be amended to read: “This compensatory holiday time will be accumulated to a maximum of (thirty) 30 hours. Once an employee reaches the maximum compensatory holiday time accrual, the employee shall cease to accrue any further compensatory holiday time, until the amount of accumulated leave falls below the maximum.”

SECTION 2. Personnel Rule VIII, Section 1, be amended to read: “Any employee, including a volunteer, who is required to use his or her private automobile for City assignments, shall be reimbursed at the standard mileage rate set by the Internal Revenue Service (IRS).”

SECTION 3. Personnel Rule VIII, Section 2, be amended to read: “The City may offer an employee an automobile allowance in the amount determined by the City, from time to time, for the use of his/her personal automobile in the conduct of all City business.”

PASSED, APPROVED, AND ADOPTED this 24th day of June, 2009 by the following vote to wit:

AYES: ()
NOES: ()
ABSENT: ()
ABSTAIN: ()

Denis Weber, Mayor

ATTEST:

Kimberly M. Rodrigues, City Clerk