

## REPORT TO CITY COUNCIL

**DATE:** DECEMBER 9, 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. 09-1561; AMENDING RULE V, SECTION 3 OF  
THE PERSONNEL RULES

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The purpose of this report is to receive approval to amend Rule V (Overtime Compensation), Section 3 (Compensatory Time) in order to better account for costs and to provide greater flexibility in scheduling overtime hours for special events, late meetings, and other activities that are beneficial to the City.

Rule V (Overtime Compensation), Section 3 (Compensatory Time) currently reads: *“Nonexempt employees may elect to take compensatory time off in lieu of paid overtime. Such compensatory time shall be at the rate of one and one-half (1½) hours for each hour of overtime worked. Compensatory time shall be taken as earned and may not be accumulated to exceed forty-eight (48) hours. The taking of all compensatory time shall first be approved by the City Manager and shall be granted in accordance with the work force needs of the City.”* The current wording of this rule allows nonexempt employees to elect to take compensatory time off in lieu of paid overtime but does not state it as a requirement.

The City Attorney has advised that a rule may be adopted that, as a condition of employment, all compensation for overtime hours will be in the form of compensatory time off (CTO). Therefore, staff proposes that Rule V (Overtime Compensation), Section 3 (Compensatory Time) be amended to read: *“For nonexempt employees, all compensation for overtime hours will be in the form of compensatory time off (CTO). Cash may be substituted for CTO at the discretion of the City Manager or his designee. Such CTO will be at the rate of one and one-half (1½) hours for each hour of overtime worked. CTO shall be taken as earned and shall not be accumulated to exceed one hundred twenty (120) hours. The taking of all CTO shall first be approved by the City Manager or his designee and shall be granted in accordance with the work force needs of the City.”* In order to encourage and promote proper planning for special events and after normal business hour meetings, staff is proposing that CTO be utilized in lieu of cash payouts. The change in maximum accumulation of compensatory hours allows the City greater flexibility, while properly compensating nonexempt employees who work additional hours over a longer period of time.

The resolution has been reviewed and approved as to form by the City Attorney.

## **RECOMMENDATION**

It is respectfully recommended the City Council approve Resolution No. 09-1561, amending Rule V, Section 3 of the Personnel Rules.

Attachment: Resolution No. 09-1561

**RESOLUTION NO. 09-1561**

**A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF AGOURA HILLS, CALIFORNIA  
AMENDING RULE V, SECTION 3 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 V (Overtime Compensation), Section 3 (Compensatory Time), be amended to read: “As a condition of employment for nonexempt employees, all compensation for overtime hours will be in the form of compensatory time off (CTO). Cash may be substituted for CTO at the discretion of the City Manager or his designee. Such CTO will be at the rate of one and one-half (1½) hours for each hour of overtime worked. CTO shall be taken as earned and shall not be accumulated to exceed one hundred twenty (120) hours. The taking of all CTO shall first be approved by the City Manager or his designee and shall be granted in accordance with the work force needs of the City.

**PASSED, APPROVED, AND ADOPTED** this 9<sup>th</sup> day of December, 2009 by  
the following vote to wit:

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

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William D. Koehler, Mayor

ATTEST:

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Kimberly M. Rodrigues, City Clerk