

## REPORT TO CITY COUNCIL

**DATE: JANUARY 26, 2011**

**TO: MAYOR AND HONORABLE MEMBERS OF THE CITY COUNCIL**

**FROM: GREG RAMIREZ, CITY MANAGER**

**BY: NATHAN HAMBURGER, ASSISTANT CITY MANAGER**

**SUBJECT: REQUESTING APPROVAL OF RESOLUTION NO. 11-1610; ADOPTING AND AUTHORIZING TEMPORARY SPECIAL PROJECT PAY FOR SELECTED EXEMPT EMPLOYEES NECESSARY TO EXPEDITE THE REVIEW OF A DEVELOPMENT APPLICATION FOR A PROPOSED DIGITAL MOVIE STUDIO**

---

In an effort to continue strong economic development practices, staff was asked to review the possibility of an expedited development application review process in which designated exempt City employees would work additional hours beyond normal City Hall operating hours and be compensated through temporary special project pay. In order to assist in this expedited development review and not harm or delay other project plans currently in review, human resources staff is presenting Resolution 11-1610, which would allow for exempt employees to receive compensation through special project pay due to the fact that exempt employees do not normally receive overtime pay as they are provided an annual allotment of administrative compensation hours, in anticipation of the hours they work after normal business hours on City business and their attendance of public meetings and events. The proposed Resolution would need to be approved by the City Council acknowledging the need for the expedited review process beyond what can normally be completed during normal working hours and authorizing the payment of these special project pay hours from monies deposited directly by the property owner/developer.

Realty Bancorp Equities is currently proposing the construction of a digital movie studio, Lightstorm Studio, at 29901 Agoura Road, adjacent to the U.S. 101 freeway, and has requested an expedited application review due to several upcoming contractual time constraints that they are committed to keep in order to fully execute their agreements with their tenants. The expedited review was proposed to the Land Use/Economic Development Committee as a means to meet these strict time requirements, and staff was directed to look at the possibility of doing so without negatively affecting other projects currently in review or submitted prior to Realty Bancorp Equities' application. The designation of special project pay allows only certain authorized staff to work additional hours to process the Lightstorm Studio application in a manner that does not diminish the service to the community or interfere with planning projects listed on the City Council's annual work-plan.

By authorizing the City Manager to approve special project pay as necessary, the City will benefit through the occupation of a currently vacant property and the creation of local jobs, which, in turn, will benefit the local economy. There are no budgetary affects on the City as any special pay will be deducted from the trust fund deposit provided by Realty Bancorp Equities as is normal protocol for development applications in review. Oversight of these additional hours will be through the department heads and the City Manager. Special project pay hours will only be used as needed and when the expedited review would not normally be able to be completed during normal working hours with the existing workload.

The City Attorney's Office has reviewed this issue and has guided staff in preparing the attached resolution.

### **RECOMMENDATION**

It is recommended the City Council approve Resolution No. 11-1610; Adopting and approving temporary special project pay for selected exempt employees necessary to expedite the review of a development application for a proposed digital movie studio.

Attachment: Resolution No. 11-1610

**RESOLUTION NO. 11-1610**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, TO ADOPT AND APPROVE TEMPORARY SPECIAL PROJECT PAY FOR SELECTED EXEMPT EMPLOYEES NECESSARY TO EXPEDITE THE REVIEW OF A DEVELOPMENT APPLICATION FOR A PROPOSED DIGITAL MOVIE STUDIO**

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

**SECTION 1.** Realty Bancorp Equities is proposing to develop a digital movie studio out of a currently vacant property and has requested the assistance of the City of Agoura Hills to expedite the review of a proposed project in order to meet contractual deadlines.

**SECTION 2.** Consistent with current economic development policies and due to the current economic climate and the difficulty involved in attracting tenants to vacant properties, the need to expedite a specific development application is being proposed as a special circumstance.

**SECTION 3.** Realty Bancorp Equities has voluntarily offered to pay for additional staff time required for a development application review that meets their strict timeframes that they must meet contractually for their proposed client, Lightstorm Entertainment Studio.

**SECTION 4.** In order to accomplish this request and not negatively impact existing development projects or other projects currently being undertaken on the City's annual work-plan, selected exempt employees of the Planning, Public Works, and Building and Safety Departments will need to work hours in excess of normal operating hours.

**SECTION 5.** Compensation for the additional hours worked on this special project will be provided in the form overtime pay. This will not affect or change the exempt status of the selected employees. The City Manager or his designee shall be responsible to approve the use of special project pay hours.

**SECTION 6.** The overtime pay will be paid for from fees charged to Realty Bancorp Equities' development for this purpose and will not negatively impact the City's current fiscal year budget.

**SECTION 7.** Temporary Special Project Pay, at the rate of one and one-half times the hourly rate, for selected, exempt employees necessary to complete the development application review is hereby adopted and approved to be paid until the

completion on the review of the Realty Bancorp Equities' proposed development project of a digital movie studio.

**PASSED, APPROVED, and ADOPTED** the 26th day of January, 2011, by the following vote to wit:

AYES: (0)  
NOES: (0)  
ABSENT: (0)  
ABSTAIN: (0)

---

Harry Schwarz, Mayor

ATTEST:

---

Kimberly Rodrigues, City Clerk