

RESOLUTION NO. 05-73

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO OVERTIME PAYMENT; REVISING RESOLUTION 05-06, AMENDING SECTION 2 OF SAID RESOLUTION TO CLARIFY DETERMINING FACTOR FOR OVERTIME COMPENSATION FOR EXEMPT EMPLOYEES DURING A DECLARED DISASTER; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Village Council had adopted Resolution 05-06 at its September 8, 2004 Council Meeting (copy provided as Attachment "1") which resolution authorized the Village Manager to compensate employees classified as exempt to be eligible for overtime compensation for hours worked beyond the forty (40) hour workweek during a declared disaster; and

WHEREAS, following the recent challenges faced with several devastating hurricanes that occurred during the Summer of 2005, the Village is desirous of clarifying the determining factor for providing overtime compensation to exempt employees.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

Section 1. Resolution 05-06 is hereby modified by replacing Section 2 with a revised Section, as follows:

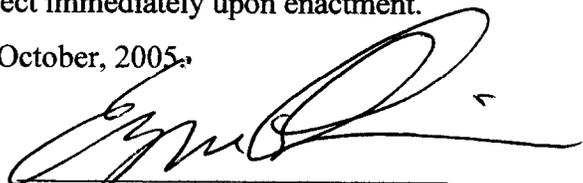
Section 2. That such compensatory payment shall be approved upon the Declaration of Local State of Emergency, executed by the Mayor and Village Manager following a disaster that has been declared for the area encompassing the Village."

Section 2. This resolution shall take effect immediately upon enactment.

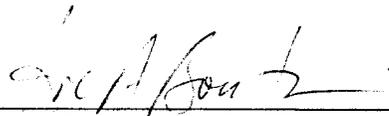
PASSED and ADOPTED this 5th day of October, 2005.

Attest:


Meighan Fier
Village Clerk


Eugene P. Flinn, Jr.
Mayor

APPROVED AS TO FORM:



Eve A. Boutsis,
Office of the Village Attorney

FINAL VOTE AT ADOPTION:

Council Member Ed Feller	<u>YES</u>
Council Member Paul Neidhart	<u>YES</u>
Council Member John Breder	<u>YES</u>
Vice-Mayor Linda Robinson	<u>YES</u>
Mayor Eugene P. Flinn, Jr.	<u>YES</u>

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RESOLUTION NO. 05-06

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO OVERTIME PAYMENT; AUTHORIZING THE VILLAGE MANAGER TO COMPENSATE EXEMPT EMPLOYEES AT OVERTIME RATE FOR HOURS WORKED IN EXCESS OF FORTY (40) IN A WORKWEEK DURING A DECLARED DISASTER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in the past, Village employees, including those who are classified "exempt", have gone beyond the call of duty working longer hours to ensure Village services and facilities are promptly restored following an emergency event; and

WHEREAS, those Village employees who are classified "exempt" under the Village's current personnel policy are not eligible for overtime compensation for hours worked beyond the forty (40) hour workweek; and

WHEREAS, the adoption of this resolution will allow the Village Manager to compensate exempt employees at overtime rate, as defined in the Village's Personnel Manual, for work performed during a declared disaster.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

Section 1. The Village Manager is hereby authorized to compensate exempt employees at overtime rate, as defined in the Village's Personnel Manual, for hours worked in excess of forty (40) in a regular workweek during a declared disaster.

Section 2. That such compensatory payment shall be approved at the discretion of the Village Manager and shall be subject to budget availability.

Section 3. This Resolution shall become effective upon adoption.

PASSED and ADOPTED this 7th day of February, 2005.

Attest: Meighan Pier
Meighan Pier
Village Clerk

Eugene P. Flinn, Jr.
Eugene P. Flinn, Jr.
Mayor

APPROVED AS TO FORM:

Eve Boutsis
Eve Boutsis
Village Attorney

FINAL VOTE AT ADOPTION:

Council Member Ed Feller	<u>YES</u>
Council Member Paul Neidhart	<u>YES</u>
Council Member John Breder	<u>ABSENT</u>
Vice-Mayor Linda Robinson	<u>YES</u>
Mayor Eugene P. Flinn, Jr.	<u>YES</u>