RESOLUTION NO. 2009-79

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH ESTABLISHING HOLIDAY CLOSURE FOR NON-REPRESENTED EMPLOYEES

WHEREAS, the City of Huntington Beach elects to implement a holiday closure for the period December 28, 29, 30, and 31, 2009, which will result in City Hall and other City of Huntington Beach operations being closed to the public over the entire closure period; and

WHEREAS, on December 17, 2007, the City Council of Huntington Beach adopted Resolution No. 2007-89 for the purpose of modifying salary and benefits for non-represented employees;

Subsequent to the adoption of Resolution No. 2007-89, the City of Huntington Beach and Non-Represented employees agreed to changes, corrections, and clarifications to the resolution implementing a Holiday Closure attached hereto as **Exhibit A** and incorporated herein by this reference.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Huntington Beach as follows:

Section 1. The Holiday Closure attached hereto as **Exhibit A** is approved and adopted.

Section 2. The Holiday Closure modifies Resolution No 2007-89 between the City of Huntington Beach and Non-Represented employees.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the 7th day of December 2009.

Mayor

REVIEWED AND APPROVED:

City Administrator

INITIATED AND APPROVED:

Director of Human Resources

APPROVED AS TO FORM:

City Attorney

City of Huntington Beach
HOLIDAY CLOSURE

Holiday Closure

i. December 28, 29, 30, 31, 2009, will be known and referred to as "Holiday Closure" for the dates specified.

ii. Employees will not report to work during the Holiday Closure and may be required to take up to thirty-six (36) hours of time off (dependent upon the employee's work schedule).

iii. Employees may elect to furlough (time off without pay) or employees may use approved leave accruals (general leave or administrative leave) to account for the time away from work during the Holiday Closure.

iv. The City may require at the request of the City Administrator, that certain employees work a regular or partial schedule on one or more of the Holiday Closure days. Any employee required to work during any portion of the Holiday Closure may elect to take the equivalent time off between January 2, 2010 and July 9, 2010.

Time Accounting

i. All employees not required to report to work during the Holiday Closure will be paid their regular salary for the Holiday Closure but will be required to account via payroll, as set forth below, for the appropriate time associated with the Holiday Closure.

ii. The payroll accounting options for the Holiday Closure includes, furlough and use of leave accruals (general leave or administrative leave). Payroll accounting for the Holiday Closure not specifically listed herein must be approved by the City Administrator.

iii. Employees required to work during any portion of the Holiday Closure will be paid their regular salary for the Holiday Closure and will be required to account for the equivalent amount of Holiday Closure hours via furlough, use of approved leave accruals (general leave or administrative leave), or alternative equivalent time taken notwithstanding having worked during the Holiday Closure dates worked.

iv. The payroll accounting methods (furlough, use of leave accruals, alternative equivalent time taken in-lieu of Holiday Closure dates), listed herein may be used in any approved combination for a period not to exceed six-months but not later than the pay period ending July 9, 2010.

v. Employees without adequate leave accruals may borrow against future accruals earned – up to and including time accrued as of the end of the pay period ending July 9, 2010.

vi. All Holiday Closure hours are to be accounted for via payroll within six-months but not later than the end of the pay period ending July 9, 2010.

vii. Any Holiday Closure hours not voluntarily accounted for via payroll as of the end of the pay period ending July 9, 2010, shall be accounted for in the following order until a zero-balance is achieved:

1. Administrative Leave
2. General Leave
3. Furlough Hours

viii. Employees separating from City service must reconcile all unaccounted Holiday Closure hours at time of separation. Time will be accounted for in the following order until a zero-balance is achieved:

1. Administrative Leave
2. General Leave
3. Furlough Hours

ix. Payroll accounting of the Holiday Closure by furlough shall not affect health or retirement benefits.

C. Scheduling - New Years Day – Flex Day/Holiday Substitute

Employees assigned to Schedule A flex schedule may select an alternative flex day in lieu of Friday, January 1, 2010, within the pay period of 12/26/2009 – 01/08/10. The alternative flex day may not include 12/28/09, 12/29/09, 12/30/09 or 12/31/09.

IN WITNESS WHEREOF, the parties have caused this document to be executed on December 07, 2009.

Fred A. Wilson
City Administrator

Dated: 11/30/09

APPROVED AS TO FORM:

Jennifer M. McGrath
City Attorney

Dated: 11-25-09

Res. No. 2009-79

STATE OF CALIFORNIA
COUNTY OF ORANGE) ss:
CITY OF HUNTINGTON BEACH)

I, JOAN L. FLYNN the duly elected, qualified City Clerk of the City of Huntington Beach, and ex-officio Clerk of the City Council of said City, do hereby certify that the whole number of members of the City Council of the City of Huntington Beach is seven; that the foregoing resolution was passed and adopted by the affirmative vote of at least a majority of all the members of said City Council at a **regular** meeting thereof held on **December 7, 2009** by the following vote:

AYES: Carchio, Coerper, Hardy, Green, Bohr, Dwyer, Hansen
NOES: None
ABSENT: None
ABSTAIN: None

Joan L. Flynn

City Clerk and ex-officio Clerk of the
City Council of the City of
Huntington Beach, California