

RESOLUTION NO. R-2013-78

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL  
OF THE CITY OF NORTH MIAMI, FLORIDA,  
AUTHORIZING THE CITY MANAGER TO COMPENSATE  
EXEMPT EMPLOYEES FOR OVERTIME WORK HOURS  
PERFORMED DURING A DECLARED STATE OF  
EMERGENCY; PROVIDING FOR AN EFFECTIVE DATE  
AND FOR ALL OTHER PURPOSES.**

**WHEREAS**, under Article 12, section 2-319, the City Manager has the authority to declare a state of emergency during the threat of a natural or other disaster which impacts the City of North Miami or its residents; and

**WHEREAS**, following a declaration of an emergency or disaster, city employees may be required to work overtime or fulfill certain obligations above their regular duties until city services and facilities are properly restored; and

**WHEREAS**, 'exempt' employees are generally ineligible for compensation for overtime hours worked; and

**WHEREAS**, the adoption of this resolution will allow exempt employees to be compensated for overtime hours worked as determined by the City Manager during a declared state of emergency; and

**WHEREAS**, the Mayor and City Council believe it is in the best interest of the City and its residents to pass this resolution.

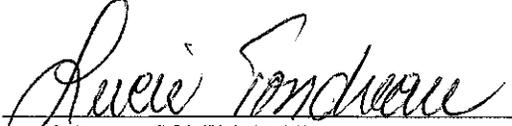
**NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:**

**Section 1. Authority of City Manager.** The Mayor and City Council of the City of North Miami, Florida, hereby authorize the City Manager to compensate exempt employees for overtime hours worked in excess of a regularly scheduled work week during a declared state of emergency.

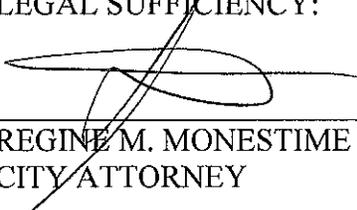
**Section 2. Discretionary Authority of City Manager.** That such compensation shall be approved at the discretion of the City Manager subject to budget availability.

**Section 3. Effective Date.** This Resolution shall become effective immediately upon adoption.

**PASSED AND ADOPTED** by a 3-2 vote of the Mayor and City Council of the City of North Miami, Florida, this 9 day of July 2013.

  
\_\_\_\_\_  
LUCIE M. TONDREAU  
MAYOR

ATTEST:   
\_\_\_\_\_  
MICHAEL A. ETIENNE, ESQ.  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:  
  
\_\_\_\_\_  
REGINE M. MONESTIME  
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: Vice Mayor Steril

Seconded by: Mayor Tondreau

**Vote:**

Mayor Lucie M. Tondreau	<u>  x  </u>	(Yes)	<u>      </u>	(No)
Vice Mayor Marie Erlande Steril	<u>  x  </u>	(Yes)	<u>      </u>	(No)
Councilperson Scott Galvin	<u>      </u>	(Yes)	<u>  x  </u>	(No)
Councilperson Carol F. Keys, Esq.	<u>      </u>	(Yes)	<u>  x  </u>	(No)
Councilperson Philippe Bien-Aime	<u>  x  </u>	(Yes)	<u>      </u>	(No)