

City of Santa Fe, New Mexico

LEGISLATIVE SUMMARY

RESOLUTION NO. 2014-____ City Employees on Boards

SPONSOR(S): Dominguez

SUMMARY: The resolution encourages the City Manager to establish a policy regarding Administrative Leave for city employees who serve as a municipal representative on a non-city decision-making body, if it is determined to be in the best interest of the City of Santa Fe. The administrative leave is capped at 8 hours a month and the city employee must give advance notice of his/her expressed interest in serving on the non-city decision-making body. The employee's notice must be accompanied by a schedule of anticipated meeting dates which will inform his/her supervisor and/or the City Manager of the time that will be requested for Administrative Leave.

PREPARED BY: Rebecca Seligman, Legislative Liaison Assistant

DATE: December 19, 2013

ATTACHMENT: Resolution
FIR

1 CITY OF SANTA FE, NEW MEXICO

2 RESOLUTION NO. 2014-___

3 INTRODUCED BY:

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5 Councilor Carmichael Dominguez

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10 A RESOLUTION

11 ENCOURAGING THE CITY MANAGER TO ESTABLISH AN ADMINISTRATIVE
12 POLICY THAT WOULD CLARIFY THAT THE CITY MANAGER IS ALLOWED TO
13 GRANT ADMINISTRATIVE LEAVE TO EMPLOYEES WHO SERVE AS A MUNICIPAL
14 REPRESENTATIVE ON A NON-CITY DECISION-MAKING BODY, IF IT IS
15 DETERMINED TO BE IN THE BEST INTEREST OF THE CITY.

16
17 WHEREAS, from time to time a City employee may be elected or appointed as a municipal
18 representative on a non-City decision-making body such as the Board of the Public Employees
19 Retirement Association of New Mexico and certain sections of the New Mexico Municipal League;
20 and

21 WHEREAS, the City currently has policies in place related to various types of administrative
22 leave, including Section 13.60(A) of the *City Personnel Rules and Regulations* which states:

23 "A. The Director or a Department Director may authorize an employee leave with
24 pay, under unusual circumstances, *when it is in the best interests of the City to*
25 *do so* for a period not to exceed five (5) consecutive days *with prior approval*

1 *of the City Manager.”; and*

2 **WHEREAS**, the Governing Body desires that an administrative policy be established that
3 would permit the City Manager to grant City employees administrative leave when serving on a non-
4 City decision-making body that would be in the best interest of the City of Santa Fe.

5 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
6 **CITY OF SANTA FE** that the City Manager is encouraged to establish an administrative policy that
7 would clarify that the City Manager is authorized to grant administrative leave to employees who
8 serve as a municipal representative on a non-City decision-making body, if such service is in the best
9 interest of the City. Such policy should, at a minimum, include the following:

10 1. Prior to a City employee expressing interest to a non-City decision-making body that the
11 employee is interested in serving on such body, the employee shall:

12 (a) Disclose to his/her immediate supervisor and the City Manager the employee’s
13 interest in serving on the decision-making body; and

14 (b) Provide a proposed schedule of meetings that the employee would be required to
15 attend if the employee is appointed or elected.

16 2. The City Manager shall make a determination as to whether or not the employee’s service
17 on such decision-making body would be in the best interest of the City.

18 (a) If the City Manager determines that service on such non-City decision-making body
19 is in the best interest of the City, then the employee when elected or appointed to
20 such decision-making body, may be granted up to eight (8) hours of administrative
21 leave per month to perform duties related to the decision-making body. Any hours
22 taken, in excess of the eight (8) hours, shall be taken with the employee’s own time,
23 unless otherwise approved by the City Manager.

24 (b) If the City Manager determines that the employee’s service on such non-City
25 decision-making body is not in the best interest of the City, then the City Manager

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shall provide a written justification to the employee as to why administrative leave should not be granted for such service.

(c) After the City Manager has issued his/her determination that service is not in the best interest of the City and the employee is appointed or elected to serve on the non-City decision-making body, the employee may request to take his/her own time off to attend such meetings, which may or may not be approved.

PASSED, APPROVED and ADOPTED this ____ day of _____, 2014.

DAVID COSS, MAYOR

ATTEST:

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:



KELLEY A. BRENNAN, INTERIM CITY ATTORNEY

City of Santa Fe Fiscal Impact Report (FIR)

This Fiscal Impact Report (FIR) shall be completed for each proposed bill or resolution as to its direct impact upon the City's operating budget and is intended for use by any of the standing committees of and the Governing Body of the City of Santa Fe. Bills or resolutions with no fiscal impact still require a completed FIR. Bills or resolutions with a fiscal impact must be reviewed by the Finance Committee. Bills or resolutions without a fiscal impact generally do not require review by the Finance Committee unless the subject of the bill or resolution is financial in nature.

Section A. General Information

(Check) Bill: _____ Resolution: X
(A single FIR may be used for related bills and/or resolutions)

Short Title(s): ENCOURAGING THE CITY MANAGER TO ESTABLISH AN ADMINISTRATIVE POLICY THAT WOULD CLARIFY THAT THE CITY MANAGER IS ALLOWED TO GRANT ADMINISTRATIVE LEAVE TO EMPLOYEES WHO SERVE AS A MUNICIPAL REPRESENTATIVE ON A NON-CITY DECISION-MAKING BODY, IF IT IS DETERMINED TO BE IN THE BEST INTEREST OF THE CITY.

Sponsor(s): Councilor Carmichael Dominguez
Reviewing Department(s): HUMAN RESOURCE DEPARTMENT

Person Completing FIR: Sandra K. Perez Date: 12/18/2013 Phone: 505-955-6591

Reviewed by City Attorney: *Vally A. Brennan* Date: 12/19/13
(Signature)

Reviewed by Finance Director: *Sandra K. Perez* Date: 12/19/13
(Signature)

Section B. Summary

Briefly explain the purpose and major provisions of the bill/resolution.

The purpose of the resolution is to encourage the City Manager to establish a policy regarding Administrative Leave for city employees who serve as a municipal representative on a non-city decision-making body, if it is determined to be in the best interest of the City of Santa Fe. The administrative leave is capped at 8 hours a month and the city employee must give advance notice of his/her expressed interest in serving on the non-city decision-making body. The employee's notice must be accompanied by a schedule of anticipated meeting dates which will inform his/her supervisor and/or the City Manager of the time that will be requested for Administrative Leave.

Section C. Fiscal Impact

Note: Financial information on this FIR does not directly translate into a City of Santa Fe budget increase. For a budget increase, the following are required:

- a. The item must be on the agenda at the Finance Committee and City Council as a "Request for Approval of a City of Santa Fe Budget Increase" with a definitive funding source (could be same item and same time as bill/resolution)
- b. Detailed budget information must be attached as to fund, business units, and line item, amounts, and explanations (similar to annual requests for budget)
- c. Detailed personnel forms must be attached as to range, salary, and benefit allocation and signed by Human Resource Department for each new position(s) requested (prorated for period to be employed by fiscal year)*

1. Projected Expenditures:

- a. Indicate Fiscal Year(s) affected – usually current fiscal year and following fiscal year (i.e., FY 03/04 and FY 04/05)
- b. Indicate: "A" if current budget and level of staffing will absorb the costs
"N" if new, additional, or increased budget or staffing will be required
- c. Indicate: "R" – if recurring annual costs
"NR" if one-time, non-recurring costs, such as start-up, contract or equipment costs
- d. Attach additional projection schedules if two years does not adequately project revenue and cost patterns
- e. Costs may be netted or shown as an offset if some cost savings are projected (explain in Section 3 Narrative)

See Expenditure/Narrative on Page 3

Check here if no fiscal impact

Column #:	1	2	3	4	5	6	7	8
	Expenditure Classification	FY _____	"A" Costs Absorbed or "N" New Budget Required	"R" Costs Recurring or "NR" Non-recurring	FY _____	"A" Costs Absorbed or "N" New Budget Required	"R" Costs – Recurring or "NR" Non-recurring	Fund Affected

Personnel*	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Fringe**	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Capital Outlay	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Land/ Building	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Professional Services	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
All Other Operating Costs	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Total:	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____

* Any indication that additional staffing would be required must be reviewed and approved in advance by the City Manager by attached memo before release of FIR to committees. **For fringe benefits contact the Finance Dept.

2. Revenue Sources:

- a. To indicate new revenues and/or
- b. Required for costs for which new expenditure budget is proposed above in item 1.

Column #:	1	2	3	4	5	6
	Type of Revenue	FY _____	"R" Costs Recurring or "NR" Non-recurring	FY _____	"R" Costs – Recurring or "NR" Non-recurring	Fund Affected

_____	\$ _____	_____	\$ _____	_____	_____	_____
_____	\$ _____	_____	\$ _____	_____	_____	_____
_____	\$ _____	_____	\$ _____	_____	_____	_____
Total:	\$ _____	_____	\$ _____	_____	_____	_____

3. Expenditure/Revenue Narrative:

Explain revenue source(s). Include revenue calculations, grant(s) available, anticipated date of receipt of revenues/grants, etc. Explain expenditures, grant match(s), justify personnel increase(s), detail capital and operating uses, etc. (Attach supplemental page, if necessary.)

It is unknown how many employees may currently hold positions of this nature and therefore anticipation of costs is unable to be calculated.

The employee would be absent from their post which would require their City of Santa Fe work to be on hold until their return or another employee would have to perform the duties, similar to what occurs now when someone calls in sick or is on approved annual leave. Any additional cost to this absence should be minimal and most likely limited to the expenditure of overtime of other employees having to cover a shift of the absent employee.

In addition, this resolution has a cap of eight hours per month that is allowed, which indicates that the employee should not be so involved in their voluntary work that their City of Santa Fe work suffers.

Section D. General Narrative

1. Conflicts: Does this proposed bill/resolution duplicate/conflict with/companion to/relate to any City code, approved ordinance or resolution, other adopted policies or proposed legislation? Include details of city adopted laws/ordinance/resolutions and dates. Summarize the relationships, conflicts or overlaps.

No, it is consistent with other types of administrative leave the CityManager is authorized to grant.

2. Consequences of Not Enacting This Bill/Resolution:

Are there consequences of not enacting this bill/resolution? If so, describe.

Employees and the City Manager would continue to follow the parameters of the current City Personnel Rules and Regulations 13.60(A) and/or the employee would request to use their own time to attend.

3. Technical Issues:

Are there incorrect citations of law, drafting errors or other problems? Are there any amendments that should be considered? Are there any other alternatives which should be considered? If so, describe.

None that staff is aware of.

4. Community Impact:

Briefly describe the major positive or negative effects the Bill/Resolution might have on the community including, but not limited to, businesses, neighborhoods, families, children and youth, social service providers and other institutions such as schools, churches, etc.

More city employees may be encouraged to seek participation in these entities/groups.

01/12/05; revised 8/24/05; 4/17/08