

RESOLUTION R2021-__

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
NAPA, STATE OF CALIFORNIA, ESTABLISHING A
VOLUNTARY NATURAL DISASTER LEAVE DONATION
BANK PROGRAM TO ASSIST EMPLOYEES IMPACTED
BY NATURAL DISASTERS**

WHEREAS, over the last several years the frequency and intensity of natural disasters in the Napa region have negatively impacted employees and their families; and

WHEREAS, the City desires to assist employees in managing a personal impact to their home caused by a natural disaster; and

WHEREAS, the City and the Napa City Employees Association (“NCEA-SEIU”) entered into a Tentative Agreement, ratified by the City Council on February 5, 2019, which states the City would propose an amendment to the City’s Catastrophic Leave Policy which would expand eligibility to include Recipients who have been displaced from their primary residence where the proximate cause of the displacement is a natural disaster over which the State or Federal government has declared a state of emergency; and

WHEREAS, in the Fall of 2020 two major fire incidents referred to as the “LNU Lightning Complex Fire” (or the “LNU Complex Fire”) and the “Glass Fire” occurred in the Napa region; and

WHEREAS, certain City employees were displaced by the LNU Complex Fire and/or the Glass Fire; and,

WHEREAS, in response to this employee need, the City Council established a disaster leave program to cover impacts to Qualified Employees that occur between August 17, 2020 and December 31, 2020, while staff continued to work with representatives of City employee bargaining groups (including NCEA-SEIU) to bring back to City Council for approval a longer-term voluntary donation disaster leave program to be implemented in 2021; and

WHEREAS, the City Manager’s Office has finalized discussions with representatives from all employee bargaining groups to prepare a proposed Administrative Regulation to establish a voluntary leave donation program in accordance with Internal Revenue Services (IRS) requirements to allow employees to assist their fellow employees in managing the impacts of future natural disasters (as shown on Attachment 2 to the staff report accompanying this resolution); and

WHEREAS, the City Council has considered all information related to this matter, as presented at the public meeting of the City Council identified herein,

ATTACHMENT 1

including any supporting reports by City Staff, and any information provided during public meetings.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Napa as follows:

1. The City Council hereby establishes this Voluntary Natural Disaster Leave Donation Bank Program to include the following parameters:
 - a. The City will establish and maintain a Voluntary Natural Disaster Leave Donation Bank ("Leave Bank") to which eligible City employees will be authorized to voluntarily donate leave, to the extent the City Manager determines the donating employee has a sufficient balance of accrued sick leave and vacation leave.
 - b. The City will establish criteria by which a City employee may apply for and receive up to a maximum of 40-hours of paid time off from the Leave Bank, to the extent the City Manager determines that the City employee is adversely impacted by a disaster event.
 - c. The City will establish and maintain the Leave Bank consistent with Internal Revenue Service ("IRS") requirements for receiving, banking, and allocating employee leave for disaster events.
2. The City Council hereby authorizes the City Manager to establish administrative regulations and procedures to delegate authority to City staff and implement this resolution.
3. The City Council hereby finds that the facts set forth in the recitals to this resolution are true and correct and establish the factual basis for the City Council's adoption of this resolution.
4. This Resolution shall take effect immediately upon its adoption.

ATTACHMENT 1

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the City Council of the City of Napa at a public meeting of said City Council held on the 6th day of April, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____
Tiffany Carranza
City Clerk

Approved as to form:

Michael W. Barrett
City Attorney