

On a motion by **Councilman Rau** and seconded by **Councilman Smith**, the following ordinance was offered:

ORDINANCE NO. 4972

An emergency ordinance of a State of Emergency declared for the City of Gretna, December 14, 2022, by Mayor Belinda C. Constant; in accordance with Louisiana R.S. 29:736, and effecting the City of Gretna, authorizing the expenditure of emergency funds related to the damaging weather (tornado); and effecting the Emergency Overtime Payroll Policy on Wednesday, December 14, 2022, at 5:00 p.m. of the Declared Emergency of the damaging weather-related disaster.

WHEREAS, subject to the provisions of Louisiana R.S. 29:736, whenever a situation develops within or outside of a municipality which the chief executive officer of the municipality determines requires immediate action to preserve the public peace, property, health, or safety within the municipality or to provide for continued operation of municipal government, nothing in this Chapter shall diminish the authority of the chief executive officer of the municipality to undertake immediate emergency response measures within the municipality to preserve the public peace, property, health, or safety within the municipality or to provide for continued operation of the municipal government. Whenever the chief executive officer of the municipality undertakes immediate emergency response measures because of a disaster or emergency, he shall immediately notify the parish president and advise him of the nature of the disaster or emergency and the emergency response measures being undertaken; and

WHEREAS, the city may find it necessary to utilize employees to protect the health and safety of the citizens of the City of Gretna and improved property of the City or to assist in preparing the City to open after a “Declared Emergency;” and

WHEREAS, there are several distinct decisions, which have to be authorized as it relates to the public health, safety, and welfare during this state of emergency; and

WHEREAS, the resources of the City of Gretna may also be called upon to assist in protecting the health and safety of the citizens of the Parish of Jefferson and neighboring communities; and

WHEREAS, if an exempt employee (Salaried) is called upon to perform work during the time of the “Declared Emergency,” the employee will be paid their regular pay until such time, that full activation of the Gretna’s “Emergency Operations Center” (EOC) is called into action. When the EOC is called into action, a premium hourly rate of pay calculated based on one and a half times the derived hourly rate of the salaried professional employee will be paid; and

WHEREAS, if a non-exempt employee (Hourly) is called upon to perform work during the time of the “Declared Emergency,” the employee will be paid a premium hourly rate of pay calculated based on one and a half times the hourly rate of pay regardless of the 40-hour work requirement; and

WHEREAS, payment is predicated on the completion and submission of the FEMA required ICS 214 form by every employee. The ICS 214 forms must be submitted daily to the City’s Finance Department to assure adequate FEMA reimbursements will be received; and

WHEREAS, duration of the emergency will be that period from the first day the Mayor and Council Declares the Emergency through the day when the City of Gretna determines that all employees must return to work. It is also at the discretion of the Mayor and Chief of Police to pay premium pay for emergency work prior to the Emergency Council Meeting.

NOW, THEREFORE, BE IT ORDAINED by the City Council, acting as legislative authority for the City of Gretna, that

An emergency ordinance of a State of Emergency is hereby declared for the City of Gretna, December 14, 2022, by Mayor Belinda C. Constant; in accordance with Louisiana R.S. 29:736; and effecting the City of Gretna, authorizing the expenditure of emergency funds related to the damaging weather (tornado); and effecting the Emergency Overtime Payroll Policy on Wednesday, December 14, 2022, at 5:00 p.m. of the Declared Emergency of the damaging weather-related disaster.

Provided that a majority of the City of Gretna Council have voted in favor of this ordinance, this ordinance shall have the full force and effect of law immediately following the Clerk's presentment of the same to the mayor, in accordance with Louisiana Revised Statutes 33:406(c)(2).

This ordinance having been submitted to a vote; the vote thereon was as follows:

Yeas: Councilmen Rau, Smith, Hinyub and Berthelot

Nays: None

Absent: Councilman Miller

Abstain: None

ADOPTED: DECEMBER 15, 2022.

/S/ NORMA J. CRUZ, LCMC
CITY CLERK
CITY OF GRETNA
STATE OF LOUISIANA

/S/ NORMA J. CRUZ, LCMC
CITY CLERK
CITY OF GRETNA
STATE OF LOUISIANA

APPROVED: DECEMBER 15, 2022.

/S/ BELINDA C. CONSTANT
MAYOR
CITY OF GRETN
STATE OF LOUISIANA

/S/ NORMA J. CRUZ, LCMC
CITY CLERK
CITY OF GRETNA
STATE OF LOUISIANA

A TRUE COPY:

**CITY CLERK
CITY OF GRETNA
STATE OF LOUISIANA**