



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Adopt resolution authorizing the City Manager to execute an Agreement with the firm of Liebert, Cassidy, and Whitmore to perform an audit of the City's compliance with the Fair Labor Standards Act (FLSA) (NTE \$20,000) (HR).

MEETING DATE: Wednesday, May 7, 2003

SUBMITTED BY: Human Resources Director

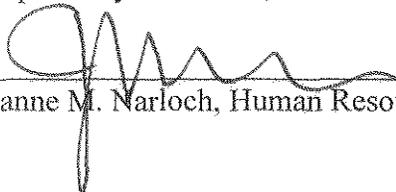
RECOMMENDED ACTION: Adopt resolution authorizing the City Manager to execute an Agreement with the firm of Liebert, Cassidy, and Whitmore to perform an audit of the City's compliance with the Fair Labor Standards Act (FLSA) (NTE \$20,000) (HR).

BACKGROUND INFORMATION: In 1986, the FLSA became applicable to the public sector. Since this time the law has changed, however, the City has not evaluated its compliance with this statute. The proposed audit is necessary to ensure compliance with the legal requirements governing employee work hours and overtime. Staff believes this is a critical issue as undetected non-compliance could expose the City to substantial back pay liability and penalties. The audit would identify exempt job classes and those properly covered by FLSA.

We are further requesting that the firm of Liebert, Cassidy, and Whitmore be hired to perform this audit. This would be a sole source provider, as we are not aware of any other vendors that perform this type of service.

FUNDING: Currently Budgeted

Respectfully submitted,



Joanne M. Narloch, Human Resources Director

cc: City Attorney
Finance Director

APPROVED: _____


H. Dixon-Elynn -- City Manager

RESOLUTION NO. 2003-83

A RESOLUTION OF THE LODI CITY COUNCIL AUTHORIZING
THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH
LIEBERT, CASSIDY, WHITMORE FOR AUDIT OF CITY'S
COMPLIANCE WITH FAIR LABOR STANDARDS ACT

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NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby authorize the City Manager to execute an Agreement with Liebert, Cassidy, Whitmore for audit of City of Lodi's compliance with the Fair Labor Standards Act, not to exceed \$20,000.00.

Dated: May 7, 2003

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I hereby certify that Resolution No. 2003-83 was passed and adopted by the Lodi City Council in a regular meeting held May 7, 2003, by the following vote:

AYES: COUNCIL MEMBERS – Beckman, Hansen, Howard, and Land
NOES: COUNCIL MEMBERS – Mayor Hitchcock
ABSENT: COUNCIL MEMBERS – None
ABSTAIN: COUNCIL MEMBERS – None



SUSAN J. BLACKSTON
City Clerk