

RESOLUTION NO. 2009-145



A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO EXTENDING PAYMENT OF SALARY DIFFERENTIAL BENEFITS AND THE CITY'S PORTION OF THE EMPLOYEE'S HEALTH AND WELFARE CONTRIBUTION; AND PROVIDING FOR CERTAIN CONTINUING LEAVE ACCRUALS FOR PERMANENT CITY EMPLOYEES WHILE EMPLOYEES ARE SERVING IN ACTIVE MILITARY DUTY ON DEPLOYMENTS OF MORE THAN THIRTY ONE (31) DAYS; AND CONTINUED PAYMENT OF THE EMPLOYEE PORTION OF THE HEALTH AND WELFARE PREMIUM FOR DEPENDENTS WHEN NO MILITARY HEALTH COVERAGE IS AVAILABLE WHILE EMPLOYEES ARE SERVING IN ACTIVE MILITARY DEPLOYMENTS OF MORE THAN THIRTY ONE (31) DAYS FOR PERMANENT CITY EMPLOYEES CALLED INTO ACTIVE DUTY AS A RESULT OF THE ONGOING MIDDLE EASTERN CONFLICT.

WHEREAS, certain employees of the City of Fresno have been called into active military duty as a result of the ongoing Middle Eastern conflict; and

WHEREAS, these employees and their families may suffer a reduction of income as a result of being called into active military duty; and

WHEREAS, the City of Fresno is supportive of the employees of the City who have been called into active military duty and finds that it is in the public interest to continue to provide these employees with that portion of their City base salary lost due to their active military duty, and to continue to provide for the City's portion of the employees' Health and Welfare Contribution, and to continue to extend payment of the employee's share of Health and Welfare coverage when the employee has ongoing coverage for dependents and no military dependent health coverage is available during the deployment, and to allow employees to continue to accrue certain leave balances; and

WHEREAS, on June 24, 2008, the Council adopted Resolution 2008-154 which, among other things, called for the City to continue to provide the salary and benefits differential to permanent City employees; and

Adopted 6/25/09
Approved 7/6/09
Effective See Last Paragraph

2009-145



WHEREAS, payment of the salary differential benefit; payment of the City's portion of the employees' Health and Welfare Contribution; payment of the employee portion of the employees' Health and Welfare Contribution when the employee has dependent coverage and no military dependent health coverage is available during the deployment and the employee is currently covered by either the City of Fresno Health & Welfare Trust or the Local 39 Health & Welfare Trust, up to the amount charged by the City of Fresno Health & Welfare Trust; and continued accrual of those vacation, sick leave, annual leave and/or administrative leave balances to which they are otherwise entitled by unit designation and employee status during that period of deployment, are currently provided for through the last day of June of 2009, and the Council wishes to extend the date through which the City will pay said benefits.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno that

1. Resolution No. 2008-154 is amended so that the salary differential benefit and the City's portion of the employees' Health and Welfare Contribution provided for therein shall be paid through the last day of June of 2010 in accordance with the provisions below; and,
2. For active duty military deployments in excess of thirty-one (31) days, when employees with dependents currently covered by either the City of Fresno Health & Welfare Trust or the Local 39 Health & Welfare Trust cannot receive military health benefits during the deployment of the employee, the City will continue to pay the employee portion of the Health and Welfare premium, in an amount up to that charged by the City of Fresno Health & Welfare Trust.



- 3. For active duty military deployments in excess of thirty-one (31) days, said employees shall continue to accrue those vacation, sick leave, annual leave and/or administrative leave balances to which they are otherwise entitled by unit designation and employee status during that period of deployment; and

This Resolution shall be in full force and effect from July 1, 2009. All other provisions of Resolution 2008-154 remain in full force and effect.

CLERK'S CERTIFICATION

STATE OF CALIFORNIA)
 COUNTY OF FRESNO) ss
 CITY OF FRESNO)

I, REBECCA E. KLISCH, CMC, City Clerk of the City of Fresno, certify that the foregoing Resolution was adopted by the Council of the City of Fresno, California, at a regular meeting held on the 25 day of June, 2009.

REBECCA E. KLISCH, CMC
 City Clerk

By Rebecca Klisch
 Deputy

APPROVED AS TO FORM:
 CITY ATTORNEY'S OFFICE

BY: [Signature]
 Deputy City Attorney

Ayes : Borgeas, Brand, Dages, Perea, Westerlund, Xiong, Sterling
 Noes : None
 Absent : None
 Abstain : None

Mayor Approval: July 6, 2009
 Mayor Approval/No Return: N/A
 Mayor Veto: N/A
 Council Override Veto: N/A

June 26, 2009

Council Adoption: 6/25/09
Mayor Approval:
Mayor Veto:
Override Request:

TO: MAYOR ASHLEY SWEARENGIN

RECEIVED

FROM: REBECCA E. KLISCH, CMC
City Clerk

2009 JUL -6 AM 9:10
CITY CLERK, FRESNO CA



SUBJECT: TRANSMITTAL OF COUNCIL ACTION FOR APPROVAL OR VETO

At the Council meeting of 6/25/09, Council adopted the attached Resolution No. 2009-145 entitled **Extend payment of salary differential benes and City's portion of H & W contri., etc. for active duty employees**, Item No. 9:30 A.M. A, by the following vote:

| | | |
|---------|---|---|
| Ayes | : | Borgeas, Brand, Dages, Perea, Westerlund, Xiong, Sterling |
| Noes | : | None |
| Absent | : | None |
| Abstain | : | None |

Please indicate either your formal approval or veto by completing the following sections and executing and dating your action. Please file the completed memo with the Clerk's office on or before July 6, 2009. In computing the ten day period required by Charter, the first day has been excluded and the tenth day has been included unless the 10th day is a Saturday, Sunday, or holiday, in which case it has also been excluded. Failure to file this memo with the Clerk's office within the required time limit shall constitute approval of the ordinance, resolution or action, and it shall take effect without the Mayor's signed approval.

Thank you.

APPROVED:

VETOED for the following reasons: (Written objections are required by Charter; attach additional sheets if necessary.)

Ashley Swearengin
Ashley Swearengin, Mayor

Date: 7-6-09

COUNCIL OVERRIDE ACTION:

Date: _____

| | |
|---------|---|
| Ayes | : |
| Noes | : |
| Absent | : |
| Abstain | : |