



RESOLUTION NO. 2009-106

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, ESTABLISHING A POLICY REGARDING VOLUNTARY CHARITABLE DONATION OF A PORTION OF ANNUAL CITY-PAID SALARY BY ELECTIVE OFFICERS TO THE CITY

Amended by Resolution No. 2009-113 Effective 5/15/09

WHEREAS, the Fresno City Charter recognizes the Council as the legislative body for the City of Fresno and delegates all authority necessary for the Council to legislate on behalf of the residents of Fresno; and

WHEREAS, Charter Section 300 enumerates City elective officers as the Mayor and seven Councilmembers; and

WHEREAS, Charter Section 308 prohibits the Council from increasing or reducing the compensation of an elective officer during their respective term of Office; and

WHEREAS, in these uncertain economic times, the Council desires to allow each elective officer the opportunity to voluntarily donate back to the City a portion of his or her City-paid compensation; and

WHEREAS, the City is a tax exempt entity which may receive tax deductible donations; and

WHEREAS, the Council finds that a uniform policy for the voluntary charitable donation of a portion of an elective officer's City-paid salary is in the public interest.

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

1. Any elective officer may voluntarily designate a portion of his or her post-tax City-paid salary as a charitable donation back to the City for general public purposes and uses, in such amounts/for such duration as the elective officer shall provide;

Adopted 5/7/09
Approved 5/18/09
Effective 5/18/09



2. The elective officer shall designate his/her donative intent and donation on a form to be developed by the Finance Director which shall refer to this resolution and include a recital of intention to make a charitable donation for general public purposes and uses, the amount and (if recurring) duration of the donation, and the absence of any City provided goods/services in consideration of the donation; and,

3. The City Manager/designee(s) thereof shall administer and implement this policy, accept donations hereunder, and provide any required written and contemporaneous substantiation of each donation.

This resolution shall be effective upon its final adoption and remain in effect until June 30, 2010.

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May 7, 2009

NO RETURN

Council Adoption: 5/7/09
Mayor Approval:
Mayor Veto:
Override Request:



TO: MAYOR ASHLEY SWEARENGIN
FROM: REBECCA E. KLISCH, CMC
City Clerk

SUBJECT: TRANSMITTAL OF COUNCIL ACTION FOR APPROVAL OR VETO

At the Council meeting of 5/07/09, Council adopted the attached Resolution No. 2009-106 entitled **Adopt policy allowing elected officials to voluntarily return a portion of their annual salary to the City**, Item No. **9:15 A.M. #2 - B**, by the following vote:

Ayes : Borgeas, Brand, Perea, Westerlund, Xiong, Sterling
Noes : Dages
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 May 18, 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, Mayor

Date: _____

COUNCIL OVERRIDE ACTION:

Ayes :
Noes :
Absent :
Abstain :

Date: _____