



RESOLUTION NO. 2016-163

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO ADOPTING THE 3rd AMENDMENT TO THE ANNUAL APPROPRIATION RESOLUTION NO. 2016-118 APPROPRIATING \$2,468,500 IN VARIOUS DEPARTMENTS FOR ADDITIONAL COSTS AS REQUIRED BY ADOPTION OF THE SIDE LETTER AGREEMENT BETWEEN THE CITY OF FRESNO AND THE INTERNATIONAL UNION OF OPERATING ENGINEERS, STATIONARY ENGINEERS, LOCAL 39

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FRESNO:

THAT PART III of the Annual Appropriation Resolution No. 2016-118 be and is hereby amended as follows:

	<u>Increase/(Decrease)</u>
TO: PUBLIC WORKS DEPARTMENT	
Meas C-PW Alloc Street Maint	\$ 100,000
Landscape Maintenance Dist #1	2,400
Community Facilities Dist No 2	9,800
Community Sanitation Operating	75,800
 PUBLIC UTILITIES DEPARTMENT	
Water Enterprise	\$ 470,200
Wastewater Operating	553,900
Solid Waste Operating	581,600
 AIRPORTS DEPARTMENT	
FYI Operations	\$ 126,100
Chandler Operating	5,300
 TRANSPORTATION DEPARTMENT	
Federal Operating-43504	\$ 290,900
Fleet Operating	241,300
Fleet Replacement	11,200

THAT account titles and numbers requiring adjustment by this Resolution are as follows:



Increase/(Decrease)

Measure C Transit

Retained Earnings:

Account: **25300** Unreserved/Undesignated

\$ 58,200

Fund: **22505**

Org Unit: **453001**

Total Retained Earnings

\$ 58,200

Revenues:

Account: **44910** Transfer To Other Fund

\$ (58,200)

Fund: **22505**

Org Unit: **453001**

Total Revenues

\$ (58,200)

Meas C-PW Alloc Street Maint

Retained Earnings:

Account: **25300** Unreserved/Undesignated

\$ 100,000

Fund: **22506**

Org Unit: **189901**

Total Retained Earnings

\$ 100,000

Appropriations:

Account: **51101** Permanent Salaries

\$ 57,900

Fund: **22506**

Org Unit: **181501**

Total Appropriations

\$ 57,900

Appropriations:

Account: **51101** Permanent Salaries

\$ 42,100

Fund: **22506**

Org Unit: **181504**

Total Appropriations

\$ 42,100

Landscape Maintenance Dist #1

Retained Earnings:

Account: **25300** Unreserved/Undesignated

\$ 2,400

Fund: **30506**

Org Unit: **189901**

Total Retained Earnings

\$ 2,400



Increase/(Decrease)

Appropriations:

Account: **51101** Permanent Salaries
Fund: **30506**
Org Unit: **181615**

\$ 2,400

Total Appropriations

\$ 2,400

Community Facilities Dist No 2

Retained Earnings:

Account: **25300** Unreserved/Undesignated
Fund: **30509**
Org Unit: **189901**

\$ 9,800

Total Retained Earnings

\$ 9,800

Appropriations:

Account: **51101** Permanent Salaries
Fund: **30509**
Org Unit: **181615**

\$ 9,800

Total Appropriations

\$ 9,800

Water Enterprise

Retained Earnings:

Account: **25300** Unreserved/Undesignated
Fund: **40101**
Org Unit: **411001**

\$ 470,200

Total Retained Earnings

\$ 470,200

Appropriations:

Account: **51101** Permanent Salaries
Fund: **40101**
Org Unit: **411001**

\$ 470,200

Total Appropriations

\$ 470,200

Wastewater Operating

Retained Earnings:

Account: **25300** Unreserved/Undesignated
Fund: **40501**
Org Unit: **414004**

\$ 553,900

Total Retained Earnings

\$ 553,900



Increase/(Decrease)

Appropriations:

Account: **51101** Permanent Salaries
Fund: **40501**
Org Unit: **414004**

\$ 135,700

Total Appropriations

\$ 135,700

Appropriations:

Account: **51101** Permanent Salaries
Fund: **40501**
Org Unit: **414008**

\$ 418,200

Total Appropriations

\$ 418,200

Solid Waste Operating

Retained Earnings:

Account: **25300** Unreserved/Undesignated
Fund: **41001**
Org Unit: **412007**

\$ 538,100

Total Retained Earnings

\$ 538,100

Revenues:

Account: **43910** Transfers From Other Fund
Fund: **41001**
Org Unit: **412002**

\$ 3,300

Total Revenues

\$ 3,300

Revenues:

Account: **43910** Transfers From Other Fund
Fund: **41001**
Org Unit: **412010**

\$ 40,200

Total Revenues

\$ 40,200

Appropriations:

Account: **51101** Permanent Salaries
Fund: **41001**
Org Unit: **412001**

\$ 10,700

Total Appropriations \$ 10,700



Increase/(Decrease)

Appropriations:

Account: **59112** Var Interdept Reimb To Enterpr
Fund: **41001**
Org Unit: **412002**

\$ 6,600

Total Appropriations

\$ 6,600

Appropriations:

Account: **51101** Permanent Salaries
Fund: **41001**
Org Unit: **412007**

\$ 393,500

Total Appropriations

\$ 393,500

Appropriations:

Account: **51101** Permanent Salaries
Fund: **41001**
Org Unit: **412010**

\$ 80,400

Total Appropriations

\$ 80,400

Appropriations:

Account: **51101** Permanent Salaries
Fund: **41001**
Org Unit: **412011**

\$ 90,400

Total Appropriations

\$ 90,400

Commercial SWaste Reserve Fund

Revenues:

Account: **30101** Transfer from Fund Balance
44910 Transfer To Other Fund
Fund: **41011**
Org Unit: **412018**

\$ 3,300
(3,300)

Total Revenues

\$ 0

Community Sanitation Operating

Retained Earnings:

Account: **25300** Unreserved/Undesignated
Fund: **41501**
Org Unit: **181502**

\$ 116,000

Total Retained Earnings

\$ 116,000



Increase/(Decrease)

FYI Revenue

Retained Earnings:

Account: **25300** Unreserved/Undesignated

\$ 131,400

Fund: **42003**

Org Unit: **430101**

Total Retained Earnings

\$ 131,400

Revenues:

Account: **44910** Transfer To Other Fund

\$ (131,400)

Fund: **42003**

Org Unit: **430101**

Total Revenues

\$ (131,400)

Chandler Operating

Revenues:

Account: **43910** Transfers From Other Fund

\$ 5,300

Fund: **42501**

Org Unit: **430201**

Total Revenues

\$ 5,300

Appropriations:

Account: **51101** Permanent Salaries

\$ 5,300

Fund: **42501**

Org Unit: **430201**

Total Appropriations

\$ 5,300

Federal Operating-43504

Revenues:

Account: **43910** Transfers From Other Fund

\$ 290,900

Fund: **43504**

Org Unit: **453001**

Total Revenues

\$ 290,900

Appropriations:

Account: **51101** Permanent Salaries

\$ 290,900

Fund: **43504**

Org Unit: **452001**

Total Appropriations \$ 290,900



Increase/(Decrease)

FY17 FTA 5307 Grant CA-2017-##

Revenues:

Account: **33101** Fed-Allocation & Entitlement \$ 232,700
 44910 Transfer To Other Fund (232,700)
Fund: **43565**
Org Unit: **459901**

Total Revenues \$ 0

Fleet Operating

Retained Earnings:

Account: **25300** Unreserved/Undesignated \$ 241,300
Fund: **50501**
Org Unit: **456401**

Total Retained Earnings \$ 241,300

Appropriations:

Account: **51101** Permanent Salaries \$ 241,300
Fund: **50501**
Org Unit: **456401**

Total Appropriations \$ 241,300

Fleet Replacement

Retained Earnings:

Account: **25300** Unreserved/Undesignated \$ 11,200
Fund: **50502**
Org Unit: **456501**

Total Retained Earnings \$ 11,200

Appropriations:

Account: **51101** Permanent Salaries \$ 11,200
Fund: **50502**
Org Unit: **456501**

Total Appropriations \$ 11,200

THAT the purpose is to appropriate \$2,468,500 to cover additional costs as required by adoption of the Side Letter of Agreement between the City of Fresno and the International Union of Operating Engineers, Stationary Engineers, Local 39.



CLERK'S CERTIFICATION

STATE OF CALIFORNIA }
COUNTY OF FRESNO } ss.
CITY OF FRESNO }

I, YVONNE SPENCE, 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 thereof, held on the 1st Day of September, 2016

AYES: Baines, Brand, Brandau, Olivier, Quintero, Soria, Caprioglio
NOES: None
ABSENT: None
ABSTAIN: None

Mayor Approval:	<u>N/A</u>	, 2016
Mayor Approval/No Return:	<u>September 13th</u>	, 2016
Mayor Veto:	<u>N/A</u>	, 2016
Council Override Veto:	<u>N/A</u>	, 2016

YVONNE SPENCE, CMC
City Clerk

BY: 
Deputy

September 2, 2016

Council Adoption: 9/1/2016

Mayor Approval:

Mayor Veto:

Override Request:



TO: MAYOR ASHLEY SWEARENGIN

RECEIVED

FROM: YVONNE SPENCE, CMC
City Clerk

SEP 14 AM 9 16

SUBJECT: TRANSMITTAL OF COUNCIL ACTION FOR APPROVAL OR VETO

At the Council meeting of 9/1/16, Council adopted the attached Resolution No. 2016-163, entitled, **RESOLUTION – 3rd amendment to the Annual Appropriation Resolution (AAR) No. 2016-118 appropriating \$2,468,500 for additional costs as required by adoption of the Side Letter of Agreement between the City of Fresno and the International Union of Operating Engineers, Stationary Engineers, Local 39 (Local 39).** Item No. 2-F3, ID#16-1022, by the following vote:

Ayes : Baines, Brand, Brandau, Caprioglio, Olivier, Quintero, Soria
Noes : None
Absent : None
Recused : 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 September 13, 2016. 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/NO RETURN: _____

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

Ashley Swearengin, Mayor

Date: _____

COUNCIL OVERRIDE ACTION:

Date: _____

Ayes :
Noes :
Absent :
Abstain :



Agreement Between the
City of Fresno
and
International Union of Operating Engineers, Stationary Engineers, Local 39

**Modification of Article VII, Compensation and Benefits, Section F, Premium Pay,
Subsections 5, Surface Water Treatment Facility, Subsection 6, Certificates and
Exhibit 1, Salaries**

The City of Fresno and the International Union of Operating Engineers, Stationary Engineers, Local 39, have met and conferred in good faith and have agreed to amend sections and subsections in Article VII, Section B. Salaries, including Exhibit I, and Section F, Subsection 5. This agreement is effective September 5, 2016, and shall become part of the MOU which expired on June 30, 2016, which has been extended by mutual agreement of the parties until completion of successor MOU negotiations.

The parties agree to the following amendment/modification to the current MOU, Article VII, Compensation and Benefits, Section B, including Exhibit I, and Section F, Subsection 5 as follows;

B. SALARIES

Effective September 5, 2016, salaries will be as reflected in Exhibit I, attached hereto and incorporated by reference.

F. PREMIUM PAY

5. Surface Water Treatment Facility:

Employees in the class of Water System Operator III specifically assigned to work at the Surface Water Treatment Facility **as of September 5, 2016, shall be reclassified as Senior Water System Operators** and shall receive a monthly premium pay of ~~five~~ **three hundred seventy-five** dollars (\$~~500~~ **375**) per month.

6. Certificates:

Certificate premium pay is not pensionable unless otherwise required under the Fresno Municipal Code or under law.

- a. Body and Fender - Employees in the class of Body and Fender Repairer/Leadworker, who possess a valid Master Collision Repair/Refinishing Technician Certificate, issued by the National Institute for Automotive Excellence, shall receive two hundred dollars (\$200) per month.



- b. Mechanic - Employees in the class of Bus Mechanic I/II/Leadworker, Fire Equipment Mechanic I/II/Leadworker, and Heavy Equipment Mechanic I/II/Leadworker, who possess a valid Master Heavy Duty Truck Technician Certificate, and Light Equipment Mechanic I/II/Leadworker, who possess a valid Master Automobile Technician Certificate, issued by the National Institute for Automotive Service Excellence (NIASE), shall receive two hundred dollars (\$200) per month.
- (1) Blue Seal of Excellence Recognition - Employees assigned to FAX, Fire or Fleet equipment repair facilities in the class of Equipment Service Worker II, those classes noted in 6. b., above, or any other class whose certification contributes to the receipt of the facility's ASE Blue Seal of Excellence Recognition, shall become eligible to receive five hundred dollars (\$500) per year premium pay pursuant to the following requirements:
- (a) A FAX, Fire or Fleet facility must receive ASE Blue Seal of Excellence Recognition pursuant to the Program criteria established by the NIASE;
 - (b) the employee must possess at a minimum two (2) applicable ASE certificates pursuant to the Program criteria established by the NIASE; and,
 - (c) the employees', with the exception of Equipment Service Worker II's, ASE certification(s) must be necessary for the facility's receipt of the ASE Blue Seal of Excellence Recognition Program.
- c. Air Conditioning Mechanic - Employees in the class of Bus Air Conditioning Mechanic/Leadworker who possess a Technician Certification in the H6 Electrical/Electronic Systems and the H7 Heating, Ventilation and A/C in the transit bus series issued by the National Institute for the Automotive Service Excellence shall receive monthly certificate pay of seventy-five dollars (\$75).
- d. Helicopter Aviation Mechanic - Employees in the class of ~~Helicopter~~ **Aviation Mechanic/Helicopter Aviation Mechanic** Leadworker shall receive ~~two one hundred seventy-five~~ **fifty** dollars (~~\$275~~ **150**) per month for certification and equipment maintenance and support. The City will also provide \$250,000 in life insurance/death benefit coverage, solely for "off premises" flying to employees occupying the class of ~~Helicopter~~ **Aviation Mechanic/Helicopter Aviation Mechanic** Leadworker.



- e. Instrumentation Specialist - Employees in the class of Instrumentation Specialist, who possess a valid Electrical/Instrumentation Certificate issued by the California Water Environment Association, shall receive monthly certificate pay as follows:

Grade I (Plant Maintenance Technologist)	\$50
Grade II	\$75
Grade III	\$100
Grade IV	\$150

- f. Collection System Maintenance Operator II/III - Employees in the class of Collection System Maintenance Operator II, who possess a valid Grade II Maintenance of Wastewater Collection Systems Technical Certificate issued by the California Water Environment Association, shall receive fifty dollars (\$50) per month. Employees in the class of Collection System Maintenance Operator II or III, who possess a valid Grade III Maintenance of Wastewater Collection Systems Technical Certificate shall receive seventy-five dollars (\$75) per month. Employees in the class of Collection System Maintenance Operator II or III who possess a valid Grade IV Maintenance of Wastewater Collection Systems Technical Certificate shall receive one hundred dollars (\$100) per month. **Employees in the class of Collection System Maintenance Operator III specifically assigned as a lead worker as of the effective date of this side letter, shall be compensated an additional two hundred dollars (\$200) per month. The two hundred dollars per month shall be discontinued when a Lead Classification is created in the Collection System Maintenance series and employees are placed in the Lead Classification.**

- g. Traffic Maintenance - Employees in the class of Traffic Maintenance Worker II/Traffic Maintenance Leadworker who possess a valid Level I or higher Work Zone Traffic Safety Specialist Certificate and a valid Level III or higher Signs and Markings Specialist Certificate issued by the International Municipal Signal Association shall receive sixty dollars (\$60) per month.

- h. Wastewater Mechanical Series - Employees in the class of Wastewater Mechanical Technician and Wastewater Mechanical Specialist/Senior, who possess a valid Mechanical Technologist Certificate issued by the California Water Environment Association, shall receive monthly certificate pay as follows:



Grade I (Plant Maintenance Technologist)	\$50
Grade II	\$75
Grade III	\$100
Grade IV	\$150

In addition to the above, employees in the class of Wastewater Mechanical Technician and Wastewater Mechanical Specialist/Senior, who possess a valid Water Treatment Operator or Water Distribution Operator Certificate issued by the State of California Department of Health Services, shall receive one hundred dollars (\$100) per month.

- i. Wastewater Treatment Plant Operator I/II/Senior - Employees in the class of ~~Wastewater Treatment Plant Operator~~ **Technician I/II/Senior** ~~Wastewater Treatment Plant Operator~~, who possess a valid Wastewater Treatment Plant Operator Certificate issued by the Department of Water Resources, State Water Resources Control Board, shall receive monthly certificate pay as follows:

Grade I	_____	\$50
Grade II		\$75
Grade III		\$100
Grade IV		\$150
Grade V		\$200

Employees in the class of Wastewater Treatment Plant Specialist who possess a valid Wastewater Treatment Plant Operator Certificate issued by the Department of Water Resources, State Water Resources Control Board, shall receive monthly certificate pay as follows:

Grade III	\$100
Grade IV	\$150
Grade V	\$200

Employees in the class of Senior Wastewater Treatment Plant Operator who possess a valid Wastewater Treatment Plant Operator Certificate issued by the Department of Water Resources, State Water Resources Control Board, shall receive monthly certificate pay as follows:

Grade IV	\$150
Grade V	\$200

In addition to the above, employees in the class of Wastewater Treatment Plant Operator I/II/Senior Wastewater Treatment Plant Operator, who possess a valid Water Treatment Operator or Water



Distribution Operator Certificate issued by the State of California Department of Health Services, shall receive one hundred dollars (\$100) per month.

- j. Water Treatment Operator & Water Distribution Operator Certificates - It is expressly understood that positions and assignments eligible for this certificate pay will be determined solely at the discretion of management in the applicable division noted below. Employees in the Water Division, and ~~employees occupying the classes listed below, a class in the Water System Operator series allocated to a division other than the Water Division,~~ who possess a valid Water Treatment Operator Certificate or Water Distribution Operator Certificate issued by the State of California, Department of Health Services, **not listed as part of the minimum requirements for the classification** shall receive monthly certificate pay as follows:

Classifications Eligible:

**Water Distribution Technician/Specialist
Water Maintenance Mechanic Technician/Specialist
Ground Water Production Technician/Specialist
Water Quality Technician/Specialist
Senior Water Distribution Operator
Senior Water Production Operator
Senior Water Treatment Operator**

Certification and Monthly Compensation:

DI	\$50
DII	\$100
DIII	\$150
DIV	\$200
TI	\$100
TII	\$200
TIII	\$250
TIV	\$300
TV	\$300

In addition to the above, employees in Water Division who possess both a valid Water Treatment Operator Certificate and Water Distribution Operator Certificate issued by the State of California, Department of Health Services shall receive one hundred dollars (\$100) per month.



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Side Letter Agreement: Health and Welfare
City of Fresno Management Employees Association

This agreement sets forth the full and entire understanding of the parties regarding amendments to Article VII, Section B, including Exhibit I. and Section F.

**FOR INTERNATIONAL UNION FOR
OPERATING ENGINEERS, LOCAL 39**

FOR THE CITY OF FRESNO

MARINA MAGDELANO
LOCAL 39, Business Representative

KENNETH PHILLIPS
Labor Relations Manager

STEVE CROUCH
LOCAL 39, Director of Public Employees

Date _____

**APPROVED AS TO FORM
CITY ATTORNEY'S OFFICE**

BY: 

Assistant City Attorney