## RESOLUTION NO. 2011-90

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, RELATING TO COMPENSATION FOR EXECUTIVE EMPLOYEES AND SUPERSEDING RESOLUTION 10-50 AND AMENDMENTS THERETO

THE CITY COUNCIL OF THE CITY OF FULLERTON HEREBY RESOLVES AS FOLLOWS:

Section 1: Purpose

The Executive Compensation Plan is established for the following purposes:

- A. To establish a system in which compensation serves as an effective device for promoting better job performance.
- B. To promote maximum commitment by executives to objectives of the City Council and the City Manager.
- C. To foster the identification of an executive group and an understanding of associated roles and responsibilities.
- D. To recognize the distinct character of executive jobs and incumbents as opposed to grouping them with other employees for compensation purposes.
- E. To improve the City's ability to attract and retain outstanding executives.

Section 2: Effective Date

The provisions of this Resolution shall be effective December 21, 2011 unless otherwise stated.

Section 3: City Revenues

Executive employees are encouraged to shop in Fullerton.

Section 4: Control Points

The salary range of each Executive classification is determined by establishing a "control point." The actual compensation of each incumbent is then established in relation to the control point by utilizing the procedure described in Section 5 below. The provisions related to compensation surveys contained within paragraphs A through C of this Section shall be suspended until such time as the City Manager deems it appropriate to proceed with such a survey. Any resultant recommended changes to control points shall become effective only upon approval by City Council.

## Control points are computed as follows:

A. At least every four years, commencing in 2006, the City Manager shall conduct a survey of the compensation paid to comparable positions in at least the cities listed below, using the most recent information available on January 1 of each year and the elements of compensation listed below:

CITIES	ELEMENTS OF	COMPENSATION
Anaheim Brea Burbank Costa Mesa Downey Garden Grove	3. Insurance ( and/oi I. Vehicles Fu	y (Employee's Share paid by City Medical, Life, Disability, etc.) r Cafeteria Accounts urnished or Auto Allowances ompensation paid by the employer
Glendale Huntington Beach Irvine Newport Beach Orange Pomona Santa Ana Santa Monica Torrance		of compensation may be included if opriate by the City Manager.

- B. The existing salary control point shall then be adjusted by a percentage equal to the percentage difference between Fullerton's compensation package and the survey median adjusted, if necessary, to achieve equity with similar classifications within Fullerton.
  - In those years when a survey is not conducted, control points may be changed by such factors as adjustments granted to other City employee units, economic indicators and the City's fiscal status.
- C. A salary range shall then be established by subtracting 20% from the control point for the bottom of the range and adding 20% to the control point for the top.
- D. The salary control point for each Executive classification shall be unchanged by this Resolution, remaining as follows (see Appendix A for complete details):

Classification	Control Point	
Assistant to the City Manager	\$97,431	
Library Director	\$130,669	
Director of Human Resources	\$132,098	

Director of Parks & Recreation	\$145,721
Director of Maintenance Services	\$152,871
Director of Community Development	\$161,461
Director of Administrative Services	\$153,249
Director of Engineering	\$161,461
Director of Redevelopment/Economic Development	\$170,050
Fire Chief	\$170,050
Chief of Police	\$172,316

# Section 5: Individual Salary Determination

- A. The City Manager shall set individual salaries, make adjustments thereto and make appointments at any point within the established range for all executive positions except City Manager, which shall be made by the City Council.
- B. The City Manager shall establish Performance Appraisal Guidelines to be utilized in setting individual salaries. These Guidelines shall include a list of objectives that have been mutually agreed upon between the City Manager and each Executive.

Each Executive's performance in achieving the established objectives will be evaluated by the City Manager in conjunction with the Executive, by rating at least the following skills, as defined in the Guidelines:

- 1. Communication (Oral and Written)
- 2. Analytical & Problem-solving
- 3. Decision-making
- 4. Planning & Organization
- 5. Management Control
- 6. Leadership
- 7. Interpersonal Sensitivity
- 8. Flexibility and Innovation
- 9. Handling Stress
- 10. Technical Knowledge
- C. Prior to adjusting any Executive's salary each year, the City Manager shall request from the City Council any suggestions, opinions and evaluations pertaining to executive performance for consideration in making adjustments.

Evaluation of the Library Director's performance and setting of salary is subject to recommendations from the Library Board of Trustees, and the City Manager, subject to City Council approval, in accordance with §18921 of the California Education Code.

D. The City Manager shall then determine each Executive's salary within the established range, adjusting it primarily on the attainment of objectives and

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demonstration of skills described in B above. Other considerations may include economic indicators, adjustments granted to other City employees, and salary relationships with other City employees.

E. The City Manager shall advise the City Council of all Executive salary adjustments prior to implementing such adjustments each year.

The City Council must authorize any Executive's compensation adjustment(s) that exceed(s) 10% in any 12-month period.

- F. The actual salary of the City Manager shall be determined by a separate employment agreement to be approved by the City Council.
- G. The gross pay back deduction of 5% implemented for the City Manager and all employees in the classifications listed in Section 4.D upon approval of Resolution No. 10-50 shall be eliminated effective December 9, 2011.

Section 6: California Public Employees' Retirement System (CalPERS)

A. The City's contract with CalPERS for employees shall apply to the Executive unit as follows:

Classification	CalPERS Category	
Fire Chief	Fire Safety	
Police Chief	Police Safety	
All Others	Miscellaneous	

- B. Employer-Paid Member Contributions
  - The City shall pay the CalPERS normal member contribution (as defined in §20677(a)(2) of the California Government Code) into each employee's account with CalPERS, pursuant to §20691 of the California Government Code. This payment will be included within the employee's compensation earnable that is reported to CalPERS, pursuant to §20636(c)(4) of the California Government Code.
  - 2. This employer-paid member contribution shall not be considered base salary, and is not taxable income, pursuant to §414(h)(2) of the Internal Revenue Code. However, should any state or federal agency alter the current income tax treatment of such payment, the consequences of such action shall be the sole responsibility of the employees and shall in no way alter any obligation of the City toward such employees.
  - 3. Effective December 10, 2011, employees shall contribute seven percent (7%) of their compensation earnable (as defined in Government

Code §20636) toward the employer contribution rate. Upon implementation of this provision, the employee contribution toward the employer rate shall be made pursuant to Government Code Section §20516(f). As soon thereafter as possible, the City shall take all necessary action to amend its CalPERS contract to provide that all or the greatest portion possible of the contribution shall be made pursuant to Government Code Section §20516(a), with the balance being made pursuant to Government Code Section §20516(f). In the event of a change in the law or legal determination that any portion of the employee contribution toward the employer rate is not allowable as agreed, the employer-paid member contributions shall be reduced by whatever portion is not allowable and the City may determine the appropriate modifications of benefits to offset this change.

Should legislation be enacted that requires employees pay any portion of the required member contribution, then the City shall take whatever action is necessary to reduce the amount of the employee pick-up of the employer contribution by the amount of the required payment by the employee of the member contribution

- C. The City shall pay the 1959 Survivor Benefits premium for employees.
- D. Credit for Unused Sick Leave, Cal. Gov. Code §20965. An employee covered under the Miscellaneous category who is not eligible for benefits under Section 21.F Payment for Unused Sick Leave upon Separation shall receive additional service credit for the balance of his/her unused sick leave upon retirement from the City, converted per the terms of the CalPERS contract amendment.
- E. Employees newly hired by the City into classifications covered by this resolution shall be subject to amendments made prior to their hire date to the contract between the City and CalPERS that will include the following:
  - a. Safety Category: Replace 3% @ 50 formula, Section 21362.2, with 3% @ 55 formula, Section 21363.1.
  - b. All: Elimination of the One-Year Final Compensation, Section 20042, benefits to be replaced with the provision for calculating retirement benefits on the highest 36 months.

Employees rehired after a period of separation from the City may also be subject to these amendments in accordance with CalPERS rules.

Section 7: Reimbursement Accounts

Each Executive may participate in the City's Reimbursement Account Program and the Business Expense Reimbursement Account Program. The City Manager shall promulgate rules and regulations governing these programs.

Each employee with a payroll deduction for medical or dental insurance premiums shall have his/her salary reduced by the amount of deductions on a before-tax basis.

Section 8: Medicare

Employees hired on or after April 1, 1986 shall pay the designated employee contribution to participate in the MediCare Program, and the City shall be under no obligation to pay or "pick up" any such contributions.

#### Section 9: Health Insurance

# A. Contributions – Employees

1. Each employee will contribute the following monthly amounts toward the payment of premiums for employees and their dependents under the existing programs:

For coverage effective through December 31, 2011:

	Blue Cross (Anthem) Prudent Buyer	CalCare	Kaiser
Single Two-Party	\$288.48 \$635.98	\$ 10.00 \$ 20.00	\$ 10.00 \$ 20.00
Family	\$987.56	\$ 40.00	\$ 40.00

For coverage effective January 1, 2012

	Blue Cross (Anthem) Prudent Buyer	CalCare	Kaiser
Single	\$ 332.05	\$ 10.00	\$ 10.00
Two-Party	\$ 736.63	\$ 20.00	\$ 20.00
Family	\$1,123.50	\$ 40.00	\$ 40.00

2. Premium rate increases for 2013 and thereafter shall be divided equally between the City and the employee.

If there are any Blue Cross (Anthem) Prudent Buyer premium rate decreases, the Executive unit shall be treated the same as the general management bargaining unit.

#### B. Retirees

- 1. For each person regularly employed for 20 cumulative years or more who retires subsequent to December 31, 1995 the City shall pay the same contribution provided to active employees for employee-only coverage under the City health plan chosen by the employee, provided, however, for persons hired by the City on or after January 1, 2012, the maximum monthly contribution paid under this paragraph shall be Two Hundred Dollars (\$200.00). With respect to an employee who retired between June 28, 1986 and December 31, 1995 the City shall pay 100% of the employee-only premium.
- 2. For each person regularly employed for 10 or more cumulative years, but less than 20, and retires subsequent to December 31, 1995 the City shall pay 50% of the contribution provided to active employees for employee-only coverage under the City health plan chosen by the employee, provided, however, for persons hired by the City on or after January 1, 2012, the maximum monthly contribution paid under this paragraph shall be One Hundred Dollars (\$100.00). With respect to an employee who retired between June 28, 1986 and December 31, 1995 the City shall pay 50% of the employee-only premium.
- 3. For each person regularly employed for five or more cumulative years, but less than 10, the City shall pay 25% of the contribution provided to active employees for employee-only coverage under the City health plan chosen by the retiree. Employees hired on or after January 1, 2012 shall not be entitled to this benefit.
- 4. A "retiree" as used in this Article shall mean only those former employees who receive a CalPERS retirement allowance that has been in effect since the day after official separation from City of Fullerton employment.
- This obligation to pay health insurance premiums shall end at such time as the retiree reaches age 65 or becomes eligible to enroll, automatically or voluntarily, in MediCal or MediCare, whichever occurs first.
- 6. A retiree desiring to have health insurance coverage for dependents shall remit to the City a check for the amount of dependent coverage no later than the 15th of the month preceding the effective month of coverage.

# C. Opt-Out

1. An employee eligible for the "Married Employee Couples" benefit described above is not eligible for the Opt-Out benefit.

- 2. An employee may "opt-out" of the City's medical plan under these conditions:
  - a. The employee must sign a document stating his/her desire to waive medical insurance.
  - The employee must provide proof of other coverage, which shall be confirmed by the City each year prior to open enrollment.
  - c. The employee may only re-enroll during 1) annual open enrollment or 2) upon loss of coverage in accordance with the underwriting guidelines for each of the City's health plans. Reenrollment in the Blue Cross (Anthem) Prudent Buyer plan may be subject to pre-existing conditions, if established by the provider.
- 3. The employee will then receive a cash payment equal to 50% of the City's reduced cost, including SPIL Pay, if any. The minimum payment shall be \$50 per pay period, and the maximum shall be \$100.

## Section 10: Life Insurance

The City shall provide group life insurance equal to annual base salary for each Executive up to an annual base salary maximum of \$200,000. Each employee may purchase additional City group term life insurance.

In addition, the City shall reimburse the City Manager in an amount not to exceed \$1,030 per year to be used for the purchase of an ordinary life insurance policy.

# Section 11: Long-Term Disability Insurance

- A. The City shall pay 100% of the premium for a City-owned Long-Term Disability insurance policy affording coverage to each active employee.
- B. The policy shall have an elimination period of 55 calendar days of continuous disability. Anytime after the expiration of the elimination period, the employee may apply for Long-Term Disability insurance or may continue to use accrued leave pursuant to the City's policy thereon.
- C. The maximum benefit shall be at a minimum 60% of the eligible employee's pre-disability earnings as defined in the policy document, or \$6,000 per month, whichever is less. This maximum benefit shall be reduced by income from other sources as defined in the policy document.

#### Section 12: Dental Insurance

- A. The City shall pay up to an amount equal to the family premium rate for the prepaid dental plan for employee and dependent coverage under any group dental insurance plan administered by the City.
- B. A retiree (as defined in Section 9.B) and his/her eligible dependents may subscribe to a City dental plan by paying the full premium for the coverage chosen. A retiree desiring to have dental coverage for himself/herself or for dependents shall remit to the City a check for the amount of the premium no later than the 15<sup>th</sup> of the month preceding the effective month of coverage.

## Section 13: Vision Insurance

The City shall provide vision care insurance to employees on the Blue Cross (Anthem) Prudent Buyer and CaliforniaCare medical plans, and to any dependents they have enrolled on the Blue Cross (Anthem) Prudent Buyer or CaliforniaCare medical plan, and pay the lesser of the premium for such coverage or \$24.88 per month.

# Section 14: Consolidated Omnibus Budget Reconciliation Act Of 1985

The City may cause employees not entitled to the benefits set forth in Section 9.B who are allowed to remain on a City health or dental insurance plan following separation from employment pursuant to the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) to be charged for such coverage the maximum rate permissible by law (presently 102% of the premium for an active employee).

## Section 15: Uniform Allowance

The Fire Chief and Police Chief shall receive an annual allowance for the purchase and maintenance of uniforms and equipment. The amount shall be the same as the highest amount authorized for any classification represented by the Fire Management and Police Management Associations, respectively. The payment procedures governing the Fire Management and Police Management Associations respectively shall apply.

## Section 16: Medical Examination

- A. Each Executive shall undergo a comprehensive medical examination at least once every two years and submit the results of that exam to the Director of Human Resources. Each Executive shall be reimbursed up to \$750 per year for this purpose.
- B. Funds not utilized may be carried over from one year to the next. All or part of these amounts may be converted to taxable income to pay for expenses which qualify under an IRC §125 Medical Reimbursement Account, with a maximum amount available of \$2,000.
- C. Any funds not utilized for the required medical exam may be utilized by an Executive for his/her personal (not for dependents) enrollment in a health

club or in a related "wellness" program - e.g., smoking cessation, stress reduction or weight control.

## Section 17: Tuition Reimbursement

Executive employees shall be covered by the tuition reimbursement program that applies to Management Association employees. The reimbursement limit shall be \$2,500 per fiscal year. Additionally, the City Manager may approve a reimbursement for jobrelated education courses, seminars or conferences for which an academic grade or units of academic credit are not given. In such cases, the costs of travel, meals and lodging associated with the course shall be eligible for reimbursement.

## Section 18: Vehicle Use

Each Executive, except the Fire Chief, the Police Chief and the City Manager shall receive \$224 per pay period for the use of his/her personal vehicle on City business. Those receiving this allowance shall have a personal vehicle available at his/her work site each day he/she works, and shall use that vehicle for City business. The City Manager shall promulgate rules and regulations governing this program. The Chief of Police and/or Fire Chief shall have use of a City vehicle under rules and regulations promulgated by the City Manager.

# Section 19: Holidays

Α. Each regular full-time employees who works or is absent from work with the approval of the City Manager, on the work shift both before and after any such holiday, shall receive the following paid holidays of eight hours each:

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- 1. January 1, New Year's Day
- 2. The third Monday in February, Presidents' Day
- 3. The last Monday in May, Memorial Day
- 4. July 4, Independence Day
- 5. The first Monday in September, Labor Day
- 6. November 11, Veteran's Day
- 7. Thanksgiving Day
- 8. The Friday following Thanksgiving Day
- 9. December 24, Christmas Eve (if a Saturday or Sunday, the following Tuesday shall be observed)
- 10. December 25, Christmas Day
- 11. December 31, New Year's Eve

An employee on a 9/80 work schedule shall receive a paid holiday of nine hours for each holiday that falls or is observed on a regularly scheduled nine-hour work day, or eight hours if the holiday falls or is observed on a regularly scheduled eight-hour work day.

- B. No other day shall be such a holiday unless it is a non-recurring holiday designated specifically by the President of the United States and/or the Governor of California, and approved by the City Council.
- C. When a holiday falls on a Saturday, an employee on a traditional Monday Friday schedule shall, in lieu of said holiday, be permitted an absence from work with eight hours pay on the Friday immediately before said holiday.
  - When a holiday falls on a Sunday, such employee, in lieu of pay for said holiday, shall be permitted an absence from work with pay equal to a regularly scheduled work day on the Monday immediately following said holiday.
- D. When an employee is absent from work under circumstances which entitled him/her to receive sick leave benefits for any holiday, there shall be no double payment. Instead, he/she shall be paid the holiday benefit hereunder, and shall not be charged or paid for the sick leave benefits for such time that he/she received holiday pay.

## Section 20: Vacation

## A. Accrual

1. Each employee shall accrue vacation credit with pay in accordance with the following table:

	Number of Hours		
Amount of Current Service	Annually	Bi-Weekly	
< 10 Years	120	4.62	
≥ 10 Years	128	4.93	
≥ 11 Years	136	5.24	

≥ 12 Years	144	5.54
≥ 13 Years	152	5.85
≥ 14 Years	160	6.16
≥ 20 Years	168	6.46
≥ 25 Years	176	6.77

The City Manager may authorize an employee to earn vacation credit at any of the rates described above, up to 160 hours annually.

Vacation credit shall accrue each pay period in which the employee has worked or used paid leave except sick leave at least one full regular work-shift. An employee absent on sick leave or unpaid leave for an entire pay period shall not receive vacation credit for that pay period.

## B. Accumulation Limit

An employee may accumulate vacation credits, with the right to take or be paid for if not taken, up to twice his/her annual vacation allowance. Vacation credit earned beyond the maximum is forfeited, with the following exception:

When any written request by an employee to take vacation is refused or not acted upon by the City Manager and the employee is not allowed other vacation time off to prevent a loss of vacation credits, the employee shall be paid at the straight time salary rate then in effect not only for the time worked, but also for the vacation time that would have been credited to him/her for working were it not for said accumulation limit. This payment shall continue until such time as the employee is permitted to take a vacation.

## C. Annual Conversion

- 1. At the end of each payroll year, an eligible employee may convert up to 40 hours of unused vacation time into cash, payable at the base salary rate in effect at the time of conversion. Such conversions shall be made concurrently with the annual conversion of sick leave.
- 2. To be eligible, an employee must have completed his/her initial probation period; must have actually taken (not converted) at least 80 hours of vacation in the preceding payroll year; and must have at least 80 hours of vacation remaining after such conversion.

# D. Separation From Employment

An employee who separates from employment by resignation, layoff or otherwise, shall be paid the balance of his/her accumulated vacation credit, at the base salary rate in effect on the date of separation. In the case of the

employee's death, the balance shall be paid to the employee's designee or, if no designee, to the employee's estate.

## Section 21: Sick Leave

A. Each regular full-time employee shall earn and accumulate 3.69 hours of sick leave for each pay period in which the employee has worked at least one full regular workday. An employee absent on vacation shall receive sick leave credit, but an employee absent on sick leave or an unpaid leave of absence for an entire pay period shall not receive sick leave credit for that period.

# B. Sick Leave Usage

An employee shall be allowed to use his/her accumulated sick leave as follows:

- 1. Absences relating to the health of the employee:
  - a. Personal illness or physical incapacity;
  - b. Medical or dental appointments;
  - c. Forced quarantine in accordance with community health regulations.
- 2. Absences relating to the health of the employee's family:
  - a. Health conditions of or medical or dental appointments for the employee's spouse, parents, children, stepchildren, brother, sister, mother-in-law, father-in-law and others as required by law in a total amount not to exceed 48 hours in a payroll year.
  - b. The care of an employee's newborn child/children or the placement with an employee of a son or daughter for adoption or foster care within the first 12 months after birth or placement, for up to 96 hours.
  - c. The serious health condition of a family member which qualifies under the Family and Medical Leave Act (FMLA), provided that the employee has submitted all necessary documentation to the Human Resources Department certifying the condition qualifies for FMLA.

In no event shall the total time taken pursuant to 2.a, 2.b and 2.c exceed 480 hours in any 12-month period. This maximum limit of 480 hours shall be reduced by any time taken pursuant to the employee's

own FMLA qualifying condition(s) within such rolling 12-month period except as otherwise required by law.

# C. Approval of Sick Leave

- Sick leave may be taken only when an employee has sick leave credits. The first sick leave with pay may not be taken until 24 hours of sick leave have been credited. No payment for sick leave shall be made without the approval of the City Manager or designee.
- 2. Prior to resuming work after taking three or more consecutive shifts of sick leave, an employee shall submit a physician's written certification of the medical necessity for his/her absence from work and a written release stating that he/she is able to perform his/her normal or modified job duties. For example, an employee absent on Monday, Tuesday and Wednesday must provide this release before resuming work on Thursday.
- 3. If the absence of three or more consecutive shifts is for family illness (See B.2 above), the employee shall submit certification from the family member's attending physician of the medical condition during the length of absence for which paid leave is requested. The physician's certification shall verify that the family member had an illness, injury or medical procedure during the period of time for which paid leave is requested. However, the certification shall not be required to include a diagnosis or description of injury or treatment.

#### D. Bereavement Leave

The death of a member of the employee's immediate family shall entitle the affected employee to be absent for three shifts (not to exceed 27 hours) and such absence shall not be charged to sick leave. Employees may also use two shifts (not to exceed 18 hours) of their accumulated sick leave per incident for bereavement purposes, and the City Manager may authorize up to an additional five shifts (not to exceed 45 hours) of sick leave usage for bereavement purposes when appropriate.

The definition of "immediate family" for the purpose of bereavement leave shall include the employee's spouse, parents, children, stepchildren, brother, sister, mother-in-law, father-in-law, grandparent, grandchild, step-parent or legal guardian or others as required by law.

# E. Annual Optional Conversion of Sick Leave

Employees hired on or after June 29, 1996 are not eligible for this conversion program.

- A person who has been regularly employed by the City for the full preceding calendar year and has at least 24 hours of unused sick leave remaining from the preceding payroll year, may convert a fixed percentage of the unused portion of sick leave credits earned during the preceding payroll year to either of the following:
  - a. Up to 50% to vacation credits; or
  - b. Up to 50% to cash, to be paid at the employee's base salary rate.
- 2. An eligible employee who does not use sick leave during the preceding payroll year may convert up to 60% to cash or vacation to be paid at the employee's base salary rate.
- F. Payment for Unused Sick Leave Upon Separation

Payment for unused sick leave upon separation shall be paid to persons regularly appointed to any City classification on or before August 31, 1983 and employed continuously thereafter. All others are ineligible for this benefit.

- 1. If an eligible employee dies or retires, 55% of the unused sick leave credits accumulated will be paid to the employee or, in the case of the employee's death, to the employee's designee or, if no designee, to the employee's estate. Such payment will be at the base salary rate in effect at the time of separation.
- 2. An eligible employee who separates after ten years of continuous service for any reason other than death or retirement, shall be compensated for 55% of the unused balance of all accumulated sick leave credits in excess of 960 hours, to be paid at the base salary rate in effect at the time of separation.
- G. All sick leave credits not taken as sick leave or otherwise converted shall remain within the employee's accumulated sick leave credits.
- H. The City Manager may authorize a new employee to have up to 440 hours of sick leave credit. Such credit shall be available only for use as described in (B) above and shall not be available for any other use.

### Section 22: Executive Leave

Each Executive shall be eligible for up to 72 hours (81 hours for employees on a synchronized 9/80 schedule) of executive leave each fiscal year. Additional time may be granted at the discretion of the City Manager.

Such leave shall not accrue past the maximum. Unused executive leave shall be lost at the end of each fiscal year, and shall not be converted to any other form of compensation.

An employee who separates prior to the end of a fiscal year shall have deducted from his/her final paycheck or vacation balance any executive leave that would be considered advance payment.

Section 23: Jury Duty

When an employee is duly summoned to jury duty, he/she shall receive his/her regular pay for any regularly scheduled working hours spent in actual performance of such service. If the employee receives \$50 or more for such service, the employee shall remit to the City all fees and allowances payable for such service, less reimbursements from the court for meals, travel or lodging.

Employees who have the option to request call-in juror status shall exercise that option.

Section 24: Workers' Compensation

The rules governing Workers' Compensation for employees in the non-sworn management bargaining unit shall apply to non-safety Executive employees. The Chief of Police and the Fire Chief shall be governed by the rules that apply to the police safety management unit and fire safety management unit respectively.

Section 25: Cancellation

This Resolution supersedes Resolution 10-50 and amendments thereto.

ADOPTED BY THE FULLERTON CITY COUNCIL on December 20, 2011.

Sharm Quirk-Silva

ATTEST:

oinda Williams, City Clerk

Date

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# City of Fullerton RESOLUTION CERTIFICATION

STATE OF CALIFORNIA	)	
COUNTY OF ORANGE	)	SS
CITY OF FULLERTON	)	

# RESOLUTION NO. 2011-90

I, Lucinda Williams, City Clerk and ex-officio Clerk of the City Council of the City of Fullerton, California, hereby certify that the whole number of the members of the City Council of the City of Fullerton is five; and that the City Council adopted the above and foregoing **Resolution No. 2011-90** at a regular meeting of the City Council held on **December 20, 2011**, by the following vote:

**COUNCIL MEMBER AYES:** 

Quirk-Silva, McKinley, Jones, Bankhead

COUNCIL MEMBER NOES:

Whitaker

COUNCIL MEMBER ABSTAINED:

None

COUNCIL MEMBER ABSENT:

None

Lucinda Williams, MMC

City Clerk