RESOLUTION NO. 2010-231

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, ESTABLISHING A POLICY ENTITLED "COUNCIL ORIENTATION ACT" TO BETTER PREPARE INCOMING COUNCIL MEMBERS

WHEREAS, Incoming Council members will immediately assume an enormous task of making major decisions affecting City government shortly after being sworn in; and

WHEREAS, most incoming Council members have a specific educational or experiential background to properly prepare them for their job as policy makers for the City; and

WHEREAS, there is no formalized orientation or specific curriculum to better prepare incoming Council members in the many facets of local government; and

WHEREAS, there is a need to establish a more structured curriculum through site visits, department head meetings; agency meetings and workshops;

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

SECTION 1. The Council adopts the attached Exhibit "A" Council Orientation Act as a formal Council policy to set up a structured curriculum for incoming Council members.

SECTION 2. This resolution shall become effective upon final adoption.

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STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.

Adopted 10-21-10
Approved 10-27-10
Effective 10-27-10

2010-231

CITY OF FRESNO)

I, REBECCA E. KLISCH, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the 21st day of October, 2010.

AYES : Borgeas, Brand, Perea, Xiong, Westerlund
NOES : Dages
ABSENT : Sterling
ABSTAIN : N/A

Mayor Approval: October 27, 2010
Mayor Approval/No Return: N/A, 2010
Mayor Veto: N/A, 2010
Council Override Vote: N/A, 2010

REBECCA E. KLISCH
City Clerk

BY: Rebecca E. Klisch
~~Deputy~~

APPROVED AS TO FORM:
CITY ATTORNEY'S OFFICE

BY: _____
James C. Sanchez
City Attorney

Date: 10-27-10

[rev. 10/14/10]

CITY OF FRESNO

COUNCIL ORIENTATION ACT

October 21, 2010

The following policies are enacted in an effort to help better prepare incoming Fresno City Council members for their job as City leaders and policy makers.

ARTICLE I
DEFINITIONS

Brown Act
The Ralph M Brown Act was passed by the California state legislature in 1953 that guaranteed the public's right to attend and participate in meetings of local legislative bodies. It has been expanded over the years to include informal and undisclosed meetings held by elected officials and to prohibit secret meetings.

California Community Redevelopment Law
The California Community Redevelopment Law was enacted in 1945 to address problems of decay and blight in California cities. This Act gave California cities and counties the authority to establish redevelopment agencies and to directly address urban decay.

City
"City" means the City of Fresno, a municipal corporation.

Fresno City Charter
The City of Fresno was incorporated in 1885. The City adopted its current charter structure on April 8, 1957.

Municipal Ordinance
A Municipal Ordinance is a law of local application. Local ordinances are adopted by the City Council and enforced by the City Manager and staff of local government.

No Contact Ordinance
The No Contact Ordinance was adopted as a City Ordinance No 2004-41on March 30, 2004 and is setup to provide structured guidelines and restrictions for elected and City officials to follow during formal competitive procurement.

Request for Proposal/Qualifications (RFP/Q)
A Request for Proposal is a defined procurement process, issuing an invitation for suppliers or vendors, usually through a bidding process, to submit a proposal on a specific commodity or service. Adding qualifications to the process will require potential bidders to also specify their qualifications for the proposed commodity or service.

Roberts Rules of Order
Roberts Rules is a guiding document regarding parliamentary procedures. It provides common rules and procedures for deliberation and debate in order to place the whole membership on the same foot footing and speaking in the same language.

Strong Mayor (Mayor/Council) Form of Government
Fresno City Charter Section 400-506 defines the strong mayor form of government model adopted by the City of Fresno. The Charter provides for the Mayor to be designated as the Chief Executive Officer and the City Council as the legislative branch.

ARTICLE II
PURPOSE OF ACT

The City of Fresno is a large organization with a budget exceeding one billion dollars, over 3,000 employees, and diverse operations and services. With a current population of 502,000, it is the fifth biggest city in California and ranks in the top 20 in the nation. An organization this large and this diverse needs the best and brightest leaders. In our strong mayor form of government the Mayor is the chief executive officer and the City Council is the legislative body. If the City was a private corporation, it would be one of the largest employers in Central California. Council members would be the equivalent of the board of directors.

With minimal qualifications (live and be a registered voter in the City and the Council District for 30 days prior to the filing for nomination papers) for becoming a Fresno City Council member, every effort must be made to help prepare incoming Council members for the enormous task they will face for the next four years. The purpose of this Act is to better prepare incoming Council members through a carefully constructed curriculum of workshops, meetings with department heads, meetings with other agencies that work closely with the City and site visits to City facilities. The culmination of this preparation program is to offer a broad overview of City government to incoming Council members.

Objectives of Act:

1. To provide incoming Council members a first-hand physical inspection of key City facilities to better understand the importance of these facilities and their impact on the lives of all Fresno citizens.

2. To provide incoming Council members a face to face meeting with City department heads to better understand the mission of each department and the department's contribution in providing vital services for Fresno citizens.

3. To educate incoming Council members on the multi facets of municipal government through a series of workshops including: budget/finance; land use planning; retirement system; labor relations; Community Redevelopment Law; ethics; Council by-laws et al; City Charter and Municipal Ordinances; Brown Act and legislative process; no contact ordinance; and contract procurement policies.

Accomplishing the above stated objectives will enable incoming Council members to "hit the ground running" when they assume office in January and provide them with a foundation on the fundamentals of City government.

ARTICLE III
PARTICIPATION

Participation in the curriculum described below by incoming Council members is strictly voluntary. It is hoped that the incoming Council members will take advantage of every opportunity to better prepare themselves for their term(s) on the Fresno City Council.

ARTICLE IV
SITE VISITS, DEPARTMENT HEAD MEETINGS AND WORKSHOPS

For those new Council members elected in the June Primary or the November General Election, the City Manager and/or his/her designee shall extend offers for site visits and workshops beginning after July 1st for out right June Primary winners and after November 10th for November General Election winners. Every effort will be made to accommodate the schedule of the new Council members-elect. When possible, more than one new Council member shall be scheduled for the same site visit or workshop. Every effort will also be made to schedule multiple workshops on the same day.

The City Manager and/or his/her designee shall provide incoming Council members with a complete list of recommended City facility sites to visit (City Hall, Municipal Yard including Fax facility, sewer treatment plant, water treatment plant, the police headquarters, the fire headquarters, the privately contracted solid waste facility, the privately contracted green waste, the privately contracted recycling facility, the airport, et al); a directory of all department heads; a directory of all labor organizations; a directory of important agencies that interact with the City; and a list of workshops available. It shall be the responsibility of each new Council member-elect to coordinate with the City Manager and/or his/her designee for site visits, meetings with Agencies important to the City, and attendance of workshops. The City Manager and/or his/her designee shall set up either two one half day or one, one day session for meetings with all department heads that all Council members-elect.

ARTICLE V
TIME ALLOCATIONS FOR WORKSHOPS

The designated City official putting on the workshop shall determine the appropriate length of the workshop. As this Act develops, the length of workshops shall be refined. Subsequent reviews of this policy can make amendments to reflect actual time requirements.

ARTICLE VI
CITY MANAGER WORKSHOPS

The City Manager and/or his/her designee shall conduct orientation workshops for incoming Council members on the following topics:

1. Municipal Budget Process;
2. Municipal Finance;
3. Land Use Planning and General Plan; and
4. Labor Relations.

The purpose of the above referenced workshops is to provide an entry-level course in the subject matter. Each new Council member shall be provided appropriate documents related to the above referenced topics as determined by the City Manager and/or his/her designee.

ARTICLE VII
CITY ATTORNEY WORKSHOPS

The City Attorney and/or his/her designee shall present a workshop for incoming Council members on the following topics:

1. City Charter and the Fresno Municipal Code;
2. City Council Bylaws and Council Code of Conduct;
3. Roberts Rules of Order;
4. Conflict of Interest Laws;
5. The Brown Act;
6. No Contact Ordinance; and
7. Request for Proposals/Qualifications.

The purpose of the above referenced subject areas is to provide a fundamental course of key areas that explain the City's governing model, Council meeting procedures, Council communications, and Council conduct. Each new Council member shall be provided a copy of the City Charter, Municipal Law Handbook, City Council Bylaws and Roberts Rules of Order.

ARTICLE VIII
RETIREMENT SYSTEM WORKSHOP

The Retirement Administrator and/or his/her designee shall present a workshop on the City's pension system for new Council members. Each new Council member shall be provided a copy of Pension Reform Task Force booklet and any other document related to the City's pension system. The purpose of this workshop is to explain the fundamental elements of the City's pension retirement system including financing, investments, costs and policy making.

ARTICLE IX
CALIFORNIA COMMUNITY REDEVELOPMENT LAW

The Redevelopment Agency Director and/or his/her designee shall present a workshop on California Community Redevelopment Law for new Council members. Each new Council member shall be provided a copy of Redevelopment Law in California and other documents related to the Fresno Redevelopment Agency. New Council members shall be encouraged to attend a two day seminar titled "Introduction to Redevelopment" sponsored by the California Redevelopment Association.

As part of the workshop, each new Council member shall be taken on a tour of redevelopment areas and projects in Fresno.

ARTICLE X
AGENCIES INTERACTING WITH THE CITY OF FRESNO

The City of Fresno has a special relationship with several local agencies including the Council of Governments (COG); the Fresno County Local Agency Commission (LAFCO); the Fresno Regional Workforce Investment Board (WIB); the Fresno County Transportation Authority; the San Joaquin River Conservancy; the Economic Development Corporation (EDC); the Fresno County Zoo Authority; and other agencies important to the City of Fresno. It is strongly encouraged for new Council members to meet with the directors of these agencies and to attend a public meeting.

ARTICLE XI
ETHICS WORKSHOP

Each new Council member is required to attend an ethics training workshop per AB 1234.

ARTICLE XII
CITY LABOR ORGANIZATIONS ORIENTATION

New Council members shall be encouraged to meet with representatives from the City's employee bargaining units. The City Manager and/or his/her designee shall provide new Council members with an up to date list of all employee bargaining units showing the names and contact information of representatives.

ARTICLE XIII
LEAGUE OF CALIFORNIA CITIES

New Council members shall be encouraged to attend a two day seminar titled "New Mayors and Council Academy" sponsored by the League of California Cities. New and existing Council members shall also be encouraged to in League of California Cities events and legislative briefings.

ARTICLE XIV
CONTINUING EDUCATION

Statewide Workshops
In an effort to encourage Council members to broaden their understanding of municipal government and become more effective legislators, Council members are encouraged to attend statewide workshops on topics related to City government including but not limited to land use planning; community redevelopment law; municipal financing; government affairs; and other courses related to City government. The League of California Cities and the California Redevelopment Association sponsor workshops related to municipal government and legislative briefings.

City Workshops
Council members are encouraged to continue their education of municipal government to become better informed policy makers. Short, topic workshops presented at Council meetings do not provide enough subject depth. Offering Council members advanced workshops on key areas of local government will accelerate and advance their knowledge of municipal government. The City Manager and/or his/her designee shall work with department heads to arrange workshops, for up to three Council members at a time, on important topics identified in this Act including but not limited to the following: 1) budgeting; 2) Municipal finance; 3) land use planning; 4) retirement/pension system; and 5) labor relations. On Redevelopment matters, the Redevelopment Agency director and/or his/her designee shall make arrangements with staff to provide suitable advanced workshops for Council members on Redevelopment law and practices.

ARTICLE XV
ONE YEAR REVIEW

One year from the adoption of this Act, the Council shall, at a regularly scheduled meeting, review the implementation and practice of this Act and, if necessary, amend the Act to reflect required changes.

ARTICLE XVI
EFFECTIVE DATE

This resolution shall take effect upon its final adoption by the City Council.

October 22, 2010

Council Adoption: 10/21/10
Mayor Approval:
Mayor Veto:
Override Request:

TO: MAYOR ASHLEY SWEARENGIN

FROM: REBECCA E. KLISCH, CMC
City Clerk

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2010 OCT 27 PM 3:13
CITY CLERK FRESNO CA

SUBJECT: TRANSMITTAL OF COUNCIL ACTION FOR APPROVAL OR VETO

At the Council meeting of 10/21/10, Council adopted the attached Resolution No. 2010-231 entitled **establishing a policy – "Council Orientation Act"**, Item No. **2:00 P.M. A-1**, by the following vote:

Ayes	:	Borgeas, Brand, Perea, Xiong, Westerlund
Noes	:	Dages
Absent	:	Sterling
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 November 1, 2010. 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.

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APPROVED:

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

_____

_____

Ashley Swearengin, Mayor

Date: 10.27.10

COUNCIL OVERRIDE ACTION:

Date: _____

Ayes	:	
Noes	:	
Absent	:	
Abstain	:	