



RESOLUTION NO. 2009-204

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, AMENDING RESOLUTION NO. 2003-137, AS AMENDED BY RESOLUTION NOS. 2005-4, 2005-116, AND 2009-49, TO ADD COUNCIL APPOINTMENTS OF COUNCILMEMBERS TO COMMITTEES IN THE RULES OF PROCEDURE.

WHEREAS, in accordance with Section 504 of the Charter of the City of Fresno, Council established the Rules of Procedure for the conduct of its meetings in Resolution No. 2003-137, as amended by Resolution Nos. 2005-4, 2005-116, and 2009-49; and

WHEREAS, Council formed an Ad Hoc Committee to review the appointment process of its Councilmembers to various boards, commissions, joint powers authority, and other similar bodies (hereinafter collectively referred to as "Committee"); and

WHEREAS, on August 20, 2009, Council adopted the recommendations of the Ad Hoc Committee.

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

SECTION 1. PURPOSE

The purpose of this resolution is to adopt procedures recommended by the Ad Hoc Committee to give Council oversight of its appointments of Councilmembers to Committees as representatives of the City and/or City Council. This resolution supplements the procedures set forth in Article 3 of Chapter 2 of the Fresno Municipal Code and to establish procedures which will be convenient for the public

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Resolution Amending Resolution No. 2003-137
As Amended, To Add Council Appointments of
Councilmembers in the Rules of Procedure

Adopted 9/17/09
Approved 9/28/09
Effective 9/28/09

2009-204



and contribute to the orderly conduct of the City's business. The procedures are in addition to, and not in place of, applicable ordinances and statutes. In the event of conflict between any part of this resolution and applicable ordinances and statutes, the latter shall govern.

SECTION 2. ADD RULE NO. 29 TO THE RULES OF PROCEDURE.

Council hereby adds Rule No. 29 to the Rules of Procedure which is attached hereto as "Attachment A," to add the recommendations of the Ad Hoc Committee to give Council oversight of its appointments and establish a monthly reporting process of the Committees' activities.

SECTION 3. RULES OF PROCEDURE.

Except as otherwise amended in this Resolution, Resolution No. 2003-137, as amended by Resolution Nos. 2005-4, 2005-116, and 2009-49, remains in full force and effect.

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STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
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 17th day of September, 2009.

AYES: Borgeas, Brand, Dages, Perea, Westerlund, Xiong, Sterling
NOES: None
ABSENT: None
ABSTAIN: None

Mayor Approval: September 28, 2009
Mayor Approval/No Return: N/A, 2009
Mayor Veto: N/A, 2009
Council Override Vote: N/A, 2009

REBECCA E. KLISCH
City Clerk

BY: Rebecca Klisch
~~Deputy~~

APPROVED AS TO FORM:
CITY ATTORNEY'S OFFICE

BY: Tei Yukimoto
Tei Yukimoto, Sr. Deputy

TY:ty:pn[50721ty_pn/RESO]-rev. 9/10/09



RULE NO. 29

COUNCIL APPOINTMENTS OF COUNCILMEMBERS TO COMMITTEES

- a. From time to time, Council appoints a Councilmember to serve on a board, commission, committee, joint power authority, or other official body (hereinafter "Committee.") Such appointments shall be for a two year period, unless otherwise stated in the implementing document that formed the Committee.
- b. No later than the first regular meeting in February of each year, Council shall review all the appointments as provided in a list prepared by the City Clerk. The annual review will be conducted to fill vacancies or an expired term of office, and to consider removal of any appointee for cause, such as for failure to keep Council informed of the Committee's activities, or for excessive absenteeism without good cause.
- c. At the first regular meeting of each month, the appointed Councilmember shall report on the activities of the Committee, including any significant projects of the Committee before it takes place, such as issuance of bonds, matters relating to financing, and other matters that may commit the City to a particular course of action.
- d. The Council President shall have the authority to appoint a designee to attend meetings and participate as a voting member of the Committee in his/her absence, as permitted by the implementing document that formed the Committee.
- e. The Councilmember next in line to serve as Council President is strongly encouraged to start attending meetings of the Committee served by the Council President, at least six months before the expiration of the Council President's term of office. This will give the incoming Council President an opportunity to learn about the Committees, particularly those that deal with complex subjects, before he/she takes office.

September 18, 2009

Council Adoption: 9/17/09

Mayor Approval:

Mayor Veto:

Override Request:



TO: MAYOR ASHLEY SWEARENGIN

RECEIVED

FROM: REBECCA E. KLISCH, CMC
City Clerk

2009 SEP 28 AM 10:51

CITY CLERK, FRESNO CA

SUBJECT: TRANSMITTAL OF COUNCIL ACTION FOR APPROVAL OR VETO

At the Council meeting of 9/17/09, Council adopted the attached Resolution No. 2009-204 entitled **Amend Res 2003-137 adding Rule 29, oversight of Cncl appntmnts of Cnclmmbrs to committees**, Item No. 9:30 a.m. #2-C, 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 September 28, 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 Swearingin
Ashley Swearingin, Mayor

Date: 9.28.09

COUNCIL OVERRIDE ACTION:

Date: _____

Ayes	:
Noes	:
Absent	:
Abstain	: