



RESOLUTION NO. 2022-184

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
FRESNO, CALIFORNIA, TO UPDATE THE COUNCIL  
ORIENTATION ACT

WHEREAS, the Council Orientation Act (the Act) was adopted effective  
October 27, 2010; and

WHEREAS, the Act has not been updated since that time; and

WHEREAS, some City policies have changed in the intervening decade; and

WHEREAS, the Act is an important policy tool benefitting the City by providing for  
opportunities to better prepare incoming Councilmembers for their jobs as City leaders  
and policymakers; and

WHEREAS, Council also wishes to allow for a process for incoming  
Councilmembers to serve as a volunteer of the Council District to which they are elected,  
on the terms and conditions set forth in the Act; and

WHEREAS, the Council now deems it necessary and advisable to rescind and  
replace the Council Orientation Act to provide necessary updates.

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

1. The Council Orientation Act adopted effective October 27, 2010, is hereby  
rescinded and replaced with the attached.
2. This resolution shall be effective upon final approval.



\*\*\*\*\*

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

I, TODD STERMER, 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 11<sup>th</sup> day of August 2022.

AYES : Soria, Karbassi, Arias, Maxwell, Chavez, Bredefeld, Esparza  
NOES : None  
ABSENT : None  
ABSTAIN : None

Mayor Approval: August 22<sup>nd</sup>, 2022  
Mayor Approval/No Return: NA, 2022  
Mayor Veto: NA, 2022  
Council Override Vote: NA, 2022

TODD STERMER, CMC  
City Clerk

By: [Signature] 8-25-2022  
Deputy Date

APPROVED AS TO FORM:  
RINA M. GONZALES  
Interim City Attorney

By: [Signature] 8/23/22  
Katie Doerr Date  
Chief Assistant

Attachment: Council Orientation Act



# CITY OF FRESNO

## COUNCIL ORIENTATION ACT



August 22<sup>nd</sup>, 2022

The following policies are enacted to help better prepare incoming Fresno City Councilmembers for their job as City leaders and policy makers.



## ARTICLE I DEFINITIONS

### **Brown Act**

The Ralph M Brown Act, California Government Code 54950 et seq., was passed by the California state legislature in 1953 to guarantee the public's right to attend and participate in meetings of local legislative bodies.

### **City**

City means the City of Fresno, a municipal corporation.

### **Fresno City Charter**

The Charter is the document that defines the organization, powers, functions, and essential procedures of City government.

### **Municipal Code**

The Fresno Municipal Code is the body of laws enacted by ordinance, that apply within the territorial limits of the City. Local ordinances are adopted by the City Council and enforced by City staff, including but not limited to Code Enforcement and the Police Department.

### **Regulated Communication Ordinance**

The Regulated Communication Ordinance, sometimes referred to as the "No Contact Ordinance," regulates communications between elected officials and proposers in a competitive procurement process. It is codified at Fresno Municipal Code Section 4-605 et seq.

### **Public Contracting Process**

Public contracting refers to the rules governing the creation of City-funded contracts. This includes the authority to enter into the contract, competitive process, appropriation of funds, and necessary environmental and legal review.

### **Council Rules of Procedure**

The Council Rules of Procedure are adopted by the City Council to govern the conduct of all Fresno City Council meetings and all City public meetings except of those boards or bodies that have adopted their own rules or bylaws.

### **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 4,000 employees, and diverse operations and services. With a current population of 542,000 as of 2020, it is the fifth largest city in California and ranks in the top 35 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. Councilmembers 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 thirty days prior to the filing for nomination papers) for becoming a Fresno City Councilmember, every effort must be made to help prepare incoming Councilmembers for the enormous task they will face for the next four years. The purpose of this Act is to better prepare incoming Councilmembers 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 orientation is to offer a broad overview of City government to incoming Councilmembers.

Objectives of Act:

1. To provide incoming Councilmembers 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 residents.
2. To provide incoming Councilmembers a face-to-face meeting with City department directors to better understand the mission of each department and the department's contribution in providing vital services for Fresno residents.
3. To educate incoming Councilmembers on the multi facets of municipal government through a series of workshops including: budget/finance; land use planning; retirement system; labor relations; ethics; Council Rules of Procedure; City Charter and Municipal Ordinances; Brown Act and legislative process; and public contracting process and regulated communication.

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

### **ARTICLE III PARTICIPATION**

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

### **ARTICLE IV TRANSITION AND OPTIONAL VOLUNTEER SERVICE**

With the consent of the outgoing Councilmember, up to ninety days before the date an incoming Councilmember is entitled to be sworn into office, the incoming Councilmember may serve as a volunteer serving at the pleasure of the Council District to which they are elected (the District) with the outgoing Councilmember as their appointing authority. The incoming Councilmember shall follow all standard City policies and procedures for City volunteers. Overhead expenses, if any, shall come from the District. The Council President, in coordination with the District, will allocate temporary office space to the incoming Councilmember, if available. The City Administration shall provide the incoming



Councilmember a parking pass and a keycard badge to enter the building.

#### **ARTICLE IV SITE VISITS, DEPARTMENT HEAD MEETINGS AND WORKSHOPS**

The City Manager and/or his/her designee shall extend offers for site visits and workshops beginning after July 1 for Councilmembers elected outright at the June Primary, and after November 1 for Councilmembers elected at the November General Election. Every effort will be made to accommodate the schedule of the incoming Councilmembers. When possible, more than one incoming Councilmember 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 Councilmembers with a complete list of recommended City facility sites to visit (City Hall, Municipal Yard including Fax facility, wastewater treatment plant and other utility facilities, 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 directors; 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 incoming Councilmember 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 half day or one full day session for meetings with all department heads that all Councilmembers-elect may attend.

#### **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 Councilmembers 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 Councilmember 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 Councilmembers on the following topics:

1. City Charter and the Fresno Municipal Code;
2. Council Rules of Procedure and Council Code of Conduct;
3. Conflict of Interest Laws;
4. The Brown Act; and
5. Public contracting process and regulated communications.

The purpose of the training is to provide a fundamental overview of City's governing model, Council meeting procedures, Council communications, and Council conduct. Each new Councilmember shall be provided a copy of the City Charter, Municipal Law Handbook (upon request), and Council Rules of Procedure. In addition, the City Attorney's Office maintains on its website links to sources of local law.

#### **ARTICLE VIII CITY CLERK WORKSHOP**

The City Clerk and his or her designee shall present a workshop for incoming Councilmembers on the following topics:

1. Agendas and minutes;
2. Use of Legistar or other agenda control software; and
3. Boards and commissions.

#### **ARTICLE IX RETIREMENT SYSTEM WORKSHOP**

The Retirement Administrator and/or his/her designee shall present a workshop on the City's pension system for new Councilmembers. Each new Councilmember shall be provided a copy of the Pension Reform Task Force booklet and any other document related to the City's pension system that may be helpful, in the opinion of the Retirement Administrator. 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 XI AGENCIES INTERACTING WITH THE CITY**

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 (FCTA); the San Joaquin River Conservancy; the Economic Development Corporation (EDC); the Fresno County Zoo Authority; Fresno Irrigation District (FID); Fresno Metropolitan Flood Control District (FMFCD); Fresno Housing Authority, and other partner agencies. It is strongly encouraged for new Councilmembers to meet with the directors of these agencies and to attend a public meeting.

## **ARTICLE XII ETHICS WORKSHOP**

Each new Councilmember is required to attend an ethics training workshop per AB 1234. The City Attorney's Office provides regular in-person trainings every two years and can coordinate a training for a n incoming Councilmember upon request.

## **ARTICLE XIII CITY LABOR ORGANIZATIONS ORIENTATION**

New Councilmembers 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 Councilmembers with an up-to-date list of all employee bargaining units showing the names and contact information of representatives.

## **ARTICLE XIV CONTINUING EDUCATION**

### **Statewide Workshops**

In an effort to encourage Councilmembers to broaden their understanding of municipal government and become more effective legislators, Councilmembers are encouraged to attend statewide workshops on topics related to City government including but not limited to land use planning; municipal finance; government affairs; and other courses related to City government. New Councilmembers are encouraged to attend a two day seminar titled "New Mayors and Council Academy" sponsored by the League of California Cities. New and existing Councilmembers shall also be encouraged to participate in League of California Cities events and legislative briefings.

### **City Workshops**

Councilmembers 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 Councilmembers 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 Councilmembers 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.

**ARTICLE XV  
FIVE YEAR REVIEW**

Every five years 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.



August 12, 2022

Council Adoption: 08/11/2022  
Mayor Approval:  
Mayor Veto:  
Override Request:

TO: MAYOR JERRY DYER

FROM:  TODD STERMER, CMC  
City Clerk

SUBJECT: TRANSMITTAL OF COUNCIL ACTION FOR APPROVAL OR VETO

At the City Council meeting of August 11, 2022, Council adopted the attached Resolution No. 2022-184 **\*\*\*RESOLUTION - Updating the Council Orientation Act (Subject to Mayor's Veto)**. Item 4-B, File ID 22-1284, by the following vote:

Ayes : Soria, Karbassi, Arias, Maxwell, Chavez, Bredefeld, Esparza  
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 August 22, 2022. In computing the ten day period required by Charter, the first day has been excluded and the tenth day has been included unless the 10<sup>th</sup> 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.

**APPROVED /NO RETURN:** \_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_



Jerry Dyer, Mayor  
**COUNCIL OVERRIDE ACTION:**

Ayes :  
Noes :  
Absent :  
Abstain :

Date: 8/12/22

Date: \_\_\_\_\_


RECEIVED  
2022 AUG 22 P 1:34  
CITY OF FRESNO  
CITY CLERK'S OFFICE



Todd Stermer, CMC  
City Clerk



DATE: August 25, 2022

TO:  Todd Stermer, CMC  
City Clerk

FROM:  Diane Longoria, Deputy City Clerk  
City Clerk's Office

SUBJECT: TECHNICAL CORRECTION TO ATTACHMENT FOR RESOLUTION NO.  
2022-184

A non-substantive, technical correction, is need for the attachment to Resolution No. 2022-184, the City of Fresno Council Orientation Act (the Act). The correction concerns the location of parking provided to incoming Councilmembers volunteering before his or her term begins. Pursuant to the item sponsor and the administration, parking was not meant to be restricted to a certain lot in the final document. As such, the last sentence in Article IV of the Act, *Transition and Optional Volunteer Service*, should be revised to strike the language, "...for the parking lot on Tulare and P Street." The corrected sentence should therefore read as follows:

"The City Administration shall provide the incoming Councilmember a parking pass and a keycard badge to enter the building."

The above-mentioned correction does not affect nor alter the substance of the Resolution, or the City Council's action in adopting it.



Councilmember a parking pass for the parking lot on Tulare and P Street, and a keycard badge to enter the building.

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