

Charter Review Committee Meeting Summary  
Tuesday, September 6, 2011- 5:30 P.M.  
Meeting Room "A"

**Members Present:** Chair Bill Stewart, Vice-Chair Riley Walter, Dan Fitzpatrick, Bob Cook, Les Kimber, Jerry Duncan, Nick Webber and City Attorney Jim Sanchez

**Members Absent:** Jeff Reid and Jared Gordon

**Additional Attendees:** Honorable Mayor Ashley Swearingin, City Manager Mark Scott, and Councilmember Blong Xiong

**Items Distributed:** Agenda for the current meeting and a memorandum prepared by City Manager Mark Scott, titled *City Manager Perspective on Charter Issues*

**Call to Order:** Chair Bill Stewart called the meeting to order at 5:30 p.m. after a call for objections, no objections were made.

**Review & Approve Previous Meeting Notes**

The summary for the August 9, 2011, meetings was unanimously approved with the addition of a list of the attendees, and corrections. Mr. Cook identified that Mr. Kimber and Mr. Duncan were not present for the August 9, 2011, meeting. Mr. Cook added that the attendees should be added to the meeting summary. The summary for the August 22, 2011, meeting was unanimously approved with minor corrections and Mr. Sanchez provided an addendum to correct some errors related to his testimony to the Committee. For example, "four councilmembers" was written when Mr. Sanchez in fact said, "three councilmembers." Mr. Cook asked whether a meeting summary should be created for the introductory meeting held on July 26, 2011. Mr. Scott stated that his office could draft a summary of this meeting based on the audio-video recording of the meeting and Mr. Cook's list of attendees.

**Committee Interviews of City Officials**

***A. Mayor Ashley Swearingin***

Mayor Swearingin began by stating that it is her belief that the art of running an organization like the City of Fresno comes down to judgment and leadership, and that there is no way to craft a perfect document to run a city government. It was her position that it is not up to the Committee to craft the perfect charter. Mayor Swearingin encouraged the Committee to approach this task with dedication, but without the pressure of crafting the perfect City constitution. To conclude her opening statement, Mayor Swearingin reiterated her belief that everything that is accomplished at City Hall comes down to leadership. Mr. Scott and Mayor Swearingin informed the Committee that they had crafted joint response.

*City Manager Scott distributed his handout. Mr. Scott led the discussion with the Mayor interjecting to give her perspective on particular points.*

***B. Interview with City Manager Mark Scott and Mayor Swearingin***

Mr. Scott began by stating that the Mayor's perspective on the inability to legislate good leadership is right, despite the fact his document is a bit academic in parts. Furthermore, his

document is from a City Manager's perspective. He explained the beginning of his document and provided background information on Fresno's form of government. He identified differences between the two forms of government. Additionally, City Manager Scott discussed the role of the City Manager and the role of the City Council.

(Please see Mr. Scott's handout as it provides further detail.)

*His discussion transitioned to a point by point discussion of the 5 issues enumerated in his document.*

There five topics in the memo that received further clarification.

- 1) *Role the mayor in adopting organizational structure. (Item G from the Committee's list received from the City Council)*
- 2) *Definition council policy and mayor policy*
  - *Materiality*
  - *Boundary between Administrative policy and legislative policy*
- 3) *Separate legal counsel for the mayor*
- 4) *Redevelopment agency*
- 5) *Direct Access of the Council to the controller*

#### Compilation of Various Interest Groups for Participation in the Charter Review Process

Mr. Reid and Mr. Fitzpatrick were tasked to spearhead getting notices out before the next Committee meeting. Mr. Stewart wanted these notices to be Committee's focus. Mr. Fitzpatrick informed the group that the letter is ready to go and a list of qualified groups needs to be compiled. Mr. Stewart told Mr. Fitzpatrick that he was free to send out these letters. Mr. Cook added that the letter should include the dates of the meetings and advise the groups to schedule a time in which they can appear and provide testimony.

#### Additional Councilmember Testimony

Mr. Stewart informed Councilmember Xiong that he would be scheduled to speak at the next meeting. Councilmember Borgeas was tentatively scheduled to speak at the next meeting.

#### Public Comments

No public comments

#### Concluding Comments

Mr. Scott informed the committee he will not be present at the next meeting.

Meeting was adjourned at 7:01pm. The next meeting will be held on September 20, 2011, at 5:30 PM in Meeting Room A.