



City of Fresno

2600 Fresno Street
Fresno, CA 93721
www.fresno.gov

Meeting Minutes - Final City Council

President - Clinton J. Olivier

Vice President - Esmeralda Z. Soria

Councilmembers:

Oliver L. Baines, III, Steve Brandau, Garry Bredefeld,

Paul Caprioglio, Luis Chavez

City Manager - Bruce Rudd

City Attorney - Douglas T. Sloan

City Clerk - Yvonne Spence, CMC

Thursday, May 11, 2017

8:30 AM

Council Chambers

Regular Meeting

8:30 A.M. ROLL CALL

Present: 6 - President Clinton Olivier
Vice President Esmeralda Soria
Councilmember Steve Brandau
Councilmember Garry Bredefeld
Councilmember Paul Caprioglio
Councilmember Luis Chavez

Absent: 1 - Councilmember Oliver L. Baines III

Invocation by Pastor Tiro Gonzales of Life Center Fresno

Pledge of Allegiance to the Flag

APPROVE AGENDA

*City Clerk Spence announced the following changes to the agenda:
Consent Calendar item 1-L (ID17-646) had been removed from the agenda
by the Administration; the 10:40 A.M. #2 Scheduled Matter (ID17-622) had
been canceled by the speaker, Vickie Miller.*

Councilmember Chavez removed Consent Calendar item 1-H (ID17-611).

APPROVED AS AMENDED

**On motion of Councilmember Caprioglio, seconded by Vice President
Soria, that the above be approved. The motion carried by the following**

vote:

Aye: 6 - Olivier, Soria, Brandau, Bredefeld, Caprioglio and Chavez

Absent: 1 - Baines III

CEREMONIAL PRESENTATIONS

[ID17-581](#) Proclamation of "Fresno Fuego Day"

PRESENTED

[ID17-695](#) Proclamation of "May Teen Pregnancy Prevention Month"

PRESENTED

[ID17-669](#) Proclamation of "National Military Appreciation Month"

PRESENTED

APPROVE MINUTES

[ID17-98](#) Approval of minutes from April 27, 2017

APPROVED

On motion of Councilmember Bredefeld, seconded by Councilmember Caprioglio, the above Minutes were approved. The motion carried by the following vote:

Aye: 6 - Olivier, Soria, Brandau, Bredefeld, Caprioglio and Chavez

Absent: 1 - Baines III

COUNCILMEMBER REPORTS AND COMMENTS

Councilmember Caprioglio reported that 11,000 people attended the fourth annual Grizzly Fest at Chukchansi Park on April 29, 2017. He said the music was great, everyone had a good time and the Police Department reported no incidents. He also noted the event drew people from all over California and brought more than \$600,000 to the community.

Councilmember Caprioglio thanked Granville Homes for the Home of Hope fundraiser which concluded on May 3, 2017. The winner of the home was Lisa Groat. He noted Granville Homes had raised 4.5 million dollars for local charities with the Home of Hope drawings over the past few years.

Councilmember Brandau thanked Granville Homes for another successful

Home of Hope fundraiser.

Councilmember Brandau reported his attendance on the "One Voice Trip" with Councilmember Baines III to Washington D.C. The trip was made by local representatives to shed light on local needs with federal representatives and department heads. Councilmember Brandau reported that he and Councilmember Baines III focused on Veteran's Boulevard and workforce development and were very successful.

Councilmember Brandau congratulated Fresno County Economic Development Corporation President, LeeAnne Eager, for being named "Top Dog" by California State University, Fresno.

Councilmember Brandau announced he would like to convene the Finance Audit Committee to look at engineering and public outreach type contracts. The review would be to investigate whether it was better for the city to award these type of contracts or to hire additional city staff to perform the work.

Vice President Soria announced she participated in the Mall to Mall Bike Ride and thanked the organizers and the Police Department. The event was well attended and it was a safe ride from the Manchester Mall to the Mariposa Mall.

Vice President Soria announced her participation in career day at Harvest Elementary School. She discussed her job as a Councilmember with children ranging from kindergarten to third grade. The discussion also covered topics like parks, public safety, traffic and growth.

Vice President Soria asked Councilmembers to make their appointments to the Capital Projects Oversight Board. She noted vacancies made it difficult to reach a quorum at scheduled meetings.

President Olivier thanked Vice President Soria for speaking about vacancies on the Capital Projects Oversight Board. He re-stated the importance of the Board and urged his fellow Councilmembers to fill their vacancies.

1. CONSENT CALENDAR

APPROVAL OF THE CONSENT CALENDAR

On motion of Councilmember Caprioglio, seconded by Vice President Soria, the CONSENT CALENDAR was hereby adopted by the following

vote:

Aye: 6 - Olivier, Soria, Brandau, Bredefeld, Caprioglio and Chavez

Absent: 1 - Baines III

1-A [ID17-558](#)

Approve Professional Consultant Services Agreement with Akel Engineering Group, Inc., a California Corporation for \$496,122 for Water Infrastructure Renewal and Replacement Plan Development (Citywide)

The above item was moved to the Contested Consent Calendar by Councilmember Bredefeld for further discussion.

1-B [ID17-639](#)

Actions pertaining to Design of a Water Main Gap Closure in Armstrong Avenue (Council District 4 and Fresno County):

1. Approve professional consultant services agreement with Carollo Engineers, Inc., for an amount not to exceed \$144,800 for the Design of the Armstrong Avenue Water Main Project
2. Authorize the Director of Public Utilities, or designee, to sign all documents on behalf of the City of Fresno

The above item was moved to the Contested Consent Calendar by Councilmember Bredefeld for further discussion.

1-C [ID17-637](#)

Actions pertaining to the award of a construction contract for the construction of perimeter fencing and gates at 540 N. Brawley Avenue (Bid File 3515) for \$138,563.00 to Golden Bay Fence Plus Iron Works, Inc., (Council District 3)

APPROVED

The above item was approved on the Consent Calendar.

1-D [ID17-647](#)

Approve the First Amendment to the Professional Consultant Services Agreement with Live Oak Associates, Inc., for \$191,000 for additional services to provide Biological Resources Monitoring Services for the City of Fresno's Friant Kern Canal Pipeline project (citywide)

The above item was moved to the Contested Consent Calendar by Councilmember Bredefeld for further discussion.

1-E [ID17-649](#)

Award a professional engineering services contract for \$57,000 with a \$2,000 contingency to Stearns, Conrad and Schmidt Consulting Engineers Incorporated of Long Beach, California for the design of a conditioned digester gas pipeline to the eastern property line at the

Fresno/Clovis Regional Wastewater Reclamation Facility (Council District 3)

The above item was moved to the Contested Consent Calendar by Councilmember Bredefeld for further discussion.

- 1-F [ID17-560](#) Authorize the Chief of Police to enter into an agreement with the Fresno County Sheriff’s Office for the continued shared use of the Satellite Jail facility office for the registration of convicted sexual offenders.

APPROVED

The above item was approved on the Consent Calendar.

- 1-G [ID17-607](#) Approve an agreement for Professional Engineering Services with Provost & Pritchard Consulting Group for \$104,500 plus \$15,000 for contingencies for design and construction support services for the Blackstone Overlay Project from Dakota to Ashlan Avenues and the Inyo Street Overlay Project from Van Ness Avenue to P Street (Council Districts 3 and 7)

The above item was moved to the Contested Consent Calendar by Councilmember Bredefeld for further discussion.

- 1-H [ID17-611](#) **RESOLUTION** - Approving the Final Map of Tract No. 5449 and accepting dedicated public uses offered therein - northeast corner of East Butler Avenue and South Villa Avenue (Council District 5)

The above item was removed from the agenda by Councilmember Chavez.

- 1-I [ID17-612](#) **RESOLUTION** - Approving the Final Map of Tract No. 6090 and accepting dedicated public uses offered therein - North side of West Bullard Avenue between North Bryan Avenue and North Torrey Pines Avenue (Council District 2)

RESOLUTION 2017-123 ADOPTED

The above item was approved on the Consent Calendar.

- 1-J [ID17-621](#) Award a construction contract in the amount of \$449,018 to Dawson-Mauldin Construction Inc. of Huntington Beach, California for the Herndon Right Turn Lane Improvements at the intersection of Herndon and Blackstone Avenues - Bid File No. 3533 (Council District 6)

APPROVED

The above item was approved on the Consent Calendar.

- 1-K [ID17-535](#) Actions pertaining to the Mosqueda Park Splash Play Area Project (Bid File 3508) (**Council District 5**)
1. Adopt finding of a Categorical Exemption pursuant to Sections 15301(e)/Class 1 and 15303/Class 3 of the California Environmental Quality Act (CEQA) Guidelines
 2. Award a construction contract with JT2, Inc., dba: Todd Companies of Visalia, CA, for \$457,000

APPROVED

The above item was approved on the Consent Calendar.

- 1-L [ID17-646](#) RESOLUTION - Making findings to comply with Section 66015 of the California Government Code relating to permits for residential rooftop solar energy systems.

The above item was removed from the agenda by the Administration.

- 1-M [ID17-661](#) ***BILL NO. B-19 - (Intro. 4/27/2017) (For adoption) - An uncodified ordinance reauthorizing the public, education, and government access (PEG) fee on state video franchise holders operating within the City.

ORDINANCE 2017-24 ADOPTED

The above item was approved on the Consent Calendar.

- 1-N [ID17-662](#) ***BILL NO. B-23 - (Intro. 4/27/2017) (For adoption) - Amending Section 5-302, 5-303, 5-304, 5-305, 5-307, 5-308, and adding Sections 5-310, 5-311, 5-312, and 5-313 to Article 3 of Chapter 5 of the Fresno Municipal Code, relating to fare evasion and enforcement

The above item was moved to the Contested Consent Calendar by Councilmember Chavez for further discussion.

CONTESTED CONSENT CALENDAR

- 1-A [ID17-558](#) Approve Professional Consultant Services Agreement with Akel Engineering Group, Inc., a California Corporation for \$496,122 for Water Infrastructure Renewal and Replacement Plan Development (Citywide)

The above item was introduced to Council by Public Utilities Director Esqueda. City Manager Rudd also spoke on this item.

APPROVED

On motion of Councilmember Brandau, seconded by Councilmember Caprioglio, the above item was approved. The motion carried by the following vote:

Aye: 5 - Olivier, Soria, Brandau, Caprioglio and Chavez

No: 1 - Bredefeld

Absent: 1 - Baines III

1-B [ID17-639](#)

Actions pertaining to Design of a Water Main Gap Closure in Armstrong Avenue (Council District 4 and Fresno County):

1. Approve professional consultant services agreement with Carollo Engineers, Inc., for an amount not to exceed \$144,800 for the Design of the Armstrong Avenue Water Main Project
2. Authorize the Director of Public Utilities, or designee, to sign all documents on behalf of the City of Fresno

The above item was introduced to Council by Planning Manager Carbajal with the Department of Public Utilities.

APPROVED

On motion of Councilmember Caprioglio, seconded by President Olivier, the above item was approved. The motion carried by the following vote:

Aye: 5 - Olivier, Soria, Brandau, Caprioglio and Chavez

No: 1 - Bredefeld

Absent: 1 - Baines III

1-D [ID17-647](#)

Approve the First Amendment to the Professional Consultant Services Agreement with Live Oak Associates, Inc., for \$191,000 for additional services to provide Biological Resources Monitoring Services for the City of Fresno's Friant Kern Canal Pipeline project (citywide)

The above item was introduced to Council by Planning Manager Carbajal with the Department of Public Utilities.

APPROVED

On motion of Councilmember Bredefeld, seconded by President Olivier, the above item was approved. The motion carried by the following vote:

Aye: 6 - Olivier, Soria, Brandau, Bredefeld, Caprioglio and Chavez

Absent: 1 - Baines III

- 1-E [ID17-649](#) Award a professional engineering services contract for \$57,000 with a \$2,000 contingency to Stearns, Conrad and Schmidt Consulting Engineers Incorporated of Long Beach, California for the design of a conditioned digester gas pipeline to the eastern property line at the Fresno/Clovis Regional Wastewater Reclamation Facility (Council District 3)

The above item was introduced to Council by Public Utilities Director Esqueda.

APPROVED

On motion of Councilmember Caprioglio, seconded by Vice President Soria, the above item was approved. The motion carried by the following vote:

Aye: 5 - Olivier, Soria, Brandau, Caprioglio and Chavez

No: 1 - Bredefeld

Absent: 1 - Baines III

- 1-G [ID17-607](#) Approve an agreement for Professional Engineering Services with Provost & Pritchard Consulting Group for \$104,500 plus \$15,000 for contingencies for design and construction support services for the Blackstone Overlay Project from Dakota to Ashlan Avenues and the Inyo Street Overlay Project from Van Ness Avenue to P Street (Council Districts 3 and 7)

The above item was introduced to Council by Public Works Director Mozier. City Manager Rudd also spoke on this item.

APPROVED

On motion of Councilmember Caprioglio, seconded by Vice President Soria, the above item was approved. The motion carried by the following vote:

Aye: 5 - Olivier, Soria, Brandau, Caprioglio and Chavez

No: 1 - Bredefeld

Absent: 1 - Baines III

- 1-N [ID17-662](#) ***BILL NO. B-23 - (Intro. 4/27/2017) (For adoption) - Amending Section 5-302, 5-303, 5-304, 5-305, 5-307, 5-308, and adding Sections 5-310, 5-311, 5-312, and 5-313 to Article 3 of Chapter 5 of the Fresno Municipal Code, relating to fare evasion and enforcement

The above item was introduced to Council by Transportation Director Marshall. City Manager Rudd and Assistant Transportation Director Barfield also spoke on this item.

Councilmember Chavez asked Rick Steitz with Amalgamated Transit Union, Local 1027, to the dais to discuss this item.

Councilmember Chavez motioned to approve the item while changing the word "may" to the word "shall" in Subsection "h" of Section 5-305 as follows: "Upon completion of appropriate training and certification as required by the City, transit employees shall be allowed to carry Oleoresin Capsicum..."

City Attorney Sloan clarified that changing the word "may" to "shall" was a substantial amendment so the item would only be considered introduced at the current meeting and could be adopted at the next meeting.

Councilmember Soria requested that, in the future, similar items be brought to the Transit Sub-Committee before heading to Council.

BILL B-23 RE-INTRODUCED AS AMENDED AND LAID OVER

On motion of Councilmember Chavez, seconded by Councilmember Bredefeld, Bill B-23 was re- introduced as amended and laid over. The motion carried by the following vote:

Aye: 6 - Olivier, Soria, Brandau, Bredefeld, Caprioglio and Chavez

Absent: 1 - Baines III

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

9:55 A.M.

[ID17-687](#) Appearance by Paul Dictos, Fresno County Assessor extending an invitation to attend the Greek Day of Remembrance event Friday, May 19, 2017 to commemorate the Greek Genocide

Mr. Dictos appeared and addressed Council. He provided a handout during his discussion which has been attached to File ID17-687 and is available in the City Clerk's Office.

APPEARED

10:00 A.M.

[ID17-461](#) HEARING - Regarding the vacation the W. Lansing-W. Dakota Avenue alley between N. Weber Avenue and N. Feland Avenue. (Council District 1.)

1. RESOLUTION - Ordering the vacation of the W. Lansing-W. Dakota Avenue alley between N. Weber Avenue and N. Feland Avenue.

The above hearing was called to order at 10:00 A.M. Chief Surveyor Camit with the Public Works Department introduced the item to Council.

Upon call for public comment, no one chose to address Council and public comment was closed.

The hearing was closed at 10:05 A.M.

RESOLUTION 2017-124 ADOPTED

On motion of Vice President Soria, seconded by Councilmember Caprioglio, the above item was approved. The motion carried by the following vote:

Aye: 6 - Olivier, Soria, Brandau, Bredefeld, Caprioglio and Chavez

Absent: 1 - Baines III

10:05 A.M.

[ID17-636](#) **HEARING** to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community Facilities District No. 9, Annexation No. 16 (Final Parcel Map No. 2014-06 and two adjacent parcels, Assessor's Parcel Numbers 501-043-06 and 501-044-04) (east side of West Herndon Avenue, intersected by North Blythe and West Spatz Avenues) (Council District 2)

1. *****RESOLUTION** - Annexing Territory to Community Facilities District No. 9 and Authorizing the Levy of a Special Tax
2. *****RESOLUTION** - Calling Special Mailed-Ballot Election
3. *****RESOLUTION** - Declaring Election Results
4. *****BILL** - (For introduction and adoption) - Levying a Special Tax for the Property Tax Year 2016-2017 and Future Tax Years Within and Relating to Community Facilities District No. 9, Annexation No. 16

The above hearing was called to order at 10:05 A.M. Assistant Director Benelli with Public Works introduced the item to Council.

Upon call for public comment, no one chose to address Council and public comment was closed.

The hearing was closed at 10:06 A.M.

*RESOLUTION 2017-125 ADOPTED
RESOLUTION 2017-126 ADOPTED
RESOLUTION 2017-127 ADOPTED
BILL B-24 INTRODUCED AND ADOPTED AS
ORDINANCE 2017-25*

On motion of Councilmember Brandau, seconded by Councilmember Chavez, the above item was approved. The motion carried by the following vote:

Aye: 6 - Olivier, Soria, Brandau, Bredefeld, Caprioglio and Chavez

Absent: 1 - Baines III

UNSCHEDULED COMMUNICATION

Upon call, no member of the public chose to address Council during Unscheduled Communication.

RECESSED 10:08 A.M to 10:14 A.M.

2. SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED

10:10 A.M.

[ID17-620](#)

Actions pertaining to the City of Fresno 2017-2018 Annual Action Plan:

1. HEARING to obtain public comments regarding implementation of the City's proposed activities with federal grant funding; and
2. RESOLUTION -Adopting the FY2018 Annual Action Plan; approving submission to the U.S. Department of Housing and Urban Development (HUD) for application of Community Development Block Grant (CDBG), Home Investment Partnerships (HOME), Emergency Solutions Grant (ESG), and Housing Opportunities for Persons With Aids/HIV (HOPWA) Program Funds; providing for sub recipient agreements; and authorizing the City Manager to sign all implementing documents required by HUD as approved to form by the City Attorney.

The above hearing was called to order at 10:14 A.M. Assistant Director Furtado with the Development and Resources Management ("DARM") Department introduced the item to Council. DARM Director Clark also spoke

on this item.

Assistant Director Furtado clarified that, due to the uncertainty with the federal budget, the Housing and Urban Development ("HUD") Department had not yet announced allocation figures. As such, city staff recommended holding and closing the public hearing during the current City Council meeting then postponing adoption of the resolution to adopt the FY2018 Annual Action Plan ("AAP") until the June 29, 2017 City Council meeting. She further clarified that, under the guidance of HUD, the draft report for public comment was created with contingency language. The original HUD deadline for submission was May 15, 2017 but was now 60 days following the announcement of the allocation figures. She announced the city had been made aware that it's allocation would be at approximately the same level as the previous year. Assistant Director Furtado explained that, if adoption of the resolution was continued, staff would prepare a redline version of the AAP for an additional 30 day public comment period.

Upon call for public comment, the following people addressed Council:

Grecia Elenes with Leadership Counsel for Justice and Accountability - felt there were great features in the AAP to reduce barriers to produce affordable housing. She noted many of the features were in the chapter six Housing Element which her organization worked on to ensure it reflected the community voice. Her organization also looked forward to collaborating on the use of "post RDA properties" being used for affordable housing. Ms. Elenes suggested: developing infrastructure and addressing community needs not just in low and moderate income neighborhoods but the neighborhoods with the highest rates of poverty; leveraging existing resources for additional federal funding applications, and; alignment of the AAP with the Active Transportation Plan and the General Plan.

Lucianna Ventresca and Nicole Linder with Marjaree Mason Center ("MMC") - stated the MMC was awarded "Emergency Shelter" grant funds in an amount that barely covered one and a half positions. They asked for the MMC to be considered for an additional award, if funds became available, because of the importance of the work it did. They explained that MMC operated more than 138 emergency shelter beds within the City that primarily housed families and survivors of domestic violence.

Public comment was closed at 10:24 A.M.

President Olivier announced the public hearing portion of the item was closed and the remainder of the item would discussed during the June 29, 2017 City Council meeting.

PUBLIC COMMENT CLOSED AND REMAINDER OF ITEM CONTINUED TO JUNE 29, 2017

Councilmember Chavez left the Council Chamber at 10:36 A.M. and returned at 10:39 A.M.

10:30 A.M.

JOINT MEETING OF THE CITY OF FRESNO IN ITS CAPACITY AS HOUSING SUCCESSOR TO THE REDEVELOPMENT AGENCY OF THE CITY OF FRESNO AND FRESNO REVITALIZATION CORPORATION

The City Council met in Joint Session with the Fresno Revitalization Corporation at 10:36 A.M. to discuss the following:

- [ID17-654](#) 1. Approval of a Purchase and Sale Agreement for APNs 467-245-02T, -03T, -04T, -05T, -06T, -07T, -08T, -09T, -10T, -11T, -12T, 467-262-01T, -02T, -03T, and -04T. (Properties located in District 3)
- 2. Adopt a finding of Categorical Exemption pursuant to CEQA Guidelines section 15332

The above item was introduced to Council by Fresno Revitalization Corporation Executive Director Murphey.

APPROVED

FRC VOTE

On motion of Member Bredefeld, seconded by Member Olivier, the above item was approved. The motion carried by the following vote:

*Aye: 5 - Olivier, Soria, Brandau, Bredefeld and Caprioglio
Absent: 3 - Baines III, Brand and Chavez*

CITY COUNCIL VOTE

On motion of Councilmember Bredefeld, seconded by President Olivier, the above item was approved. The motion carried by the following vote:

**Aye: 5 - Olivier, Soria, Brandau, Bredefeld and Caprioglio
Absent: 2 - Baines III and Chavez**

ADJOURN JOINT MEETING

The joint meeting adjourned at 10:38 A.M.

10:35 A.M.[ID17-614](#)

HEARING to consider a resolution of public use and necessity for acquisition of permanent street easements and right-of-way for public street purposes from the following parcel of real property located at the corner of Barstow Avenue and Veterans Boulevard, (APN: 505-060-74), which is owned by The 1979 Ehrlich Investment Trust; for the construction of Veterans Boulevard, a six-lane super arterial, from Herndon Avenue to Shaw Avenue. (Council District 2)

1. *****RESOLUTION** - That the public interest and necessity require and authorize eminent domain for acquisition of permanent easements and right-of-way for public purposes over, under, through and across real property for the construction of Veterans Boulevard, a six-lane super arterial, from Herndon Avenue to Shaw Avenue (Requires 5 affirmative votes)

The above hearing was called to order at 10:38 A.M. The item was introduced to Council by Public Works Director Mozier. Supervising Real Estate Agent Hansen also spoke on this item.

Upon call for public comment, no one chose to address Council and public comment was closed.

The hearing was closed at 10:46 A.M.

RESOLUTION 2017-128 ADOPTED

On motion of Councilmember Brandau, seconded by Councilmember Bredefeld, the above item was approved. The motion carried by the following vote:

Aye: 6 - Olivier, Soria, Brandau, Bredefeld, Caprioglio and Chavez

Absent: 1 - Baines III

SCHEDULED COMMUNICATION**10:40 A.M.#2**[ID17-622](#)

Appearance by Vickie Miller to discuss the necessity of increased

security measures at City Hall (Property being discussed is located in District 3)

The above appearance was removed from the agenda by Ms. Miller.

10:40 A.M.#3

[ID17-652](#) Appearance by Sandra Brock to discuss the City of Fresno’s Retirement System’s compliance with open meeting laws and communication issues. (Retirement Offices located in District 3)

Ms. Brock appeared and addressed Council.

APPEARED

10:40 A.M.#4

[ID17-659](#) Appearance by Mary Esther Correa to discuss the fines she has incurred by Code Enforcement on her Iowa Street property (Speaker’s property located in District 7)

Ms. Correa appeared and addressed Council.

APPEARED

10:40 A.M.#1

[ID17-317](#) Appearance by Zoyer Zyndel to invite the City Council to the Fresno Pride Parade and Festival to be held on June 3, 2017. (Parade and Festival to take place in District 3)

Mr. Zyndel appeared and addressed Council.

APPEARED

3. GENERAL ADMINISTRATION

3-A [ID17-638](#)

Actions pertaining to Digesters 1 and 13 Cleaning and Rehabilitation of Digester 1 at the Regional Wastewater Reclamation Facility (Bid File 3524) (Council District 3)

1. Adopt findings of Categorical Exemption Class 1, pursuant to Section 15301(d) (Existing facilities) and Categorical Exemption Class 2, pursuant to Section 15302(c) (Replacement or reconstruction) of the California Environmental Quality Act Guidelines
2. Award a \$943,360 contract to Universal Coatings, Inc., of Fresno, California

The above item was introduced to Council by Supervising Professional Engineer Norgaard with the Department of Public Utilities.

APPROVED

On motion of Vice President Soria, seconded by Councilmember Bredefeld, the above item was approved. The motion carried by the following vote:

Aye: 6 - Olivier, Soria, Brandau, Bredefeld, Caprioglio and Chavez

Absent: 1 - Baines III

3-B [ID17-641](#)

Actions pertaining to consultant services for Paleontological and Cultural Resources Monitoring and Consulting Services:

1. ***RESOLUTION - 53rd amendment to the Annual Appropriation Resolution (AAR) No. 2016-118 to appropriate \$418,000 to fund a consulting services agreement and staff costs to provide Paleontological and Cultural Resources Monitoring for the Phase 2 Regional Transmission Mains Project (Requires 5 affirmative votes)
2. Approve a Consultant Services Agreement with PaleoWest Archaeology, LLC., not to exceed \$624,940 to provide Paleontological and Cultural Resources Monitoring and Consulting Services for various water infrastructure capital improvement projects (citywide)

The above item was introduced to Council by Planning Manager Carbajal with the Department of Public Utilities.

RESOLUTION 2017-129 ADOPTED

On motion of Councilmember Bredefeld, seconded by President Olivier, the above item was approved. The motion carried by the following vote:

Aye: 6 - Olivier, Soria, Brandau, Bredefeld, Caprioglio and Chavez

Absent: 1 - Baines III

3-C [ID17-648](#)

Approve a Sixth Amendment to the Professional Consultant Agreement with CH2M HILL Engineers, Inc., for an amount not-to-exceed \$13,600,000 for Fiscal Year 2018 Program Management Services and for extension of the Agreement term by one year, through October 31, 2018 (Citywide)

The above item was introduced to Council by Planning Manager Carbajal

with the Department of Public Utilities. Public Utilities Director Esqueda also spoke on this item.

On motion of Councilmember Bredefeld, seconded by Councilmember Caprioglio, the above item was approved. The motion carried by the following vote:

Aye: 6 - Olivier, Soria, Brandau, Bredefeld, Caprioglio and Chavez

Absent: 1 - Baines III

3-D [ID17-642](#)

***RESOLUTION - 51st amendment to the Annual Appropriation Resolution (AAR) No. 2016-118 appropriating \$681,700 in the Water Connection Charge Fund for completion of water system connection projects (Citywide) (Requires 5 affirmative votes)

The above item was introduced to Council by Business Manager McLaughlin with the Department of Public Utilities.

RESOLUTION 2017-130 ADOPTED

On motion of Councilmember Bredefeld, seconded by Councilmember Chavez, the above item was approved. The motion carried by the following vote:

Aye: 6 - Olivier, Soria, Brandau, Bredefeld, Caprioglio and Chavez

Absent: 1 - Baines III

3-E [ID17-491](#)

Actions pertaining to the Fire Station No. 20 Remodel project (County of Fresno):

1. ***RESOLUTION - 52nd amendment to the Annual Appropriation Resolution (AAR) No. 2016-118, to appropriate \$887,100 to fully fund the Fire Station No. 20 Remodel project (Requires 5 affirmative votes)
2. Adopt finding of a categorical Exemption pursuant to Section 15301(a) of the California Environmental Quality act (CEQA) Guidelines
3. Grant BC Construction & Electric relief from their bid pursuant to Public Contract Code (PCC) 5103.
4. Award a construction contract with Divcon, Inc. of Clovis, CA, for \$742,039

The above item was introduced to Council by Project Manager Bernard with the Public Works Department. City Manager Rudd also spoke on this item.

RESOLUTION 2017-131 ADOPTED

On motion of Councilmember Brandau, seconded by Vice President Soria, the above item was approved. The motion carried by the following vote:

Aye: 6 - Olivier, Soria, Brandau, Bredefeld, Caprioglio and Chavez

Absent: 1 - Baines III

- 3-F** [ID17-580](#) Approve the acquisition of 23.04 acres of fee simple land and street right-of-way on a portion of APN 505-080-29S from property owned by Fermin M. Campos, as Trustee of the Survivor's Trust under the Fermin and Veronica Campos Family Trust as Amended and Restated in 2008, as to an undivided one-half (1\2) interest and Fermin M. Campos as Trustee of the Non-Exempt QTIP Trust under the Fermin and Veronica Campos Family Trust as Amended and Restated in 2008, as to an undivided one-half (1\2) interest, in the amount of \$2,637,500 to use as street right-of-way for the construction of the Veterans Boulevard Interchange Project (Council District 2)

The above item was introduced to Council by Senior Real Estate Agent Caldwell with the Public Works Department.

APPROVED

On motion of Councilmember Brandau, seconded by Councilmember Bredefeld, the above item was approved. The motion carried by the following vote:

Aye: 6 - Olivier, Soria, Brandau, Bredefeld, Caprioglio and Chavez

Absent: 1 - Baines III

- 3-G** [ID17-359](#) Award a contract to VRPA Technologies, Inc. in the amount of \$437,735 for Fresno Area Express Fixed Route System Restructure Public Involvement Services as required by the Federal Transportation Administration

The above item was introduced to Council by City Manager Rudd. Transportation Director Marshall also spoke on this item.

The following members of the public spoke on this item: Rick Steitz with Amalgamated Transit Union local 1027; Grecia Elenes with Leadership Counsel for Justice and Accountability, and; Jesse Gonzales representing the middle management supervisors at Fresno Area Express.

NOT APPROVED

Vice President Soria motioned to approve the above item and

Councilmember Caprioglio made the second. The motion FAILED by the following vote:

Aye: 2 - Soria and Caprioglio

No: 3 - Olivier, Brandau and Bredefeld

Absent: 1 - Baines III

Abstain: 1 - Chavez

4. CITY COUNCIL

There were no items on the City Council portion of the agenda.

RECESSED 12:00 P.M. to 1:30 P.M.

5. CLOSED SESSION

City Council met in Closed Session in Room 2125 from 1:30 P.M. to 3:05 P.M. to discuss the following:

5-A [ID17-685](#) PUBLIC EMPLOYEE PERFORMANCE EVALUATION -
Government Code Section 54957
Title: City Attorney
Sponsor: Council President Olivier

CONFERENCE WITH LABOR NEGOTIATORS - Government Code
Section 54957.6
City Negotiator(s): Council President Clint J. Olivier
Unrepresented Employee: City Attorney

The above item was discussed during closed session. No open session announcements were made regarding this item.

5-B [ID17-688](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION -
Government Code Section 54956.9, subdivision (d)(1)
1. City of Fresno, et al. v. United States of America; United States Court
of Federal Claims Case No. 1:16-cv-01276-MCW

The above item was discussed during closed session. No open session announcements were made regarding this item.

5-C [ID17-693](#) **CONFERENCE WITH LABOR NEGOTIATOR** - Government Code
Section 54957.6
City Negotiator(s): Jeffrey Cardell, Ken Phillips
Employee Organizations:
1. International Union of Operating Engineers, Stationary Engineers,

Local 39 (Local 39)

The above item was discussed during closed session. No open session announcements were made regarding this item.

- 5-D** [ID17-694](#) **CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION** - Government Code Section 54956.9, subdivision (d)(1)
1. Stationary Engineers, Local 39, IUOE, AFL-CIO v. City of Fresno
Public Employment Relations Board, Unfair Practice Charge, Case No. SA-CE-1003-M

The above item was discussed during closed session. No open session announcements were made regarding this item.

- 5-E** [ID17-699](#) **CONFERENCE WITH LABOR NEGOTIATOR** - Government Code Section 54957.6
- City Negotiator(s):** Jeffrey Cardell, Ken Phillips
- Employee Organizations:**
1. Fresno Police Officers Association (FPOA Basic - Unit 4)
 2. Fresno Police Officers Association (FPOA Management - Unit 9)

The above item was discussed during closed session. No open session announcements were made regarding this item.

RECESSED 3:05 P.M. to 4:08 P.M.

4:00 P.M.

2. SCHEDULED COUNCIL HEARINGS AND MATTERS **CONTINUED**

- [ID17-665](#) ***RESOLUTION - Implementing the public display of our national motto, "In God We Trust" inside the Fresno City Council Chambers, on the wall behind the dais.

The above item was introduced to Council by Councilmember Bredefeld.

The following members of the public spoke in support of this item: Former Fresno City Mayor Alan Autry; former Fresno City Councilmember Chris Mathys; Bakersfield City Councilmember Jacquie Sullivan; Pastor Jim Franklin with Cornerstone Church; Rick Nadeau; Larry Arce; Connie Brooks with Concerned Citizens; Ben Bergquam; Paul Singer; Jeremy Pearce; D. Barry Tamres; Roger Leach; Tom Sommers with CBMC; Rabbi M. Zirkind with Chabad of Fresno; Hennie Hendrik Kruger; Kam Nigam; Mary Ann Dews; Diane Pearce; Darius Assemi; Cindy Danhaki; Astine Zadourian; Ray

Cooper; George Ordway; Bobby Estrada; Johnny Rodriguez

The following members of the public spoke in opposition of this item: Nancy Griesser; Beverly Fitzpatrick with UUCF; Juan Avitia; Jim Grant with Interfaith Alliance of California and the Diocese of Fresno; Mark Boyd with Central Valley Alliance of Atheists and Skeptics; Stephanie Shaw; Norman Broadbent with Interfaith Alliance; Mark Ross; Patti Potter with Unitarian Universalist Church; John Snyder; Sally Carroll with Unitarian Universalist Church; George Burman; Gordon Moore; Babs Eskin with UUCF and Interfaith Alliance; Susan Coberly; Saul Eskin with Unitarian Universalist Church; Shannon Kurtz; Reverend Tim Kutzmark with the Unitarian Universalist Church; Howard K. Watkins; Richard Gomez; Charles Krugman; Delphine Fritzl; Mark Jones.

An unidentified member of the public spoke off topic and discussed the Fulton Mall and requested the City water Van Ness Boulevard.

Following Councilmember Bredefeld's motion to approve the item, Councilmember Caprioglio suggested a friendly amendment. The proposed amendment was to place the national motto with the Freedom Shrine on the first floor of City Hall or with the George Washington monument on the third floor. The friendly amendment was not accepted by the maker of the motion.

RESOLUTION 2017-132 ADOPTED

On motion of Councilmember Bredefeld, seconded by Councilmember Brandau, that the above Resolution be approved. The motion carried by the following vote:

Aye: 6 - Olivier, Soria, Brandau, Bredefeld, Caprioglio and Chavez

Absent: 1 - Baines III

ADJOURNMENT

Adjourned at 6:13 P.M.

The above minutes were approved on May 18, 2017 with a motion from Councilmember Caprioglio, seconded by Vice President Soria, the above item was adopted as amended. The motion was approved on a 7-0 vote.