



City of Fresno

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

Meeting Minutes - Final City Council

President - Paul Caprioglio

Vice President - Sal Quintero

Councilmembers:

Oliver L. Baines, III, Lee Brand, Steve Brandau,

Clinton J. Olivier, Esmeralda Z. Soria

City Manager - Bruce Rudd

City Attorney - Douglas T. Sloan

City Clerk - Yvonne Spence, CMC

Thursday, March 17, 2016

1:30 PM

Council Chambers

Regular Session

The City Council met in regular session in the Council Chamber, City Hall, on the date and time above written.

3:23 P.M. ROLL CALL - The meeting began at 1:36 P.M. with all Councilmembers present but roll was called after the ceremonial presentations at 3:23 P.M.

Present: 7 - President Paul Caprioglio
Vice President Sal Quintero
Councilmember Oliver L. Baines III
Councilmember Lee Brand
Councilmember Steve Brandau
Councilmember Clinton Olivier
Councilmember Esmeralda Soria

Invocation by Reverend Michele Racusin of an Episcopal Church located on Alluvial Avenue

Pledge of Allegiance to the Flag

CEREMONIAL PRESENTATIONS

[ID16-300](#) Fresno City Council "2016 Women of the Year" Proclamations

Council District 1: Josephine Kiran - Sponsor Councilmember Soria

Council District 2: Ann Kloose - Sponsor Councilmember Brandau

Council District 3: Felicia Quarles Treadwell - Sponsor

Councilmember Baines
Council District 4: Mary Castro- Sponsor Council President
Caprioglio
Council District 5: Dorothy Manjarrez- Sponsor Vice President
Quintero
Council District 6: Nancy Walker- Sponsor Councilmember
Brand
Council District 7: Pastor Ann Lopez- Sponsor Councilmember
Olivier

PRESENTED

[ID16-306](#) Proclamation of "WOMEN'S HISTORY MONTH"

NOT PRESENTED

[ID16-307](#) Recognition of Central High School Boys Basketball Team -
Division I Valley Champions; and Central High School Girls Golf
Team Valley Champions

PRESENTED

[ID16-215](#) Proclamation of "NATIONAL NUTRITION MONTH"

PRESENTED

[ID16-219](#) Fresno EOC Sanctuary and Youth Services celebrates a
Proclamation of "NATIONAL SAFE PLACE WEEK" - March
20-26, 2016

PRESENTED

Councilmember Olivier exited the Council Chamber at 3:05 P.M. and returned at 3:25 P.M.

APPROVE AGENDA

City Clerk Spence announced the following changes to the agenda: City Council item 3-A (ID 16-274) regarding taxicabs was removed from the agenda by Councilmember Olivier; the 2:30 P.M.#2 Scheduled Matter was an appearance by Jeffery T. Roberts of Granville Homes, and; Closed session items ID 16-314 and ID 16-316 regarding labor negotiations were continued to March 31, 2016 by City Manger Rudd.

APPROVED AS AMENDED

On motion of Councilmember Soria, seconded by Councilmember

Brand, the AGENDA was approved as amended. The motion carried by the following vote:

Aye: 6 - Caprioglio, Quintero, Baines III, Brand, Brandau and Soria

Absent: 1 - Olivier

APPROVE MINUTES

[ID16-142](#) Approval of minutes from March 3, 2016

On motion of President Caprioglio, seconded by Vice President Quintero, the above MINUTES were approved. The motion carried by the following vote:

Aye: 7 - Caprioglio, Quintero, Baines III, Brand, Brandau, Olivier and Soria

COUNCILMEMBER REPORTS AND COMMENTS

Councilmember Baines commented on the Reading Heart program by nine year old Danay Ferguson. The program was an attempt to collect 500,000 books for young people to read and would set a world record for books collected. He explained that with each five dollar donation, Ms. Ferguson would be able to provide four books. The drive would be held between Friday, March 18 at 3p.m. and Saturday, March 19 at 3 p.m.. Councilmember Baines pledged \$500 to the Reading Heart program and challenged the other Councilmembers and the Mayor to match his donation. Councilmember Baines confirmed that Ms. Ferguson would also accept book donations.

Councilmember Olivier commented on the need to level the playing field for the taxi industry in light of the threat posed by ride sharing apps like Uber and Lyft. He clarified that he was not suggesting regulations to Uber and Lyft but instead he was suggesting the City cut the "red tape" for Taxi companies in order to make them competitive. Councilmember Olivier called the following Taxi industry representatives to speak on the issue: Al Makki of Bulldog Cab, Mario Soto of Fresno Cab and Juan Bejar of Taxi Azteca. The speakers stated they could not compete with ride sharing apps under the current regulations placed on taxis. The speakers noted they were required to wait at least two months to hire drivers when Uber and Lyft could hire people the same day.

Councilmember Soria reported she was accepting the challenge by Councilmember Baines and would donate \$500 to the Reading Heart

program. Councilmember Soria reported that she and Councilmember Baines would host a public safety community meeting in the Tower District on Monday, March 28. She noted the residents in that neighborhood had concerns about increasing crime in the area. The meeting would take place at Heaton Elementary from 6:00 P.M. to about 7:30 P.M. and the City Manager and Chief of Police would be in attendance.

President Caprioglio announced that the Council meeting would be adjourned in the memory of Fresno Fire Captain Daniel Lopez-Galvan who passed away during an off duty accident at his home.

President Caprioglio reported on the Best of the Valley Restaurant Awards. He said Fresno had outstanding restaurants and entrepreneurs that were, "putting Fresno on the map." President Caprioglio congratulated all the restaurants and noted that John Harris won the main award.

President Caprioglio reported that he and other Councilmembers participated in the Kids Day newspaper drive that benefited Valley Children's Hospital. He thanked the sponsors that helped and urged people to continue to donate to the hospital.

President Caprioglio congratulated the Fresno State (California State University, Fresno) men's basketball team on their recent victory. He asked everyone to support the Bulldogs in the NCAA tournament and announced that the team would be playing at 4:30 P.M. that day.

Councilmember Baines III exited the Council Chamber at 3:40 P.M. and returned at 3:44 P.M.

1. CONSENT CALENDAR

APPROVAL OF THE CONSENT CALENDAR

Councilmember Soria moved Consent Calendar item 1-I (ID 16-275) to the Contested Consent Calendar for further discussion.

Councilmember Brandau moved Consent Calendar item 1-H (ID 16-273) to the Contested Consent Calendar for further discussion.

On motion of Councilmember Brandau, seconded by President Caprioglio, the balance of the CONSENT CALENDAR was hereby adopted by the following vote:

Aye: 6 - Caprioglio, Quintero, Brand, Brandau, Olivier and Soria

Absent: 1 - Baines III

- 1-A [ID16-191](#) RESOLUTION - Of Intention to annex Final Tract Map No. 6097, Annexation No. 67, to the City of Fresno Community Facilities District No. 11 (an area located near the east of North Fowler Avenue between East Clinton and Princeton Avenues) (Council District 4)

RESOLUTION 2016-35 ADOPTED

The above item was approved on the Consent Calendar.

- 1-B [ID16-209](#) Adopt Resolution of Intention No. 1103-D to vacate alleys south of East Franklin Avenue between North Broadway Avenue and State Route Freeway 180 (Council District 3)

APPROVED

The above item was approved on the Consent Calendar.

- 1-C [ID16-288](#) Approve a three-year License Agreement with Cumulus Media Inc. for use of Rotary Amphitheater for ten events each year

APPROVED

The above item was approved on the Consent Calendar.

- 1-D [ID16-180](#) Actions pertaining to the City's Housing Opportunities for Persons with AIDS (HOPWA) Program:
1. Approve Agreement with WestCare California for HOPWA Program funding in the amount of \$371,645; and
 2. Approve Agreement with Fresno Housing Authority for HOPWA Program funding in the amount of \$11,494

APPROVED

The above item was approved on the Consent Calendar.

- 1-E [ID16-193](#) Actions pertaining to Right-of-Way Acquisition for the Copper Avenue Trail Project;
1. Adopt the Categorical Exemption Environmental Assessment No. EA 12-012, dated February 2, 2016.
 2. Approve the acquisition of 16,088 square feet of a pedestrian easement and 6,534 square feet of temporary construction easement from property owned by the Petrosino family (APN 579-074-30S) in the amount of \$82,200 for the construction of a multi-purpose trail along Copper Avenue from Maple to

Chestnut Avenues. (Council District 6)

APPROVED

The above item was approved on the Consent Calendar.

- 1-F [ID16-238](#) Award a Requirements Contract for linen & dust control services at Various City Facilities in the amount of \$108,707.77 for three (3) years with an option for one (1) three-year (3) year extension to Aramark Uniform & Career Apparel, LLC. Of Fresno, CA (Citywide) Bid File No. 9354

APPROVED

The above item was approved on the Consent Calendar.

- 1-G [ID16-262](#) RESOLUTION - Approving the Final Map of Tract No. 6104 and accepting dedicated public uses offered therein-south side of E. Fancher Creek Drive, between S. Sunnyside Avenue and S. Purdue Avenue (Council District 5)

RESO 2016-36 ADOPTED

The above item was approved on the Consent Calendar.

- 1-H [ID16-273](#) RESOLUTION - Authorizing submittal of applications for payment programs and related authorizations for California Department of Resources Recycling and Recovery (CalRecycle), for which the City of Fresno is eligible

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

- 1-I [ID16-275](#) Approve a contract with Elite Maintenance and Tree Service in the amount of \$304,795.69 to provide median island landscape maintenance services (Citywide)

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

- 1-J [ID16-276](#) Approve Lease Amendment No. 2 between the City of Fresno and John Tomaino an individual D.B.A. American Helicopters at Fresno Chandler Executive Airport (FCH) (Council District 3)

APPROVED

The above item was approved on the Consent Calendar.

- 1-K [ID16-281](#) RESOLUTION - Authorizing the submission of an application for grant funds from the California Department of Transportation 2016 Systemic Safety Analysis Report Program "Call for Applications" and authorizing the execution of all application related documents by the Public Works Director or designees (Citywide)

RESO 2016-37 ADOPTED

The above item was approved on the Consent Calendar.

- 1-L [ID16-282](#) Approve License Amendment No. 4 between the City of Fresno and Bank of America, National Association, for automated teller services at Fresno Yosemite International Airport (FAT). (Council District 4)

APPROVED

The above item was approved on the Consent Calendar.

- 1-M [ID16-284](#) Approve Amendment No. 8 to Agreement between City of Fresno and ERM-West, Inc., (ERM) to provide ongoing engineering, environmental and remedial actions concerning groundwater contamination at Fresno Yosemite International Airport (FAT) for an amount not to exceed \$254,700

APPROVED

The above item was approved on the Consent Calendar.

- 1-N [ID16-286](#) Actions pertaining to updating proprietary hardware and software on passenger boarding bridges at Fresno Yosemite International Airport (Council District 4)
1. Adopt a finding of Categorical Exemption pursuant to Article 19, Section 15301(d) (Existing Facilities), Class 1 of the California Environmental Quality Act (CEQA) Guidelines for the Fresno Yosemite International Airport - Passenger Boarding Bridge Update Project.
 2. RESOLUTION - Authorizing the Director of Aviation to execute a contract with John Bean Technologies Corporation, dba JBT AeroTech, for the purchase and installation of HMI controller upgrade kits for six (6) passenger boarding bridges at Fresno Yosemite International Airport without advertised competitive bidding under the sole source exception.
 3. Award a contract to John Bean Technologies Corporation,

dba JBT AeroTech, to update six (6) passenger boarding bridges at Fresno Yosemite International Airport, in the amount of \$368,950.24.

RESO 2016-38 ADOPTED

The above item was approved on the Consent Calendar.

1-O [ID16-312](#) Approve Amended Employment Agreement of City Clerk

APPROVED

The above item was approved on the Consent Calendar.

1-P [ID16-313](#) Approve Amended Employment Agreement of City Attorney.

APPROVED

The above item was approved on the Consent Calendar.

4. SCHEDULED COUNCIL HEARINGS AND MATTERS

2:00 P.M.

[ID16-237](#) HEARING to consider Rezone Application No. R-15-010 and related Environmental Assessment No. R-15-010 filed by Brandon Broussard of Yamabe & Horn Engineering, on behalf of Leland Parnagian of G3 Development Company, for approximately 95.02 acres of property located on the northwest corner of S. East and E. Central Avenues (Council District 3)

a. Adopt a Finding of Conformity to the Fresno General Plan Master Environmental Impact Report as Environmental Assessment No. R-15-010 dated December 18, 2015.

b. BILL (For introduction and adoption) - Approving Rezone Application No. R-15-010 requesting authorization to prezone the entirety of the subject property from the AL-20 (Agricultural Limited, 20 Acres - Fresno County) and AE-20 (Agricultural Exclusive, 20 Acres - Fresno County) zone districts to the IL/UGM (Light Industrial/Urban Growth Management) and IH/UGM (Heavy Industrial/Urban Growth Management) zone districts.

The above hearing was called to order at 3:50 P.M. Development and Resources Management ("DARM") Supervising Planner Contreras introduced the above item to Council.

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

Barbara Hunt - complained that Southeast Fresno and Northeast Fresno were not properly identified by the City. Also complained that Council needed to engage in discussion about the above item during the meeting and not just blindly approve the staff recommendation.

Leland Parnagian of G3 Development Company (project applicant) - stated the project was meant to get the land ready for future development and was a continuation of what his family did at the the North Point Business Park.

Public comment was closed at 3:55 P.M.

The above hearing was closed at 3:57 P.M.

**BILL B-8 INTRODUCED AND ADOPTED AS
ORDINANCE 2016-8**

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

Aye: 7 - Caprioglio, Quintero, Baines III, Brand, Brandau, Olivier and Soria

2:30 P.M.#1

[ID16-299](#) Appearance by Jeffrey T. Roberts on behalf of Granville Homes to request two impact fee waivers for S-15-109 (1752 "L" Street) and S-15-108 (1743 "L" Street)

Mr. Roberts appeared and addressed Council.

The following member(s) of the public also spoke on this item: Terance Frazier of TFS Investments, LLC and Barbara Hunt.

APPEARED

2:30 P.M.#2

[ID16-304](#) Request Council prepare a letter of support for the proposed mixed use project located at the southwest corner of N. Blackstone Avenue and E. Clinton Avenue (3.5 acres)

Mr. Roberts appeared and addressed Council.

The following member(s) of the public also spoke on this item: Barbara Hunt and Terance Frazier of TFS Investments, LLC

President Caprioglio noted, for the record, that scheduled appearances were not action items and public comment was normally not allowed.

APPEARED

Councilmember Baines III exited the Council Chamber at 4:34 P.M. and returned at 4:37 P.M.

2. GENERAL ADMINISTRATION

- 2-A** [ID16-241](#) Submission and Acceptance of City of Fresno Comprehensive Annual Financial Report (CAFR) and the Comprehensive Annual Debt Report (CADR) for Fiscal Year 2015

The above item was introduced to Council by Finance Director Lima.

The following member(s) of the public spoke on this item: Barbara Hunt.

REPORT ACCEPTED

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

Aye: 6 - Caprioglio, Quintero, Brand, Brandau, Olivier and Soria

Absent: 1 - Baines III

- 2-B** [ID16-228](#) Award a Contract to Steve Dovali Construction in the amount of \$976,329.45 to construct well site improvements at Pump Stations (PS) 250A, 236A and 52A (Citywide)

The above item was introduced to Council by Public Utilities Supervising Engineering Technician Bucu.

The following member(s) of the public spoke on this item: Barbara Hunt.

Councilmember Soria stated, for the record, that staff must attached all contracts to staff reports submitted to Council for review, even if the item utilizes a standardized contract.

APPROVED

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

Aye: 7 - Caprioglio, Quintero, Baines III, Brand, Brandau, Olivier and Soria

- 2-C** [ID16-244](#) Award a purchase contract in the amount of \$356,060.25 to Herwaldt Automotive for the purchase of OEM police motorcycles - City-wide bid file 9340

The above item was introduced to Council by Transportation Director Marshall.

The following member(s) of the public spoke on this item: Barbara Hunt.

APPROVED

On motion of Councilmember Brand, seconded by Councilmember Baines III, the above item was approved. The motion carried by the following vote:

Aye: 7 - Caprioglio, Quintero, Baines III, Brand, Brandau, Olivier and Soria

- 2-D** [ID16-243](#) Actions pertaining to the Fort Washington Neighborhood 8" Water Main Project in the vicinity of N. Millbrook Avenue and E. Plymouth Way - Bid File 3353 (County of Fresno)
1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15302(c) Class 2 of the CEQA Guidelines, for the Fort Washington Neighborhood 8" Water Main Project in the vicinity of N. Millbrook Avenue and E. Plymouth Way
 2. Award a Construction Contract to West Valley Construction Company of San Jose, California in the amount of \$2,748,788 as the lowest responsive, responsible bidder for the Fort Washington Neighborhood 8" Water Main Project in the vicinity of N. Millbrook Avenue and E. Plymouth Way and authorize the Public Works Director or designee to sign a contract on behalf of the City

The above item was introduce to Council by Public Works Design Services Manager Goonawardena. City Manager Rudd and Public Works Assistant Director Andersen also spoke on this item.

The following member(s) of the public spoke on this item: Barbara Hunt.

APPROVED

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

Aye: 4 - Caprioglio, Quintero, Brand and Olivier

No: 3 - Baines III, Brandau and Soria

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

3:00 P.M.

CONTESTED CONSENT CALENDAR

- 1-I [ID16-275](#) Approve a contract with Elite Maintenance and Tree Service in the amount of \$304,795.69 to provide median island landscape maintenance services (Citywide)

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

Councilmember Soria directed staff to attach contracts to all future staff reports, even when a standard contract is used.

APPROVED

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

Aye: 6 - Caprioglio, Quintero, Baines III, Brand, Brandau and Olivier

No: 1 - Soria

- 1-H [ID16-273](#) RESOLUTION - Authorizing submittal of applications for payment programs and related authorizations for California Department of Resources Recycling and Recovery (CalRecycle), for which the City of Fresno is eligible

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

RESOLUTION 2016-39 ADOPTED

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

Aye: 7 - Caprioglio, Quintero, Baines III, Brand, Brandau, Olivier and Soria

2. GENERAL ADMINISTRATION CONTINUED

- 2-E [ID16-257](#) Authorize the Public Works Director to enter into Sixth and Seventh Amendments to a Reimbursement Agreement with the California High-Speed Rail Authority (CHSRA) in substantially the form presented, for the purposes of increasing the contract amount to develop and implement a series of cooperative agreements, and extending the contract end date by twelve months to December 31, 2017. (Council Districts 1, 2 & 3)

The above item was introduced to Council by Public Works Assistant Director Benelli.

The following member(s) of the public spoke on this item: Barbara Hunt.

APPROVED

On motion of Councilmember Baines III, seconded by Councilmember Soria, the above item was approved. The motion carried by the following vote:

Aye: 7 - Caprioglio, Quintero, Baines III, Brand, Brandau, Olivier and Soria

- 2-F [ID16-285](#) Actions pertaining to an award of a construction contract to Davis Moreno Construction, Inc. of Fresno, CA in the amount of \$1,163,973 including the base bid plus add alternates 1 and 2 for the Cultural Arts District Park Project (Bid File 3440) (Council District 3)
1. Adopt finding of a Categorical Exemption pursuant to Sections 15303 and 15332 of the California Environmental Quality Act Guidelines
 2. Award a construction contract with Davis Moreno Construction, Inc. of Fresno, CA in the amount of \$1,163,973 including the base bid plus add alternates 1 and 2 for the

Cultural Arts District Park Project

The above item was introduced to Council by Parks, After School, Recreation and Community Services ("PARCS") Director Mollinedo.

The following member(s) of the public spoke on this item: Barbara Hunt.

City Manager Rudd called Jeff Roberts of Granville Homes to the podium to discuss Darius Assemi's pledge for Granville Homes' 2 year maintenance of the park.

APPROVED

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

Aye: 7 - Caprioglio, Quintero, Baines III, Brand, Brandau, Olivier and Soria

3. CITY COUNCIL

- 3-A** [ID16-274](#) BILL - (For introduction) - Amending Section 9-907 and Section 9-918 of the Fresno Municipal Code, relating to taxicabs

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

- 3-B** [ID16-309](#) Actions pertaining to the Economic Expansion Act:
1. ***RESOLUTION - Adopting the Economic Expansion Act
 2. BILL (For introduction) - Amending subsection (a) of Section 12-4.1404 of the Fresno Municipal Code relating to the exemption from payment of fees for certain types of businesses
 3. ***RESOLUTION - Amending a policy to reduce or eliminate selected citywide impact fees for industrial and large office development projects that create new jobs, increase assessed property valuation, and promote economic development

The above item was introduced to Council by Councilmember Brand.

The following member(s) of the public spoke on this item: Nathan Ahle, Fresno Chamber of Commerce President and CEO; Barbara Hunt, and; Jeff Roberts of Granville Homes.

Councilmember Brand motioned to approve the item and Councilmember Oliver seconded the motion.

Councilmember Soria proposed the following friendly amendments to this item:

1) Requested the hotel incentive remain focused on the downtown area and not applied City side.

2) Requested the proposal to incentivize larger professional offices be focused only on areas that need additional economic development such as downtown.

3) Requested a provision be included that requires at least 50% of jobs created be local in order for companies to receive the capital investment / project revenue sharing incentive on page twelve.

4) Requested that Council approval be required for subsidies in excess of \$500,000 instead of the higher amount listed on page thirteen.

5) Requested that the requirement that the City Council approve letters of support for other indirect financial incentives for tax credits (page 13) be removed. Councilmember Brand clarified that the provision only applied to proposers that applied for subsidies. Upon clarification, Councilmember Soria removed this proposed amendment but suggested the language be changed to make it clear that it was only applicable to people seeking subsidies.

6) Requested that Central Unified School District be added to the economic incentive (number eight) on the career technical education, mentioned in the executive summary.

Councilmember Brand and his second, Councilmember Olivier rejected friendly amendment 1 regarding hotel incentives.

Councilmember Brand and his second, Councilmember Olivier rejected friendly amendment 2 regarding professional offices.

Councilmember Brand and his second, Councilmember Olivier agreed to friendly amendment 3 regarding adding a provision calling for 50% of the created jobs to be local.

Councilmember Brand and his second, Councilmember Olivier rejected

friendly amendment 4 regarding the lowering of the subsidy to \$500,000 to trigger an approval by Council.

Councilmember Brand and his second, Councilmember Olivier, rejected friendly amendment 5 regarding indirect financial incentives and letters of support for tax credits.

Councilmember Brand and his second, Councilmember Olivier, agreed to friendly amendment 6 regarding the inclusion of Central Unified School District. Councilmembers Brand and Olivier also included Clovis Unified School District to the amendment.

*RESOLUTION 2016-40 ADOPTED (with amendments to the attachment)
BILL B-9 INTRODUCED AS AMENDED AND LAID OVER
RESOLUTION 2016-41 ADOPTED*

On motion of Councilmember Brand, seconded by Councilmember Olivier, the above item was approved as amended. The motion carried by the following vote:

Aye: 6 - Caprioglio, Quintero, Baines III, Brand, Brandau and Olivier

No: 1 - Soria

UNSCHEDULED COMMUNICATION

The following members of the public addressed Council during Unscheduled Communication:

Tamara Algots - discussed sexual assault and the effect it has had on her and the need for training of city Police Officers , especially in the Tower District.

Councilmember Soria informed Ms. Algots that a proclamation regarding sexual assault would be read during the April 28 Council Meeting.

Barbara Hunt - discussed: Councilmembers being rude for not paying attention to her during unscheduled communication; invalid elections for Southwest Fresno being labeled as Southeast Fresno, and; Mayor Swarengin giving a billion dollars to "medical people" and St. Agnes.

3. CITY COUNCIL CONTINUED

- 3-C [ID16-315](#) BILL (for introduction) - Amending Section 3-102 of the Fresno Municipal Code concerning employment outside city service.

The above item was introduced to Council by Councilmember Soria.

BILL B-10 INTRODUCED AND LAID OVER

On motion of Councilmember Soria, seconded by Councilmember Brandau, the above Bill was introduced and laid over. The motion carried by the following vote:

Aye: 7 - Caprioglio, Quintero, Baines III, Brand, Brandau, Olivier and Soria

5. CLOSED SESSION

The City Council met in Closed Session in Room 2125 from 6:40 P.M. to 6:45 P.M. to discuss the following:

- [ID16-199](#) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Government Code Section 54956.9, subdivision (d)(2)
Significant Exposure to Litigation:
1. Sierra Mountain Construction, Inc. v. City of Fresno

The above item was discussed during Closed Session. No Open Session announcement was made regarding this item.

DISCUSSED

- [ID16-314](#) CONFERENCE WITH LABOR NEGOTIATOR - Government Code Section 54957.6
City Negotiator(s): Ken Phillips, Jeff Cardell
Employee Organization(s):
1. IUOE, Stationary Engineers, Local 39 (L39)
2. Fresno City Employees Association (FCEA)
3. Fresno Police Officers Association (FPOA Basic)
4. International Association of Firefighters, Local 753 (Fire Basic)
5. Amalgamated Transit Union, Local 1027 (ATU)
6. International Brotherhood of Electrical Workers, Local 100 (IBEW)

- 7. Fresno Police Officers Association (FPOA Management)
- 8. International Association of Firefighters, Local 753 (Fire Mgmt)
- 9. City of Fresno Professional Employees Association (CFPEA)
- 10. City of Fresno Management Employees Association (CFMEA)
- 11. Fresno Airport Public Safety Supervisors (FAPSS)

The above Closed Session item was continued to March 31, 2016 by the City Manager.

[ID16-316](#)

CONFERENCE WITH LABOR NEGOTIATORS - Government Code Section 54957.6
City Negotiator(s): Paul Caprioglio, Bruce Rudd, Jeffrey Cardell.
Douglas Sloan, Yvonne Spence
Unrepresented Employees in Unit 2 (Non-Represented Management and Confidential Classes):
Airport Public Safety Manager
Assistant City Attorney
Assistant City Manager
Assistant Controller
Assistant Director
Assistant Director of Personnel Services
Assistant Director of Public Utilities
Assistant Director of Public Works
Assistant Police Chief
Assistant Retirement Administrator
Budget Analyst
Budget Manager
Chief Assistant City Attorney
Chief Information Officer
Chief of Staff to the Mayor
City Attorney
City Clerk
City Engineer
City Manager
Community Coordinator
Community Outreach Specialist
Controller
Council Assistant
Deputy City Attorney II
Deputy City Attorney III

Deputy City Manager
Director
Director of Aviation
Director of Development
Director of Personnel Services
Director of Public Utilities
Director of Transportation
Economic Development Coordinator
Economic Development Director
Executive Assistant to Department Director
Executive Assistant to the City Manager
Fire Chief
Governmental Affairs Manager
Human Resources Manager
Independent Reviewer
Internal Auditor
Labor Relations Manager
Labor Relations Secretary
Payroll Accountant
Payroll Manager
Police Chief
Principal Budget Analyst
Principal Internal Auditor
Public Affairs Officer
Public Works Director
Redevelopment Administrator
Retirement Administrator
Risk/Safety Manager
Senior Budget Analyst
Senior Deputy City Attorney
Senior Human Resources/Risk Analyst
Supervising Deputy City Attorney
Sponsors: Personnel Services Department

The above Closed Session item was continued to March 31, 2016 by the City Manager.

ADJOURNMENT

Adjourned from Closed Session at 6:45 P.M. in memory of Fresno Fire Captain Daniel Lopez-Galvan.

The above minutes were approved by unanimous vote of the City Council during the March 31, 2016 City Council meeting with President Caprioglio absent.