



# 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, April 27, 2017

8:30 AM

Council Chambers

---

### Regular Meeting

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

8:34 A.M. ROLL CALL

**Present:** 7 - President Clinton Olivier  
Vice President Esmeralda Soria  
Councilmember Oliver L. Baines III  
Councilmember Steve Brandau  
Councilmember Garry Bredefeld  
Councilmember Paul Caprioglio  
Councilmember Luis Chavez

Invocation by Pastor Ben Dosti of the Harvest Bible Chapel

Pledge of Allegiance to the Flag

### **APPROVE AGENDA**

*The agenda was approved as amended. The change to the agenda was under item 1-K, File ID 17-469, there is a typo in Section 3 of the Third Amendment, the date "December 15, 2013" will be changed to "December 15, 2016".*

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

**Aye:** 7 - Olivier, Soria, Baines III, Brandau, Bredefeld, Caprioglio and Chavez

**CEREMONIAL PRESENTATIONS**

[ID17-494](#) In Recognition of Hannah Cleveland, “Celebrating the Gift of Life”

*PRESENTED*

[ID17-398](#) Proclamation of "Real Change Fresno - Understanding Homelessness"- A Project of Leadership Fresno Class 33

*PRESENTED*

[ID17-575](#) Proclamation of “American Red Cross Month”

*PRESENTED*

[ID17-454](#) Proclamation of “National Small Business Week”

*PRESENTED*

[ID17-591](#) Proclamation of “Grizzly Fest Day”

*PRESENTED*

[ID17-625](#) In Recognition of Danielle Quiroga, “SURVIVOR”

*PRESENTED*

[ID17-549](#) Proclamation of “MOMS Club of Fresno North Day”

*PRESENTED*

[ID17-592](#) Proclamation of “Fresno County Farm Bureau “100th Anniversary”

*PRESENTED*

[ID17-593](#) Certificate of Recognition of Jorge Lopez and Clifford Williams Fresno State Maddy Institute Interns.

*PRESENTED*

[ID17-596](#) Proclamation of “Sexual Assault Awareness Month”

*PRESENTED*

[ID17-626](#) Proclamation of "Peace Officers Memorial Day"

PRESENTED

[ID17-450](#) ASE Blue Seal Excellence Recognition, Fleet Management

PRESENTED

Councilmember Chavez left the Council Chamber at 9:40 A.M. and returned at 9:43 A.M.

## **APPROVE MINUTES**

[ID17-97](#) Approval of minutes from April 13, 2017

APPROVED

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

**Aye:** 6 - Olivier, Soria, Baines III, Brandau, Bredefeld and Caprioglio

**Absent:** 1 - Chavez

## **COUNCILMEMBER REPORTS AND COMMENTS**

*Vice President Soria announced she had participated in the League of California Cities Advocacy Day to discuss issues impacting the central valley. She traveled to Sacramento and met with Senator Vidak, Assemblymember Arambula, Senator Hueso, and the Senate Pro-Tempore.*

*Vice President Soria also recently attended the Latina Action Day organized by Hispanas Organized for Political Equality ("HOPE") in Sacramento. She was joined by members of her staff as well as members of the Fresno Youth Commission. The event advocated on issues regarding education, education affordability and healthcare.*

*Vice President Soria commented on the importance of the Sister City program and stated that there were both large and small benefits. She recalled that her office was recently contacted by U.S. Soldier from Jacksonville Arkansas who was based in Châteauroux, France from 1958 to 1962. Châteauroux, France is a Sister City to Fresno. The soldier's daughter was born at the base in 1959 but the base had long since been demolished. The daughter needed to replace her stolen birth certificate and contacted the City of Fresno. Thanks to the Sister City contacts, it only took a single e-mail and three days for a copy of the birth certificate to be obtained.*

*She was excited to have been able to help a U.S. Servicemember through the Sister City program.*

*Vice President Soria asked for the meeting to be adjourned in memory of the people that lost their lives in the hateful shooting rampage that took place downtown on April 18, 2017. She led a moment of silence for Mark Gasset, David Martin Jackson, Zackary Randalls and Carl Williams.*

*Councilmember Caprioglio thanked Vice President Soria for the moment of silence and said the families would be kept in his prayers.*

*Councilmember Caprioglio thanked Brian Russell and his excellent sidewalk repair team. He said they do a fantastic job and stated that he and his constituents were very grateful.*

*Councilmember Caprioglio also thanked the graffiti team for great work and responsiveness. He specifically mentioned the fantastic job responding to graffiti at Vassar and Sierra Vista Avenues.*

*Councilmember Caprioglio thanked Jerry Schuber and the Operation Clean Up team. The team took care of an issue that arose in District Four.*

*Councilmember Caprioglio announced that the 13th Honor Flight arrived back in Fresno the previous night and was welcomed by a large crowd. He recommended that everyone get involved with the Honor Flights since they operate only by donation.*

*Councilmember Caprioglio Home of Hope drawing would happen on May 3, 2017 and said the home was located in a District Four neighborhood centered around a park. He encouraged everyone to buy a ticket and noted some of the proceeds would benefit nine local non-profits including the Renaissance Scholars at Fresno State and the EPU Children's Center.*

*Councilmember Brandau announced he would be traveling to Washington D.C. with Councilmember Baines III for the One Voice Trip to meet with representatives and Department Heads to ask for help with local issues. He stated that, among other things, he would be addressing the funding gap for the Veterans Boulevard project and Councilmember Baines III would be addressing workforce development.*

*Councilmember Brandau also recognized, and asked Council to adjourn in*

*the memory of, the victims of the shooting that occurred in downtown Fresno on April 18, 2017.*

## **1. CONSENT CALENDAR**

*Councilmember Bredefeld moved Consent Calendar items 1-J (ID17-574), 1-K (ID17-469) and 1-O (17-561) to the Contested Consent Calendar for further discussion.*

*The following people addressed Council regarding items on the Consent Calendar:*

*Eugene Sibley - discussed Consent Calendar item 1-C (ID17-505). Stated he lived next to pump station 218 and expressed interest in purchasing the property when the well was abandoned. He was not made aware that it was up for sale. Mr. Sibley asked: if an appraisal was made for the property; if a minimum bid was set, and; how the public was noticed that the property was for sale. He also expressed concern about how different types of development on the property could impact his property value.*

*By consensus, Council agreed to postpone consideration of Consent Calendar item 1-C (ID17-505).*

*APPROVED AS AMENDED*

### 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:** 7 - Olivier, Soria, Baines III, Brandau, Bredefeld, Caprioglio and Chavez

- 1-A**    [ID17-418](#)    Actions pertaining to the City Hall Back-up Boiler Replacement (Council District 3)
1. Adopt finding of a Categorical Exemption pursuant to Section 15303 of the California Environmental Quality Act Guidelines
  2. Award a construction contract with EMCOR Services, Mesa Energy Systems, of Fresno, CA, for \$196,827 for the City Hall Back-up Boiler Replacement Project

*APPROVED*

**The above item was approved on the Consent Calendar.**

- 1-B**     [ID17-490](#)     RESOLUTION - Of Intention to annex Final Tract Map No. 6131, Annexation No. 80, to the City of Fresno Community Facilities District No. 11 (south of East Dakota Avenue between North Fowler and Armstrong Avenues); and setting the public hearing for May 25, 2017 at 10:00 A.M. (Council District 4)

*RESOLUTION 2017-108 ADOPTED*

**The above item was approved on the Consent Calendar.**

- 1-C**     [ID17-505](#)     Actions related to selling an abandoned water well property (PS-218) to Mrs. Kathy Van (property located in the County of Fresno):
1. Adopt a finding of no possibility of significant effect pursuant to CEQA Guidelines Section 15061 (B) (3) and Categorical Exemption pursuant to CEQA Guidelines Section 15312 for the sale of an abandoned water well property.
  2. Approve the sale of an abandoned water well property known as APN 445-234-01T (PS-218) located at 2764 N. Sixth Street to Mrs. Kathy Van.

*The above item was removed from the agenda by consensus of Council.*

- 1-D**     [ID17-539](#)     RESOLUTION - Dedicating certain city-owned property as an easement for water main purposes located on Outlot D of Tract 5935 (Council District 4).

*RESOLUTION 2017-109 ADOPTED*

**The above item was approved on the Consent Calendar.**

- 1-E**     [ID17-562](#)     Approve an agreement for Professional Engineering Services with Peters Engineering Group for \$128,733 and a \$15,000 contingency for the engineering design and construction support services for the Friant Road Overlay - Champlain Drive to Shepherd Avenue and Ashlan Avenue Overlay - Valentine Avenue to West Avenue (Council Districts 1 and 6)

*APPROVED*

**The above item was approved on the Consent Calendar.**

- 1-F**     [ID17-570](#)     Approve an agreement for Professional Engineering Services with QK, Inc., for \$66,210 and \$17,550 in contingency for the design and construction support services for the Ashlan Avenue

Overlay Project from First Street to Millbrook Avenue and the Jensen Avenue Overlay Project from State Route 41 to Martin Luther King Boulevard (Council Districts 3 and 4)

*APPROVED*

**The above item was approved on the Consent Calendar.**

- 1-G**    [ID17-582](#)    Actions pertaining to the City Hall Server Room Fire Suppression System Upgrade Project (Bid File 3509) (Council District 3)
1. Adopt finding of a Categorical Exemption pursuant to Section 15301(d) of the California Environmental Quality Act (CEQA) Guidelines
  2. Award a construction contract with Davis Moreno Construction, Inc. of Fresno, CA, for \$276,146

*APPROVED*

**The above item was approved on the Consent Calendar.**

- 1-H**    [ID17-555](#)    RESOLUTION - Approving the applications for grant funds for California Climate Investments Urban Greening Program (Council Districts 3 and 7)

*RESOLUTION 2017-110 ADOPTED*

**The above item was approved on the Consent Calendar.**

- 1-I**    [ID17-615](#)    Actions pertaining to installation of LED ball field light fixtures at Melody Park:
1. Adopt a finding of categorical exemption pursuant to Section 15303 of the California Environmental Quality Act (CEQA) Guidelines
  2. Award contract to Musco Lighting Systems for \$263,230.13

*APPROVED*

**The above item was approved on the Consent Calendar.**

- 1-J**    [ID17-574](#)    Approve an amendment to the contract with Wallace, Roberts and Todd, LLC. for consulting services to augment the scope of the Parks Master Plan and to authorize the Development and Resource Management Department Director or designee to execute documents

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

- 1-K [ID17-469](#) Approve an amendment to the contract with Brooks-Ransom Associates, not to exceed \$325,000 for professional engineering services to conduct structural engineering plan check services for Building and Safety customer projects.

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

- 1-L [ID17-594](#) Approve the reappointment of Richard Keyes to the Fresno County Economic Opportunities Commission; and the reappointment of Caine Christensen to the Fresno Housing Authority Board

*APPROVED*

**The above appointment was approved on the Consent Calendar.**

- 1-M [ID17-447](#) Approve the First Amendment to the Consultant Services Agreement with Nexlevel Information Technology (Nexlevel) Incorporated, for \$70,575 for development of an Information Technology Plan for the Department of Public Utilities.

*APPROVED*

**The above item was approved on the Consent Calendar.**

- 1-N [ID17-550](#) Reject all bids for design, build, and lease with option to purchase public safety fleet facility (Bid File 3491)

*APPROVED (bids rejected)*

**The above item was approved on the Consent Calendar.**

- 1-O [ID17-561](#) Approve a three-year agreement with two (2) one-year extensions mutually agreed to by the parties with Simon and Company, Inc., in an amount not to exceed \$194,999.88 for lobbying and legislative services in Washington, D.C.

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

- 1-P [ID17-576](#) BILL - (For introduction) - An uncodified ordinance reauthorizing the public, education, and government access (PEG) fee on state video franchise holders operating within the City.

*BILL B-19 INTRODUCED AND LAID OVER*

**The above item was approved on the Consent Calendar.**



**CONTESTED CONSENT CALENDAR**

- 1-J [ID17-574](#) Approve an amendment to the contract with Wallace, Roberts and Todd, LLC. for consulting services to augment the scope of the Parks Master Plan and to authorize the Development and Resource Management Department Director or designee to execute documents

*The above item was introduced to Council by Planning Manager Pagoulatos with the Development and Resources Management ("DARM") Department. City Manager Rudd and Senior Management Analyst Yopez-Perez also spoke on this item.*

APPROVED

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

**Aye:** 4 - Soria, Baines III, Caprioglio and Chavez

**No:** 3 - Olivier, Brandau and Bredefeld

- 1-K [ID17-469](#) Approve an amendment to the contract with Brooks-Ransom Associates, not to exceed \$325,000 for professional engineering services to conduct structural engineering plan check services for Building and Safety customer projects.

*Following the approval of the minutes, City Clerk Spence announced there was a typo in section three of the Third Amendment to Consent Calendar item 1-K (17-469): the date "December 15, 2013" should be changed to "December 15, 2016."*

*The above item was introduced to Council by Building and Safety Services Manager Leong with DARM. DARM Director Clark also spoke on this item.*

APPROVED

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

**Aye:** 7 - Olivier, Soria, Baines III, Brandau, Bredefeld, Caprioglio and Chavez

- 1-O [ID17-561](#) Approve a three-year agreement with two (2) one-year extensions mutually agreed to by the parties with Simon and Company, Inc., in an amount not to exceed \$194,999.88 for lobbying and legislative services in Washington, D.C.

*The above item was introduced to Council by Government Affairs Manager Ellis with the Mayor's Office. City Manager Rudd also spoke on this item.*

APPROVED

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

**Aye:** 6 - Olivier, Soria, Baines III, Brandau, Caprioglio and Chavez

**No:** 1 - Bredefeld

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

### **10:20 A.M. - SCHEDULED COMMUNICATION**

- [ID17-588](#) Appearance by Mary Esther Correa to discuss the fines she has received by Code Enforcement on her property. (Speaker's property is located in District 7)

*Ms. Correa appeared and addressed Council. Several photographs of her property were distributed during her address to Council but were later collected as her "only copies."*

APPEARED

### **10:00 A.M.#1**

- [ID17-487](#) HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community Facilities District No. 11, Annexation No. 77 (Final Tract Map No. 5537) (west side of North Polk Avenue between West Shields and Dakota Avenues) (Council District 1)
1. \*\*\*RESOLUTION - Annexing Territory to Community Facilities District No. 11 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. 11,  
Annexation No. 77

*The above hearing was called to order at 11:01 A.M. The item was introduced to Council by Assistant Director Benelli with the Public Works Department.*

*Upon call for public comment, no members of the public chose to address Council and public comment was closed.*

*The hearing was closed at 11:02 A.M.*

*RESOLUTION 2017-111 ADOPTED  
RESOLUTION 2017-112 ADOPTED  
RESOLUTION 2017-113 ADOPTED  
BILL B-20 INTRODUCED AND ADOPTED AS  
ORDINANCE 2017-21*

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

**Aye:** 7 - Olivier, Soria, Baines III, Brandau, Bredefeld, Caprioglio and Chavez

## **10:00 A.M.#2**

[ID17-624](#) RESOLUTION - In support of Assembly Bill 258, Fresno County child care subsidy pilot program

*The above item was introduced to Council by Councilmember Brandau. Dr. Michele Copher representing the Fresno County Superintendent of Schools and Dr. Matilda Soria with the Fresno County Child Care and Development Local Planning Council also spoke on this item.*

*RESOLUTION 2017-114 ADOPTED*

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

**Aye:** 7 - Olivier, Soria, Baines III, Brandau, Bredefeld, Caprioglio and Chavez

Vice President Soria left the Council Chamber at 11:10 A.M. and returned at 11:11 A.M.

### **10:05 A.M.**

- [ID17-488](#) HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community Facilities District No. 11, Annexation No. 79 (Final Tract Map No. 6091) (east side of North Cornelia between West McKinley and Clinton Avenues) (Council District 3)
1. \*\*\*RESOLUTION - Annexing Territory to Community Facilities District No. 11 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. 11, Annexation No. 79

*The above hearing was called to order at 11:10 A.M. The item was introduced to Council by Assistant Director Benelli with the Public Works Department.*

*Upon call for public comment, no members of the public chose to address Council and public comment was closed.*

*The hearing was closed at 11:11 A.M.*

**RESOLUTION 2017-115 ADOPTED  
RESOLUTION 2017-116 ADOPTED  
RESOLUTION 2017-117 ADOPTED  
BILL B-21 INTRODUCED AND ADOPTED AS  
ORDINANCE 2017-22**

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

**Aye:** 6 - Olivier, Baines III, Brandau, Bredefeld, Caprioglio and Chavez

**Absent:** 1 - Soria

**10:10 A.M.**

- [ID17-489](#) HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community Facilities District No. 11, Annexation No. 78 (Final Tract Map No. 6090) (north side of West Bullard Avenue between North Grantland Avenue and State Highway 99) (Council District 2)
1. \*\*\*RESOLUTION - Annexing Territory to Community Facilities District No. 11 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. 11, Annexation No. 78

*The above hearing was called to order at 11:11 A.M. The item was introduced to Council by Assistant Director Benelli with the Public Works Department.*

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

*Jeff Roberts with Granville Homes - spoke in support of the staff recommendation.*

*Mary Esther Correa - stated home owners were unfairly being over taxed. She said homeless people and illegal immigrants do not pay taxes do not vote and were scamming the over taxed home owners. Ms. Correa felt mailed ballot were good and said Councilmembers needed to think of the home owners.*

*The hearing was closed at 11:15 A.M.*

*RESOLUTION 2017-118 ADOPTED  
RESOLUTION 2017-119 ADOPTED  
RESOLUTION 2017-120 ADOPTED  
BILL B-22 INTRODUCED AND ADOPTED AS  
ORDINANCE 2017-23*

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

following vote:

**Aye:** 7 - Olivier, Soria, Baines III, Brandau, Bredefeld, Caprioglio and Chavez

### **10:15 A.M.**

[ID17-559](#) WORKSHOP Regarding Recharge Fresno Program Update

*The above workshop was presented by Planning Manager Carbajal with the Department of Public Utilities.*

*Council had no questions following the presentation.*

WORKSHOP HELD

### **UNSCHEDULED COMMUNICATION**

*Upon call, the following member(s) of the public addressed Council during Unscheduled Communication:*

*Mary Esther Correa - thanked "Tommy" for solving her problem. Ms. Correa also stated she was advocating for those impacted by California's drought conditions and encouraged Council to think outside the box. She suggested giving half the money for parks to the ranchers impacted by drought because they were tax payers and need help.*

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

### **11:45 A.M.**

[ID17-627](#) Announcement of S. Bryan Medina as Fresno's Poet Laureate  
*Mayor brand introduced Bryan Medina as Fresno's next Poet Laureate.*

*Mr. Medina recited his poem about Fresno titled, "Under the Skin."*

ANNOUNCED

RECESSED 11:43 A.M. to 1:00 P.M.

Councilmember Baines III and Councilmember Caprioglio returned from recess at 1:46 P.M.

### **1:00 P.M.**

[ID17-609](#) Presentation of the Employee of the Spring Quarter 2017 (Small reception immediately following- 2nd floor foyer)

*The following employees have provided outstanding public service to the people of the City of Fresno and have set the standard of excellence in performance. They were selected by their departments for exemplifying the principles of the acronym PRIDE: Professionalism, Responiveness, Innovation, Direction and Excellence.*

*The 2017 Spring Employee of the Quarter recipients were: Tracy Parvanian with the City Attorney's Office; Roxane Morse with DARM; Barton Burkhart, Devin Mcguire and Richard Pogue with the Fire Department; Juan Rios with the Finance Department; Paul Zhou with the Information Services Department; Andrew Perales and Wendy Moon with the Parks, After School, Recreation and Community Services Department; Trish Eichhorn with Personnel Services; Paul Zarasua, Kevin Yambupah, Jaime Campos, Maggie Navarro and Cathy Ens with the Police Department; Shana Lovett, Jetzavel Enriquez and Marilyn Creel with the Department of Public Utilities; Richard Rindlisbacher, Steve Toles, Rachel Robles and Jose Rodriguez with the Public Works Department and; Rochelle Bosi, Darlene Christiansen, Gilbert Elizondo and Bob Uhlir with the Transportation Department.*

PRESENTED

### **3. GENERAL ADMINISTRATION**

- 3-A [ID17-361](#) Actions pertaining to retaining consultants for additional work related to water distribution system corrosion control treatment research and studies:
1. Approve Amendment No. 1 to the Research Agreement between the City of Fresno and Virginia Polytechnic Institute and State University in an amount not to exceed \$100,000;
  2. Approve Amendment No. 1 to Consultant Agreement with Water Quality & Treatment Solutions, Inc., in an amount not to exceed \$330,000.

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

APPROVED

**On motion of Councilmember Bredefeld, seconded by Councilmember**

**Chavez, the above item was approved. The motion carried by the following vote:**

**Aye:** 5 - Olivier, Soria, Brandau, Bredefeld and Chavez

**Absent:** 2 - Baines III and Caprioglio

- 3-B**    [ID17-470](#)    Approve the purchase of cutaway paratransit buses in the amount of \$3,215,500 from Creative Bus Sales, Inc., in accordance with the cooperative purchasing procedures set forth in Administrative Order 3-1

*The above item was introduced to Council by Assistant Director Schaad with the Department of Transportation.*

*APPROVED*

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

**Aye:** 7 - Olivier, Soria, Baines III, Brandau, Bredefeld, Caprioglio and Chavez

- 3-C**    [ID17-546](#)    Award a purchase contract in the amount of \$167,255.13 to Stommel Inc. dba Lehr Auto Electric for the purchase of hardware packages for the police patrol sedans (City-wide) (Bid File 3536)

*The above item was introduced to Council by Assistant Director Schaad with the Department of Transportation. Transportation Director Marshall requested this item be heard and considered simultaneously with General Administration item 3-D (ID17-547).*

*APPROVED*

**On motion of Vice President Soria, seconded by Councilmember Caprioglio, both the above item and General Administration item 3-D (ID 17-547) were approved. The motion carried by the following vote:**

**Aye:** 7 - Olivier, Soria, Baines III, Brandau, Bredefeld, Caprioglio and Chavez

- 3-D**    [ID17-547](#)    Award a purchase contract in the amount of \$655,785.61 to Stommel Inc. dba Lehr Auto Electric for the purchase of hardware packages for the police patrol SUVs (City-wide) (Bid



File 3534)

*The above item was introduced to Council by Assistant Director Schaad with the Department of Transportation. Transportation Director Marshall requested this item be heard and considered simultaneously with General Administration item 3-C (ID17-546).*

**APPROVED**

**On motion of Vice President Soria, seconded by Councilmember Caprioglio, both the above item and General Administration item 3-C (ID 17-546) were approved. The motion carried by the following vote:**

**Aye:** 7 - Olivier, Soria, Baines III, Brandau, Bredefeld, Caprioglio and Chavez

- 3-E**     [ID17-577](#)     BILL - (For Introduction) - 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 Assistant Director Barfield with the Department of Transportation.*

*The following members of the public spoke on this item: Rick Steitz with Amalgamated Transit Union Local 1027 and City of Fresno Professional Employees' Association.*

*Council President Olivier asked Transportation Department staff to consult with Mr. Steitz if he needed additional information regarding this item.*

**BILL B-23 INTRODUCED AND LAID OVER**

**On motion of Councilmember Baines III, seconded by President Olivier, the above Bill was introduced and laid over. The motion carried by the following vote:**

**Aye:** 7 - Olivier, Soria, Baines III, Brandau, Bredefeld, Caprioglio and Chavez

- 3-F**     [ID17-616](#)     Approve the acquisition of Federal Transit Administration (FTA) oversight and compliance consultant services in an amount not to exceed \$250,000 from the LeFlore Group, LLC, in accordance with purchasing procedures from cooperative agreements as set forth in Administrative Order 3-1.

*The above item was introduced to Council by Transportation Director Marshall. Consultant / Owners Representative Rudy LeFlore also spoke on this item.*

*APPROVED*

**On motion of Councilmember Bredefeld, seconded by President Olivier, that the above Action Item be approved. The motion carried by the following vote:**

**Aye:** 7 - Olivier, Soria, Baines III, Brandau, Bredefeld, Caprioglio and Chavez

- 3-G**    [ID17-466](#)    Actions pertaining to an award of a construction contract to Davis Moreno Construction, Inc. of Fresno, CA for \$519,799 for the Frank H. Ball Swimming Pool Renovation Project (Bid File 3507) (Council District 3)
1. Adopt finding of a Categorical Exemption pursuant to Section 15301(d) of the California Environmental Quality Act (CEQA) Guidelines
  2. Award a construction contract with Davis Moreno Construction, Inc. of Fresno, CA, for \$519,799 for the Frank H. Ball Swimming Pool Renovation Project

*The above item was introduced to Council by Project Manager Bernard with the Public Works Department.*

*APPROVED*

**On motion of Councilmember Baines III, seconded by Councilmember Caprioglio, that the above Action Item be approved. The motion carried by the following vote:**

**Aye:** 7 - Olivier, Soria, Baines III, Brandau, Bredefeld, Caprioglio and Chavez

- 3-H**    [ID17-484](#)    Anti-Slum Enforcement Team (ASET) Quarterly Report

*The above item was introduced to Council by City Attorney Sloan. Deputy City Attorney Espinosa presented the report to Council.*

*Following the report, Council discussed the following topics: opportunities for improvement; the current number of inspectors; the possibility of creating a separate department to deal with code enforcement, and; the need for a legal investigator.*

PRESENTED

#### **4. CITY COUNCIL**

- 4-B**     [ID17-623](#)     RESOLUTION - In support of Temperance Flat Dam and Storage Project

*The above item was introduced to Council by Councilmember Brandau. Public Utilities Director Esqueda and Executive Director Mario Santoyo with the San Joaquin Valley Water Infrastructure Authority also spoke on this item.*

*President Olivier asked Nicholas Sinclair from the Office of Assemblyman Jim Patterson to address Council. Mr. Sinclair announced that Assemblyman Patterson was in support of the city's resolution regarding Temperance Flat Dam.*

*RESOLUTION 2017-121 ADOPTED*

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

**Aye:** 7 - Olivier, Soria, Baines III, Brandau, Bredefeld, Caprioglio and Chavez

- 4-A**     [ID17-565](#)     RESOLUTION - In support of the Task Force for the Seniors of Fresno

*The above item was introduced to Council by President Olivier. City Manager Rudd also spoke on this item.*

*President Olivier announced the Task Force for the Seniors of Fresno would meet the third Wednesday of each month (May through October) in room 4017 at City Hall from 2:00 P.M. to 4:00 P.M. The current members of the task force included: Joy Cronin with the Department of Social Services; Doctor William Dailey with Cal State; Jill Wagner with the Osher Lifelong Learning Institute; Allen Lopez with Catholic Charities; Rosmary Jesse-Rojas with Manchester Senior Group; concerned citizen James Hunter; former Fresno City Clerks Jacki Ryle and Becky Klisch; Roselyn "Roz" Clark with Neighborhood Watch; Donna Hurley with Bella Vista Memory Care Community; Michelle DiBuduo with the Valley Caregiver Resource Center; H. Spees from Mayor Lee Brand's Office; Linda Descoteaux with the Fresno*

*and Madera Area Agency on Aging; Irma Yepez-Perez and Shaun Schaefer from the PARCS Department; former Fresno County Supervisor Phil Larson; concerned citizen Barbara Cole; Audrey Redmond with the West Fresno Ministerial Alliance; Fresno County Supervisor Buddy Mendes; former Community College Boardmember Dorothy "Dottie" Smith; Carlos Duarte from the Transportation Department, and; Moni Randolph with the Clovis Senior Center.*

*Councilmember Chavez announced the third annual Spring Fling event for seniors would be held at the Mosqueda Center on May 12, 2017. He said the event was co-sponsored by his office and the office of Fresno County Supervisor Quintero. Councilmember Chavez felt the event could be a good opportunity for the Task Force to take a few surveys of the community.*

*City Manager Rudd asked staff to research the possibility that the city agreed or contributed money for the purchase of the former Sierra Hospital in the 1990's to establish a senior center.*

#### **RESOLUTION 2017-122 ADOPTED**

**On motion of President Olivier, seconded by Vice President Soria, that the above Resolution be approved. The motion carried by the following vote:**

**Aye:** 7 - Olivier, Soria, Baines III, Brandau, Bredefeld, Caprioglio and Chavez

RECESSED 3:20 P.M. to 3:30 P.M.

### **5. CLOSED SESSION**

*City Council met in Closed Session in Room 2125 from 3:30 P.M. to 6:20 P.M. to discuss the following:*

- 5-A**    [ID17-545](#)    CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)  
1. Steven Kennedy v. City of Fresno, et al.; Fresno Superior Court Case No. 14CECG02334.

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

- 5-B**    [ID17-613](#)    CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision

(d)(1)

1. Arnold, Connie v. City of Fresno, and Does 1 through 10;  
United States District Court Case No.: 1:16-CV-01625  
-LJO-EPG

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

- 5-C**     [ID17-618](#)     CONFERENCE WITH LEGAL COUNSEL - DECIDING WHETHER TO INITIATE LITIGATION  
Government Code Section 54956.9, subdivision (d)(4)  
1. City of Fresno v. Louis Sarantos, Jr. Sole Proprietor, d.b.a. Clovis 500 Club, et al.

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

- 5-D**     [ID17-619](#)     CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)  
1. Karen Micheli, et al., v. City of Fresno; Vulcan Construction & Maintenance; Measurement Control Systems, et al.; and does 1-100. Fresno Superior Court Case No. 16CECG02937.

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

- 5-E**     [ID17-617](#)     CONFERENCE WITH LEGAL COUNSEL - DECIDING WHETHER TO INITIATE LITIGATION  
Government Code Section 54956.9, subdivision (d)(4)  
1. City of Fresno v. West Shaw Estates Home Owners Association  
2. City of Fresno v. BDHOV LP (358 and 360 N. Roosevelt)  
3. City of Fresno v. Malcolm D. Powers and Judy Powers (1203 W. Simpson)  
4. City of Fresno v. Sean Sanchez (5039 E. Lane)  
5. City of Fresno v. Zaid Altahan and Maha Yahya (1115 W. Simpson, Cornerstone Apts.)

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

- 5-F**     [ID17-551](#)     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-G**    [ID17-553](#)    PUBLIC EMPLOYEE PERFORMANCE EVALUATION -  
Government Code Section 54957  
Title: City Clerk  
Sponsor: Council President Olivier

CONFERENCE WITH LABOR NEGOTIATORS - Government  
Code Section 54957.6

City Negotiator(s): Council President Clint J. Olivier

Unrepresented Employee: City Clerk

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

- 5-H**    [ID17-606](#)    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-I**    [ID17-610](#)    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.*

## **ADJOURNMENT**

*Adjourned from Closed Session at 6:20 P.M. in the memory of Mark Gasset,  
David Martin Jackson, Zackary Randalls and Carl Williams.*

**The above minutes were approved by unanimous vote of the City Council during  
the May 11, 2017 City Council meeting with Councilmember Baines III absent.**