

City of Fresno

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



Meeting Minutes - Draft

Thursday, June 20, 2019

9:00 AM

Regular Meeting

Council Chambers

City Council

President - Paul Caprioglio

Vice President - Miguel Angel Arias

Councilmembers:

Esmeralda Z. Soria, District 2 - Vacant, Luis Chavez, Garry Bredefeld,

Nelson Esparza

City Manager - Wilma Quan

City Attorney - Douglas T. Sloan

City Clerk - Yvonne Spence, MMC

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

9:16 A.M. ROLL CALL

Present: 6 - President Paul Caprioglio
Vice President Miguel Angel Arias
Councilmember Esmeralda Z. Soria
Councilmember Luis Chavez
Councilmember Garry Bredefeld
Councilmember Nelson Esparza

Invocation by Pastor Andrew Smith of the Bridge Church

Pledge of Allegiance to the Flag

APPROVE AGENDA

*City Clerk Spence announced the following changes to the agenda: File ID 19-1897 - Presentation regarding Fresno Regional Workforce Development Board's 1st Quarter Award Winner was removed from the agenda by staff and File ID 19-1864 (3-F) - ***Resolution - Adopting a Resolution to Establish Priorities in Addressing Homelessness (Subject to Mayor's veto) was moved to Consent Calendar at staff's request.*

On motion of Councilmember Chavez, seconded by Councilmember Esparza, the above item was adopted as amended. The motion carried by the following vote:

Aye: 6 - Caprioglio, Arias, Soria, Chavez, Bredefeld and Esparza

APPROVE MINUTES

[ID19-1397](#) Approval of minutes for June 13, 2019.

On motion of Vice President Arias, seconded by Councilmember Soria, that the above Minutes be approved. The motion carried by the following vote:

Aye: 6 - Caprioglio, Arias, Soria, Chavez, Bredefeld and Esparza

[ID19-1885](#) Approval of minutes of the June 10, 2019 Special Meeting Notice and Budget minutes of June 10, and June 11, 2019

On motion of Vice President Arias, seconded by Councilmember Soria, that the above Minutes be approved. The motion carried by the following vote:

Aye: 6 - Caprioglio, Arias, Soria, Chavez, Bredefeld and Esparza

CEREMONIAL PRESENTATIONS

[ID19-1897](#) Fresno Regional Workforce Development Board's 1st Quarter Award Winner.

The above Proclamation was removed from the agenda by staff.

[ID19-1909](#) Presentation by the Central California Blood Center

PRESENTED

COUNCILMEMBER REPORTS AND COMMENTS

Councilmember Bredefeld asked City Attorney Sloan about the implementation and enforcement of the no camping ordinance. City Attorney Sloan responded. Councilmember Bredefeld asked Chief Dyer if there are beds available in order to enforce the no camping ordinance and spoke regarding the resources for the Homeless Taskforce. Chief Dyer responded.

Council Vice President Arias asked staff how many people have been cited, arrested or prosecuted for being homeless under the no camping ordinance. He asked how many available beds are currently used for homeless individuals. Chief Dyer and City Attorney Sloan responded.

1. CONSENT CALENDAR

On motion of Councilmember Soria, seconded by Councilmember Chavez, the below CONSENT CALENDAR items were adopted. The motion carried by the following vote:

Aye: 6 - Caprioglio, Arias, Soria, Chavez, Bredefeld and Esparza

- 1-A [ID19-1747](#) Actions pertaining to the Dakota Avenue and West Avenue Traffic Signal Modification - Bid File 3614 (Council District 1)
1. Adopt a finding of Categorical Exemption per staff's determination, pursuant to Section 15301(c) of the California Environmental Quality Act Guidelines (CEQA)
 2. Award a Construction Contract to Sturgeon Electric California, LLC, of Chino, CA in the amount of \$438,933

- 1-B** [ID19-1820](#) Actions pertaining to the Water Mains Installation in the Vicinity of Airways Golf Course - Bid File 3661 (Council District 4)
1. Adopt a finding of Categorical Exemption per staff's determination, pursuant to Class 2 Section 15302(c) (Replacement or Restoration) of the California Environmental Quality Act Guidelines
 2. Award a construction contract in the amount of \$482,472 to West Valley Construction Company, Inc., of Fresno, California as the lowest responsive and responsible bidder

- 1-C** [ID19-1878](#) ***BILL NO. B-15 - (Intro. 6/13/2019) (For adoption) - Amending portions of the City Purchasing, Contracts and Sales Ordinance to update Chapter 4, Article 5 of the Fresno Municipal Code - Design Build Contracts to include qualification based methods of procurement. (Subject to Mayor's veto)

BILL -15 AND ORDINANCE 2019-015 ADOPTED

- 1-D** [ID19-1854](#) Actions related to an Aviation Land and Building Lease and Agreement with Flight Level Aviation, LLC.:
1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act Guidelines
 2. Approve a Lease between the City of Fresno and Flight Level Aviation, LLC., to operate as a Fixed Based Operator and related aviation operations at Fresno Chandler Executive Airport (Council District 3)

- 1-E** [ID19-1761](#) Approve the award of a cooperative purchase agreement to Quinn Company of Fresno, California, for the purchase of one Caterpillar 914M wheel loader in the amount of \$143,895

- 1-F** [ID19-1906](#) Actions related to adoption of the revised Sewer System Management Plan:
1. Adopt a finding that this approval is covered by the common sense exemption set forth in CEQA Guidelines Section 15061(b)(3) and that there is no possibility that it will have a significant effect on the environment.
 2. Adopt the 2019 Revision of the Sewer System Management Plan as required by the Statewide General Waste Discharge Requirements for Sanitary Sewer Systems (Citywide)

- 1-G** [ID19-1901](#) ***RESOLUTION - Repealing Resolution No. 2017-339 and Clarifying Procedures for Retention and Production of Public Records Contained in Electronic Media (Subject to Mayor's veto)

RESOLUTION 2019-122 ADOPTED

- 1-H** [ID19-1902](#) Actions related to the First Amendments to the Service Agreements with Mid-Valley Recycling, LLC, and Cedar Avenue Recycling and Transfer Station, LP (Citywide):
1. Approve a First Amendment to the Service Agreement with Mid-Valley Recycling, LLC
 2. Approve a First Amendment to the Service Agreement with Cedar Avenue Recycling and Transfer Station, LP

SCHEDULED COUNCIL HEARINGS AND MATTERS**9:00A.M.#1 CONTINUED BUDGET HEARING**

[ID19-1917](#) Vote on Motions and Directions

1. Councilmember Soria amended her motioned to set aside \$1 million for a specific senior center contingent upon there being a surplus/carryover and the first \$1 million will be used from the General Fund. Council Vice President Arias seconded the motion. Motion PASSED 6-0 as amended.

2. Councilmember Chavez amended his motion to reclassify \$1 million from Community Development Block Grant (CDBG) or the General Fund to PARCs budget. Council President Caprioglio seconded the motion. Motion PASSED 6-0 as amended.

3. Council Vice President Arias motioned to allocate \$250,000 for grant writing consultant for PARCs department. Councilmember Soria seconded the motion. Motion was WITHDRAWN.

Councilmember Bredefeld asked staff several questions regarding the need for staffing, 911 dispatchers, Community Services Officers (CSO) and the wait time on 911 calls. He asked about the eight (8) previously funded dispatchers and spoke regarding the need for staff on the Homeless Taskforce. Chief Dyer responded. Councilmember Bredefeld asked the Budget Analyst Andy Heath if the \$3 million in property tax has not been budgeted for the Fiscal Year. Budget Analyst Heath responded.

Council Vice President Arias asked staff how many vacancies are in the Police Department currently and how many vacancies are there for the

Emergency dispatchers. He asked how much money does the Police Department save a year on attrition. Chief Dyer responded. Council Vice President Arias asked Mayor Brand if the proposed motion can be afforded on an ongoing basis. Mayor Brand responded. Council Vice President Arias does not support the amendment and withdrew his second to the motion.

4. Councilmember Bredefeld amended his motion to fund an additional five (5) Police Officers and five (5) Emergency Services Dispatchers' positions and five (5) Community Services Officers (CSO) at an estimated cost of \$1.125 million. The funding for the new positions will come from 1) \$700,000 from interest generated by the reserve funds and 2) additional property taxes. Council Vice President Arias withdrew his support from the amended motion. Motion FAILED for lack of second.

City Council recessed at 10:09 A.M. and returned from recess at 10:15 A.M.

Councilmember Bredefeld asked Budget Analyst Heath to clarify the \$3 million property tax and if it does exist or does not. Budget Analyst Heath and Assistant City Manager Sumpter responded.

5. Councilmember Esparza motioned to add three (3) rank Specific and three (3) rank Specific Captain Safety Officers to the Fire Department. Councilmember Soria seconded the motion. Motion was WITHDRAWN.

6. Councilmember Soria amended her motion to fund the Fire Inspector position for six (6) months to begin in January 2020 at a cost of \$42,500, funding to be added during mid-year. Councilmember Chavez seconded the motion. Motion PASSED 6-0 as amended.

7. Councilmember Chavez motioned to add \$10,000 to leverage a \$50,000 grant by Community Choice Energy for a feasibility study for low cost energy for residents and businesses. Councilmember Esparza seconded the motion. Motion was WITHDRAWN.

8. Council Vice President Arias motioned to set aside \$500,000 from UB&C remodel for City Hall security. Councilmember Soria seconded the motion. Motion was WITHDRAWN.

9. Councilmember Soria amended her motion to add \$800,000 for the completion of the quiet zone and safety upgrade construction near Fresno High School; specifically the Shields/Maroa area near the railroad tracks. The funding will be \$100,000 from District 1 infrastructure dollars and District 1 will work with the Administration for Public Works Department to fund the remaining \$700,000 and to include the carryover in the General Fund for Fiscal Year 2020. Councilmember Esparza seconded the motion. Motion PASSED 6-0 as amended.

Councilmember Bredefeld asked Councilmember Soria to explain the completion of the quiet zone. Council President Caprioglio asked if there was a way the obligation could be shared with the Railroad and the School Districts to save money in the budget. Councilmember Soria responded.

10. Council President Caprioglio motioned to use General Fund savings from Capital Projects of \$350,300 for the multigenerational center. Councilmember Chavez seconded the motion. Motion was WITHDRAWN.

11. Council President Caprioglio motioned to increase Operational Street Maintenance Repair Program by \$400,000. Council Vice President Arias seconded the motion. Motion was WITHDRAWN.

12. Councilmember Chavez motioned to eliminate the Water Lobbyist from Department of Public Utilities budget. Councilmember Bredefeld seconded the motion. Motion was WITHDRAWN.

13. Councilmember Soria motioned to have a plan to address apartment dwellers and commercial user's access and the use of the Convenience Centers. Council Vice President seconded the motion. Motion was WITHDRAWN.

14. Councilmember Esparza motioned to add \$1.2 million to affordable housing funds for a total of \$2.2 million with the \$1 million already in place. Councilmember Soria seconded the motion. Motion was WITHDRAWN.

15. Councilmember Esparza motioned to add \$85,000 for Contract

Consultants to conduct tax increments financing analysis for affordable housing. Councilmember Chavez seconded the motion. Motion PASSED 5-0 Councilmember Soria absent.

16. Councilmember Esparza amended his motion to move the Neighborhood Services Department to the City Attorney's Office and requested a nine (9) month re-evaluation report of what has transpired as a result of the reorganization. Council Vice President Arias seconded the motion. Motion PASSED 6-0 as amended.

17. Councilmember Chavez motioned to include \$10,000 for Lane and Burrows Neighborhoods under the Neighborhood Revitalization Team. Council Vice President Arias seconded the motion. Motion was WITHDRAWN.

Councilmember Soria left the meeting at 10:44 A.M.

18. Council Vice President Arias amended his motion to reflect the City will make available up to \$1 million for new market tax credits to meet the contract obligation for the Darling Plant re-location. Councilmember Soria seconded the motion. Motion PASSED 5-0 as amended, Councilmember Soria absent.

19. Council Vice President Arias amended his motion to set aside an additional \$50,000 from Transformative Climate Communities (TCC) funding to hire a consultant to gather correct data so staff can make recommendations on policy for the Anti-Displacement Taskforce. Councilmember Chavez seconded the motion. Motion PASSED 5-0 as amended, Councilmember Soria absent.

20. Council Vice President Arias amended his motion to set aside \$250,000 within the DARM Department for Environmental Impact Report (EIR) if needed to support the industrial compatibility study. Council President Caprioglio seconded the motion. Motion PASSED 5-0 as amended, Councilmember Soria absent.

21. Councilmember Soria amended her motion to add \$50,000 from the

General Fund/carryover for this Fiscal Year for a total of \$100,000. An additional \$200,000 will be funded from Workforce Development Board and \$100,000 will be contingent upon the \$200,000 Workforce Development Board contribution. Council Vice President Arias seconded the motion. Motion PASSED 6-0 as amended.

22. Council Vice President Arias amended his motion to add up to \$50,000 towards the pilot connection program from the California Veterans home to the Downtown Hub. The State funding is pending and if there is no commitment by the State, the funding will be set aside if necessary. Councilmember Chavez seconded the motion. Motion PASSED 5-0 as amended, Councilmember Soria absent.

23. Councilmember Soria amended her motion to add two (2) paralegal positions for the PRA for a total of \$164,000 and up to \$50,000 for legal services for the Mayor's Office. Councilmember Chavez seconded the motion. Motion PASSED 6-0 as amended.

24. Council Vice President Arias motioned to fund a Liquor Inspections: Investigator/Expenses in the amount of \$97,000, Increase Contract Counsel line item from \$175,000 to \$200,000 and to transfer all or some of Code Enforcement functions to City Attorney's Office at no net cost to the City Attorney's budget. Councilmember Chavez seconded the motion. Motion was WITHDRAWN.

25. Councilmember Esparza motioned to reallocate \$50,000 for budget analyst at no cost within the City Attorney's budget. Councilmember Chavez seconded the motion. Motion PASSED 5-0 Councilmember Soria absent.

26. Councilmember Esparza motioned to fund and authorize two additional legal investigators in the amount of \$85,000 for a total of \$170,000 to the City Attorney's budget. Councilmember Chavez seconded the motion. Motion was WITHDRAWN.

27. Councilmember Esparza motioned to move the Neighborhood Services Department to the City Attorney's Office to 1) The Neighborhood Services Department, as described in the Mayor's proposed Fiscal Year 2020 Budget,

including all of its functions, authority, and resources, shall be reorganized to be under the City Attorney; 2) The transfer shall be effective as of July 1, 2019 (date of transfer). The effects upon represented personnel should be minimal, as this action was already proposed to be separated from DARM in the Mayor's proposed Budget, and merely transfers oversight authority, and represented employees will continue to perform the same job functions for the same compensation and employment terms. Nonetheless, the Personnel Director and City Attorney shall immediately provide notice to affected bargaining units and allow for comment on the effects, if any, of this transfer; 3) All equipment, supplies, vehicles, facilities, office space, contracts, and all other resources currently assigned to the applicable code enforcement functions and personnel and necessary to carry out this motion shall be transferred to the City Attorney's Office. The Administration shall coordinate with the City Attorney to provide substantially the same necessary and efficient City Hall office space to allow for minimal disruption of code enforcement activities, with at least much space as is being provided currently for the applicable code enforcement activities; in the event the allocation of physical space and resources cannot be agreed upon, the Council will give direction on the unresolved issues; 4) All funding, as described in the proposed Budget for Neighborhood Services, of \$10,430,000, and related fine and fee revenue, interdepartmental charges, and grants, necessary to carry out this motion shall be transferred to the City Attorney's Office, without interruption, as of the date of transfer. The intent is for this transfer to be over-all budget neutral; 5) All 80 employees designated in the proposed Budget for Neighborhood Services shall as of the date of transfer be added to and under the authority of the City Attorney, as will also be reflected in the Position Authorization Resolution; 6) Council hereby directs the Administration, Staff, and the City Attorney to take all actions necessary to implement this motion. Councilmember Soria seconded the motion. Motion PASSED 6-0.

28. Council Vice President Arias motioned to add \$50,000 for a Records Consultant and \$61,000 for a Records Supervisor position for a total of \$111,000 to the City Clerk's budget. Councilmember Soria seconded the motion. Motion was WITHDRAWN.

29. Councilmember Chavez amended his motion to add \$20,000 to be paid

by Department of Public Utilities, \$10,000 in sprinkler repairs and \$10,000 for water use for the Fresno Fair green space water on the corner of Maple and Butler. Council President Caprioglio seconded the motion. Motion PASSED 5-0 as amended, Councilmember Soria absent.

30. Councilmember Chavez motioned to add \$40,000 for the Fresno Historic Society. Councilmember Esparza seconded the motion. Motion PASSED 5-0 Councilmember Soria absent.

31. Councilmember Chavez amended his motion to identify \$500,000 to help with the funding gap for the Cesar Chavez Foundation project using Community Development Grant (CDBG), HOME, Housing and Urban Development (HUD), Redevelopment Agency (RDA) or General Fund dollars. Council Vice President Arias seconded the motion. Motion PASSED 5-0 as amended, Councilmember Soria absent.

32. Council President Caprioglio motioned to move \$200,000 from account 57101 - Land Acquisition in General City Purpose Department and if the money is not spent, it will go into the Multigenerational Center. Councilmember Chavez seconded the motion. Motion was WITHDRAWN.

33. Council Vice President Arias motioned to cut the Federal and State lobbyist from the Fiscal Year 2020 budget. Councilmember Bredefeld seconded the motion. Motion FAILED 2-3, Council President Caprioglio, Councilmember Chavez and Councilmember Esparza vote no.

34. Councilmember Esparza motioned to move \$50,000 from discretionary funding to the base budget for all Council districts. Council Vice President Arias seconded the motion. Motion PASSED 5-0 Councilmember Soria absent.

35. Council Vice President Arias amended his motioned to reflect \$60,000 of one-time funding to pay for the infrastructure for a Public Safety memorial. Councilmember Soria seconded the motion. Motion PASSED 5-0 as amended, Councilmember Soria absent.

36. Council Vice President Arias amended his motion to set aside \$300,000

for one-time funding to implement recommendations made by the Immigration Affairs Committee. If the money is not used it will stay in the General Fund. Councilmember Chavez seconded the motion. Motion PASSED 3-2 as amended, Council President Caprioglio and Councilmember Bredefeld vote no.

37. Council Vice President Arias amended his motion to add \$1.05 million of one-time funding for infrastructure for each district to receive \$150,000 for fixing sidewalks, curbs, gutters and trimming trees. Councilmember Chavez seconded the motion. Motion PASSED 5-0 as amended, Councilmember Soria absent.

38. Council Vice President Arias amended his motion to set aside \$200,000 and direct staff and Administration to work with local leaders to assess the Advance Peace program and other options to reduce gun violence in the City of Fresno and bring back a proposal in 90 days for the Advance Peace program. Councilmember Esparza seconded the motion. Motion PASSED 3-2 as amended, Council President Caprioglio and Councilmember Bredefeld vote no.

Councilmember Chavez supports the motion and stated the Advance Peace program is not to pay individuals money to not shoot others but it is a beneficial program for the City of Fresno.

Upon call, Chief Dyer and Aaron Foster addressed Council and spoke regarding the Advance Peace program.

Council President Caprioglio and Councilmember Bredefeld expressed opposition and their concerns with the Advance Peace program and setting money aside until the program has a fully set plan.

City Council recessed for lunch at 12:13 P.M. and returned from lunch at 1:44 P.M.

Council Vice President Arias left the meeting at 1:44 P.M.

39. Council President Caprioglio motioned to appropriate \$4 million to a

Multigenerational Center. Councilmember Esparza seconded the motion. Motion was WITHDRAWN.

40. Council President Caprioglio motioned to move \$200,000 of General Fund dollars from Department of Public Works Fulton Mall Street maintenance and add two (2) additional bike officers to District 4 to complete a 24 hour shift. Councilmember Chavez seconded the motion. Motion was WITHDRAWN.

41. Councilmember Esparza amended his motion to reflect the total operating budget for Council will be 97% of the Mayor's operating budget, or a \$700,000 increase to be split evenly among the seven (7) Districts with \$50,000 allocated in this budget and the remaining balance at mid-year carryover. Council President Caprioglio seconded the motion. Motion PASSED 4-0 as amended, Council Vice President Arias and Councilmember Soria absent.

Council Vice President Arias returned to the meeting at 1:47 P.M.

42. Council Vice President Arias motion to set aside \$100,000 from the existing DARM budget to update the Tower District Specific Plan. Councilmember Chavez seconded the motion. Motion PASSED 5-0 Councilmember Soria absent.

43. Councilmember Soria amended her motion to add \$1 million to develop the Housing Trust Fund using the General Fund carryover. Councilmember Esparza seconded the motion. Motion PASSED 5-1 as amended, Councilmember Bredefeld votes no.

44. Council Vice President Arias amended his motion to direct staff to set aside \$90,000 in the PARCs budget to fund the roof replacement at the Boys and Girls Club in West Fresno and to be funded by Community Development Block Grant (CDBG). Councilmember Chavez seconded the motion. Motion PASSED 5-0 as amended, Councilmember Soria absent.

45. Councilmember Soria amended her motion to eliminate the Water Lobbyist, and that the State Lobbyist will handle Water lobbying and any

water duties to be paid by Department of Public Utilities and direct Administration to sit with Ad Hoc Council Committee to discuss priorities before every session. Councilmember Chavez seconded the motion. Motion PASSED 4-2 as amended, Council Vice President Arias and Councilmember Bredefeld vote no.

The following are new motions and will be voted on June 27, 2019:

46. Councilmember Esparza motioned to add \$300,000 towards Capitol Project and move it from Fiscal Year 2023 to Fiscal Year 2021 and to amend Capitol Project to reflect only First Street between McKinley and Olive and the remainder to be separated out to its own project. Council Vice President Arias seconded the motion.

47. Councilmember Esparza motioned to add five (5) Community Service Officers (CSO) to the Police Department. Council Vice President Arias seconded the motion.

48. Council President Caprioglio motioned to appropriate \$1.5 million to PARCS to purchase and bring up to code a building located at Bulldog Lane and Sixth for the El Dorado Neighborhood to be funded with property tax. Councilmember Soria seconded the motion.

49. Council President Caprioglio motioned to direct staff to pursue the loan and appropriate \$10 million for Section 108 loan to build a Multigenerational Center in District 4. The removal of the \$2 million currently designated in the Fiscal Year 2020 budget for the Multigenerational Center is contingent on receiving the full amount of the Section 108 loan. Councilmember Chavez seconded the motion.

50. Council President Caprioglio motioned to fund and complete Fountain Way and Cedar neighborhood for paving with funding from Community Development Block Grant (CDBG), property taxes, and/or ending fund balance. Councilmember Chavez seconded the motion.

51. Council President Caprioglio motioned to appropriate \$672,000 from the Economic contingency reserve to fund and pave alleys in the El Dorado

neighborhood. Councilmember Soria seconded the motion.

Upon call, there was no public comment.

9:00 A.M.#2 - JOINT MEETING OF THE FRESNO REVITALIZATION CORPORATION AND CITY OF FRESNO IN ITS CAPACITY AS HOUSING SUCCESSOR TO THE REDEVELOPMENT AGENCY.

[ID19-1797](#) Receive Annual Report and Approve FY 19-20 Program Income Budget for the City of Fresno in its capacity as Housing Successor to the Redevelopment Agency of the City of Fresno

The above item was introduced to Council by Redevelopment Administrator Murphey, Redevelopment Agency Department.

Upon call, there was no public comment.

APPROVED

On motion of Councilmember Chavez, seconded by Councilmember Soria, that the above Action Item be approved. The motion carried by the following vote:

Aye: 6 - Caprioglio, Arias, Soria, Chavez, Bredefeld and Esparza

9:00 A.M.#3 - Actions on the Fiscal Year 2020 Budget and related items - CONTINUED FROM June 11, 2019

THE BELOW ITEMS WERE CONTINUED TO JUNE 27, 2019

- A. [ID19-1869](#) *****RESOLUTION** - Council adoption of the Fiscal Year 2019-2020 City of Fresno budget including the Annual Appropriations Resolution **(Subject to Mayor's veto)**
- B. [ID19-1822](#) *****BILL** - (For introduction and adoption) - Adoption of Property Tax Override Ordinance (Subject to Mayor's veto)
- C. [ID19-1871](#) *****RESOLUTION** - Adopt the FY 2020 Position Authorization Resolution **(Subject to Mayor's veto)**
- D. [ID19-1832](#) *****RESOLUTION** - Adopt the Fiscal Year 2020 Salary Resolution **(Subject to Mayor's veto)**
- E. [ID19-1870](#) *****RESOLUTION** - FY 2020 GANN Appropriation Limit Resolution **(Subject to Mayor's veto)**

- F. [ID19-1765](#) *****RESOLUTION** - To Adopt an Investment Policy for Public Funds for Fiscal Year 2019-2020 (Subject to Mayor's Veto)

10:00 A.M.

[ID19-1808](#) TEFRA HEARING - To hear and consider information concerning the proposed issuance of tax-exempt bonds by the California Enterprise Development Authority for the purpose of financing the development, construction, installation, equipping and furnishing of two facilities by United Health Centers of the San Joaquin Valley, and certain other matters relating thereto

1. *****RESOLUTION** - A Resolution of the Council of the City of Fresno, California, approving the issuance by the California Enterprise Development Authority of not to exceed \$12,000,000 aggregate principal amount of the California Enterprise Development Authority's Revenue Bonds for the purpose of financing the cost of developing, constructing, installing, equipping and furnishing two facilities for the benefit of United Health Centers of the San Joaquin Valley, and other matters relating thereto herein specified (Requires 5 affirmative votes) **(Subject to Mayor's veto)**

The item was called to order at 1:49 P.M.

The above item was introduced to Council by Principal Accountant Hardcastle, Finance Department.

Upon call, there was no public comment.

RESOLUTION 2019-124 ADOPTED

On motion of Vice President Arias, seconded by Councilmember Chavez, that the above Action Item be adopted. The motion carried by the following vote:

Aye: 5 - Caprioglio, Arias, Chavez, Bredefeld and Esparza

Absent: 1 - Soria

10:05 A.M.#1

[ID19-1895](#) HEARING to consider Amendments to Conditional Use Permit No. C-16-033, located on the southwest corner of East Belmont and North Van Ness Avenues. (Council District 3)

1. AMEND Conditional Use Permit No. C-16-033 to establish a Type

20 alcohol license (Package Store - sale of beer and wine for consumption off the premises where sold) to temporarily allow a net increase of one liquor license in Census Tract 6, the area in which the project is located, for no more than nine months, conditioned upon the operator purchasing another liquor license from within that Census Tract to transfer it outside of the City within that nine months.

The item was called to order at 1:51 P.M.

The above item was introduced to Council by Council Vice President Arias, District 3.

Upon call, the following member of the public addressed Council: Esther Delahaye.

APPROVED

On motion of Vice President Arias, seconded by Councilmember Chavez, that the above Action Item be approved. The motion carried by the following vote:

Aye: 5 - Caprioglio, Arias, Chavez, Bredefeld and Esparza

Absent: 1 - Soria

10:05 A.M.#2

[ID19-1904](#) CONTINUED HEARING to Consider Adoption of the 551st Amendment to the Master Fee Schedule Resolution No. 80-420 to Increase Fire Facility Impact Fees (Fire Impact Fees); Acceptance and Adoption of the Public Review Draft Nexus Study Reports for the Fire Impact Fee Program (Citywide).

1. Adopt a Finding of Statutory Exemption that a Fire Facilities Impact Fee update is exempt pursuant to Public Resources Code Section 21080(b)(8) and Section 15273 of the California Environmental Quality Act (CEQA) Guidelines.
2. ***RESOLUTION - 551st Amendment to the Master Fee Schedule Resolution No. 80-420 to Adjust Citywide Fire Impact Fees. (Subject to Mayor's Veto)
3. RESOLUTION - Establishing Findings Pursuant to California Government Code Sections 65961 and 66498.1(c)(1), Finding that Failure to Impose the Increased Fire Impact Fee on New Development, Including Approved Vesting Tentative Maps, Would Place Future and Existing Residents in a Condition Dangerous to Their Health and Safety.

The item was called to order at 1:55 P.M.

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

Upon call, there was no public comment.

Council Vice President Arias requested staff to explain the findings that were sent in a tray memo to Council. He requested a friendly amendment to the motion to no longer waive fire fees related to commercial and industrial without Council approval. Councilmember Chavez and Councilmember Esparza agreed to the amendment. City Manager Quan and Director Mozier responded. City Attorney Sloan stated fees may be waived through an objective across the board program that does not trigger prevailing wage, if Council waives fees, Ad Hoc per project it is more likely Council will trigger prevailing wage for the project.

RESOLUTION 2019-125 ADOPTED

RESOLUTION 2019-126 ADOPTED

On motion of Councilmember Chavez, seconded by Councilmember Esparza, that the above Action Item be adopted as amended. The motion carried by the following vote:

Aye: 4 - Arias, Chavez, Bredefeld and Esparza

No: 1 - Caprioglio

Absent: 1 - Soria

10:15 A.M.

[ID19-1834](#) HEARING to consider adoption of resolutions related to the designation of properties to the Local Register of Historic Resources

1. ***RESOLUTION - Designating the George Riddell Miller Home located at 617 E Carmen Avenue, Fresno, California to the Local Register of Historic Resources (Council District 1) (Subject to Mayor's veto)
2. ***RESOLUTION - Designating the Bixler Vapor Dry Cleaning Company Building located at 2049 Broadway, Fresno, California to the Local Register of Historic Resources (Council District 3) (Subject to Mayor's veto)

The item was called to order at 2:04 P.M.

The above item was introduced to Council by Historic Preservation Specialist Van onna, DARM Department.

Upon call, there was no public comment.

Council Vice President Arias requested this item be continued to the June 27, 2019 agenda.

On motion of Vice President Arias, seconded by Councilmember Chavez, that the above Action Item be continued. The motion carried by the following vote:

Aye: 5 - Caprioglio, Arias, Chavez, Bredefeld and Esparza

Absent: 1 - Soria

10:30 A.M.

[ID19-1842](#) HEARING to Consider Adoption of the 552nd Amendment to the Master Fee Schedule Resolution No. 80-420 to Add, Adjust, or Delete Various Development Fees Associated with the Current Planning and Building Divisions of the Development and Resource Management Department (Citywide).

1. ***RESOLUTION - 552nd Amendment to the Master Fee Schedule No. 80-420, Making Various Changes to the Regulatory, Development, and User Fees in the Current Planning and Building and Safety Services Division of the Development And Resource Management Department (Subject to Mayor's veto)

The item was called to order at 2:05 P.M.

The above item was introduced to Council by Assistant Director Sanchez, DARM Department and Project Director Nicole Kissam, with NBS.

Upon call, there was no public comment.

Councilmember Bredefeld asked staff to address and outline the four fees referenced in the staff report. Assistant Director Sanchez responded.

Council Vice President Arias asked Project Director Kissam to explain the

proposed fees, the requested fee from BIA and final fees being recommended by staff. Planning Manager Emerson responded. He spoke regarding the time it takes to process plans and the additional funding resources for the Planning Department. Project Director Kissam responded.

RESOLUTION 2019-127 ADOPTED

On motion of Vice President Arias, seconded by Councilmember Chavez, that the above Action Item be adopted. The motion carried by the following vote:

Aye: 5 - Caprioglio, Arias, Chavez, Bredefeld and Esparza

Absent: 1 - Soria

1:30 P.M. CONTESTED CONSENT CALENDAR

3. GENERAL ADMINISTRATION

3-A [ID19-1858](#)

Approve use of Fresno Municipal Code Section 4-502(d), Design Build Qualification Method of procurement for the FATforward Terminal Expansion and Parking Structure Projects at Fresno Yosemite International Airport

The above item was introduced to Council by Director Meikle, Airports Department.

Upon call, there was no Council discussion and no public comment.

APPROVED

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

Aye: 5 - Caprioglio, Arias, Chavez, Bredefeld and Esparza

Absent: 1 - Soria

3-B [ID19-1816](#)

Approve an Agreement with Tutor Perini/Zachry/Parsons, a Joint Venture (TPZP) for City of Fresno Plan Review and Construction Management Services Related to the California High Speed Rail Project (Council Districts 1, 2, and 3).

The above item was introduced to Council by Deputy City Engineer Avitia,

Public Works Department.

Upon call, there was no Council discussion and no public comment.

APPROVED

On motion of Vice President Arias, seconded by President Caprioglio, that the above Action Item be approved. The motion carried by the following vote:

Aye: 5 - Caprioglio, Arias, Chavez, Bredefeld and Esparza

Absent: 1 - Soria

- 3-C** [ID19-1821](#) Actions pertaining to the Traffic Signal Installation Project at Bullard Avenue and Grantland Avenue - Bid File 3628 (Council District 2)
1. Adopt a finding of Categorical Exemption per staff's determination, pursuant to Section 15301(c) of the California Environmental Quality Act Guidelines (CEQA)
 2. Approve an Inter-fund Loan Agreement between the Developer Cash-in-Lieu Improvements Fund and the Cash-in-Lieu Loan Fund, pursuant to Article VI of the City of Fresno Reserve Management Act and Article IV of the Taxpayer Protection Act, providing for a \$803,000 loan
 3. Award a Construction Contract to American Paving Co., of Fresno, CA in the amount of \$553,617, and authorize the Public Works Director or Designee to sign a standardized contract on behalf of the City

Upon call, there was no Council discussion and no public comment.

APPROVED

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

Aye: 5 - Caprioglio, Arias, Chavez, Bredefeld and Esparza

Absent: 1 - Soria

- 3-D** [ID19-1756](#) Actions pertaining to Initiating Proceedings and Declare Intention to Levy the Annual Assessment for the City of Fresno Landscaping and Lighting Maintenance District No. 1; and setting the public hearing for July 25, 2019 at 10:00 a.m. (Citywide)
1. RESOLUTION - Initiating proceedings for the annual levy of

- assessment
2. RESOLUTION - Of Intention to levy and collect the annual assessment

Upon call, there was no Council discussion and no public comment.

RESOLUTION 2019-128 ADOPTED

RESOLUTION 2019-129 ADOPTED

On motion of Councilmember Chavez, seconded by Councilmember Bredefeld, that the above Action Item be adopted. The motion carried by the following vote:

Aye: 5 - Caprioglio, Arias, Chavez, Bredefeld and Esparza

Absent: 1 - Soria

- 3-E** [ID19-1795](#) Actions pertaining to the Ashlan Avenue Overlay Project from West Avenue to Valentine Avenue - Bid File No 3607 (Council District 1)
1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301(c) of the CEQA guidelines
 2. Award a construction contract in the amount of \$1,325,116.60 to Dave Christian Construction Co., Inc.

Upon call, there was no Council discussion and no public comment.

APPROVED

On motion of Vice President Arias, seconded by Councilmember Chavez, that the above Action Item be approved. The motion carried by the following vote:

Aye: 5 - Caprioglio, Arias, Chavez, Bredefeld and Esparza

Absent: 1 - Soria

- 3-F** [ID19-1864](#) ***RESOLUTION - Adopting a Resolution to Establish Priorities in Addressing Homelessness (Subject to Mayor's Veto)

The above item was moved to Consent Calendar and approved as one motion.

RESOLUTION 2019-123 ADOPTED

On motion of Councilmember Soria, seconded by Councilmember Chavez, that the above Action Item be adopted. The motion carried by

the following vote:

Aye: 6 - Caprioglio, Arias, Soria, Chavez, Bredefeld and Esparza

- 3-G** [ID19-1872](#) Approve Agreement with Focus Strategies in the amount of \$155,000 for Homeless Emergency Aid Program Project Management Services

The above item was introduced to Council by Council Vice President Arias, District 3.

Upon call, the following members of the public addressed Council: Yonas Paulos, Brandi Villegas, Desire Martinez, Sylvia and Jay Justice Lima.

APPROVED

On motion of Vice President Arias, seconded by Councilmember Chavez, that the above Action Item be approved. The motion carried by the following vote:

Aye: 5 - Caprioglio, Arias, Chavez, Bredefeld and Esparza

Absent: 1 - Soria

- 3-H** [ID19-1855](#)

Award a service contract to Partners In Control, Inc., dba Enterprise Automation, in the amount of \$622,069 for the City of Fresno's Tank 3 Surface Water Treatment Facility CitectSCADA/Wonderware Historian Upgrade and Configuration Integration (Council District 4) (RFP 3658)

The above item was introduced to Council by Director Carbajal, Public Utilities Department.

Upon call, there was no Council discussion and no public comment.

APPROVED

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

Aye: 5 - Caprioglio, Arias, Chavez, Bredefeld and Esparza

Absent: 1 - Soria

- 3-I** [ID19-1856](#)

Actions pertaining to the design of the Recycled Water Distribution

System, Southwest Quadrant (Council District 3 and Fresno County)

1. Approve the Fourth Amendment to the Professional Consultant Services Agreement with Blair, Church & Flynn Consulting Engineers, in the amount of \$285,900
2. Authorize the Director of Public Utilities, or designee, to sign the Fourth Amendment on behalf of the City of Fresno

Upon call, there was no Council discussion and no public comment.

APPROVED

On motion of Vice President Arias, seconded by Councilmember Chavez, that the above Action Item be approved. The motion carried by the following vote:

Aye: 5 - Caprioglio, Arias, Chavez, Bredefeld and Esparza

Absent: 1 - Soria

3-J [ID19-1859](#)

Actions pertaining to the Recycled Water Transmission Main, Southwest Quadrant, Project SW4 (Bid File 3505) (Council Districts 3 and 7):

1. Award a construction contract to Teichert Construction, in the amount of \$12,740,399
2. Authorize the Director of Public Utilities, or designee, to sign the contract on behalf of the City of Fresno

Upon call, there was no Council discussion and no public comment.

APPROVED

On motion of Vice President Arias, seconded by Councilmember Chavez, that the above Action Item be approved. The motion carried by the following vote:

Aye: 5 - Caprioglio, Arias, Chavez, Bredefeld and Esparza

Absent: 1 - Soria

3-K [ID19-1860](#)

Actions pertaining to the Recycled Water Transmission Main, Southwest Quadrant, Project SW1D (Bid File 3504-2) (Council District 3 and County):

1. Award a construction contract to Emmett's Excavation, Inc., in the amount of \$13,153,194
2. Authorize the Director of Public Utilities, or designee, to sign the contract on behalf of the City of Fresno

Upon call, there was no Council discussion and no public comment.

APPROVED

On motion of Vice President Arias, seconded by Councilmember Chavez, that the above Action Item be approved. The motion carried by the following vote:

Aye: 5 - Caprioglio, Arias, Chavez, Bredefeld and Esparza

Absent: 1 - Soria

- 3-L** [ID19-1903](#) Approval of a Third Amendment to the Agreement entered between the City of Fresno and the Central California Society for the Prevention of Cruelty to Animals.

Upon call, there was no Council discussion and no public comment.

Council Vice President Arias directed staff to continue with the Request for Proposal (RPF) process and expressed his concerns with the SPCA not meeting their obligations of their contract.

APPROVED

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

Aye: 4 - Caprioglio, Arias, Chavez and Bredefeld

No: 1 - Esparza

Absent: 1 - Soria

4. CITY COUNCIL

- [ID19-1907](#) Actions pertaining to an ordinance adding Section 11-113 of the Fresno Municipal Code, relating to an expedited, streamlined permitting process for Electric Vehicle Charging Stations.
1. Adopt a finding pursuant to CEQA Guidelines 15061(b)(3) that there is no possibility that this approval will have a significant effect on the environment.
 2. BILL - (For introduction)- Adding Section 11-113 of the Fresno Municipal Code, relating to an expedited, streamlined permitting process for Electric Vehicle Charging Stations.

The above item was introduced to Council by Council Vice President Arias, District 3.

Upon call, there was no public comment.

Councilmember Bredefeld asked how many vehicle stations is the City of Fresno anticipating. Council Vice President Arias responded.

BILL 16 INTRODUCED AND LAID OVER

On motion of Vice President Arias, seconded by Councilmember Chavez, that the above Action Item be approved. The motion carried by the following vote:

Aye: 5 - Caprioglio, Arias, Chavez, Bredefeld and Esparza

Absent: 1 - Soria

PLEASE NOTE: UNSCHEDULED COMMUNICATION IS NOT SCHEDULED FOR A SPECIFIC TIME AND MAY BE HEARD ANY TIME DURING THE MEETING

UNSCHEDULED COMMUNICATION

Upon call, the following members of the public addressed Council: David Love, Akifa Frost, Brandi Villeges, Nicole Linder, Marijaree Mason Center, Jay Justice Lima, Yonas Paulos, Patricia Ellis and Deserie Martinez.

5. CLOSED SESSION

City Council recessed for Closed Session at 3:11 P.M. and returned from Closed Session at 3:49 P.M.

There was no announcements after Closed Session.

5-A [ID19-1880](#)

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Government Code Section 54956.9, subdivision (d)(2):
1. Claim of Davis Moreno Construction

DISCUSSED

5-B [ID19-1908](#)

CONFERENCE WITH LABOR NEGOTIATORS - Government Code Section 54957.6

City Negotiators: Jeffrey Cardell, Ken Phillips

Employee Organizations:

1. International Union of Operating Engineers, Stationary Engineers, Local 39 (Local 39)

2. Fresno City Employees Association (FCEA)
3. Fresno Police Officers Association (FPOA Basic)
4. International Association of Firefighters, Local 753, Unit 5 (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, Unit 10 (Fire Management)
9. City of Fresno Professional Employees Association (CFPEA)
10. City of Fresno Management Employees Association (CFMEA)
11. Operating Engineers, Local Union No. 3, Fresno Airport Public Safety Supervisors (FAPSS)
12. Operating Engineers, Local Union No. 3, Fresno Airport Public Safety Officers (FAPSO)
13. 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 Councilmember
 - Chief of Staff to the Mayor
 - City Attorney
 - City Attorney Investigator
 - 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 Attorney
Executive Assistant to the City Manager
Fire Chief
Governmental Affairs Manager
Human Resources Manager
Independent Reviewer
Internal Auditor
Investment Officer
Labor Relations Manager
Management Analyst II
Payroll Accountant
Payroll Manager
Police Chief
Principal Budget Analyst
Principal Internal Auditor
Public Affairs Officer
Public Works Director
Retirement Administrator
Retirement Benefits Manager
Senior Budget Analyst
Senior Deputy City Attorney I
Senior Deputy City Attorney II
Senior Deputy City Attorney III
Senior Human Resources/Risk Analyst
Senior Law Clerk
Supervising Deputy City Attorney

DISCUSSED

ADJOURNMENT

City Council adjourned in memory of Peter Vang at 3:49 P.M.

