



City of Fresno

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

Meeting Minutes - Draft City Council

President - Oliver L. Baines, III
Vice President - Paul Caprioglio
Councilmembers:

Lee Brand, Steve Brandau, Clinton J. Olivier,
Sal Quintero, Esmeralda Z. Soria
City Manager - Bruce Rudd
City Attorney - Douglas T. Sloan
City Clerk - Yvonne Spence, CMC

Thursday, April 9, 2015

8:30 AM

Council Chambers

Regular Session

The City Council met in regular session at the hour of 8:30 A.M. in the Council Chamber, City Hall, on the day above written.

8:47 A.M. ROLL CALL

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

Invocation by District Seven Councilmember, Sal Quintero

Pledge of Allegiance to the Flag

CEREMONIAL PRESENTATIONS

[ID#15-269](#) Presentation of the SPCA Pet of the Month

Sponsors: City Councilmember Soria

PRESENTED

[ID#15-133](#) Presentation by representatives of Earth Day Fresno to provide information on this year's events

Sponsors: City Councilmember Olivier

PRESENTED

[ID#15-161](#) Proclamation of "Maker Month"

Sponsors: City Councilmember Baines

PRESENTED

[ID#15-270](#) Resolution of Commendation to the Fleet Management Division of the Transportation Department for earning the ASE Blue Seal of Excellence Recognition for the 15th consecutive year

Sponsors: City Manager's Office and Department of Public Transportation (FAX)

CONTINUED TO APRIL 30, 2015

[ID#15-277](#) Proclamation of "Detective Edgar Valle-Sandoval Day"

Sponsors: City Councilmember Caprioglio

CONTINUED TO APRIL 30, 2015

APPROVE MINUTES

[ID#15-272](#) Approval of City Council minutes from March 26, 2015

APPROVED

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

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

[ID#15-273](#) Approval of Successor Agency minutes from March 26, 2015

Sponsors: City Clerk's Office

APPROVED

On motion of Councilmember Brandau, seconded by Vice President Caprioglio, the above MINUTES were approved. The motion carried by

the following vote:

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

COUNCILMEMBER REPORTS AND COMMENTS

Councilmember Soria announced that Council would adjourn in the memory of Fresno City College President Tony Cantu. Councilmember Soria announced that she had attended the American Ambulance blood drive along with more than 300 other people and acknowledged the wonderful community support for the City's heroes like our Firefighters and Fire Captain Pete Dern. Finally, Councilmember Soria announced her office would host an Earth Day event on Saturday, April 25th from 9:00 a.m. to 12:00 p.m. at Homan Elementary. The event would consist of a cleanup and the planting of drought tolerant plants and trees to help beautify the campus.

Councilmember Brand noted the City's Water Conservation Act was meant to incentivize water conservation but the City's website had not been updated to reflect the incentives. Councilmember Brand thanked Communications and Public Affairs Director Standriff for recently updating the website but asked for the home page to have a clear link to the water rebates. He mentioned the Act included efforts to secure state money for grants and was hoping the current \$500,000 fund could be doubled so more people could make water smart changes. Councilmember Brand also requested a report from the City on the status of the rebate program and a fiscal assessment of the city's entire irrigation system to determine the cost of making needed capital improvements.

Councilmember Quintero asked City Manager Rudd to thank the Police Department, Code Enforcement and PARCS for cleaning up the abandoned buildings and mobile buildings at the "old experimental farm near Peach and California Avenues." He noted the residents living in the area were thankful and appreciated the joint effort on the cleanup.

Vice President Caprioglio concurred with Councilmember Brand's comments regarding the Water Conservation Act. He also announced that, in conjunction with PG&E, there would be a cleanup, tree planting and the installation of conservation type irrigation at Melody Park on April 18th starting at 9:00 a.m.. Fresno Firefighters would be participating and hosting a barbecue for volunteers.

President Baines announced the next joint meeting with the City of Clovis would happen on May 11, 2015 at 6:00 p.m. in Clovis. President Baines also encouraged people to attend the Fresno Grizzlies first home game of the season and announced several Councilmembers would be in attendance to throw out a few pitches.

APPROVE AGENDA

City Clerk Spence announced the following changes to the agenda: Ceremonial Presentations regarding the ASE Blue Seal of Excellence (File ID# 15-270) and Detective Valle-Sandoval Day (File ID# 15-277), had been continued to the April 30, 2015 meeting, and; the 10:00 A.M. Scheduled Matter (File ID#15-246) contained a typo - the first resolution should reference Community Facilities District "No. 9" not "No.11."

APPROVED AS AMENDED

On motion of Vice President Caprioglio, seconded by Councilmember Brandau, the AGENDA was approved as amended. The motion carried by the following vote:

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

1. CONSENT CALENDAR

APPROVAL OF THE CONSENT CALENDAR

Councilmember Brandau moved Consent Calendar Item 1-C (File ID#15-241) to the Contested Consent Calendar for further discussion.

Councilmember Quintero moved Consent Calendar Item 1-E (File ID#15-245) to the Contested Consent Calendar for further discussion.

President Baines moved Consent Calendar Item 1-M (File ID#15-267) to the Contested Consent Calendar for further discussion.

On motion of President Baines, seconded by Vice President Caprioglio, the CONSENT CALENDAR was hereby adopted by the following vote:

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

- 1-A [ID#15-207](#) Approve Contract Change Order Numbers 9 & 10 pertaining to the large diameter water transmission main In northeast Fresno, Chestnut Avenue from Teague Avenue to Ashlan Avenue, Segment 1 (Council District 6)

Sponsors: Public Works Department

APPROVED

The above item was approved on the Consent Calendar.

- 1-B [ID#15-227](#) Approve the Automatic Aid agreement between the City of Fresno and the City of Clovis

Sponsors: Fire Department

APPROVED

The above item was approved on the Consent Calendar.

- 1-C [ID#15-241](#) RESOLUTION - Approve the filing of a Sustainable Agricultural Lands Conservation Program grant application to develop a Farmland Preservation Program and authorize the Director of the Development and Resource Management or designee to accept a grant award up to \$100,000 and conduct all negotiations and execute and submit all related documents, contracts, agreements, and amendments which may be necessary for the development of the program

Sponsors: Development and Resource Management Department

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

- 1-D [ID#15-243](#) RESOLUTION - Approving the summary vacation of portions of N. Bryan Avenue, W. Sierra Avenue, and approximately 1681 feet of N. Weber, all lying southwest of N. Riverside Drive

Sponsors: Public Works Department

RESOLUTION 2015-50 ADOPTED

The above item was adopted on the Consent Calendar.

- 1-E [ID#15-245](#) RESOLUTION - Authorizing the execution of certifications and assurances and the annual filing of applications for acceptance of and execution of all document and instruments related to the State of California Low Carbon Transit Operations Program

Sponsors: Department of Public Transportation (FAX)

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

- 1-F [ID#15-251](#) Actions pertaining to the West Avenue Intelligent Transportation System (“ITS”) Wireless Traffic Signals Synchronization Project from McKinley Avenue to Herndon Avenue - Bid File 3345 (Council Districts 1, 2 and Fresno County)
1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301(c) of the CEQA Guidelines for the West Avenue ITS Wireless Project from McKinley Avenue to Herndon Avenue
 2. Award a construction contract to Crosstown Electrical and Data, Inc. of Irwindale, California in the amount of \$296,475 for the West Avenue ITS Wireless Project from McKinley Avenue to Herndon Avenue

Sponsors: Public Works Department

APPROVED

The above item was approved on the Consent Calendar.

- 1-G [ID#15-255](#) Actions pertaining to awarding contract for well rehabilitation:
1. Adopt finding of a Categorical Exemption per staff determination pursuant to Section 15301 of the California Environmental Quality Act Guidelines, and
 2. Award a contract in the amount of \$237,680 to Zim Industries, Incorporated, to furnish and install 14-inch Ful-Flow liner and Gravel Pack to rehabilitate the potable water well at Pump Station 244 - Bid File 3360 (Council District 2)

Sponsors: Department of Public Utilities

APPROVED

The above item was approved on the Consent Calendar.

- 1-H [ID#15-257](#) 1.Adopt finding of a Categorical Exemption pursuant to CEQA Guidelines, Section 15312, for the sale of a small abandoned water well parcel known as 4881 E. Brown Avenue, APN 494-101-14T, to the adjacent property owner, Andrew Romanov (located in Fresno County)
2.Authorize the City Manager or his designee to execute an Agreement for Purchase and Sale of Real Property and complete the sale of excess land at 4881 E. Brown Avenue, APN 494-101-14T to the adjacent property owner, Andrew Romanov (located in Fresno County)

Sponsors: Public Works Department

APPROVED

The above item was approved on the Consent Calendar.

- 1-I [ID#15-260](#) RESOLUTION - Rescinding and replacing Resolution No. 2009-80 regarding City policy on the distribution and use of the tickets and skybox for the Multipurpose Stadium (Chukchansi Park)

Sponsors: Public Works Department

RESOLUTION 2015-51 ADOPTED

The above item was adopted on the Consent Calendar.

- 1-J [ID#15-262](#) Award a contract in the amount of \$144,001 to Transportation Management & Design, Inc. ("TMD") for fixed-route scheduling and training services - Bid File No. 022814JD

Sponsors: Department of Public Transportation (FAX)

APPROVED

The above item was approved on the Consent Calendar.

- 1-K [ID#15-264](#) RESOLUTION - Identifying the terms and conditions for Fire Department response away from their official duty station and assigned to an emergency incident

Sponsors: Fire Department

RESOLUTION 2015-52 ADOPTED

The above item was adopted on the Consent Calendar.

- 1-L [ID#15-266](#) ***BILL NO. B-7- (Intro. 3/26/15) (For adoption) - Amending Sections 12-216.3-B, 12-325-D-2-B, and 12-306-N-37 of the Fresno Municipal Code to allow the use of a family restaurant, game and entertainment center within a mixed use development with a minimum of 20 acres that is zoned C-P

Sponsors: Development and Resource Management Department

ORDINANCE 2015-6 ADOPTED

The above item was adopted on the Consent Calendar.

- 1-M [ID#15-267](#) ***BILL NO. B-8- (Intro. 3/26/15) (For adoption) - Amending Section 12-2103 by amending Subsection (c) and adding Subsection (g), amending Section 12-2104 and adding Sections 12-2104.1 and 12-2108 to the Fresno Municipal Code relating to medical marijuana cultivation - Council Subcommittee on medical marijuana - Council President Baines, Councilmember Olivier and former Councilmember Xiong

Sponsors: City Councilmember Baines and City Councilmember Olivier

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

CONTESTED CONSENT CALENDAR

- 1-C [ID#15-241](#) RESOLUTION - Approve the filing of a Sustainable Agricultural Lands Conservation Program grant application to develop a Farmland Preservation Program and authorize the Director of the Development and Resource Management or designee to accept a grant award up to \$100,000 and conduct all negotiations and execute and submit all related documents, contracts, agreements, and amendments which may be necessary for the development of the program

Sponsors: Development and Resource Management Department

The above item was introduced to Council by Councilmember Brandau. Development and Resources Management ("DARM") Director Clark and DARM Planner Lauderdale answered questions.

The following member(s) of the public spoke on this item: Mike Prandini of the California Building Industry Association, Jeff Roberts of Granville Homes and Michael Green.

Councilmember Soria called Daniel O'Connell of the American Farmland Trust to speak.

Councilmember Brandau motioned to reject the staff recommendation and direct staff to schedule a workshop on the matter. Councilmember Olivier Seconded the motion.

STAFF RECOMMENDATION REJECTED AND STAFF DIRECTED TO BRING A WORKSHOP TO COUNCIL

On motion of Councilmember Brandau, seconded by Councilmember Olivier, the above item was REJECTED and staff was directed to bring a workshop back to Council. The motion carried by the following vote:

Aye: 4 - Caprioglio, Brand, Brandau and Olivier

No: 3 - Baines, Quintero and Soria

- 1-E** [ID#15-245](#) RESOLUTION - Authorizing the execution of certifications and assurances and the annual filing of applications for acceptance of and execution of all document and instruments related to the State of California Low Carbon Transit Operations Program

Sponsors: Department of Public Transportation (FAX)

Transportation Director Marshall introduced the above item to Council. City Manager Rudd answered additional questions.

RESOLUTION 2015-53 ADOPTED

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

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

- 1-M** [ID#15-267](#) ***BILL NO. B-8- (Intro. 3/26/15) (For adoption) - Amending Section 12-2103 by amending Subsection (c) and adding Subsection (g), amending Section 12-2104 and adding Sections 12-2104.1 and 12-2108 to the Fresno Municipal Code relating to medical marijuana cultivation - Council Subcommittee on medical marijuana - Council President Baines, Councilmember Olivier and former Councilmember Xiong

Sponsors: City Councilmember Baines and City Councilmember Olivier

President Baines introduced the above item to Council.

President Baines motioned to approved the item with direction for the sub-committee to attempt discussions with Fresno County to reconcile the City and County medical marijuana ordinances. Councilmember Olivier seconded the motion.

The following member(s) of the public spoke on this item: Susan Juvet, Shannon Loose, Diana Kirby, Joan Byrd, Michael Green, Brian Sumner, Rick Morse, Christopher Abrams and Martha Kolstad.

FAILED

President Baines motioned to approve the above item with direction to the sub-committee to attempt a reconciliation with the County of Fresno regarding the City and County Medical Marijuana ordinances. Councilmember Olivier seconded the motion. The motion FAILED by the following vote:

Aye: 3 - Baines, Olivier and Soria

No: 4 - Caprioglio, Brand, Brandau and Quintero

5. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:00 A.M.

[ID#15-246](#) HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community District No. 9, Annexation No. 7 (Final Parcel Map No. 2014-05) (east side of North Maple Avenue south of East McKinley Avenue) (Council District 7)

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 2014-2015 and Future Tax Years Within and Relating to Community Facilities District No. 9, Annexation No. 7, Final Parcel Map No. 2014-05

Sponsors: Public Works Department

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

RESOLUTION 2015-54 ADOPTED
RESOLUTION 2015-55 ADOPTED
RESOLUTION 2015-56 ADOPTED
BILL B-10 INTRODUCED AND ADOPTED AS
ORDINANCE 2015-7

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

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

10:30 A.M.

SCHEDULED COMMUNICATION

[ID#15-268](#) Appearance by Doug Richert, Co-Chair of the Downtown Fresno
Coalition, to discuss the Fulton Mall Reconstruction Project

APPEARED

[ID#15-275](#) Appearance by Rick Morse to discuss medical marijuana

APPEARED

2. GENERAL ADMINISTRATION

Councilmembers Brandau and Olivier exited the Council Chamber at 11:42 A.M. and
each returned at 11:47 A.M.

2-A [ID#15-034](#) RESOLUTION - Authorizing the submission of two (2) new grant
applications to the Fresno Council of Governments for 2013
Lifeline Congestion Mitigation and Air Quality Improvement
Program ("CMAQ") and authorizing the execution of all
application related documents by the Public Works Director or
designee

Sponsors: Public Works Department

Public Works Director Mozier introduced the above item to Council.

*Councilmember Soria requested the Public Works Department consult with
her office regarding the possibility of future Lifeline trails in District One.*

RESOLUTION 2015-57 ADOPTED

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

Aye: 5 - Baines, Caprioglio, Brand, Quintero and Soria

Absent: 2 - Brandau and Olivier

- 2-B** [ID#15-248](#) Approve a first amendment to agreement with BKF Engineers in the amount of \$76,600 to provide professional engineering services for the evaluation of Class IV bicycle facilities between Downtown Fresno and the Tower District and the preparation of a feasibility study for a Class I bicycle trail along the Herndon Canal and Mill Ditch canal banks and to authorize the Public Works Director or designee to sign and execute the standardized agreement on behalf of the City (Council District 1, 3, 4 and 7)

Sponsors: Public Works Department

The above item was introduced to Council by Public Works Assistant Director Andersen. Public Works Director Mozier and City Manager Rudd answered additional questions.

APPROVED

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

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

- 2-C** [ID#15-249](#) 1.*** Adopt a Memorandum of Understanding (“MOU”) between the City of Fresno (“City”) and the Amalgamated Transit Union, Local 1027 (“ATU”) - Unit 6 (Bus Drivers), covering the period April 6, 2015 through June 30, 2017
2.*** RESOLUTION - 3rd amendment to Salary Resolution No. 2014-108 amending salaries in Exhibit 6, Bus Drivers (ATU)

Sponsors: Personnel Services Department

The above item was introduced to Council by Personnel Department Labor Relations Manager Phillips. Personnel Director Cardell and Transportation Director Marshall answered additional questions.

The following member(s) of the public spoke on this item: Rick Steitz of

Amalgamated Transit Union Local 1027 and Martha Kolstad.

RESOLUTION 2015-58 ADOPTED

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

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

No: 1 - Brandau

Recessed 12:06 P.M. to 1:30 P.M.

4. CLOSED SESSION

The City Council met in closed session in Room 2125 from 1:30 P.M. to 3:00 P.M. to discuss the following:

[ID#15-271](#) CONFERENCE WITH LEGAL COUNSEL - DECIDING WHETHER TO INITIATE LITIGATION
Government Code Section 54956.9, Subdivision (d)(4)
1. State of California, et al. v. BP America Production Company, et al.S.F. Superior Court Case No. CGC-12-522063

The above item was discussed in closed session. No open session announcement was made regarding this item.

[ID#15-276](#) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Government Code Section 54956.9(d)(4)
Significant Exposure to Litigation:
1. City of Fresno v. PulteGroup, Inc.

The above item was discussed in closed session. No open session announcement was made regarding this item.

[ID#15-283](#) CONFERENCE WITH LEGAL COUNSEL - DECIDING WHETHER TO INITIATE LITIGATION, Government Code Section 54956.9(c):
1. City of Fresno v. U.S. Department of Interior, Bureau of Reclamation

The above item was discussed in closed session. No open session announcement was made regarding this item.

Recessed 3:00 P.M. to 3:16 P.M.

- 2-D [ID#15-250](#) Actions pertaining to the Friant-Nees-Palm Intelligent Transportation System (“ITS”) Traffic Signals Synchronization Project from Fresno Street to south of Herndon Avenue - Bid File 3370 (Council Districts 2 and 6)
1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301(c) of the CEQA Guidelines for the Friant-Nees-Palm ITS Project from Fresno Street to south of Herndon Avenue
 2. Award a Construction Contract with Kertel Communications, Inc. dba Sebastian of Fresno, California in the amount of \$928,798 for the base bid and add alternates 1 and 2 for the Friant-Nees-Palm ITS Project from Fresno Street to south of Herndon Avenue

Sponsors: Public Works Department

The above item was introduced to Council by Public Works Supervising Professional Engineer Goonawardena.

APPROVED

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

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

- 2-E [ID#15-252](#) Approve the substantive terms of a recommended Third Amendment to the Agreement with Orange Avenue Disposal Company, Inc. (“OAD”) dated February 25, 2004 (“2004 Agreement”), for a Transfer Station Surcharge of \$4.73 per ton for transfer station operations and hauling of the City’s municipal solid waste.

Sponsors: Department of Public Utilities

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

The following member(s) of the public spoke on this item: Mike Tucker of Republic Services, Anna Borgeas of the Fresno Chamber of Commerce and Richard Caglia of Orange Avenue Disposal Company. John Hutson was not present when called.

APPROVED

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

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

Councilmember Brand exited the Council Chamber at 4:03 P.M. and returned at 4:06 P.M.

- 2-F** [ID#15-254](#) RESOLUTION - Adopt Substantial Amendment No. 2015-004 to the FY 2014-2015 Annual Action Plan authorizing \$200,000 of HOME Investment Partnerships Community Housing Development Organization (HOME-CHDO) funds to Habitat for Humanity Fresno County, Inc., for the Lotus Avenue/Effie Street single-family housing project and authorize the City Manager to sign all implementing documents as required by HUD and approved as to form by the City Attorney

Sponsors: Development and Resource Management Department

The above item was introduced to Council by Development and Resources Management Housing Manager Trujillo.

RESOLUTION 2015-59 ADOPTED

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

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

Absent: 1 - Brand

President Baines exited the Council Chamber at 4:11 P.M. and returned at 4:13 P.M.

- 2-G** [ID#15-258](#) Actions pertaining to professional engineering services related to the Downtown Recycled Water Facility (Council District 3)
1. ***RESOLUTION - 45th amendment to the Annual Appropriation Resolution (AAR) No. 2014-95 to appropriate \$3,138,600 for design and construction support services for the Downtown Recycled Water Facility (Requires 5 affirmative votes)

- 2. Award a Professional Services contract to Parsons Water and Infrastructure, Inc., a Delaware corporation, in the amount of \$4,128,592 to provide design and construction support services

Sponsors: Department of Public Utilities

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

RESOLUTION 2015-60 ADOPTED

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

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

Absent: 1 - Baines

- 2-H [ID#15-259](#) Actions pertaining to professional engineering services related to the East Central Recycled Water Facility (Council District 4)
 - 1. ***RESOLUTION - 44th amendment to the Annual Appropriation Resolution (AAR) No. 2014-95 to appropriate \$2,619,900 for design and construction support services for the East Central Recycled Water Facility (Requires 5 affirmative votes)
 - 2. Award a Professional Services contract to Carollo Engineering, Inc., a Delaware corporation, in the amount of \$4,609,874 to provide design and construction support services

Sponsors: Department of Public Utilities

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

RESOLUTION 2015-61 ADOPTED

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

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

Councilmember Brandau exited the Council Chamber at 4:26 P.M.

- 2-I [ID#15-281](#) Approve the First Amendment to Amended and Restated Stadium Sublease Agreement

The above item was introduced to Council by Assistant City Manager Smith. City Manager Rudd and City Attorney Sloan answered additional questions.

Councilmember Brand directed staff to consider the following suggested amendments to this item: a contract amendment to require the APES fees be placed in an escrow account to guarantee that it will end up paid to the City instead of spent on something else; regarding money owed to the City, make it a goal to reconcile by the end of calendar year 2015 by having the payments due by December 31, 2015 instead of April 1, 2016; include an amendment that would allow the City to negotiating / explore possible sponsors / naming rights; have staff determine if it is a possibility to refund the bond to reduce the 3.4 million dollars per year debt, and; have SMG help promote events at the stadium during the off season to help reduce debt.

CONTINUED TO APRIL 30, 2015

On motion of President Baines, seconded by Councilmember Brand, the above item was CONTINUED to April 30, 2015. The motion carried by the following vote:

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

Absent: 1 - Brandau

3. CITY COUNCIL

[ID#15-232](#) Council Boards and Commissions Communications, Reports, Assignments and/or Appointments, Reappointments, Removals to/from City and non-City Boards and Commissions:

1. Council of Governments - Swearengin-Ex-Officio (Olivier-Alternate)
2. Financial Audit Committee - Brand - Chair, Olivier and Brandau
3. Fresno Area Workforce Investment Corporation - Baines
4. Fresno County Transportation Authority (FCTA) - Swearengin, Brandau
5. Fresno Regional Workforce Investment Board - Baines, Renena Smith
6. Fresno County Zoo Authority - Swearengin (Baines-Alternate)

7. Fresno Madera Area Agency on Aging Board - Olivier
 8. Joint Powers Financing Authority - Baines, Vacant, Swearengin
 9. San Joaquin River Conservancy Board - Swearengin (Brandau-Alternate)
 10. Association for the Beautification of Highway 99 - Baines
 11. Upper Kings Basin Integrated Regional Water Management JPA - Brandau, Alternates - Soria, Georgeanne White and Thomas Esqueda
 12. Economic Development Corporation Serving Fresno County - Brandau-Ex-Officio (Baines-Alternate)
 13. Fresno/Clovis Convention & Visitors Bureau (CVB) - Amy Fuentes
 14. League of California Cities (Annual Meeting) - Swearengin (Olivier-Alternate)
 15. San Joaquin Valley Air Pollution Control District - Baines
 16. Litigation Exposure Reduction Ad Hoc Committee - Brandau, Caprioglio
 17. Convention Center Oversight Advisory Board - Baines, (Brand-Alternate), City Manager, SMG General Manager and one representative from each of SMG's organizations
 18. Transportation Committee - Baines, Olivier, Soria
 19. Code Enforcement Sub-Committee - Baines, Olivier, Caprioglio and Mayor Swearengin
- Action Taken:

Sponsors: City Councilmember Baines

CONTINUED TO APRIL 30, 2015

On motion of President Baines, seconded by Councilmember Soria, the above item was CONTINUED to April 30, 2015. The motion carried by the following vote:

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

Absent: 1 - Brandau

ADJOURNMENT

Adjourned in the memory of Tony Cantu at 4:34 P.M.