

# City of Fresno

2600 Fresno Street  
Fresno, CA 93721  
[www.fresno.gov](http://www.fresno.gov)



## Meeting Minutes - Final

Thursday, April 11, 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 Chamber, City Hall on the date and time written above.

9:04 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 given by Pastor Kevin Foster, LifeBridge Community Church.

Pledge of Allegiance to the Flag

*Council President Caprioglio thanked his colleagues for nominating him as Council President for the remaining balance of the year. He addressed the procedures and policies as the new Council President. He encouraged civility and cordiality from the Councilmembers and members of the public. He requested the Councilmembers utilize the request to speak button before speaking on an item. He spoke regarding deadlines and stated the deadline for all agenda items including the backup needs to be submitted no later than the Thursday before the Council meeting by 5 PM or it will be pushed to the next scheduled Council meeting. He addressed Contested Consent and mentioned any items pulled from the Consent Calendar will be put on Contested Consent and heard at 1:30 PM.*

## **APPROVE AGENDA**

*City Clerk Spence announced the following changes to the agenda: File ID 19-1391 - approval of minutes of April 4, 2019 was continued to April 25, 2019, File ID 19-1438 (4-D) - Resolution - directing the expenditure of Senate Bill 1 funds on economically disadvantage census tracts and low-income neighborhoods in the City of Fresno was removed from the agenda by the sponsors and File ID 19-1361 (1-C) - regarding adopt modifications to the City of Fresno Deferred Compensation Plan Document was removed from the agenda by staff.*

*City Clerk Spence also announced the Agenda was revised to include the following: File ID 19-1430 (1-E) - regarding the Police Departments*

*Regional Training Center firing range, an Annual Appropriation Resolution (AAR) was added to the agenda, File ID 19-1440 (1-F) - regarding Fresno-Madera Area Agency on Aging for the Senior Hot Meal Program an Annual Appropriation Resolution (AAR) was added to the agenda, File ID 19-1379 (10:30 A.M.) - regarding hearing to consider Plan Amendment/Rezone Application No. P18-00116, filed by Bill Robinson with Sol Development Associates an Ordinance was added as an attachment.*

**On motion of Councilmember Soria, seconded by Councilmember Chavez, 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**

[ID19-1391](#) Approval of minutes for April 4, 2019.

*The above item was removed from the agenda and continued to April 25, 2019.*

## **CEREMONIAL PRESENTATIONS**

[ID19-1227](#) Proclamation of "National Crime Victims' Rights Week"

*PRESENTED*

[ID19-1477](#) Proclamation of "National Autism Awareness Month"

*PRESENTED*

[ID19-1479](#) Proclamation of "National Donate Life Month"

*PRESENTED*

[ID19-1434](#) Proclamation of "Don Larson Day"

*PRESENTED*

## **1. CONSENT CALENDAR**

**On motion of Councilmember Soria, seconded by Vice President Arias, 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** [ID19-1405](#) \*\*\*Approve a Side Letter of Agreement with the City of Fresno Professional Employees Association (CFPEA) representing Unit 13-2 providing Court Standby Pay for Supervising Crime Scene Technicians **(Subject to Mayor's Veto)**

*The above item was pulled from Consent Calendar by Council Vice President Arias and moved to Contested Consent for further discussion.*

- 1-B** [ID19-1461](#) 1.\*\*\*RESOLUTION - 11th Amendment to FY 2019 Salary Resolution No. 2018-159, amending Exhibit 2, Unit 2, Non-Represented Management and Confidential Classes by adding the new classifications of Senior Law Clerk, Senior Deputy City Attorney II and Senior Deputy City Attorney III and providing a salary range for the respective classes, and retitling the Senior Deputy City Attorney to Senior Deputy City Attorney I; amending Exhibit 3, Unit 3, Non-Supervisory White Collar (FCEA) to alphabetize the exhibit and to add the flexibly staffed footnote "4" to Airports Operations Officer I and Airports Operations Officer II classifications; amending Exhibit 13-1, Unit 13, Exempt Supervisory and Professional (CFPEA) to add the new classification of Business Process and Systems Analyst and providing a salary range for the respective class; amending Exhibit 14, Unit 14, Management Classes to retitle the classification of Water System Manager to Water Manager, and add the classification of Water/Wastewater Manager - Certified and providing a salary range for the respective class; and amending the Salary Step Plan section, the Annual Leave for Employees in Exhibit 2 section, and Compensation for Full-Time Employees Occupying Permanent Positions in Exhibit 2 section of the Salary Resolution to add new E ranges **(Subject to Mayor's Veto)**
2. \*\*\*RESOLUTION - 8th Amendment to the Position Authorization Resolution (PAR) No. 2018-158 adding four (4) Senior Law Clerk positions to the City Attorney's office, effective April 15, 2019 **(Subject to Mayor's Veto)**

*RESOLUTION 2019-064 ADOPTED*

*RESOLUTION 2019-065 ADOPTED*

- 1-C** [ID19-1361](#) Adopt Modifications to the City Of Fresno Deferred Compensation Plan Document

*The above item was removed from the agenda by staff.*

- 1-D** [ID19-1384](#) Approve the appointments of Elizabeth Rivinius and Brian Chambers and the re-appointment of Lacy Barnes to the Fresno Regional Workforce Development Board

**1-E** [ID19-1430](#)

Actions pertaining to lead reclamation and recycling services at the Fresno Police Department's Regional Training Center firing range:

1. Adopt a finding of Statutory Exemption, pursuant to Section 15629(b) of the California Environmental Quality Act (CEQA)
2. Approve a contract in the amount of \$74,900 with Metal Treatment Technologies
3. \*\*\*RESOLUTION - 34th amendment to the Annual Appropriation Resolution (AAR) No. 2019-157 appropriating \$74,900 to provide lead reclamation and recycling services at the Fresno Police Department's Regional Training Center Firing Range (Requires 5 affirmative votes) (Subject to Mayor's veto)

*RESOLUTION 2019-066 ADOPTED***1-F** [ID19-1440](#)

1. Approve the Contract Amendment with Fresno-Madera Area Agency on Aging for Senior Hot Meal Program appropriating an additional \$50,000 in one-time funding
2. \*\*\*RESOLUTION - 30th amendment to the Annual Appropriation Resolution (AAR) No. 2018-157 appropriating \$50,000 from the Older American Act Title III CI Grant Funds in support of the Senior Hot Meal Program Citywide (Requires 5 affirmative votes) (Subject to Mayor's veto)

*RESOLUTION 2019-067 ADOPTED***1-G** [ID19-1448](#)

Actions pertaining to the Butler Avenue and Willow Avenue Traffic Signal Installation Project - Bid File No. 3553 (Council District 5)

1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301(c) Class 1 of the California Environmental Quality Act guidelines.
2. Award a construction contract in the amount of \$374,695.00 to Madco Electric of Selma, California.

**1-H** [ID19-1488](#)

\*\*\*RESOLUTION - 38th amendment to the Annual Appropriation Resolution (AAR) No. 2018-157 appropriating \$24,300 for newly elected and re-elected Councilmember salary increases in District 1, 3, and 7 approving the reallocation of \$24,300 for newly elected and re-elected Councilmember salary increases in Districts 1, 3, and 7 (Requires 5 affirmative votes) (Subject to Mayor's veto)

*RESOLUTION 2019-068 ADOPTED***1-I** [ID19-1520](#)

RESOLUTION - Amending Resolution No. 2007-110 relating to appointment of members to Finance and Audit Committee

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*RESOLUTION 2019-069 ADOPTED***COUNCILMEMBER REPORTS AND COMMENTS**

*Councilmember Esparza held a community meeting on Monday, April 8, 2019 with Faith in the Valley Group at Sacred Heart. He met with the parents of Leavenworth Elementary School and spoke regarding the SB1 infrastructure funds. He attended the City of Fresno Employee Service Awards, Wednesday, April 10, 2019. He announced he will be having his first School Liaison Sub-committee, Monday, April 22, 2019, 6 P.M., at City Hall, Council Chambers.*

*Councilmember Soria thanked the East Fresno Kiwanis Club and K-Kids for the neighborhood alley clean-up. They were able to clean-up about 22 alleys. She thanked Fresno Police Department North West District Captain Farrah and his team for putting together the West Shaw Estates block party where they provided community resources, information and job opportunities. She mentioned there was a shooting in the West Shaw Estates where someone lost their life due to domestic violence. She announced she will be having her second community meeting for master planning at Quigley Park, Saturday, April 13, 2019 at 10 A.M., a free BBQ will follow. She announced the California Community Colleges Fresno Town Hall and College Fair will be on Tuesday, April 30, 2019 at 4:30 P.M. at Westside Church of God.*

*Council President Caprioglio thanked the Administration for Light up Fresno, Monday, April 8, 2019 at Vinland Park for the LED lights. He congratulated the City of Fresno employees for their service awards. He announced Thursday, April 11, 2019 at 6:30 P.M. the Fresno Yosemite International Airport will be holding their 18th Honor Flight landing.*

**CONTESTED CONSENT CALENDAR**

- 1-A [ID19-1405](#) \*\*\*Approve a Side Letter of Agreement with the City of Fresno Professional Employees Association (CFPEA) representing Unit 13-2 providing Court Standby Pay for Supervising Crime Scene Technicians (Subject to Mayor's Veto)

*The above item was introduced to Council by Labor Relations Manager Phillips, Personnel Department.*

*Council Vice President Arias asked staff to explain the item. He asked several questions. He asked staff if Council had been briefed on the negotiations proposal in Closed Session before putting the item on the agenda for approval. He stated for the record any proposal related to negotiations with any of the labor groups he felt Council should be briefed in Closed Session before placing the item on the agenda for approval. He stated he does not support the item. Labor Relations Manager Phillips responded.*

*Councilmember Soria requested the item be tabled and continued to the April 25, 2019 meeting as a Closed Session item.*

*Councilmember Bredefeld asked City Manager Quan why it is not done in Closed Session. He asked if the item was a part of the negotiations. Director Cardell responded.*

*Council Vice President Arias expressed his concerns with approving the side letter and requested a conversation be held in Closed Session to understand the full scope of the proposed item.*

*Council Vice President Arias motioned to continue the matter to April 25, 2019 and place the item under Closed Session. Councilmember Soria seconded the motion. The motioned FAILED 2/4 vote: Councilmember Chavez, Councilmember Bredefeld, Councilmember Esparza and Council President Caprioglio vote no.*

**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, Soria, Chavez, Bredefeld and Esparza

**No:** 1 - Arias

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

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

[ID19-1443](#) **HEARING** to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community

Facilities District No. 9, Annexation No. 38 (Assessor's Parcel Number 402-440-07) (northeast corner of North Glenn Avenue and West Nees Avenue) (Council District 2)

1. **\*\*\*RESOLUTION** - Annexing Territory to Community Facilities District No. 9 and Authorizing the Levy of a Special Tax (Subject to Mayor's Veto)
2. **\*\*\*RESOLUTION** - Calling Special Mailed-Ballot Election (Subject to Mayor's Veto)
3. **\*\*\*RESOLUTION** - Declaring Election Results (Subject to Mayor's Veto)
4. **\*\*\*BILL** - (For introduction and adoption) - Levying a Special Tax for the Property Tax Year 2018-2019 and Future Tax Years Within and Relating to Community Facilities District No. 9, Annexation No. 38 (Subject to Mayor's Veto)

*The item was called to order at 10:02 A.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 asked staff to explain the item and what it proposes to do. He asked in future years, will they be paying into a fund to maintain the streets, gutters and lights? He asked about industrial properties. Assistant Director Benelli responded.*

*RESOLUTION 2019-070 ADOPTED*

*RESOLUTION 2019-071 ADOPTED*

*RESOLUTION 2019 072 ADOPTED*

*BILL 9 AND ORDINANCE 2019-009 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. GENERAL ADMINISTRATION**

#### **3-B [ID19-1472](#)**

Actions related to updating water conservation measures and the City's



## Water Shortage Contingency Plan:

1. Adopt the Addendum to a Negative Declaration prepared for Environmental Assessment No. EA-17-014, dated March 7, 2019;
2. BILL (for introduction) - Amending Fresno Municipal Code Sections 6-501 and 6-520 relating to regulations for Urban Water Conservation and Excessive Water Use;
3. \*\*\*RESOLUTION - Amending the City of Fresno Water Shortage Contingency Plan (Subject to Mayor's Veto);
4. \*\*\*RESOLUTION - 549th Amendment to the Master Fee Schedule Resolution No. 80-420 to update water rate penalties relating to conditions of service work in the Public Utilities Department Section. (Subject to Mayor's Veto)

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

*Upon call, there was no public comment.*

*Councilmember Chavez asked staff to discuss the implementation process and what happens when a water user goes over the limit. Councilmember Chavez asked when does a fine become a penalty and requested to see the criteria for the water users. He stated that residents should not be fined until May 1, 2020 but should receive a notice if they have gone over their allowed limit. He asked how many gallons per minute can be used and if staff is accounting for those who have larger lots. Director Carbajal responded.*

*Councilmember Chavez requested an amendment to the motion to include in the resolution that the fees shall become effective upon final adoption of the Resolution revising the Water Shortage Contingency Plan. He asked staff to come back to Council with a study before the May 1, 2020 deadline and before issuing any fines. Councilmember Bredefeld and Councilmember Esparza agreed to the amendment.*

*Councilmember Bredefeld spoke regarding the notification of fines and asked if there is enough staff to handle the volume of calls. He spoke regarding the scheduling change and suggested the timeline be discussed at a later date. Director Carbajal and Director Miller responded.*

*Councilmember Soria asked about the JP's marketing plan and stated she*

*still has not received the plan. She mentioned she is interested in the outreach and translations portion and she would like a copy of the marketing plan for those who do not speak English. She asked about the difference between hand watering versus sprinklers and if this plan addressed the difference between the two. She asked about drought tolerant landscaping and requested staff move forward with a program that will help everyone. She asked staff to do a study as to who is applying, where the homes are and who is benefiting from the available appliance incentives. She asked staff to look into entering into an agreement with appliance businesses to explore a rebate program and she would assist them with the policy change at the State level. Director Carbajal responded.*

*Council Vice President Arias asked staff if they are holding City Departments accountable who are letting water run down the streets or going over the allocation. He asked if any fines were issued for those City Departments and expressed his concerns regarding City trees that damage residents waterline and their homes. He stated there needs to be a program that is more diverse that can meet the needs of everyone. He directed staff to come back with an idea of how big the problem is, the impact, who are the worst offenders and requested they deal with the worst offenders first. Director Carbajal and Director Mozier responded.*

*Councilmember Esparza and Council President Caprioglio spoke in support of the item.*

*RESOLUTION 2019-073 ADOPTED*

*RESOLUTION 2019-074 ADOPTED AS AMENDED*

*BILL 10 INTRODUCED AND LAID OVER*

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

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

## **SCHEDULED COUNCIL HEARINGS AND MATTERS (CONTINUED)**

### **10:35 A.M.#1**

[ID19-1329](#) Appearance by Sammy Franco to address the Council about the results of

the financial audit conducted on the Central Valley Community Sports Foundation.

*Mr. Franco addressed Council and spoke regarding the audit conducted on the Central Valley Community Sports Foundation.*

APPEARED

### 10:35 A.M.#2

[ID19-1331](#) Appearance by Rachel Franco to address the council about the results of the financial audit conducted on the Central Valley Community Sports Foundation.

DID NOT APPEAR

### 10:30 A.M.

[ID19-1379](#) HEARING to consider Plan Amendment/Rezone Application No. P18-00116 and related Environmental Assessment No's. P18-00116 and P18-02697 filed by Bill Robinson with Sol Development Associates on behalf of the property owners, Wesco, LP and Misaki Trusts for parcels located approximately ¼ mile northwest from the intersection of East Jensen Avenue and South Clovis Avenue. (Council District 5)

1. **ADOPT** CEQA Environmental Assessment for P18-00116 and P18-02697, a Negative Declaration dated March 21, 2019.
2. **RESOLUTION** - Approving Plan Amendment Application No. P18-00116 proposing to amend the Fresno General Plan and the Roosevelt Community Plan planned land use for a 0.39 acre portion of an existing 1.44-acre parcel, identified as Assessor Parcel 481-100-04 from *Residential-Medium Low Density (3.5-6 Dwelling Units/Acre)* to *Employment-Business Park*; and a 0.91 acre portion of a 7.94±-acre undeveloped parcel (APN 481-100-08) from *Employment-Business Park* to *Residential-Medium Low Density (3.5-6 Dwelling Units/Acre)*.
3. **BILL** (for introduction and adoption) - Approving Rezone Application No. P18-00116 to amend the Official Zone Map to reclassify the 0.39 acre parcel from *RS-4 (Single-Family, Medium Low Density)* to *BP/UGM (Business Park/Urban Growth Management)*; the 0.91 acre parcel from *BP/UGM/cz (Business Park/Urban Growth Management/Conditions of Zoning)* to *RS-4 (Single-Family, Medium Low Density)* in accordance with Plan Amendment Application No. P18-00116; and the 7.03±-acres (remainder of Assessor Parcel 481-100-08) and 5.55±-acres identified as Assessor Parcel 481-130-15 from *BP/UGM/cz*

*(Business Park/Urban Growth Management/Conditions of Zoning) to BP/UGM, Business Park/Urban Growth Management) consistent with the Employment-Business Park land use designation in the Fresno General Plan and Roosevelt Community Plan.*

*The item was called to order at 10:52 A.M.*

*The above item was introduced to Council by Supervising Planner Kachadourian, DARM Department.*

*Upon call, the following member of the public addressed Council: applicant representative Bill Robinson, Sol Development Associates.*

*Council Vice President Arias asked representative Robinson to explain what is going to be taken place on the property and if their plan is to build a Derrel's Mini Storage in the area. He expressed his concerns with the landscaping and architecture of the buildings and stated he would like the same quality as in North East Fresno done consistently across City of Fresno. Representative Robinson responded.*

*Councilmember Esparza asked if the housing rezone is for single family. Representative Robinson responded.*

*Councilmember Bredefeld expressed his concerns with Derrel's Mini Storage buildings being built differently in the South and asked if it is accurate that Derrel's Mini Storage has different standards in different areas? Representative Robinson replied no.*

**RESOLUTION 2019-075 ADOPTED**

**BILL 11 AND ORDINANCE 2019-010 ADOPTED**

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

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

**10:05 A.M.**

[ID19-1458](#) HEARING to obtain public comments regarding the 2018 Housing Element

Annual Progress Report and accept the 2018 Housing Element Annual Progress Report

*The above item was called to order at 11:05 A.M.*

*The above item was introduced to Council by Planning Manager Pagoulatos, DARM Department.*

*Upon call, the following members of the public addressed Council: Lucio Avila, Kiel Lopez-Schmidt and Kimberly McCoy.*

*Public comment closed at 11:32 A.M.*

*Councilmember Soria addressed the housing cost and affordable housing crisis. She stated she would like to rehab existing homes, multi-family housing and would like to see a first time home owners opportunity program. She spoke regarding the placement of multi-family housing and would like to implement a housing plan to place homes in good neighborhoods. Councilmember Soria also spoke on SB1 dollars.*

*Councilmember Chavez addressed the affordable housing crisis and the housing element plan. He mentioned he will be having future community meetings to obtain the public's input.*

*Council Vice President Arias asked staff several questions regarding affordable housing, the placement of housing across City of Fresno as a whole and if the City of Fresno is meeting the State standard for affordable housing. He discussed first time home buyers program and asked staff if they are addressing first time home buyers in the next budget. Planning Manager Pagoulatos responded. Council Vice President Arias asked staff to explain the 8000 code enforcement inspection goals and stated he would like an updated report on the displacement taskforce. Director Clark responded.*

*Council Vice President Arias directed staff to come back to Council in three months with a study to include the status of applying for State funds for the first time buyers program, the dislocation report and what the progress and inspections are with the taskforce and anything that will be taken into*

*account in the budget process.*

*Councilmember Esparza spoke regarding accountability of the housing crisis and stated he will be bringing a proposal forward to enhance the infrastructure and finance the districts.*

*City Manager Quan reminded Council that there is \$1 Million dollars set aside for affordable housing that still needs direction.*

*Councilmember Soria stated there will be a plan coming forward to discuss the \$1 Million dollars in about three weeks. She asked staff if the report can be made public as soon as possible and stated there is a Notice of Funding Availability (NOFA) that can be applied for in June for first time home buyers.*

*Caprioglio requested that the in the future the maps be enlarged and in color. Assistant City Manager Schaad responded.*

### **GENERAL ADMINISTRATION (CONTINUED)**

- 3-A**    [ID19-1457](#)    Approve the award of a purchase contract to Swanson Fahrney Ford for the purchase of 41 Ford vehicles in the amount of \$1,153,264 (Bid File 3639)

*The above item was introduced to Council by Director Barfield, Transportation Department.*

*Upon call, there was no public comment.*

*Council Vice President Arias asked staff if they are buying fuel efficient or hybrid vehicles. He requested going forward that the City of Fresno buy fuel efficient vehicles and to make that the standard. Director Barfield and Assistant City Manager Schaad responded.*

*Councilmember Soria asked staff if they are using the SB1 gas tax dollars and if it was for the past fiscal year or the new fiscal year. Director Barfield replied.*

**APPROVED**

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

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

- 3-C**    [ID19-1502](#)    Actions pertaining to the 2017 Transformative Climate Communities (TCC) Grant and Transform Fresno Plan projects:
1. Approve a Sub-Recipient Agreement with Grid Alternatives Central Valley for Project #3 GRID Solar Collaborative Single Family Partnership totaling \$883,826; and
  2. Approve Sub-Recipient Agreement with Grid Alternatives Central Valley for Project #4 GRID Solar Collaborative Multi-Family Partnership totaling \$352,549; and
  3. Approve a Sub-Recipient Agreement with Fresno Metro Ministries for Project #12 Yosemite Village Permaculture Community Garden and Urban Farm Incubator totaling \$367,500; and
  4. \*\*\*RESOLUTION - 31st amendment to the Annual Appropriation Resolution (AAR) No. 2018-157 appropriating \$163,600 from the TCC Grant (Requires 5 affirmative votes) (Subject to Mayor's veto).

*Councilmember Bredefeld left the meeting at 11:55 A.M.*

*The above item was introduced to Council by Deputy City Manager Merrill, City Manager's Office.*

*Upon call, the following member of the public addressed Council: Russell Letsinger.*

*RESOLUTION 2019-076 ADOPTED*

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

**Aye:** 5 - Caprioglio, Arias, Soria, Chavez and Esparza

**Absent:** 1 - Bredefeld

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

- 4-B**    [ID19-1496](#)    RESOLUTION - Authorizing the Creation of Constituent Participation Budget Committees

*Councilmember Bredefeld returned to the meeting at 12:00 P.M.*

*The above item was introduced to Council by Councilmember Chavez, District 5.*

*Council President Caprioglio asked Councilmember Chavez if he was asking for City funding for the project. Councilmember Chavez responded no.*

*Upon call, the following member of the public addressed Council: Lucio Avila.*

**RESOLUTION 2019-077 ADOPTED**

**On motion of Councilmember Chavez, seconded by Councilmember Soria, that the above Resolution be adopted. The motion carried by the following vote:**

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

**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 during Unscheduled Communication: David Love and Russell Letsinger.*

**City Council recessed for lunch at 12:05 P.M. and returned from lunch at 1:32 P.M.**

**CITY COUNCIL (CONTINUED)**

*PLEASE NOTE: City Council was experiencing technical issues with the audio at this time. Items 4-C and 4-A were effected.*

**4-C** [ID19-1521](#) Appoint Chair of Finance and Audit Committee.

*The above item was introduced to Council by Councilmember Esparza, District 7.*

*Councilmember Esparza requested he be appointed as Chair to the Finance and Audit Committee as District 2 is vacant.*

**On motion of Vice President Arias, 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**

- 4-A**    [ID19-1463](#)    Council Boards and Commissions Communications, Reports, Assignments and/or Appointments, Reappointments, Removals to/from City and non-City Boards and Commissions:
1. Association for the Beautification of Highway 99 - **Soria**
  2. Budget Sub-Committee - **Soria, Chavez, Caprioglio**
  3. Cannabis Ad Hoc Committee -
  4. Council of Governments - **Mayor Brand-Ex-Officio (Caprioglio)**
  5. Council Sub-committee on Homelessness - **Chavez (Chair), Bredefeld, Arias**
  6. CDBG Sub-committee - **(Pertaining to Housing and addressing the allocation of Funds) - Caprioglio, Soria, Arias**
  7. Code Enforcement Sub-Committee - **Bredefeld, Caprioglio, Soria**
  8. Economic Development Corporation Serving Fresno County - **Caprioglio-Ex-Officio, City Manager Wilma Quan and (Chavez - Alternate)**
  9. Enterprise and Construction Management Oversight Board - **Chavez, Bredefeld-Alternate**
  10. Finance and Audit Committee - **Bredefeld, Esparza- Vice Chair, Brandau-Chair**
  11. Fresno Area Workforce Investment Corporation - **Soria**
  12. Fresno County Transportation Authority (FCTA) - **Mayor Brand-Ex-Officio, (Caprioglio - Alternate)**
  13. Fresno Regional Workforce Development Board - **Soria**
  14. Fresno County Zoo Authority - **Mayor Brand-Ex-Officio, (Arias-Alternate)**
  15. Fresno Madera Area Agency on Aging Board - **Esparza**
  16. Joint Powers Financing Authority - **Mayor Brand, Soria, Caprioglio**
  17. League of California Cities (Annual Meeting) - **Soria, Brandau, (Caprioglio - Alternates)**
  18. Litigation Exposure Reduction Ad Hoc Committee - **Brandau, Caprioglio**
  19. North Kings Groundwater Sustainability Agency (GSA) Joint Powers Authority - **Mayor Brand (Michael Carbajal, Tim Orman - Alternates)**
  20. San Joaquin River Conservancy Board - **Mayor Brand-Ex-Officio, (Bredefeld-Alternate)**
  21. School Liaison Sub-Committee - **Esparza-Chair, Chavez, Arias**
  22. Sub-Committee on Transportation - **Arias, Caprioglio, Soria**

23. Upper Kings Basin Integrated Regional Water Management JPA - Brandau (Michael Carbajal and Chavez - Alternates)

*There was no discussion on the above item. Council Vice President Arias requested the item be continued.*

*The above item was continued to the April 25, 2019 agenda.*

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

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

- 4-D [ID19-1438](#) RESOLUTION - Directing the expenditure of Senate Bill 1 funds on economically disadvantaged census tracts and low-income neighborhoods in the City of Fresno

*The above item was removed from the agenda by staff and continued to April 25, 2019.*

## **5. CLOSED SESSION**

*City Council recessed into Closed Session at 1:39 P.M. and returned from Closed Session at 2:08 P.M.*

*There was no announcements after Closed Session.*

- 5-A [ID19-1358](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)  
1. Sandra Johanns vs. City of Fresno, psi, Administered by RISICO Claims Management; Workers' Compensation Appeals Board Case Nos. ADJ18762395; ADJ8861700

*DISCUSSED*

- 5-B [ID19-1517](#) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Government Code Section 54956.9, Subdivision (d)(2)  
1. City of Fresno v. Garney Pacific Company dba Garney Construction Company

*DISCUSSED*

**2:00 P.M.**[ID19-1483](#)

\*\*\* RESOLUTION - Advancing the "Help Us, Help Fresno" Initiative to address panhandling (Subject to Mayor's veto).

*The above item was introduced to Council by Councilmember Bredefeld, District 6, Council Vice President Arias, District 3 and Council President Caprioglio, District 4.*

*Mayor Brand and Chief Dyer spoke in support of the item.*

*Upon call, the following members of the public addressed Council: Gonzalo Arambula, Linda Guerrero, Alyssa Stevens, Mike Rhodes, Jordan Fitzpatrick, Dez Martinez, Aline Reed, Yonas Paulos, Brandi Villeges, Patricia Wells, Cruz Rodriguez, Matt Dildine, and Smiley G.*

*Councilmember Chavez stated the biggest problem the City of Fresno has is credibility when it comes to helping the homeless. He asked about the \$20,000 expense and where it would come from and spoke regarding the low barrier shelter for the homeless. He asked to include in the motion a delay in putting up the signs until the HEAP program is implemented along with services, housing, the triage center and substance abuse. He would like to include the advocates' input into the plan as well as a PSA for homeless awareness, the solution and a way we can encourage charity by giving towards the services.*

*Councilmember Soria expressed her concerns with the message on the signs and requested that they be more positive. She spoke regarding the HEAP program and that the plan is not yet implemented. She asked that the signs be done in multiple languages and requested to do more PSAs to educate the community. She recommended to Council to continue the item until the HEAP program is rolled out. Or, she asked the Council to consider not using tax payers money, to remove the negative language in the signs and to not put the signs up until the HEAP program is rolled out and to reverse the no camping ordinance.*

*Councilmember Esparza spoke regarding the lack of data with helping the*

*homeless and prolonging homelessness. He stated he does not want to see signs in his districts. He agrees to come forward with the HEAP program and agreed to reverse the no camping ordinance.*

*Council Vice President Arias spoke regarding the HEAP program, making improvements to the sign language, and dealing with the no camping ordinance. He asked the sponsors for their input and if they are willing to accept the changes made by their colleagues. He spoke regarding a positive proposal.*

*Councilmember Bredefeld agreed to the following: more PSAs, to implement the HEAP program, and stated he does support the no camping ordinance. He expressed his concerns with City of Fresno becoming the next San Francisco and is not comfortable with allowing individuals to sleep on the street. He stated he will take the \$20,000 out of his infrastructure to pay for the signs.*

*Council President Caprioglio stated he supports motion with the requested amendments.*

*Councilmember Chavez asked Councilmember Bredefeld how the signs would help the homeless and their substance abuse. Councilmember Bredefeld responded that by giving them money and not to the charities, it continues to feed their addiction and keeps them on the street. Councilmember Chavez asked Councilmember Bredefeld if he would agree to work with the advocates on developing a comprehensive plan to solve homelessness. Councilmember Bredefeld responded yes.*

*Council Vice President Arias asked that the matter be continued until the HEAP program is implemented. He expressed his concerns with the language of the sign and suggested to allow each Councilmember to adjust the language that is more appropriate for their district. He said it will take time to get the HEAP program up and running but wants to make sure the program is implemented before putting up the signs. Councilmember Bredefeld agreed to allow each Councilmember to adjust the language of the signs but does not agree to delaying putting up the signs. Council President Caprioglio concurred with Councilmember Bredefeld.*

*Councilmember Soria does not support Councilmembers having different languages on the sign in each district. She said it represents a divisive message in the community and suggested the signs be changed and standardized.*

*City Manager Quan agreed it would be confusing to the residents and not as impactful if the language of the signs were different.*

*Council Vice President Arias does not support the item if the language of the signs are different and requested to continue the item until there can be a more positive and unified message. Councilmember Bredefeld disagreed to the request to continue the item and called for the vote.*

*Council Vice President Arias stated if it is the will of the Council he is willing to bring the item back for a 6-0 vote.*

**On motion of Councilmember Bredefeld, seconded by President Caprioglio, that the above Resolution be approved as amended. The motion FAILED by the following vote:**

**Aye:** 3 - Caprioglio, Chavez and Bredefeld

**No:** 3 - Arias, Soria and Esparza

## **ADJOURNMENT**

*City Council adjourned at 3:55 P.M.*