

City of Fresno

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



Meeting Minutes - Draft

Thursday, July 25, 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.

Councilmember Caprioglio was present via conference call from the Conoco Gas Station: 90 Lone Mountain Trail, Big Sky, MT 59716

9:02 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 Police Officer David Standley

Pledge of Allegiance to the Flag

APPROVE AGENDA

City Clerk Spence announced the following changes to the agenda: The Agenda was revised to add File ID 19-11057 (5-G) - Conference with Real Property Negotiator - 1. Property involving land within the City's North Fulton District Real Estate Resources as described in the Exclusive Negotiation Agreement by and between City of Fresno and Tutelian & Company, Inc., for North Fulton Mall Development Opportunities, File ID 19-1732 – Approval of amended minutes for June 10, 2019 - discussion was added to File ID 19-1732 Airports Department, File ID 19-11049 (1-BB) – Bill (for Introduction) Amending Section 3-125 to the Fresno Municipal Code relating to stipends for City Council internship was removed from the agenda by Council Vice President Arias, File ID 19-1971 (1-W) - Actions pertaining to the property located on the southeast corner of Broadway and Elizabeth APN 452-114-34T. The following changes to the Environmental Findings section of the Staff Report to Council was read into the record: “The Environmental Findings section of the Staff Report shall be deleted and replaced with the following: The project has been previously assessed under CEQA and found to be categorically exempt under CEQA Guidelines Section 15061(b)(3) because there is no possibility that the project could have a significant effect on the environment and is therefore exempt from CEQA. A notice of exemption will be filed on or before July 25, 2019, File

ID19-1995 (10:20 A.M. SCHEDULED COMMUNICATION) - Appearance by Sharon Rodriguez to discuss the parking issues around the Veterans Hospital, was removed from the agenda by the speaker, File ID 19-11011 (10:30 A.M.) – RESOLUTION certifying Final EIR SCH No. 2018111043 for the Relocation of the Darling Rendering Plan – was continued to August 15, 2019 10:30 A.M at the request of the Department and File ID 19-11043 (4-A) BILL - (for introduction) adding section 4-203 to the Fresno Municipal code concerning the disposition of real prperty ws removed from the agenda by Council Vice President Arias and continued to August 15, 2019.

On motion of President Caprioglio, seconded by Councilmember Soria, 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

[ID19-1959](#) Approval of amended minutes for June 10, 2019.

Discussion was added to File ID 19-1732 - Airports Department.

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

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

[ID19-1400](#) Approval of minutes for June 27, 2019

On motion of President Caprioglio, 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

[ID19-1958](#) Presentation of the SPCA Pet of the Month

PRESENTED

[ID19-1960](#) Proclamation of "Paige Morales Day"

PRESENTED

[ID19-11040](#) Proclaiming the Month of July as "CITY OF FRESNO PARKS AND RECREATION MONTH"

PRESENTED

COUNCILMEMBER REPORTS AND COMMENTS

Council President Caprioglio continues to work on the Community Center for District 4.

Councilmember Soria thanked Fresno Arts Council, local artists and City staff for making the crosswalk project possible located off Olive/Wishon and Echo/Weldon in District 1. She announced the "Hello Summer" event at Wilson Elementary School, Saturday, August 3, 2019 from 11-2 P.M. and she mentioned free movies in the park at Inspiration Park every Thursday evening until August 9, 2019.

Councilmember Esparza mentioned he assisted in fixing up a home in partnership with Habitat for Humanity in District 7 and he announced "Beat the Heat" events at Romain Park are held Thursdays, July 11th, July 18th and July 25th from 5-8:30 P.M.

1. CONSENT CALENDAR

Councilmember Bredefeld left the meeting at 9:35 A.M.

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

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

Absent: 1 - Bredefeld

- 1-A ID19-1757 RESOLUTION** - Of Intention to annex Final Tract Map No. 5587 as Annexation No. 100 to the City of Fresno Community Facilities District No. 11 and to Authorize the Levy of Special Taxes; and setting the public hearing for August 22, 2019 at 10:00 a.m. (northwest corner of West McKinley and North Brawley Avenues) (Council District 3)

The above item was removed from the agenda by Council Vice President Arias, District 3 and continued to August 15, 2019.

- 1-B [ID19-1762](#) RESOLUTION - Approving the Submittal of Functional Classification Changes for Local Streets and Roads to the California Department of Transportation (Council Districts 3 and 7).

The above item was removed from the agenda by Council Vice President Arias, District 3 and continued to August 15, 2019.

- 1-C [ID19-1857](#) Reject all bids for the Maroa Heights Phase II Water Main Replacement Project - Bid File 3640 (Council District 2 and Fresno County)

- 1-D [ID19-1942](#) Actions pertaining to Resolution of Intent Number 1131-D to vacate Elgin Avenue and North James Street between Golden State Boulevard and State Route 99; and setting the public hearing for August 15, 2019 at 10:00 A.M. (Council District 2)
1. Adopt a finding of Mitigated Negative Declaration for Environmental Assessment Number TPM-2017-12 (Document Number E201810000248) per staff determination under Sections 15065 and 15177 of the California Environmental Quality Act and Public Resource Code 21157.1 and 21157.6 (b)(1)
 2. RESOLUTION - Adopt the attached Resolution of Intent Number 1131-D to vacate Elgin Avenue and North James Street between Golden State Boulevard and State Route 99

- 1-E [ID19-1943](#) **RESOLUTION** - Of Intention to annex Final Tract Map No. 5631 as Annexation No. 101 to the City of Fresno Community Facilities District No. 11 and to Authorize the Levy of Special Taxes; and setting the public hearing for August 22, 2019 at 10:00 a.m. (west side of North Polk Avenue between West Gettysburg and Ashlan Avenues) (Council District 1)

RESOLUTION 2019-141 ADOPTED

- 1-F [ID19-1945](#) **RESOLUTION** - Of Intention to Annex the territory known as Assessor's Parcel Number 330-021-03 as Annexation No. 40 to the City of Fresno Community Facilities District No. 9 and to Authorize the Levy of Special Taxes; and setting the public hearing for August 22, 2019 at 10:00 a.m. (R-P East Investments Development) (east side of South East Avenue north of East Central Avenue) (Council District 3)

The above item was removed from the agenda by Council Vice President Arias, District 3 and continued to August 15, 2019.

- 1-G [ID19-1941](#) Actions pertaining to dual jurisdiction construction projects between the County of Fresno and the City of Fresno for the improvement, repair or maintenance of roads and associated traffic signals, bridges and facilities

(Citywide)

1. Approve the Master Dual Jurisdiction Cooperative Agreement between the County of Fresno and the City of Fresno and authorize the Public Works Director to execute the agreement on behalf of the City
2. RESOLUTION - Authorizing the Public Works Director to execute Project Specific Supplement Agreements pursuant to Master Dual Jurisdiction Cooperative Agreement with the County of Fresno for dual jurisdiction road construction projects

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

- 1-H** [ID19-1968](#) RESOLUTION - Authorizing the Submission of the Travel by Trail, Fresno! Trail Network Wayfinding, Promotion and Connectivity Plan to the California Department of Transportation for the 2019-20 Sustainable Transportation Planning Grant Program Call for Projects and Authorizing the Execution of Restricted Grant Agreements and Amendments for the Project with the California Department of Transportation by the Public Works Director or Designee (Citywide)

RESOLUTION 2019-142 ADOPTED

- 1-I** [ID19-1989](#) **RESOLUTION** - Of Intention to annex Final Tract Map No. 6211 as Annexation No. 104 to the City of Fresno Community Facilities District No. 11 and to Authorize the Levy of Special Taxes; and setting the public hearing for August 22, 2019 at 10:00 a.m. (west side of North Millbrook Avenue, south of East Nees Avenue) (Council District 6)

RESOLUTION 2019-143 ADOPTED

- 1-J** [ID19-1992](#) Approve an Agreement with Pacific Gas and Electric Company in the amount of \$62,099.06 to Install Applicant Requested Common Special Facilities for the installation of a new service connection for the Veterans Boulevard Project at the intersection of Veterans Boulevard and Bullard Avenue (Council District 2)
- 1-K** [ID19-1994](#) Approve a substitution of a listed Subcontractor DL Masonry, for Construct Well Site Improvements at Pump Station 210A (Council District 1)
- 1-L** [ID19-1865](#) RESOLUTION - To claim funds of \$3,434.83 for uncashed checks dated January 02, 2015, through December 30, 2015, and \$470.00 for two bond deposits dating from 2002, and 2006, and transfer said funds from "Special Fund" 63539 to the General Fund 10101

RESOLUTION 2019-144 ADOPTED

- 1-M** [ID19-11009](#) BILL - (for introduction) - Amending Sections 1-302, 1-305(d), 7-910(b),

10-704(b), 10-1602(a), 10-1609, and 11-304(c) of the Fresno Municipal Code related to code enforcement.

BILL 18 INTRODUCED AND LAID OVER

1-N [ID19-1949](#) Approve the re-appointment of Jack Tracy to the Civil Service Board and the appointment of Don Priest to the Fresno-Clovis Community Media Authority (JPA)

1-O [ID19-1954](#) Approve a (3) three year requirements contract with the possibility of (2) two one year extensions for Cost Allocation Plan (CAP) and Indirect Cost Rate Proposal (ICRP) services in the amount of \$23,000 per year with MGT of America, Inc.

1-P [ID19-1964](#) Approve a 10-year agreement with Cen Cal Business Finance Group, Inc. (Cen Cal) to administer the Revolving Loan Fund (RLF) Program

The above item was pulled from Consent Calendar by Councilmember Esparza and moved to Contested Consent for further discussion.

1-Q [ID19-1966](#) Approve the 2019 Administrative Plan for the City of Fresno's Revolving Loan Fund Program

The above item was pulled from Consent Calendar by Councilmember Esparza and moved to Contested Consent for further discussion.

1-R [ID19-1969](#) ***RESOLUTION 1st Amendment to the Position Authorization Resolution (PAR) No. 2019-134 adding one (1) position to the Retirement Division, effective July 29, 2019 **(Subject to Mayor's Veto)**

RESOLUTION 2019-145 ADOPTED

1-S [ID19-1963](#) RESOLUTION - Of Intention by the Council of the City of Fresno, California, to grant a Non-Exclusive Franchise for roll-off collection services within the City of Fresno and setting the public hearing for September 19, 2019 (Citywide)

The above item was pulled from Consent Calendar by Councilmember Esparza and moved to Contested Consent for further discussion.

1-T [ID19-11001](#) Actions pertaining to the cleaning and dewatering of Digester 6 at the Fresno/Clovis Regional Wastewater Reclamation Facility (Bid File 3674) (Council District 3):
1. Adopt a finding of Categorical Exemption pursuant to Class 1, Section 15301 (Existing Facilities) of the California Environmental Quality Act

Guidelines

2. Award a construction contract to Wastewater Solids Management Inc., in the amount of \$196,960
3. Authorize the Director of Public Utilities, or designee, to sign the agreement on behalf of the City of Fresno

1-U [ID19-11002](#)

Actions pertaining to the cleaning and dewatering of Digester 8 at the Fresno/Clovis Regional Wastewater Reclamation Facility (Bid File 3673) (Council District 3):

1. Adopt a finding of Categorical Exemption pursuant to Class 1, Section 15301 (Existing Facilities) of the California Environmental Quality Act Guidelines
2. Award a construction contract to Wastewater Solids Management Inc., in the amount of \$196,960
3. Authorize the Director of Public Utilities, or designee, to sign the agreement on behalf of the City of Fresno

1-V [ID19-1993](#)

Award a consultant services agreement to Blair, Church & Flynn Consulting Engineers in an amount of not to exceed \$131,700 for the design of Recycled Water Extension to West Creek Village/Martin Luther King Activity Center (Council District 3 and Fresno County)

1-W [ID19-1971](#)

Actions pertaining to the property located on the southeast corner of Broadway and Elizabeth APN 452-114-34T (Property):

1. ***RESOLUTION - approving the Application of Lowell Community Development Corporation for Statewide Park Development and Community Revitalization Program Grant funds and stating intention to accept project and contract obligations upon successful completion of project and State's approval of the transfer should the Grant be awarded (Subject to Mayor's Veto)
2. Approve Memorandum of Understanding (MOU) between the City of Fresno and Lowell Community Development Corporation for operations and maintenance of the park upon completion
3. Authorize the City Manager to take all actions and execute all documents necessary to facilitate the Proposition 68 application and associated park development consistent with the MOU

Upon call, the following members of the public addressed Council: Kiel Lopez-Schmidt and Marcella Lopez-Schmidt.

RESOLUTION 2019-146 ADOPTED**1-X** [ID19-1974](#)

Actions pertaining to Senior Hot Meals Program:

1. Authorize Annual Renewal of Site Management Contract No. 20-

0310 Title III C1 Nutrition Site Management (Senior Hot Meals Program) with Fresno-Madera Area Agency on Aging (FMAAA);

2. Authorize the Interim PARCS Director or Designee to Execute the Contract and Sign All Necessary Documents.

- 1-Y** [ID19-1961](#) Actions pertaining to the 2019/2020 Alcoholic Beverage Control (ABC) grant
1. Authorize the Chief of Police to accept \$100,000 in grant funding for the 2019/2020 Alcoholic Beverage Control grant awarded to the Fresno Police Department from the State of California Alcoholic Beverage Control and execute the agreement and all related documents applicable to the 2019/2020 grant.
 2. ***RESOLUTION - Authorizing acceptance of the grant award from the State of California Alcoholic Beverage Control for the Fresno Police Department's 2019/2020 Grant Assistance Program. (Subject to Mayor's veto)

RESOLUTION 2019-147 ADOPTED

- 1-Z** [ID19-1975](#) Actions related to submitting an application to the State of Good Repair Program for funding to replace the City's bus wash and vacuum systems:
1. Adopt a finding of Class 1 Categorical Exemption for Existing Facilities pursuant to the CEQA Guidelines.
 2. RESOLUTION - Authorizing Application for and Acceptance of Funding from the California State of Good Repair (SGR) Program, Approving the Associated FY 2019-20 Project List, and Authorizing Execution of Certifications and Assurances

The above item was pulled from Consent Calendar by Councilmember Bredefeld and moved to Contested Consent for further discussion.

- 1-AA** [ID19-11047](#) Approve the appointment of Daniel Brannick to the District 1 Plan Implementation Committee and the appointment of Alex Belanger to the Capital Projects Oversight Board.

- 1-BB** [ID19-11049](#) BILL - (For introduction) Amending Section 3-125 to the Fresno Municipal Code relating to stipends for city council internship.

The above item was removed from the agenda by Council Vice President Arias, District 3.

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, Alysia Bonner, Andrew and Lydia Wickwire, Mary Pagilla and Aaron Foster.

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

9:50 A.M.

[ID19-11030](#) Presentation by The Gualco Group, Inc.

The above presentation was presented to Council by President and CEO Jack Gualco with The Gualco Group, Inc.

PRESENTED

10:00 A.M.

[ID19-1977](#) **HEARING** to consider the proposed Annual Assessment for the City of Fresno Landscaping and Lighting Maintenance District No. 1 (Citywide)

1. *****RESOLUTION** - Confirming the diagram and assessment and levy of annual assessment, 2019-2020, for Landscaping and Lighting District No. 1 (Subject to Mayor's Veto)

The hearing was held and called to order at 10:08 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 what needs to be done to get the same quality of maintenance in the other facilities. Assistant Director Benelli responded.

Councilmember Bredefeld asked staff several questions regarding the process and cost to convert a Landscaping and Lighting Maintenance District (LLMD) to a Community Facilities District (CFD). Assistant Director Benelli responded. Councilmember Bredefeld spoke regarding a potential policy change to make the LLMD process similar to City of Clovis. He requested staff to bring back to Council a policy change to include options for automatic adjustments, converting LLMDs to CFDs and looking into a

possible rate increase for the community to vote on. Assistant City Manager Schaad responded.

Council Vice President Arias concurs with Councilmember Bredefeld and requested staff to look into a permanent solution to include automatic adjustments similar to the City of Clovis and for the recommendations to be Citywide. Assistant City Manager Schaad and Director Mozier responded.

Councilmember Chavez asked about the life cycle of the street lights and who is responsible for replacing the lights. He spoke regarding outreach to the community and suggested a phased approach to the community when considering a rate increase. Director Mozier responded.

Council Vice President Arias recommended to staff to change the name going forward to not include lighting.

RESOLUTION 2019-148 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: 6 - Caprioglio, Arias, Soria, Chavez, Bredefeld and Esparza

10:10 A.M.

[ID19-1951](#) WORKSHOP - Fresno Grizzlies Community Engagement

The above workshop was presented to Council by Community Engagement Manager Madeline Hamada, with Fresno Grizzlies.

PRESENTED

10:15 A.M.

[ID19-1957](#) Approve a consultant services agreement with Campbell Strategy and Advocacy, LLC., for an amount not to exceed \$180,000 for Professional Lobbying and Consulting Services in California.

The above item was introduced to Council by City Manager Quan, City Manager's Office, Chief of Staff Tim Orman, Mayor's Office and State Lobbyist Greg Campbell, with Campbell Strategy and Advocacy, LLC.

Councilmember Soria announced the Lobbyist Ad-Hoc Committee has been formed and the members of the Committee are Councilmember Soria, Councilmember Esparza and Council Vice President Arias.

Councilmember Chavez spoke regarding the importance of having a lobbyist represent the City of Fresno and thanked Mr. Campbell for all the work he has done for the City of Fresno.

Councilmember Bredefeld asked several questions regarding the State Lobbyist's strategy and influence with representing the City of Fresno and participating in the Transformative Climate Communities (TCC) program. He asked Mr. Campbell if he represents or has been offered other City jobs. Mr. Campbell responded. Councilmember Bredefeld communicated his concerns with paying a lobbyist \$200,000 and disagrees with having a Lobbyist for the City of Fresno. State Lobbyist Campbell responded.

Council Vice President Arias expressed his concerns with the Lobbyist supporting one City Official rather than the City as a whole and the position on Senate Bill 531. He stated he would like a guarantee that the Lobbyist will lobby on issues that is a consensus of the whole City of Fresno and not one individual. State Lobbyist Campbell responded.

Councilmember Soria spoke regarding the lack of communication between City Council and the Administration and would like the Council to review the reports as they come in.

Councilmember Soria requested a friendly amendment to the motion to have clarity in the Scope of Services to make sure the Council gets monthly reports, that the Consultant will not lobby on issues that are not approved upon consensus of the Lobbyist Ad Hoc Committee and the Administration, particularly on legislation and she requested The Gualco Group be brought back to Council at a later date to review their extension of the contract. Council President Caprioglio and Councilmember Chavez agreed to the amendment.

Council Vice President Arias requested that the Consultant discuss with

each district that is being affected by the potential legislation and he would like there to be no action taken on Senate Bill 531 until there is a consensus of the Council to take a position on the bill.

Upon call, there was no public comment.

APPROVED AS AMENDED

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

Aye: 4 - Caprioglio, Soria, Chavez and Esparza

No: 2 - Arias and Bredefeld

10:20 A.M. SCHEDULED COMMUNICATION

[ID19-1956](#) Appearance by Jezrell L. II Crawford to cordially invite the City Council to the Black Spiritual Consulate (BSC) meeting (Speaker resides in District 6)

DID NOT APPEAR

[ID19-1948](#) Appearance by Gonzalo Arambula to discuss C.P.S. and Child Support Issues

DID NOT APPEAR

[ID19-11017](#) Appearance by Amber Hillman to express concern regarding the homeless, City parks, public safety and Code Enforcement (Speaker resides in District 3)

APPEARED

[ID19-11018](#) Appearance by Megan Antijunti to express her concern regarding code enforcement issues. (Speaker resides in District 3)

APPEARED

[ID19-1995](#) Appearance by Sharon Rodriguez to discuss the parking issues around the Veterans Hospital (Speaker resides in District 7)

REMOVED FROM THE AGENDA AT THE REQUEST OF THE SPEAKER

[ID19-11012](#) Appearance by Mary Padilla to discuss the Advance Peace Proposal. (Speaker resides in District 2)

*APPEARED AND SPOKE UNDER UNSCHEDULED COMMUNICATIONS***10:30 A.M.**

[ID19-11011](#) (CONTINUE TO AUGUST 15, 2019 AT 10:30 A.M.)

1. **RESOLUTION** - Certifying Final EIR SCH No. 2018111043 for the Relocation of the Darling Rendering Plant; and
 - a. ADOPT Findings of Fact as required by Public Resources Code Section 21082(a) and CEQA Guidelines, Section 15091; and
 - b. APPROVE a Mitigation Monitoring and Reporting Program as required by Public Resources Code Section 21081.6 and CEQA Guidelines Section 15092; and
 - c. ADOPT the Statement of Overriding Considerations as required by Public Resources Code, Section 21081(b) and CEQA Guidelines, Section 15093.
2. **RESOLUTION** - Approving Plan Amendment Application No. P18-03582 proposing to amend the Fresno General Plan from the Public Facilities planned land use designation to the Heavy Industrial planned land use designation.
3. **BILL** - (For introduction and adoption) - Rezone Application No. P18-03582 proposing to amend the Official Zone Map to reclassify the subject property from the PI/UGM (*Public and Institutional/Urban Growth Management*) zone district to the IH (*Heavy Industrial*) zone district.
4. **APPROVE** Conditional Use Permit Application No. P18-03583 proposing the construction of a new rendering facility on a vacant 40 acre portion of land located approximately 1200 feet south and 1800 feet west of the intersection of South Cornelia and West Jensen Avenues, subject to the Conditions of Approval dated July 17, 2019.
5. **BILL** - (For introduction) - Approving the Disposition Agreement and Development Agreement between the City of Fresno and Darling Ingredients Inc., pertaining to relocation and the transfer and development of real property to the southwest of the intersection of Jensen and Cornelia Avenues.

The above item was continued to August 15, 2019 at 10:30 A.M.

3. GENERAL ADMINISTRATION**3-B** [ID19-1776](#) WORKSHOP - Shared Mobility Devices

The above workshop was introduced to Council by Assistant City Manager Schaad, City Manager's Office, Community Affairs Manager Karla Owunwanne with Lime Company, Executive Director, Larry Salinas with

Fresno State University and Vidal Medina with Resource for Independent Central Valley (RICV).

Councilmember Soria directed staff to continue to work on bringing back to Council a framework and figure out the best way to move forward in a pilot program fashion. Assistant City Manager Schaad responded.

Councilmember Chavez directed staff to have the pilot program go through each District Plan Implementation Committee.

City Council recessed for lunch at 12:16 P.M. and returned from recess at 1:34 P.M.

1:30 P.M. CONTESTED CONSENT CALENDAR

- 1-G** [ID19-1941](#) Actions pertaining to dual jurisdiction construction projects between the County of Fresno and the City of Fresno for the improvement, repair or maintenance of roads and associated traffic signals, bridges and facilities (Citywide)
1. Approve the Master Dual Jurisdiction Cooperative Agreement between the County of Fresno and the City of Fresno and authorize the Public Works Director to execute the agreement on behalf of the City
 2. RESOLUTION - Authorizing the Public Works Director to execute Project Specific Supplement Agreements pursuant to Master Dual Jurisdiction Cooperative Agreement with the County of Fresno for dual jurisdiction road construction projects

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

Upon call, there was no public comment.

Council Vice Present Arias asked staff for an update on the opening of Hanh Phan Tilley Elementary School and the plan for safeguards and sidewalks. Director Mozier responded.

Councilmember Soria asked staff if the item can be postponed to a later date and expressed her concerns about the infrastructure of Central Unified. Director Mozier responded.

RESOLUTION 2019-149 ADOPTED

On motion of Vice President Arias, 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

- 1-P** [ID19-1964](#) Approve a 10-year agreement with Cen Cal Business Finance Group, Inc. (Cen Cal) to administer the Revolving Loan Fund (RLF) Program

The above item was presented to Council by Economic Development Coordinator Perez, Planning and Development Department and Executive Director Frank Gallegos, with Cen Cal Business Finance Group.

Upon call, there was no public comment.

Councilmember Esparza asked several questions regarding the revolving loan funds, the outreach and loan process. He asked how many loans are received annually and how much revenue is being put back annually. Executive Director Gallegos responded.

Councilmember Soria asked the Administration about the process that was taken 20 years ago to obtain the agreement, and why there was a small interest in the Request for Proposal (RFP). Economic Development Coordinator Perez responded.

Council Vice President Arias spoke regarding his concerns about the outreach and approving a 10 year agreement. He suggested the matter be continued to the next meeting, August 15, 2019. Executive Director Gallegos and City Manager Quan responded.

Councilmember Soria requested to see the improvements of the audit issues that were previously experienced during the 10 year agreement. Executive Director Gallegos responded.

On motion of Vice President Arias, seconded by Councilmember Soria, that the above Action Item be continued to August 15, 2019. The motion carried by the following vote:

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

- 1-Q** [ID19-1966](#) Approve the 2019 Administrative Plan for the City of Fresno's Revolving Loan Fund Program

The above item was discussed with File ID 19-1964 (1-P).

On motion of Vice President Arias, seconded by Councilmember Soria, that the above Action Item be continued to August 15, 2019. The motion carried by the following vote:

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

1-S [ID19-1963](#)

RESOLUTION - Of Intention by the Council of the City of Fresno, California, to grant a Non-Exclusive Franchise for roll-off collection services within the City of Fresno and setting the public hearing for September 19, 2019 (Citywide)

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

Upon call, there was no public comment.

Councilmember Esparza asked staff to give more information about the item. Assistant Director Schuber responded.

RESOLUTION 2019-150 ADOPTED

On motion of Councilmember Esparza, 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

1-Z [ID19-1975](#)

Actions related to submitting an application to the State of Good Repair Program for funding to replace the City's bus wash and vacuum systems:

1. Adopt a finding of Class 1 Categorical Exemption for Existing Facilities pursuant to the CEQA Guidelines.
2. RESOLUTION - Authorizing Application for and Acceptance of Funding from the California State of Good Repair (SGR) Program, Approving the Associated FY 2019-20 Project List, and Authorizing Execution of Certifications and Assurances

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

Upon call, there was no public comment.

Councilmember Bredefeld asked staff to explain the replacement of the wash and vacuum system. Director Barfield responded.

RESOLUTION 2019-151 ADOPTED

On motion of Councilmember Bredefeld, 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

2:00 P.M.

[ID19-1940](#) HEARING to Consider Plan Amendment Application No. P18-03569, Rezone Application No. P18-03569, Modification of Zoning Conditions Application No. P18-03569 and related Environmental Assessment No. P18-03659 filed by Jeff Roberts of Assemi Group, Inc. These applications pertain to approximately 6.9 acres of property located on the corner of North Colonial and West San Jose Avenues. (Council District 2)

1. **ADOPT** CEQA Environmental Assessment No. P18-03569, a Mitigated Negative Declaration dated May 22, 2019.
2. **RESOLUTION** - Approving Plan Amendment Application No. P18-03569 proposing to amend the Fresno General Plan and the Bullard Community Plan planned land use for ±1.0 acre of property at the northeast corner of North Colonial and West San Jose Avenues from Residential Medium Density to Regional Mixed-Use.
3. **BILL** (For introduction and adoption) - Approving Rezone Application No. P18-03569 requesting authorization to rezone ±1.0 acre of property at the northeast corner of North Colonial and West San Jose Avenues from RS-5/EQ (Residential Single Family/Equine Overlay) to RMX (Regional Mixed-Use) zoning, to modify conditions of zoning on ±3.8 acres at the northwest corner of North Colonial and West San Jose Avenues, and to modify conditions of zoning on ±2.1 acres south of West San Jose Avenue at North Colonial Avenue.

The above item was introduced to Council by Supervising Planner Lerwill, Planning and Development Department.

Upon call the following members of the public addressed Council: Joyce Kauder, Holland Wright, Sheli Glasrud, Stephan Rittile and Jeff Roberts.

RESOLUTION 2019-152 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: 6 - Caprioglio, Arias, Soria, Chavez, Bredefeld and Esparza

GENERAL ADMINISTRATION (CONTINUED)

- 3-A** [ID19-1919](#) Approve Agreement with Kingsview Corporation in the amount of \$671,947 for homeless outreach and assessment services

The above item was introduced to Council by Director of Strategic Initiative Spees, Mayor's Office.

Upon call, there was no public comment.

Councilmember Soria asked questions regarding the Request for Proposal (RFP) and why only one bidder applied. Director of Strategic Initiative Spees responded.

Councilmember Bredefeld asked about Kings View Corporation and its locations in other Counties and Cities other than Fresno. Councilmember Bredefeld referenced the Scope of Work and asked if staff was going to reach out to 100% of the homeless population regarding the linkage and/or services to those homeless individuals on the street. Director of Strategic Initiative Spees and Regional Director Virginia Sparks with Kings View Corporations replied.

Council Vice President Arias asked staff how many will be hired with the contract and how many individuals will be served. He requested the Homeless Taskforce be updated once staff has the numbers. Regional Director Sparks responded.

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

- 3-C** [ID19-1985](#) Actions pertaining to the 2017 Transformative Climate Communities (TCC) Grant and Transform Fresno Plan project regarding the Inside Out

Community Garden:

1. Adopt a finding that the project is categorically exempt from CEQA pursuant to the Class 4 Categorical Exemption set forth in CEQA Guidelines Section 15304(b); and
2. Approve a Sub-Recipient Agreement with Fresno Economic Opportunities Commission (EOC) for the Inside Out Community Garden totaling \$98,000.

Councilmember Chavez recused himself from the above item.

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

APPROVED

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

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

Recused: 1 - Chavez

3-D [ID19-1987](#) Actions pertaining to the 2017 Transformative Climate Communities (TCC) Grant and Transform Fresno Plan project regarding the Chinatown Urban Greening Project:

1. Adopt a finding that the project is categorically exempt from CEQA pursuant to the Class 1, Class 2, and Class 4 Categorical Exemptions set forth in CEQA Guidelines Section 15301, 15302, and 15304(b).
2. Approve a Sub-Recipient Agreement with the City of Fresno Department of Public Works for Chinatown Urban Greening Project totaling \$7,943,598; and
3. ***RESOLUTION - 2nd amendment to the Annual Appropriation Resolution (AAR) No. 2019-133 appropriating \$331,500 from the TCC Grant (Requires 5 affirmative votes) (Subject to Mayor's veto).

The above item was introduced to Council by Business Manager Espinoza, City Manager's Office.

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

RESOLUTION 2019-153 ADOPTED

On motion of Vice President Arias, seconded by Councilmember Soria, that the above Discussion Item be adopted. The motion carried

by the following vote:

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

- 3-E** [ID19-1988](#) Approve a Sub-Recipient Agreement with United States Green Building Council Central California for the Community Engagement Plan (CEP) - Southwest Green Trails Project totaling \$138,540 pertaining to the 2017 Transformative Climate Communities grant and Transform Fresno plan.

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

APPROVED

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

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

- 3-F** [ID19-1947](#) Actions related to the construction of the Buffer Median Island Bus Stop Upgrades Project:
1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 of the California Environmental Quality Act Guidelines;
 2. Award a construction contract to JT2, Inc., dba Todd Companies, of Visalia, California, in the amount of \$1,581,517.00 for the construction of the Buffer Median Island Bus Stop Upgrades Project (Bid File 3616)

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

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

APPROVED

On motion of Councilmember Esparza, 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

- 3-G** [ID19-1967](#) Actions pertaining to the comprehensive administration of the United States Department of Housing and Urban Development (HUD) programs
1. Approve a First Amendment to the Consulting Services Agreement with

- Michael Baker International in the amount not to exceed \$226,000 for ongoing consultant services through June 30, 2020; and
2. Approve Second Amendment to Consulting Services Agreement with Usona Development, LLC in the amount not to exceed \$609,020 for ongoing consultant services through June 30, 2020;
 3. Authorize the Planning and Development Department Director, or designee, to sign the amendments on behalf of the City of Fresno.

The above item was introduced to Council by Director Clark, Planning and Development Department.

Upon call, there was no public comment.

Councilmember Soria voiced her concerns with the vacancies in the department and she stated she would like to see the staff do the work rather than hiring more consultants. Councilmember Soria asked staff why hiring has not been the departments priority. Director Clark replied.

Councilmember Bredefeld asked when the department will fill the vacancies and expressed his frustrations with hiring consultants. Director Clark and City Manager Quan responded.

Councilmember Chavez asked staff several questions regarding the qualifications, salary and requirements of Housing and Urban Development (HUD) when hiring individuals. He requested that the item be continued to August 15, 2019. Director Clark and City Manager Quan responded.

Council Vice President Arias agreed with his colleagues and does not support the item as presented and supports the request to continue.

Council President Caprioglio stated he does not wish to continue the item and motioned to approve as presented. The motion died for lack of second.

On motion of Councilmember Chavez, seconded by Councilmember Soria, that the above Action Item be continued to August 15, 2019. The motion carried by the following vote:

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

No: 1 - Caprioglio

Actions pertaining to Permanent Asphalt Concrete Pavement Repairs (Bid File 9506) (Citywide):

1. Adopt a finding of Categorical Exemption pursuant to Class 1/Section 15301 (Existing Facilities), Class 2/Section 15302 (Replacement and Reconstruction), Class 3/Section 15303 (New Construction or Conversion of Small Structures), and Class 4/Section 15304 (Minor Alterations to Land) of the California Environmental Quality Act Guidelines
2. Award a one-year requirements contract to Dawson-Mauldin LLC., in the amount of \$1,426,100 for Fiscal Year 2020, with provisions for up to three one-year extensions

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

Upon call, there was no public comment.

Council Vice President Arias stated he would like staff to be thoughtful of the execution when repairing the asphalt permanently.

APPROVED

On motion of Councilmember Esparza, 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-I [ID19-1946](#) Actions related to Funding Agreements with the Fresno County Transportation Authority and Caltrans for 2018/19 Pilot Litter Abatement Program

1. Approve Funding Agreement with the Fresno County Transportation Authority for 2018/19 Pilot Litter Abatement Program for \$100,000
2. Approve Delegated Maintenance Agreement with the Department of Transportation for 2018/19 Program Function Roadside Litter/Debris Pickup for \$200,000
3. ***RESOLUTION - 1st Amendment to the Annual Appropriations Resolution No. 2019-133 Appropriating \$210,000 for the Freeway Litter Control Abatement Project (Requires 5 affirmative votes) (Subject to Mayor's veto)

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

Upon call, there was no public comment.

Councilmember Bredefeld voiced his concerns with Caltrans and the lack of up keep and services they are providing to the City of Fresno.

Councilmember Soria asked staff what was the budget and plan for the Mayor's initiative "Keep Fresno Beautiful" program. Assistant City Manager Schaad responded.

Council Vice President Arias would like specifics on what will be cleaned up and when and how much it will cost. Director Mozier responded.

RESOLUTION 2019-154 ADOPTED

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

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

4. CITY COUNCIL

- 4-A** [ID19-11043](#) BILL - (for introduction) Adding Section 4-203 to the Fresno Municipal Code concerning the disposition of real property.

The above item was removed from the agenda by Council Vice President Arias, District 3 and continued to August 15, 2019.

- 4-B** [ID19-11050](#) ***RESOLUTION - Amending the Transparency in City Government Act to Prohibit Retroactive Raises and Raises After an Employee Has Given Notice (Subject to Mayor's Veto)

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

Upon call, there was no public comment.

Councilmember Bredefeld spoke regarding his concerns with employees who have resigned from the City of Fresno and have received retroactive raises. He asked staff City Attorney Sloan if this would effect those who are in the drop program and he stated departments need to do their evaluations on time to avoid retroactive raises. City Attorney Sloan and City Manager

Quan responded.

Council Vice President Arias amended his motion to completely eliminate retroactive pay for any management employee who has given notice of their pending departure and requires an evaluation of any raise to management employees as outlined in the Administrative regulation and to eliminate any retroactive pay raises going forward to any unrepresented employees effective approval of the policy.

City Attorney Sloan read the refined language into the record.

RESOLUTION 2019-155 ADOPTED AS AMENDED

On motion of Vice President Arias, seconded by Councilmember Bredefeld, that the above Resolution be adopted as amended. The motion carried by the following vote:

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

5. CLOSED SESSION

Council recessed for Closed Session at 3:47 P.M. and returned from Closed Session at 5:27 P.M.

There was no announcements after Closed Session.

- 5-A** [ID19-1983](#) 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)

DISCUSSED

- 5-B** [ID19-1991](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)
1. *Estate of Casimero Casillas, et al. v. City of Fresno, et al.*' United States District Court Case No.: 1:16-CV-01042 AWI SAB (Fresno Police Department).

DISCUSSED

- 5-C** [ID19-11008](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)
1. Ana Ramirez-Vela, et al. v. City of Fresno, et al.; Fresno Superior Court Case No.: 16CECG03001 (Fire Department).

DISCUSSED

- 5-D** [ID19-11014](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)
1. Jeannette DeMoss, et al. v. City of Fresno, et al.; Fresno Superior Court Case No.: 18CECG01679 (Fresno Police Department).

DISCUSSED

- 5-E** [ID19-11028](#) PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Government Code Section 54957
Title: City Attorney

DISCUSSED

- 5-F** [ID19-11036](#) CONFERENCE WITH LABOR NEGOTIATORS - Government Code Section 54957.
City Negotiator(s): Council President Paul Caprioglio; Unrepresented Employee: City Attorney

DISCUSSED

- 5-G** [ID19-11057](#) CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Government Code Section 54956.8

Property involving land within the City's North Fulton District Real Estate Resources as described in the Exclusive Negotiation Agreement by and between City of Fresno and Tutelian & Company, Inc., for North Fulton Mall Development Opportunities

Negotiating Parties: City Manager, Tutelian & Company, Inc.

DISCUSSED

ADJOURNMENT

City Council adjourned at 5:30 P.M. in memory of Kelly Porterfield, Central Unified Assistant Superintendent.