



# City of Fresno

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

## Meeting Minutes - Final City Council

**President - Esmeralda Z. Soria**

**Vice President - Steve Brandau**

**Councilmembers:**

**Oliver L. Baines, III, Paul Caprioglio, Luis Chavez,**

**Garry Bredefeld, Clinton J. Olivier**

**City Manager - Wilma Quan-Schechter**

**City Attorney - Douglas T. Sloan**

**City Clerk - Yvonne Spence, MMC**

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**Thursday, November 8, 2018**

**9:00 AM**

**Council Chambers**

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### Regular Meeting

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

9:07 A.M. ROLL CALL

*Councilmember Olivier arrived at 10 A.M. after roll call.*

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

Invocation by Pastor Paul Clark of the Lutheran Campus Ministry

Pledge of Allegiance to the Flag

### **APPROVE AGENDA**

*City Clerk Spence announced the following change to the agenda: The 10:10 A.M. item, File ID18-1336, is removed from the agenda by the speaker.*

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

carried by the following vote:

**Aye:** 5 - Soria, Baines III, Caprioglio, Chavez and Bredefeld

**Absent:** 2 - Brandau and Olivier

**1. CONSENT CALENDAR**

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

**Aye:** 5 - Soria, Baines III, Caprioglio, Chavez and Bredefeld

**Absent:** 2 - Brandau and Olivier

- 1-A [ID18-1277](#) **RESOLUTION** - Of Intention to Annex Assessor’s Parcel Number 404-500-20 and 404-500-21 as Annexation No. 36 to the City of Fresno Community Facilities District No. 9 (north side of East Alluvial Avenue between North Willow and Paula Avenues) (Council District 6)

*RESOLUTION 2018-254 ADOPTED*

- 1-B [ID18-1326](#) Consider initiation of annexation of the Shepherd-Willow No. 3 Reorganization for the street right-of-way for Shepherd Avenue and Willow Avenue and the property located on the southwest corner of Shepherd Avenue and Willow Avenue. (Council District 6 and County of Fresno)
  - 1. **\*\*\*RESOLUTION** - Authorizing the City Manager to initiate annexation of the “Shepherd-Willow No. 3 Reorganization” with the Fresno Local Agency Formation Commission (LAFCo) for the detachment of an approximately 6.53 net acre site from the Fresno County Fire Protection District and the Kings River Conservation District in order to annex the same territory to the City of Fresno. (Subject to Mayor’s veto)

*RESOLUTION 2018-255 ADOPTED*

- 1-C [ID18-1327](#) **RESOLUTION** - Approving the Final Map of Tract No. 6217 and accepting dedicated public uses offered therein except for dedications offered subject to City acceptance of developer installed required improvements - southeast corner of North Bryan Avenue and West Gettysburg Avenue (Council District 1)

*RESOLUTION 2018-256 ADOPTED*

- 1-D [ID18-1283](#) Actions pertaining to the acquisition of a portion of APN 310-041-20,

owned by the Rocha Revocable Living Trust dated March 9, 2018, for the Relocation of Fire Station 10. (Council District 4)

1. Adopt Negative Declaration per staff determination, pursuant to Sections 15070 to 15075 of the California Environmental Quality Act (CEQA) Guidelines Environmental Assessment No. P18-01212.
2. Approve the acquisition of 67,200 square feet of real property from property owned by The Rocha Revocable Living Trust dated March 9, 2018, in the amount of \$ 300,000 (APN 310-041-20) for the Relocation of Fire Station 10.

- 1-E**     [ID18-1303](#)     \*\*\*RESOLUTION - 546th Amendment to the Master Fee Schedule (MFS) Resolution No. 80-420 to Add, Adjust, Revise or Delete Various Fees (Subject to Mayor's veto)

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

- 1-F**     [ID18-1345](#)     Approve Sponsorship Agreement with Pepsi Beverages Company to be Exclusive Non-Alcoholic Beverage Provider for the Fresno Convention & Entertainment Center

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

- 1-G**     [ID18-1308](#)     Actions pertaining to the Adult Compliance Team (ACT)
1. Authorize the Chief of Police to enter an agreement with County of Fresno for the reimbursement of seven Fresno Police Officers, one Police Sergeant and one Crime Analyst which will be assigned to the Adult Compliance Team (ACT)
  2. \*\*\*RESOLUTION - 18th Amendment to the Annual Appropriation Resolution (AAR) No. 2018-158 appropriating \$246,900 (Requires 5 affirmative votes) (Subject to Mayor's veto).

**RESOLUTION 2018-257 ADOPTED**

- 1-H**     [ID18-1319](#)     Approve the reappointment of Richard Keyes to the Fresno Regional Workforce Development Board and the appointment of Ruby Yanez to the Fresno Housing Authority

- 1-I**     [ID18-1328](#)     Reject the bid for the Bus Stop Solar Lighting Requirements Contract - Bid File No. 9442

- 1-J**     [ID18-1329](#)     Approve Amendment No. 1 to the Service Agreement with The Arc Fresno/Madera Counties at Fresno Yosemite International Airport to

update management fees for the term of the agreement. (Council District 4)

1-K [ID18-1330](#)

Actions pertaining to awarding a Consultant Services Agreement to ADS Corp., for maintenance of the City of Fresno's sewer flow monitoring equipment (Citywide):

1. Affirm the City Manager's determination that ADS Corp., is uniquely qualified to perform the services
2. Award a consultant services agreement in the amount of \$151,200 with ADS Corp., for the service, maintenance, and data acquisition/upkeep of sewer flow monitoring equipment, with provisions for up to two one-year extensions thereafter

1-L [ID18-1332](#)

\*\*\*BILL NO. B-57 - (Intro. 10/25/2018) (For adoption) - Adding California Building Code Chapter 12 to Section 11-102 of the Fresno Municipal Code relating to amendments to the California Building Code regarding efficiency units. (Subject to Mayor's veto)

*ORDINANCE 2018-58 APPROVED*

1-M [ID18-1302](#)

1. \*\*\*Adopt a Side Letter of Agreement with the Fresno City Employees Association (FCEA) for Unit 3, Non-Supervisory White Collar (**Subject to Mayor's Veto**)
2. \*\*\*RESOLUTION - 7th Amendment to FY 2019 Salary Resolution No. 2018-159, amending Exhibit 3, Unit 3, Non-Supervisory White Collar (FCEA) as required by the Side Letter of Agreement with the Fresno City Employees Association (**Subject to Mayor's Veto**)

*COUNCILMEMBER BREDEFELD REQUESTED THAT ITEMS 1-M AND 3-I BE HEARD AFTER CLOSED SESSION.*

## **CEREMONIAL PRESENTATIONS**

[ID18-1334](#) Presentation of the SPCA Pet of the Month

*PRESENTED*

[ID18-1318](#) Proclamation of "Madeline and Clifford Gartin Day"

*PRESENTED*

## **APPROVE MINUTES**

[ID18-1335](#) Approval of minutes from October 25, 2018.

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

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

**Absent:** 1 - Olivier

[ID18-1350](#) Approval of minutes of the October 25, 2018 Special Meeting

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

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

**Absent:** 1 - Olivier

[18-0043](#) Approval of minutes from November 1, 2018.

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

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

**Absent:** 1 - Olivier

## **COUNCILMEMBER REPORTS AND COMMENTS**

*Councilmember Caprioglio requested that today's meeting be adjourned in memory of those who lost their lives in last night's senseless shooting in the City of Thousand Oaks, especially in memory of Sergeant Ron Ellis a 29 year veteran of the police force. Thanked the Public Works Department for the great work they did in El Dorado Park. Today he will be hosting Fresno State's Associated Students Ink, those are the elected officials from the University in District 4, they will come in and watch how we operate adding, do not forget to continue to support the Fresno State football team, congratulations to Coach Tedford and the team for moving up to number 16.*

*Council Vice President Brandau congratulated Council President Soria and Councilmember Chavez on their re-election to the Fresno City Council. Measure Q on the ballot forces us to pass a balanced budget in the future. The District 2 community meeting will be held at the Falls Event Center next*

*Tuesday, November 13, 2018 from 6 P.M. to 7:30 P.M.*

*Council President Soria requested to adjourn today's meeting in memory of Mary Stanley Hoover, a longtime advocate here in the City of Fresno, she believed in empowering women through politics. Fresno High home tour annual event will be holding a tour Monday, December 3, 2018, tickets have gone on sale. Every year you get to see four different historical homes in the Fresno High area. The proceeds benefit the Fresno high students. Congratulations to the Guadalajara Restaurant for celebrating their 30th year in business. They are located in the Clinton and Weber area. Council President Soria announced that District One is holding their 6th annual toy drive, they will be working with local businesses to collect toys to benefit the underserved children in our community.*

### **CONTESTED CONSENT CALENDAR**

- 1-E**     [ID18-1303](#)     \*\*\*RESOLUTION - 546th Amendment to the Master Fee Schedule (MFS) Resolution No. 80-420 to Add, Adjust, Revise or Delete Various Fees (Subject to Mayor's veto)

*The above item was presented to Council by Budget Manager Fierro.*

*Councilmember Bredefeld expressed concerns regarding some of the fees and asked direct questions to the departments. He stated that he would not be supporting this item. Council President Soria also had some concerns regarding some of the fees.*

*Assistant City Manager Sumpter suggested that the Administration continue this item to the November 15, 2018 meeting in order to address some of the Council's questions off-line.*

*After discussion, the Council by consensus decided that the item be continued until the December 6, 2018 meeting to allow more time to get their questions answered.*

### **3. GENERAL ADMINISTRATION**

- 3-A**     [ID18-1340](#)     WORKSHOP regarding Mobile Apps:
1. Presentation of Resolution Congratulating the Information Services Department for their Recognition of Outstanding Accomplishments in the Areas of Operations and Mobile Applications.

*The Resolution Congratulating the Information Services Department for their Recognition of Outstanding Accomplishments in the Areas of Operations and Mobile Applications was presented to the Information Services Department by Mayor Lee Brand and City Manager Quan-Schecter.*

*Following the presentation, a Workshop regarding Mobile Application was presented by Director Horn, Pedro Braz, Programmer Analyst III, and Miguel Ramirez, Community Outreach Specialist.*

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

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

- [ID18-1264](#) TEFRA HEARING - To hear and consider information concerning the proposed issuance of Revenue Bonds by California Municipal Finance Authority for the purpose of financing or refinancing the acquisition, rehabilitation, improvement and equipping of Hotel Fresno Apartments
1. **\*\*\*RESOLUTION** - Approving a tax-exempt bond financing to be issued by CMFA to benefit Hotel Fresno Apartments, LP or a partnership created by APEC International, LLC in the aggregate principal amount not to exceed \$20 million for Hotel Fresno Apartments (Subject to Mayor's veto)

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

*The above item was introduced to Council by Director/Controller Lima, Finance Department.*

*Upon call, there was no public comment.*

*The hearing was closed at 10:12 A.M.*

### **RESOLUTION 2018-258 ADOPTED**

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

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

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



[ID18-1295](#)

HEARING to consider Plan Amendment Application No. A-17-009, Rezone Application No. R-17-013, Conditional Use Permit Application No. C-17-101, and related Environmental Assessment No. A-17-009/R-17-013/C-17-101, filed by Gary Giannetta of Gary Giannetta Consulting Civil Engineers, on behalf of Russ Nakata, for approximately 2.5 acres of a 22.81-acre parcel located on the northeast corner of East Nees Avenue and North Bond Street. (Council District 6)

1. **ADOPT** Environmental Assessment No. A-17-009/R-17-013/C-17-101, a Negative Declaration dated June 19, 2018.
2. **RESOLUTION** - Approving Plan Amendment Application No. A-17-009 proposing to amend the Fresno General Plan and the Woodward Park Community Plan planned land use for approximately 2.5 acres from Commercial Recreation to Community Commercial.
3. **BILL** (for introduction and adoption) - Approving Rezone Application No. R-17-013 proposing to amend the Official Zone Map to reclassify approximately 2.5 acres of the subject property from the CRC/UGM/cz (*Commercial-Recreation/Urban Growth Management/conditions of zoning*) zone district to the CC/UGM/cz (*Commercial-Community/Urban Growth Management/conditions of zoning*) zone district in accordance with Plan Amendment Application No. A-17-009.
4. **APPROVE** - Conditional Use Permit Application No. C-17-101 authorizing construction of an approximately 9,175-square-foot funeral home to include a chapel with 190 seat capacity. No crematory or body preparations are proposed as part of this use. The project is being proposed under the use classification Funeral Parlors and Internment Services.

*The hearing was called to order at 10:12 A.M.*

*The above item was introduced to Council by Planner III, Caperton. Upon call, the following members of the public spoke: Donald Cardell (Applicant), Dirk Poeschel, Greg Warmerdam, Jose Rodriguez, and Andy Hansen Smith.*

*Councilmember Bredefeld requested that his office has input on the signage.*

**RESOLUTION 2018-259 ADOPTED**

**B-58 ADOPTED**

**ORDINANCE 2018-59 ADOPTED**



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

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

### **CONTESTED CONSENT CALENDAR**

- 1-F**    [ID18-1345](#)    Approve Sponsorship Agreement with Pepsi Beverages Company to be Exclusive Non-Alcoholic Beverage Provider for the Fresno Convention & Entertainment Center

*General Manager Overfelt of the Convention Center spoke and answered Council's questions. Councilmember Bredefeld asked if they could hold off on the decision until we get additional information from the Administration. The item will be continued to December 6, 2018 meeting.*

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

- [ID18-1336](#)    Appearance by Stan Reynolds to discuss a solution for stopping cars from parking next to trash containers and making it difficult for the garbage truck to pick up trash during their scheduled pick up day. (Speaker resides in District 4)

*This item was removed from the agenda by the speaker.*

**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 member of the public spoke: David Love*

### **3. GENERAL ADMINISTRATION**

- 3-B**    [ID18-1287](#)    Award a requirements contract in the amount of \$2,034,750 to Clean Energy of Newport Beach, California, to supply and deliver liquid natural gas to the Municipal Fleet Division fueling station. (Citywide)

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

*Upon call, there was no public comment.*

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

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

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

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

- 3-C**    [ID18-1337](#)    Approve the award of a cooperative purchase agreement to Ruckstell Sales of Fresno, California, for the purchase of two 520 Peterbilt rear-loading refuse trucks in the amount of \$612,959.33

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

*Upon call, there was no public comment.*

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

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

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

- 3-D**    [ID18-1338](#)    Approve the award of a cooperative purchase agreement to Ruckstell Sales of Fresno, California, for the purchase of seven 520 Peterbilt side-loading refuse trucks in the amount of \$2,584,142.57

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

*Upon call, there was no public comment.*

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

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

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

- 3-E**    [ID18-1339](#)    Approve the award of a cooperative purchase agreement to Quinn Company of Fresno, California, for the purchase of one Caterpillar Model PM622 cold planer machine in the amount of \$613,093.92

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

*Upon call, there was no public comment.*

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

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

**Absent:** 1 - Caprioglio

**3-F** [ID18-1306](#)

Actions pertaining to receiving Unreleased Restoration Flows from Millerton Lake:

1. Adopt findings of statutory exemption pursuant to CEQA Guidelines Section 15282(u).
2. \*\*\*RESOLUTION - Authorizing The Execution Of Contracts Annually For Unreleased Restoration Flows Between The United States Bureau of Reclamation and the City Of Fresno Through February 28, 2025. (Citywide) (Subject to Mayor's veto)

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

*Upon call, there was no public comment.*

**RESOLUTION 2018-260 ADOPTED**

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

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

**3-G** [ID18-1341](#)

Actions pertaining to the City of Fresno's Kings River Pipeline Project:

1. \*\*\*RESOLUTION - 13th Amendment to the Annual Appropriation Resolution (AAR) No. 2018-157 to appropriate \$2,803,100 to provide additional funding for construction contract change orders and support services costs for the Kings River Pipeline Project (Council District 5 and Fresno County) (Requires 5 affirmative votes) (Subject to Mayor's Veto)
2. Approve Contract Change Order No. 6 and Contract Change Order No. 7 to the construction contract with Garney Pacific Inc., for the City of Fresno's Kings River Pipeline Project to increase the lump sum contract value by a combined total of \$705,553 and extend

Substantial Completion date by a combined total of 106 days - Bid File 3433 (Council District 5 and Fresno County)

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

*Upon call, there was no public comment.*

**RESOLUTION 2018-261 ADOPTED**

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

**Aye:** 5 - Brandau, Baines III, Caprioglio, Chavez and Bredefeld

**No:** 1 - Soria

**Absent:** 1 - Olivier

- 3-H** [ID18-1191](#) \*\*\*RESOLUTION - 15th Amendment to the Annual Appropriation Resolution (AAR) No. 2018-157 to appropriate \$8,785,900 for operating programs and previously approved capital improvement projects in the Public Works Department (Citywide) (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.*

**RESOLUTION 2018-262 ADOPTED**

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

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

**Absent:** 1 - Olivier

- 3-J** [ID18-1367](#) \*\*\*RESOLUTION - 2nd Amendment to Position Authorization Resolution (PAR) No. 2018-158, adding eight Emergency Services Dispatcher positions to the Fresno Police Department. (Subject to Mayor’s veto)

*Council President Soria and Councilmember Bredefeld provided an overview of this item and why it is being presented today. This item is to*

*fund eight Emergency Services Dispatcher positions to the Fresno Police Department.*

*The above item was introduced to Council by Director Cardell, Personnel Services Department.*

*Upon call, there was no public comment.*

*RESOLUTION 2018-263 ADOPTED*

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

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

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

#### **5. CLOSED SESSION**

*The Council went into Closed Session at 11:22 A.M. Council President Soria announced that there will be a break for lunch and the Council would return to Closed Session at 1:30 P.M.*

*The City Attorney announced the Closed Session Items stating that Council President Soria would not participate in Closed Session 5-C relating to Real Property.*

- 5-A**    [ID18-1299](#)    **CONFERENCE WITH LABOR NEGOTIATOR** - Government Code Section 54957.6  
**City Negotiators:** Jeffrey Cardell, Ken Phillips  
**Employee Organization:** Amalgamated Transit Union, Local 1027 (ATU)

*Discussed*

- 5-B**    [ID18-1354](#)    **CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION** - Government Code Section 54956.9, subdivision (d)(1)  
1. South Central Neighbors United v. City of Fresno et al - Fresno County Superior Court, Case No. 18CECG00690

*Discussed*

- 5-C [ID18-1358](#) CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Government Code Section 54956.8  
Property: APN 438-021-92T, 35T, 93T, and 60T, and 438-062-37T and 53T  
Negotiating Parties: City Manager Wilma Quan-Schecter, Central Valley Community Sports Foundation

*Discussed*

## **CONTESTED CONSENT CALENDAR**

- 1-M [ID18-1302](#)

1. \*\*\*Adopt a Side Letter of Agreement with the Fresno City Employees Association (FCEA) for Unit 3, Non-Supervisory White Collar **(Subject to Mayor's Veto)**
2. \*\*\*RESOLUTION - 7th Amendment to FY 2019 Salary Resolution No. 2018-159, amending Exhibit 3, Unit 3, Non-Supervisory White Collar (FCEA) as required by the Side Letter of Agreement with the Fresno City Employees Association **(Subject to Mayor's Veto)**

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

*When called, the following members from the public spoke: Dee Barnes, Markie De La Torre, and Crystal Penalzoa.*

*Council President Soria asked Director Cardell, Personnel Services Department to respond to some of the statements made. Director Cardell stated they were committed to a class and comp study once we were in a position and coming out of the recession with the understanding that we wanted to put ourselves in a better position to attract and retain individuals in the various classifications in the unit. We have some significant issues and we have to phase in our adjustments to these respective classes. We are trying to make the best of our limited resources and try to strike a balance in addressing a variety of issues. Regarding the Records classifications, we have not provided the maximum amount of increase that we are proposing for this class because we are trying to balance our limited resources. We agree that the two classes that are being developed for this unit should be compensated at a greater amount and we anticipate in our second phase that we should be able to accomplish that. Phase 2 will begin in the next fiscal year. There was discussion regarding the amount of money we are looking at if we included these cost during phase one given*

*the amount of carryover we have. Council President Soria stated that she would like to use some of the carry over money to fund the increases projected for phase two. Councilmember Chavez stated that he is supportive of funding the increases now instead of next fiscal year.*

*Councilmember Baines asked how would the Council go about implementing this today. Director Cardell responded that today the Council would approve what is before them and then direct us to come back with options to implement the rest.*

*Councilmember Baines made a motion to approve staff recommendation and move forward with the side letter, and direct staff to come back with an estimated cost.*

#### **RESOLUTION 2018-264 ADOPTED**

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

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

**Absent:** 1 - Brandau

### **GENERAL ADMINISTRATION**

- 3-I**     [ID18-1297](#)     Actions pertaining to the Amalgamated Transit Union, Local 1027 (ATU) for Unit 6 - Bus Drivers and Student Drivers
1. \*\*\*Adopt a successor Memorandum of Understanding between the City of Fresno and the Amalgamated Transit Union, Local 1027 (ATU) for Unit 6 - Bus Drivers and Student Drivers **(Subject to Mayor's Veto)**
  2. \*\*\***RESOLUTION** - 6th Amendment to FY 2019 Salary Resolution No. 2018-159, amending Exhibit 6, Unit 6, Bus Drivers and Student Drivers (ATU) as required by the Memorandum of Understanding between the City of Fresno and the Amalgamated Transit Union, Local 1027 (ATU) for Unit 6 - Bus Drivers and Student Drivers **(Subject to Mayor's Veto)**

*The above item was introduced to Council by Labor Relations Manager Phillips, Personnel Services Department. Manager Phillips invited Al Munoz, ATU President to speak on this item.*



Vice President Brandau asked several questions about FAX and ATU and then talked about the lengthy discussion about this topic in closed session. He stated Council has been reluctant in raising performance standards. Vice President Brandau said he would love to give raises to the drivers that deserve the raises. Instead we are going to be giving everybody raises and he can't be a part of that. We are giving an across the board raise and the City of Fresno is not getting the best that we could get and he will not be supporting this agreement today.

Councilmember Bredefeld stated that he supports the 2.5% raise for 2018 and 2019. What he does not support is employee incentive time off. This is not just about ATU, there were four other groups that have employee incentive time off approved before. One million dollars of the General Fund is being used to incentivize employees to come to work. If Police and Fire were to get the same incentives it would cost \$1.4 million dollars from the General Fund. We need to hold the employees who do not do their jobs accountable, and penalize those employees who do not do their jobs. General Fund money should be used to fund police and firefighters and fixing potholes. Employee incentive time off is a waste of taxpayer's money and he cannot support this.

Councilmember Caprioglio stated that the real issue is to raise the performance standards. This is not directed to ATU, it should apply to the whole city. He stated he will vote to support giving the unit a raise. He also believes that the million dollars is over four departments.

Councilmember Chavez asked Interim Director Barfield to come up. Councilmember Chavez asked if the funds used for the increase is from the Enterprise Fund or the General Fund. Director Barfield responded the Enterprise Fund. If everybody earned the employee incentive it would cost less than \$100,000. The cost of overtime would be \$2 million dollars overall. Director Cardell believes that the program has the ability to pay for itself.

Council President Soria stated that she fully supports the raise, but she believes that we need to look at the incentive program. She requested that the Administration comes back in the near future to let the Council know

*how this program is functioning. This is not a new issue. Council President Soria believes that performance standards are very important to make sure that our employees are performing. We also want to keep employees accountable. Council President Soria stated that she reserves the right not to support future incentive programs.*

*Council President Soria made the motion to approve this item with the caveat that the Administration comes back in the near future to let the Council know how this program is functioning.*

**RESOLUTION 2018-265 ADOPTED**

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

**Aye:** 5 - Soria, Baines III, Caprioglio, Chavez and Olivier

**No:** 2 - Brandau and Bredefeld

**ADJOURNMENT**

*The City Council meeting was adjourned at 4:50 P.M. in memory of those who lost their lives in last night's senseless shooting in the City of Thousand Oaks, California; and in memory of Mary Stanley Hoover.*

*The above minutes were approved at the meeting of November 29, 2018, with a motion from Councilmember Caprioglio and a second from Councilmember Baines, the motion passed on a vote of 7-0.*