



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

Thursday, May 17, 2018

9:00 AM

Council Chambers

Regular Meeting

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

9:11 A.M. ROLL CALL

Councilmembers Baines and Olivier were absent during roll call.

Councilmember Baines joined the meeting at 9:15A.M. Councilmember

Olivier joined the meeting at 9:57A.M.

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 Darryl Du'Chene, Pastor of Faith Worship Christian Center

Pledge of Allegiance to the Flag

APPROVE AGENDA

City Clerk Spence announced the following changes to the agenda: File ID 18-0633 (1-H) -Bill was approved May 10, 2018 and assigned as B-26.

On motion of Councilmember Caprioglio, seconded by Vice President

Brandau, the above item was adopted as amended. The motion carried by the following vote:

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

Absent: 1 - Olivier

1. CONSENT CALENDAR

On motion of Vice President Brandau, seconded by Councilmember Chavez, the below CONSENT CALENDAR items were approved. The motion carried by the following vote:

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

Absent: 1 - Olivier

- 1-A** [ID18-0580](#) Approve First Amendment to Agreement with Willdan Engineering for \$3,980 for traffic engineering and civil engineering design services for the new traffic signal at the intersection of Shields Avenue and Weber Avenue (Council District 1)
- Sponsors:** Public Works Department
- 1-B** [ID18-0584](#) RESOLUTION - Approving the Final Map of Tract No. 6030 and accepting dedicated public uses offered therein - west side of North Armstrong Avenue between East Shields Avenue and East Clinton Avenue (Council District 4)
- Sponsors:** Public Works Department
- RESOLUTION 2018-117 ADOPTED*
- 1-C** [ID18-0587](#) Actions pertaining to the 2017 State Homeland Security Grant Program (SHSGP)
1. Authorize the Chief of Police to accept \$126,075 in grant funding for the 2017 State Homeland Security Grant awarded to the Fresno Police Department by the California Office of Emergency Services (CalOES) through the County of Fresno Department of Behavioral Health.
 2. Authorize the Chief of Police to execute the agreement and all related documentation applicable to the 2017 SHSGP grant.
 3. ***RESOLUTION - 62nd amendment to Annual Appropriation Resolution No. 2017-165 appropriating \$83,400 for the 2017

State Homeland Security Grant program to purchase grant related equipment during this fiscal year (Requires 5 affirmative votes) (Subject to Mayor's veto).

Sponsors: Police Department

RESOLUTION 2018-118 ADOPTED

- 1-D [ID18-0593](#) Approve Change Order No. 14 to the construction contract with W.M. Lyles Company for the City of Fresno's Southeast Surface Water Treatment Facility to increase the lump sum contract value by \$278,726 (Citywide)

Sponsors: Department of Public Utilities

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

- 1-E [ID18-0579](#) Approve Amendment No. 3 to the Copper River Ranch Water Supply Implementation Agreement approved by Fresno City Council on November 17, 2016 (Council District 6)

Sponsors: Department of Public Utilities

- 1-F [ID18-0528](#) Reject the proposal for Infor Enterprise Asset Management Implementation Services for the City of Fresno's Department of Public Utilities Water Division. (Bid File # 3570) (Citywide)

Sponsors: Department of Public Utilities

- 1-G [ID18-0529](#) Actions related to purchasing software from Infor, Inc.:
1. RESOLUTION - Approving an Exception to Formal Bidding Procedures to Award a Sole Source Agreement to Infor, Inc.; (Requires 5 affirmative votes);
 2. Award a purchase agreement in the amount of \$164,700 to Infor, Inc., for Enterprise Asset Management software at the Department of Public Utilities Water and Wastewater Divisions. (Citywide)

Sponsors: Department of Public Utilities

RESOLUTION 2018-119 ADOPTED

- 1-H [ID18-0633](#) ***BILL - (For adoption) - Replacing Section 4-104 of the Fresno Municipal Code and Rescinding Resolution No. 2003-130,

Relating to Debarment (Subject to Mayor Veto)

Sponsors: Public Works Department

ORDINANCE 2018-29 ADOPTED

1-I [ID18-0636](#) Approve City Attorney amended contract.

Sponsors: Council President Soria

1-J [ID18-0630](#) Action pertaining to the selection and implementation of an Enterprise Resource Planning System for the City of Fresno.

1. ***RESOLUTION - 68th Amendment to the Annual Appropriation Resolution (AAR) No. 2017-165 appropriating \$30,000 from the System Replacement Fund for the selection and implementation of an Enterprise Resource Planning (ERP) System. (Subject to Mayor's veto) (Requires 5 votes)
2. Approve a Consultant Services Agreement with SDI Presence LLC., in an amount not to exceed \$130,000, to assist in the preparation of a Request for Proposal for the selection and implementation of an Enterprise Resource Planning System for the City of Fresno.

Sponsors: Information Services Department

RESOLUTION 2018-120 ADOPTED

CEREMONIAL PRESENTATIONS

[ID18-0622](#) Proclamation of "Ron Scott" Day

Sponsors: Mayor's Office and Council President Soria

PRESENTED

[ID18-0617](#) Proclamation of "Andrew Ramirez Day"

Sponsors: Vice President Brandau

PRESENTED

[ID18-0545](#) Presentation of a Celebratory Check from PG&E

Sponsors: Parks, After School and Recreation and Community Services Department

PRESENTED

[ID18-0634](#) Proclamation of "Danny Kim Day"

Sponsors: City Councilmember Caprioglio

PRESENTED

APPROVE MINUTES

[18-0026](#) Approval of minutes from May 10, 2018.

Sponsors: City Clerk's Office

On motion of Councilmember Chavez, seconded by President Soria, 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

COUNCILMEMBER REPORTS AND COMMENTS

Councilmember Caprioglio thanked the El Dorado Police Department, recognized National Police Week and thanked Director Mozier and his team for their work on Fountain Way.

Council President Soria spoke regarding the Fresno City College Latino Graduation where she was a keynote speaker, she announced the West Area Specific Plan meeting will be held June 14, 2018 at Central High School. She thanked Fresno FAX for being responsive to Woman of Power and Men of Color for providing trash cans and benches on bus routes. Council President Soria also asked City Manager Quan-Schecter about the status Highway City impact fee waiver for disadvantage neighborhoods.

CONTESTED CONSENT CALENDAR

1-D [ID18-0593](#) Approve Change Order No. 14 to the construction contract with W.M. Lyles Company for the City of Fresno's Southeast Surface Water Treatment Facility to increase the lump sum contract value by \$278,726 (Citywide)

Sponsors: Department of Public Utilities

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

Councilmember Bredefeld asked staff why so many change orders and if it was possible the contractors were bidding low knowing there may be a change order in the future.

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

Aye: 5 - Soria, Brandau, Baines III, Chavez and Bredefeld

Absent: 2 - Caprioglio and Olivier

3. GENERAL ADMINISTRATION

- 3-A** [ID18-0585](#) Actions related to a Pilot Program for Automated Enforcement of Outdoor Watering Restrictions with University of Chicago:
1. Authorize a Pilot Program for Automated Enforcement of Outdoor Watering Restrictions with the University of Chicago Urban Labs (UChicago) to optimize water usage and conservation data, including modified enforcement of the outdoor watering schedule from July 1, 2018 through September 30, 2018.
 2. ***RESOLUTION - 544th Amendment to the Master Fee Resolution (MFS) No. 80-420 to adjust the conditions of service work related to water conservation fines language to reflect an upper limit rather than a single fine amount (Subject to Mayor's Veto)

Sponsors: Department of Public Utilities

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

Councilmember Olivier joined the meeting at 9:57A.M.

Council Vice President Brandau asked staff how violators are caught and if this will help free up the water conservation representatives. Council Vice President Brandau also asked staff what would happen to the water conservation representatives when they have free time, and if the customer has to be visually seen violating before they are fined and if the customer can opt out of the study.

Councilmember Caprioglio stated he supports the item as presented.

Councilmember Olivier thanked staff for meeting with his office prior to the meeting and suggested a smaller test area. Councilmember Olivier does not support the item as presented and is against fining property owners for their violations.

Councilmember Chavez asked staff how many homes were being fined for wasting water last year and does the City already have the data of the past violators. Councilmember Chavez went on to ask staff to discuss the workflow and asked will this study help the rate payers. Councilmember Chavez also asked what will the Water Department do to help those who cannot afford the penalties and what was the end goal of this study.

City Manager Quan-Schecter stated this is only a 90 day study and the goal is to conserve water and reduce fines while hoping to change the behavior of those who are continuous violators.

Councilmember Bredefeld asked if the changes in the watering schedule is confusing and may contribute to the violations. Councilmember Bredefeld also asked how many times does City of Clovis change their watering schedule and why can't the City of Fresno have two watering schedules instead of four.

Upon call, there was no public comment.

RESOLUTION 2018-121 ADOPTED.

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

Aye: 5 - Soria, Brandau, Baines III, Caprioglio and Bredefeld

No: 2 - Chavez and Olivier

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:10 A.M. SCHEDULED COMMUNICATION

[ID18-0597](#) Appearance by Sehidy Gonzalez to discuss the redirection of funds for the Driving Under the Influence (DUI) checkpoints. (Speaker resides in District 5)

Ms. Gonzalez appeared and discussed the redirection of the funds for Driving Under the Influence check points.

APPEARED

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 addressed Council: Gonzalo Aramublua spoke regarding City misconduct and homelessness.

10:00 A.M.

[ID18-0578](#) HEARING to consider Annexation Application No. ANX-18-001, Pre-zone Application No. R-18-001, and the related Environmental Assessment No. ANX-18-001/R-18-001, for property bounded between West Shaw and West Gettysburg Avenues and between North Bryan and North Hayes Avenues in the County of Fresno, California. (Council District 1)

1. ADOPT the Finding of Conformity to the Fresno General Plan Master Environmental Impact Report (MEIR) SCH No. 2012111015 as prepared for Environmental Assessment No. ANX-18-001/R-18-001 dated March 29, 2018.
2. RESOLUTION - Approving Annexation Application No. ANX-18-001 to initiate annexation proceedings of approximately 158 acres of property to the City of Fresno planned for Medium Density Residential, Urban Neighborhood Residential, High Density Residential, and Open Space.
3. BILL - (For introduction and adoption) - Approving Pre-zone Application No. R-18-001 to pre-zone the property from the RR (Rural Residential-Fresno County) zone district to the City of Fresno RS-5/UGM (Single Family Residential, Medium Density/Urban Growth Management), RM-2/UGM (Urban Neighborhood/Urban Growth Management), RM-3/UGM (Multi-Family Residential, High Density/Urban Growth

Management), and OS/UGM (Open Space/Urban Growth Management) zone districts.

Sponsors: Development and Resource Management Department

The above item was called to order at 10:57A.M.

The above item was introduced to Council by Planner II Aguilar, DARM Department.

Council Vice President Brandau supports the project and expressed his concerns about possible major impact off Shaw and 99, Ashlan and 99 and Clinton and 99. Council Vice President Brandau asked how many homes were being built.

RESOLUTION 2018-122 ADOPTED

BILL B-27 AND ORDINANCE 2018-30 ADOPTED.

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

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

10:15 A.M.

- [ID18-0625](#) Actions pertaining to approx. 0.17 acres of property located at 329 N. College Avenue (APNs 459-141-09T):
1. Adopt a finding of Categorical Exemption pursuant to Article 19, Section 15332 (Class 32 - Infill) of the California Environmental Quality Act (CEQA).
 2. Approve a Purchase, Sale and Development Covenant Agreement with Self-Help Enterprises, a California Corporation for property located at 329 N. College Avenue

The above item was called to order at 11:08A.M.

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

Upon call, there was no public comment.

APPROVED

On motion of Councilmember Baines III, seconded by Councilmember Caprioglio, 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

- 3-B** [ID18-0586](#) ***RESOLUTION - Approving the reallocation of \$3,000,000 from the Liability Self-Insurance Fund Contingency to fund refunds and claims (Subject to Mayor's veto)

Sponsors: Personnel Services Department

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

Upon call, there was no public comment.

RESOLUTION 2018-123 ADOPTED.

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

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

Absent: 1 - Chavez

- 3-C** [ID18-0591](#) Approve the award of a cooperative purchase agreement to Aries Industries, Inc., for the purchase of two video inspection box trucks in the amount of \$629,000

Sponsors: Department of Transportation

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

Upon call, there was no public comment.

APPROVED.

On motion of Councilmember Olivier, seconded by Councilmember

Baines III, 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

4. CITY COUNCIL

4-A [ID18-0594](#) WORKSHOP on Census 2020

Sponsors: Council President Soria

The above workshop was presented to Council by Council President Soria and Cindy Quezada with Civiic.

5. CLOSED SESSION

There was no announcements after Closed Session.

5-A [ID18-0534](#) PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Government Code Section 54957

Title: City Clerk

Sponsor: Council President Esmeralda Z. Soria

CONFERENCE WITH LABOR NEGOTIATORS - Government Code Section 54957.6

City Negotiator(s): Council President Esmeralda Z. Soria

Unrepresented Employee: City Clerk

Sponsors: Council President Soria

DISCUSSED

ADJOURNMENT

City Council adjourned at 12:19 in memory of Dorothy Sumpter.