

City of Fresno

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



Meeting Minutes - Final

Thursday, April 4, 2019

9:00 AM

Regular Meeting

Council Chambers

City Council

President - Steve Brandau

Vice President - Miguel Angel Arias

Councilmembers:

*Esmeralda Z. Soria, Paul Caprioglio, Luis Chavez, Garry Bredefeld,
Nelson Esparza*

City Manager - Wilma Quan

City Attorney - Douglas T. Sloan

City Clerk - Yvonne Spence, MMC

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

9:11 A.M. ROLL CALL

Present: 5 - Vice President Miguel Angel Arias
Councilmember Esmeralda Z. Soria
President Paul Caprioglio
Councilmember Garry Bredefeld
Councilmember Nelson Esparza

Absent: 1 - Councilmember Luis Chavez

Invocation by Pastor Will Stoll from the Northwest Church

Pledge of Allegiance to the Flag

APPROVE AGENDA

Assistant City Clerk Parra announced the following changes to the agenda: File ID 19-1455 (Ceremonial) - Proclamation of "CA Friday Night Live Month" was removed from the agenda by staff and continued to the April 25, 2019 agenda, File ID 19-1446 (3-C) - Resolution - Adopting a list of proposed Public Works projects to be submitted for Senate Bill 1 Road Maintenance and Rehabilitation Account funds for City of Fresno Fiscal Year 2020 was removed from the agenda by staff and continued to the April 11, 2019 agenda, and there was a correction read into the record for File ID 19-1412 (1-F) - "Paragraph 7(b) of the Agreement for Purchase and Sale of Street Easement and Escrow Instructions should state that Items 6 through 17 are excepted from the standard title insurance policy, instead of Items 8 through 17. This is a non-substantive change."

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

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

Absent: 1 - Chavez

APPROVE MINUTES

[ID19-1390](#) Approval of minutes for March 21, 2019.

On motion of Vice President Arias, seconded by Councilmember

Caprioglio, that the above Minutes be approved. The motion carried by the following vote:

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

Absent: 1 - Chavez

CEREMONIAL PRESENTATIONS

[ID19-1473](#) Presentation of the SPCA Pet of the Month

PRESENTED

[ID19-1382](#) Proclamation of "Red Cross Month"

PRESENTED

[ID19-1442](#) Proclamation of "Grizzlies Opening Day"

PRESENTED

[ID19-1455](#) Proclamation of "CA Friday Night Live Month"

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

COUNCILMEMBER REPORTS AND COMMENTS

Councilmember Soria reported that the State Center Community College District Board approved the design-built process for a parking structure at Fresno City College (FCC). Construction will begin in 2020 and the structure will have 1,000 parking stalls serving students, faculty, and staff. She thanked the residents, Board trustees, and FCC President Goldsmith for their support. She announced that the Hope Coalition will hold a neighborhood block party on April 6, 2019, from 12 P.M. to 3 P.M. at the West Shaw Estates to promote community unity and provide job opportunities. Information about City resources will also be provided. She announced that the Fresno High School alley clean-up in coordination with Fresno County and the East Fresno Kiwanis Club, will take place this weekend, 8 A.M. to 12 P.M., with a BBQ to follow. She thanked Era energy and Consumer Energy Alliance for taking members of the District 1 Young Councilmember Program to Coalinga to learn about Science, Technology, Engineering, and Mathematics jobs and the energy industry.

Councilmember Esparza reported that it was a privilege to meet with members of the City of Fresno Professional Employees Association and hear their concerns. He visited the Community Center for Arts and Technology, and explained that they have a mobile unit serving rural areas and that the Center would open a location in District 3. He extended an invitation for the grand opening in mid-April to Council Vice President Arias. He reported on the "eye opening" motel tour he, Council Vice President Arias and Councilmember Chavez took along with City Administrators. He announced that he represented the City in the "Beauty for Ashes" fundraiser to combat human trafficking. He also visited the Sheet Metal Workers 104 facility to learn about the organization and their apprenticeship program. He participated in the census 2020 press conference launch and wants to make sure that there's a complete count so that Fresno gets its fair share of funding. He met with parents of Leavenworth Elementary School students who cleaned an alley next to the school; He reminded everyone that it was opening day for the Fresno Grizzlies at Chukchansi Park.

Council Vice President Arias thanked all those involved in the motel tour and called the conditions in some of the areas as "third world." He named various aspects of the tour including open drug-dealing and called existing motel conditions as not viable. He urged management to not let human trafficking flourish, and called for those facilities to be shut down permanently.

Councilmember Caprioglio thanked Fresno State University, staff and sports teams, in particular women's basketball, men's basketball, the rugby team, and the wrestling team.

Council President Brandau announced that it was his last Council meeting and it was a pleasure working with staff. He installed three new dog parks in the last year with discretionary funding and thanked the PARCs Department. He appropriated \$10,000 for the Veterans' Memorial project and asked to be invited to the grand opening. He also committed to set-aside \$100,000 from infrastructure funds for the multi-generational facility in District 4. He asked about the status of officer positions for the Finance and Audit Committee. Assistant City Clerk Parra responded.

1. CONSENT CALENDAR

Upon call, there was no public comment.

On motion of Councilmember Soria, seconded by Councilmember Caprioglio, the below CONSENT CALENDAR items were approved.

The motion carried by the following vote:

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

Absent: 1 - Chavez

- 1-A** [ID19-1213](#) Authorize the Chief of Police to execute an agreement with Broadcast Microwave Services, Inc. (dba Data911) in the amount of approximately \$378,250, over an 18 month period, for maintenance of Police Computer Aided Dispatch (CAD), Mobile Report Entry System (RPW/RX), Auto Vehicle Location (AVL) System and additional supporting peripheral software systems previously provided by Data911.

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

- 1-B** [ID19-1333](#) Award a contract to De Novo Planning Group for the completion of an Environmental Impact Report and Infrastructure Financing Plan for the Specific Plan of the West Area in the amount of \$399,726 and authorize the Development and Resource Management Department Director to execute documents related to the contract.
(District 1, District 2, and District 3)

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

- 1-C** [ID19-1437](#) Authorize the Director of the Development and Resource Management Department or designee to sign the First Amendment to the Consulting Services Agreement with Byrne Software Technologies, Inc. for Professional services for Accela System Support. The amendment is a request to extend the contract by an additional \$200,000

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

- 1-D** [ID19-1403](#) Actions pertaining to the summary vacation of various public utility easements in Tract No. 6073. (Council District 5)
1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301(c)/Class 1 of the California Environmental Quality Act (CEQA) Guidelines, Environmental Assessment No. P18-03855.
 2. **RESOLUTION** - Ordering the summary vacation of various public utility

easements in Tract No. 6073.

RESOLUTION 2019-060 ADOPTED

- 1-E** [ID19-1411](#) Approve an agreement with Brooks-Ransom Associates Inc., in the amount of \$51,650 with a not-to-exceed contingency of \$3,000 for the design of plans and general construction contract documents for the repairs at Parking Garage No.4 located within the City of Fresno. **(District 3)**
- 1-F** [ID19-1412](#) Approve the acquisition of 116,004 square feet of permanent street easement from Chimienti Family Trust (APN 512-070-58) in the amount \$258,000 to extend West Gettysburg Avenue from North Bryan Avenue to North Hayes Avenue (Council District 1)

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

- 1-G** [ID19-1367](#) Actions pertaining to a License Agreement Special Event - Woodward Park between IAN Group, LLC and the City of Fresno:
1. Adopt Environmental Assessment No. P19-00964, a Mitigated Negative Declaration dated March 1, 2019.
 2. Approve License Agreement Special Event - Woodward Park between IAN Group, LLC and the City of Fresno.

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

- 1-H** [ID19-1460](#) ***RESOLUTION - Declaring a Vacancy in the Office of Councilmember for District 2; Calling a Special Election to be Held on August 13, 2019, to Fill the Vacancy; and Calling for a Potential Run-Off Election to be Consolidated with The November 5, 2019 Uniform District Election (Subject to Mayor's veto)

RESOLUTION 2019-061 ADOPTED

- 1-I** [ID19-1435](#) Actions pertaining to Milburn and Herndon Junction Structure Repairs (Bid File 3642) (Council District 2):
1. Adopt a finding of Categorical Exemption of Class 1, pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act Guidelines
 2. Award a construction contract to Floyd Johnston Construction Co, Inc., in the amount of not to exceed \$268,213
- 1-J** [ID19-1436](#) Reject all proposals received for the City of Fresno's Permanent Asphalt Concrete Pavement Repairs - Bid File No. 9484 (Citywide)

The above item was pulled from Consent Calendar by Council Vice

President Arias and moved to Contested Consent for further discussion.

1-K [ID19-1464](#) Approve Amended Employment Agreement of City Clerk

1-L [ID19-1465](#) Approve Amended Employment Agreement of City Attorney

CONTESTED CONSENT CALENDAR

1-B [ID19-1333](#) Award a contract to De Novo Planning Group for the completion of an Environmental Impact Report and Infrastructure Financing Plan for the Specific Plan of the West Area in the amount of \$399,726 and authorize the Development and Resource Management Department Director to execute documents related to the contract.
(District 1, District 2, and District 3)

Councilmember Caprioglio left the meeting at 10:00 A.M.

The above item was introduced to Council by Planner III Horton, DARM Department.

Council President Brandau requested an update and asked contract specific questions. Planner III Horton responded that eight steering committee meetings and two community-wide meetings had been held. He added that the contract is for technical studies, including infrastructure planning.

Council Vice President Arias asked why staff did not recommend the award to the lowest bidder. Planner III Horton responded that the selected firm was the most qualified, familiar with Fresno, and within budget. Council Vice President Arias commented that he read the firm's principals' biographies and that the firm lacked diversity. He expressed hope that the firm recognizes this and provides diverse staff to work on the project, since it's located in a diverse area.

Councilmember Soria thanked staff and inquired as to the timeframe. Planner III Horton responded that the next steps included contract execution, issuing a notice to proceed, completing hearings, and to bring the plan and environmental impact report for Council approval in the Spring of 2020.

Upon call, there was no public comment.

APPROVED

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

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

Absent: 2 - Caprioglio and Chavez

- 1-A** [ID19-1213](#) Authorize the Chief of Police to execute an agreement with Broadcast Microwave Services, Inc. (dba Data911) in the amount of approximately \$378,250, over an 18 month period, for maintenance of Police Computer Aided Dispatch (CAD), Mobile Report Entry System (RPW/RX), Auto Vehicle Location (AVL) System and additional supporting peripheral software systems previously provided by Data911.

Councilmember Caprioglio returned to the meeting at 10:07 A.M.

The above item was introduced to Council by Chief Dyer, Fresno Police Department.

Council Vice President noted that the contract had been continuously renewed since 1997 and asked why the contract had not been placed out for bidding. Chief Dyer responded that vendor provides computer dispatch system, report writer system, and records management system to which the vendor owns source code and intellectual property and its the only vendor that can provide maintenance on those systems. He continued that the department had entered into an agreement with Axon to develop a new records management, report writer, and dispatch system at no cost in exchange for being the beta tester for those systems nationwide, but until the new systems are operational, the department needs the current vendor to perform maintenance on the current systems. Chief Dyer stated tha this will be the last contract with Broadcast Microwave Services, Inc.

Council Vice President Arias asked if Axon would be the only firm capable of providing maintenance for the new systems. Chief Dyer responded affirmatively and stated that there would be no cost for first six years and that he anticipated in-house training.

Councilmember Soria asked about the budget appropriations for the contract. Chief Dyer responded that the monies are currently in the budget. He also added that in exchange for being the beta site, that the City had received one hundred body cameras free of charge.

Upon call, there was no public comment.

APPROVED

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

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

Absent: 1 - Chavez

1-C [ID19-1437](#)

Authorize the Director of the Development and Resource Management Department or designee to sign the First Amendment to the Consulting Services Agreement with Byrne Software Technologies, Inc. for Professional services for Accela System Support. The amendment is a request to extend the contract by an additional \$200,000

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

Council Vice President Arias asked what the City was receiving in exchange for the additional funding allocation from Accela. Planning Manager Emerson referred to page two of the staff report for a list of enhancements and modifications resulting from the Money Back Guarantee Program and new workflows. She also stated that Accela was working as intended and a new employee had been hired to manage the system.

Councilmember Soria offered an amendment to the motion to receive an update in six months. Council Vice President Arias and Councilmember Bredefeld accepted the amendment.

Upon call, there was no public comment.

APPROVED AS AMENDED

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

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

Absent: 1 - Chavez

- 1-J** [ID19-1436](#) Reject all proposals received for the City of Fresno's Permanent Asphalt Concrete Pavement Repairs - Bid File No. 9484 (Citywide)

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

Council Vice President Arias asked why the bid was being rejected and what is the plan going forward. Director Carbajal stated that there was a technical error and that the bid quantities do not match the contract term length. He stated that it would be corrected.

Upon call, there was no public comment.

APPROVED

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

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

Absent: 1 - Chavez

- 1-F** [ID19-1412](#) Approve the acquisition of 116,004 square feet of permanent street easement from Chimienti Family Trust (APN 512-070-58) in the amount \$258,000 to extend West Gettysburg Avenue from North Bryan Avenue to North Hayes Avenue (Council District 1)

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

Councilmember Esparza inquired about the City's liabilities by acquiring the easement. Director Benelli stated that he does not believe there any are liabilities, and that State law requires that the City acquire a right-of-way ("ROW") when a developer is unable to acquire a ROW and the conditions of approval require a ROW.

Councilmember Soria thanked staff for working on this project. She stated that the ROW is a dirt road used by the public and is important to make it a public street.

Upon call, there was no public comment.

APPROVED

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

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

Absent: 1 - Chavez

- 1-G** [ID19-1367](#) Actions pertaining to a License Agreement Special Event - Woodward Park between IAN Group, LLC and the City of Fresno:
1. Adopt Environmental Assessment No. P19-00964, a Mitigated Negative Declaration dated March 1, 2019.
 2. Approve License Agreement Special Event - Woodward Park between IAN Group, LLC and the City of Fresno.

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

Councilmember Bredefeld asked questions regarding the event. Deputy City Manager Merrill stated that the event is scheduled for May 4th and 5th, and that changes to the contract included a reduction in the license fee from \$100,000 last year to \$60,000 this year and an event end time of 10 P.M. this year instead of 11:30 P.M. Councilmember Bredefeld stated that there were over 100 noise complaints last year and said the event should be held in downtown instead of Woodward Park.

Director Clark, DARM, spoke in regards to the noise study that would be completed before and during this year's event, including, site scoping before the event, 24-hour noise measurements during event, 20 minute sampling tests during the event, and providing a report to the City.

Councilmember Bredefeld also asked about the traffic plan and the

environmental analysis. Deputy City Manager Merrill stated that traffic issues will be mitigated by keeping Audubon Drive open and holding the event on a Saturday instead of a Friday. City Attorney Sloan stated that the contract indemnifies the City and the applicant must defend a CEQA issue.

Council Vice President Arias expressed concerns about the insurance, permitting, restrooms, and trash bins, but overall believes music festivals are good for the City.

Councilmember Caprioglio expressed support for the music festival as a destination location and spoke of the positive experience he had at last year's festival. He called upon Aren Hekimian, the festival organizer to speak about the economic impact of the festival. Hekimian cited a survey that estimated \$3.5 to \$4 million economic impact. In reference to a question about attendance by Council Vice President Arias, Hekimian responded that last year 16,000 people attended the festival.

Councilmember Soria thanked the team for taking a risk in the community and said that the festival is a benefit by keeping money local.

Council President Brandau stated that he went to last year's event and had the opportunity to assess the traffic, noise, and litter in District 2 and District 6. He empathized with Councilmember Bredefeld, but also provided support for this year's festival.

Upon call, the following member of the public addressed Council: Diane Meryll.

APPROVED

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

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

No: 1 - Bredefeld

Absent: 1 - Chavez

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, Bob Mitchell, Debbie Darden, Dorothy Smith, Hester Hensley, Rev. DJ Criner, Aaron Foster, Jaime Loza, Rev. Steve Ratsford, and Gary Doesekle.

Council President Brandau, Council Vice President Arias, Councilmembers Esparza, Caprioglio and Soria spoke to the comments made.

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

3. GENERAL ADMINISTRATION

- 3-A** [ID19-1406](#) Actions pertaining to a comprehensive network upgrade:
1. Approve a cooperative purchase agreement with AMS.NET, Inc., in the amount of \$9,500,000.00.
 2. Authorize the Chief Information Officer to enter into a finance agreement with Key Government Finance, Inc., on behalf of Cisco Systems Capital Corp., in the amount of \$9,748,900.00.
 3. Authorize the Chief Information Officer to enter into all agreements necessary to facilitate the cooperative purchase and financing of the network equipment purchase.

The above item was introduced by Chief Information Officer Horn, ISD Department.

Councilmember Esparza gave direction to make systems compatible with Apple products.

Council Vice President Arias expressed concerns about the current systems being antiquated. Chief Information Officer Horn responded that the upgrades would make information technology more agile, provide faster service, and provide more cloud services.

Upon call, there was no public comment.

APPROVED

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

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

Absent: 1 - Chavez

- 3-B** [ID19-1314](#) *****RESOLUTION** - 29th Amendment to the Annual Appropriations Resolution (AAR) No. 2018-157 appropriating \$1,600,000 for the LED Retrofit Project in Public Works (Subject to Mayor's veto) (Requires 5 affirmative votes)

Council Vice President Arias left the meeting at 11:33 A.M.

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

Councilmember Caprioglio thanked Council President Brandau, PG&E, the administration and staff for their work on this project.

Councilmember Soria thanked staff and asked about the timeframe. Director Mozier stated the project would be complete by December.

Upon call, there was no public comment.

RESOLUTION 2019-062 ADOPTED

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

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

Absent: 2 - Arias and Chavez

- 3-C** [ID19-1446](#) RESOLUTION - Adopting a list of proposed Public Works projects to be submitted for Senate Bill 1 Road Maintenance and Rehabilitation Account funds for City of Fresno Fiscal Year 2020

The above item was removed from the agenda by staff and continued to April 11, 2019.

- 3-D** [ID19-1432](#) Provide Anti-Slum Enforcement Team (ASET) Quarterly Report

Council Vice President Arias returned to the meeting at 11:36 A.M.

The above report was introduced to Council by Assistant Director Furtado, DARM Department and Supervising Deputy City Attorney Roberson, City Attorney's Office.

Council Vice President Arias directed the City Attorney's Office to provide a list of conditions that merit red-tagging. In response to other questions from Council Vice President Arias, City Attorney Sloan stated that his office would research whether there is preemption in regards to City laws and State laws allowing landlords to collect rent while rental units are red-tagged; and research how to obtain monthly rental information from landlords.

PRESENTED

City Council recessed for lunch at 12:12 P.M. and returned from lunch at 1:38 P.M.

4. CITY COUNCIL

- 4-B** [ID19-1484](#) RESOLUTION - Urging the Fresno City Employees Health and Welfare Trust to approve a Kaiser option.

The above item was introduced to Council by Council Vice President Arias, District 3, and Councilmember Esparza, District 7.

Council Vice President Arias and Councilmember Esparza expressed surprise and dissatisfaction at the limited healthcare plan choices the City offers.

Councilmember Soria offered support for adding additional options. She urged that any options include coverage for pre-existing conditions, family packages, flexibility in keeping vision/prescription providers, and maintains or improves on the current benefits offered.

City Manager Quan asked Director Lima (co-chair of the Health & Welfare Trust), Finance Department, to provide an update on the previous Health & Welfare Trust meeting. He stated that the Board heard a presentation by Kaiser in January, which included plan offerings and costs. At that meeting,

a motion was made to include the Kaiser option pending contract negotiations. At a March meeting the contract was presented, but issues about the cost were raised, at which point the Board voted unanimously to not offer a Kaiser option this year and instead to survey members first about the possibility of adding a Kaiser option. Responses would be used for financial modeling to assess the financial ramifications to the current plan.

Council Vice President Arias asked how many people spoke against the Kaiser option at the March meeting. Director Lima responded one. Council Vice President Arias added that a multi-million dollar decision was being made based on the opposition of one individual. He stated that the survey should include the benefits, costs, and differences of an integrated healthcare system in order to get accurate survey results.

Council President Brandau agreed that Kaiser should be offered as an option and sought clarification from Director Lima as to how long the Kaiser option was delayed. Director Lima responded that it would be delayed one year.

Councilmember Caprioglio asked what the impact would be on the current system. Director Lima responded that there were 3,600 employees in the Health & Welfare Trust, and gave a scenario where costs of the current plan increase due to members joining the Kaiser plan. In response to other fiscal impact questions, he said that the first year Kaiser would charge the same price as the current plan, but that it could subsequently change.

Councilmember Caprioglio stated that the cost factor balanced with the available options was important to him, that he would rely on the Board to come to a solution and that since the item was not time sensitive, that he would not support the item at this time.

Councilmember Bredefeld inquired about the timeframe, the availability of other health plans, and why the Board turned down a local drug company. Director Lima responded that the survey would be conducted in July or August and that the financial models would be ready for the December or January meeting. He also said that other health companies could come and pitch their plans to the Board, and that the Board turned down a local drug company due to it not being cost effective versus the current provider,

OptumRX.

Councilmember Esparza read a letter for the record, from an employee in regards to their negative experience with the current health plan.

Upon call, the following members of the public spoke: Stacey Zanetti (Vice President, Kaiser Permanente) and Luz Maria.

RESOLUTION 2019-063 ADOPTED

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

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

No: 1 - Caprioglio

Absent: 1 - Chavez

GENERAL ADMINISTRATION (CONTINUED)

3-E [ID19-1468](#) WORKSHOP - Regarding the Recruitment Process for the Chief of Police

The above workshop was presented by Director Cardell, Personnel Department.

Councilmember Soria gave direction to staff to distribute the community survey to the Councilmembers.

Council Vice President Arias gave direction that surveys and community meetings be conducted in different languages and that Council receive copies of feedback obtained at community meetings.

PRESENTED

CITY COUNCIL (CONTINUED)

4-C [ID19-1494](#) Agreement with BMG Money for Loans at Work, a workplace emergency loan program

The above item was introduced to Council by Council President Brandau, District 2.

Marisela Villar, Director of Government Relations, BMG Money, gave an overview of the loan program.

Councilmember Esparza commented that the APR of 23.99% the company offered was very high. City Manager Quan questioned Council as to why Council was only bringing one company and as to why the company was uniquely qualified to provide the service to employees.

Council Vice President Arias sought and received clarification from Ms. Villar in regards to the loan amounts, rates and payment process. Loan amounts vary from \$500 to \$5,000, with a fixed APR of 23.99%, and repayments are deducted through payroll. Deputy City Attorney III, Hastrup clarified that under State law an employee can revoke payroll deductions and a dispute would be between the employee and the loan lender. Council Vice President Arias suggested the best way to assist employees is to pay them more and fix the healthcare options.

City Manager Quan requested Director Lima, Finance Department, to speak about the Administrative Order (AO) for emergency payout. Director Lima cited AO 6-17, which allows employees to cash out up to 200 hours of leave balance at 0% interest on an emergency basis.

Motion died for lack of second.

4-A [ID19-1470](#) Election of Council President

Councilmember Caprioglio made a special presentation in tribute to out-going Council President Brandau, Lindsay Jones, District 2 Chief of Staff; and Robert Jeffers, District 2 Council Assistant.

Out-going Council President Brandau gave special thanks to his staff, city directors, administrators and staff, City Attorney Sloan, City Clerk Spence, the City Councilmembers (individually), the citizens of the City and constituents of District 2.

All the Councilmembers gave commendations and special thanks to out-going Council President Brandau.

Councilmember Caprioglio was elected to the office of Council President.

APPROVED

On motion of President Brandau, seconded by Vice President Arias, that Councilmember Caprioglio be elected to the office of Council President. The motion carried by the following vote:

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

Absent: 1 - Chavez

5. CLOSED SESSION

City Council recessed into Closed Session at 3:28 P.M. and returned from Closed Session at 3:32 P.M.

There were no announcements after Closed Session.

- 5-A** [ID19-1474](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION -
Government Code Section 54956.9, subdivision (d)(1)
1. City of Fresno v. Illinois Union Ins. Co.; United States District Court
Case No.: 18-CV-00573.

DISCUSSED

ADJOURNMENT

City Council adjourned at 3:32 P.M.