

# **City of Fresno**

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



## **Meeting Minutes - Final**

**Thursday, June 28, 2018**

**9:00 AM**

**Regular Meeting**

**Council Chambers**

### **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-Schecter***

***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.

9:18 A.M. 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 Rev. Adrian Lee from the Family Community Church

Pledge of Allegiance to the Flag

## **APPROVE AGENDA**

*City Clerk Spence announced the following changes to the agenda: There was a change in the invocator - Reverend Adrian Lee from Family Community Church, Proclamation was added "Tyler Ward Day", File ID 18-0746 (3-B) - Award a construction contract in the amount of \$4,693,392.60 to American Paving Company, of Fresno California for the Veterans Boulevard Project - Bullard Extension Package from Bullard Avenue to the Riverside Drive and Veterans Boulevard Intersection - Bid File No. 3582 was removed from the agenda, File ID 18-0828 (3-E) - Has been pulled by staff and will be heard at 1:55 P.M. according to the special meeting notice filed by staff and File ID 18-0837 (2:00 P.M.) - Hearing to consider a proposed parks and public safety transactions and use tax item was removed from the agenda by staff.*

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

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

## **1. CONSENT CALENDAR**

**On motion of Councilmember Caprioglio, seconded by Councilmember Chavez, the below CONSENT CALENDAR items were**

adopted. The motion carried by the following vote:

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

- 1-A** [ID18-0694](#) Actions pertaining to Initiating Proceedings and Declare Intention to Levy the Annual Assessment for the City of Fresno Landscaping and Lighting Maintenance District No. 1; and setting the public hearing for July 26, 2018 at 10:10 a.m. (City-wide)
1. RESOLUTION - Initiating proceedings for the annual levy of assessment
  2. RESOLUTION - Of Intention to levy and collect the annual assessment

**Attachments:** [18-0694 Resolution to Proceed.pdf](#)  
[18-0694 Resolution of Intention.pdf](#)  
[18-0694 Exhibit A Vicinity Maps.pdf](#)  
[18-0694 Exhibit B Description of Existing Improvements.pdf](#)

*RESOLUTION 2018-151 ADOPTED*

*RESOLUTION 2018-152 ADOPTED*

- 1-B** [ID18-0761](#) \*\*\*RESOLUTION - Dedicating a portion of City-owned property at 8090 N. Palm Avenue for the purpose of providing a private access easement to the adjacent property. (Council District 2) (Subject to Mayor's Veto)

**Attachments:** [18-0761 Vicinity Map.pdf](#)  
[18-0761 Resolution.pdf](#)

*Upon call, the following member of the public addressed Council: Sharon Weaver.*

*RESOLUTION 2018-153 ADOPTED*

- 1-C** [ID18-0785](#) RESOLUTION - Of Intention to Annex Assessor's Parcel Number 329-130-17, 18, and 19 as Annexation No. 30 to the City of Fresno Community Facilities District No. 9 and to Authorize the Levy of Special Taxes (northwest corner of East Central and South East Avenues) (Council District 3)

**Attachments:** [18-0785 Location Map.pdf](#)  
[18-0785 Resolution of Intention.pdf](#)

*RESOLUTION 2018-154 ADOPTED*

- 1-D**    [ID18-0789](#)    \*\*\*BILL NO. B-37 - (Intro. 6/21/2018) (For adoption) - Adding Article 22 to Chapter 12 of the Fresno Municipal Code to allow At-Risk Development (Subject to Mayor's veto)

**Attachments:** [Ord- At Risk Development 6.22.18.pdf](#)  
[Supplement - Amended At-Risk Development Ordinance.pdf](#)

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

- 1-E**    [ID18-0796](#)    Approve the First Amended and Restated Memorandum of Understanding Regarding Coordination, Cooperation, and Cost Sharing on Preconstruction Activities Related to the Temperance Flat Reservoir Project

**Attachments:** [First Amended and Restated MOU Regarding Coordination Cooperation and Cost Sharing on Preconstruction Activities Related to the TFR Project.pdf](#)  
[November 2 2017 Report to the City Council for MOU Regarding Coordination Cooperation and Cost Sharing on Preconstruction Activities Related to the TFR Project.pdf](#)

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

- 1-F**    [ID18-0809](#)    \*\*\*Approve a Side Letter of Agreement with the Fresno Police Officers Association (FPOA), representing Unit 4, Non-Supervisory Police, regarding Lateral Hire Incentives (Subject to Mayor's veto)

**Attachments:** [Side Letter of Agreement with FPOA.pdf](#)

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

- 1-G**    [ID18-0827](#)    Approve a professional consultant agreement in the amount of \$152,526 with Ascent Environmental, Inc., a Sacramento-based California corporation, to prepare an EIR for the proposed Darling Rendering Plant Relocation Project.

**Attachments:** [Contract with Ascent Environmental, Inc.](#)

- 1-H [ID18-0833](#) Approve the Second Amendment to the Consultant Services Agreement with the Youth Leadership Institute, in an amount not to exceed the appropriations for fiscal years 2018 and 2019, and extend the contract to June 30, 2020, with the option of two one-year extensions

**Attachments:** [Youth Leadership Institute re Youth Commission Consultant.pdf](#)  
[Youth Leadership Institute 1st Amend to Agreement.pdf](#)  
[Youth Leadership Second Amend - Extend term.pdf](#)

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

## **CEREMONIAL PRESENTATIONS**

### **Proclamation of "Tyler Ward Day"**

*PRESENTED*

## **APPROVE MINUTES**

- [18-0030](#) Approval of minutes from June 14, 2018

**Attachments:** [Draft Minutes for 6-14-2018.pdf](#)

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

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

- [ID18-0818](#) Approval of Budget Hearing minutes from June 19, 2018

**Attachments:** [Draft Budget Meeting Minutes 6-19-2018.pdf](#)

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

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

- [18-0031](#) Approval of minutes from June 21, 2018.

**Attachments:** [Draft Minutes 6-21-18.pdf](#)

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

## **COUNCILMEMBER REPORTS AND COMMENTS**

*Councilmember Caprioglio attended the June 25, 2018 press conference announcing Terry Tumey as Fresno State Bulldogs athletics director.*

*Council Vice President Brandau announced on June 28, 2018 at the Fresno Veterans Home of California, there was a presentation of freedom canes presented to approximately 60 veterans.*

*Council President Soria announced that City of Fresno received the 2018 Helen Putman Award of Excellence and recognized for Fresno Youth Commission at the League of California Cities.*

## **CONTESTED CONSENT CALENDAR**

- 1-D**     [ID18-0789](#)     \*\*\*BILL NO. B-37 - (Intro. 6/21/2018) (For adoption) - Adding Article 22 to Chapter 12 of the Fresno Municipal Code to allow At-Risk Development (Subject to Mayor's veto)

**Attachments:** [Ord- At Risk Development 6.22.18.pdf](#)  
[Supplement - Amended At-Risk Development Ordinance.pdf](#)

*Council President Soria pulled the item for discussion.*

*Upon call, the following member of the public addressed Council: Ashley Werner, Senior Attorney at Leadership Counsel for Justice and Accountability addressed her concerns about the California Environmental Quality Act (CEQA) and the impacts of the neighborhoods.*

*Councilmember Bredefeld addressed Ms. Werner's concerns and asked City Attorney Sloan to address the CEQA analysis. City Attorney Sloan stated the ordinance is not a CEQA project and no CEQA is required to approve the ordinance change as presented.*

*Councilmember Baines asked City Attorney Sloan about the at risk permit if it is issued does it have to come after the appropriate CEQA work. City Attorney Sloan replied that CEQA is required to be done at the time of the first discretionary permit is issued. Council President Soria asked about the changes of the project for the purpose of CEQA. City Attorney Sloan responded changes in the physical ordinance does not change the environment and that this is procedural and is not a project for CEQA purposes.*

*ORDINANCE 2018-17 ADOPTED.*

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

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

- 1-E**     [ID18-0796](#)     Approve the First Amended and Restated Memorandum of Understanding Regarding Coordination, Cooperation, and Cost Sharing on Preconstruction Activities Related to the Temperance Flat Reservoir Project

**Attachments:**     [First Amended and Restated MOU Regarding Coordination Cooperation and Cost Sharing on Preconstruction Activities Related to the TFR Project.pdf](#)  
[November 2 2017 Report to the City Council for MOU Regarding Coordination Cooperation and Cost Sharing on Preconstruction Activities Related to the TFR Project.pdf](#)

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

*Council Vice President Brandau asked staff questions regarding the Memorandum of Understanding and the Joint Powers Agreement concerning Temperance Flat. Interim Director Carbajal responded.*

*Upon call, the following member of the public addressed Council: Jaime Loza.*

*Council President Soria asked staff about the original Memorandum of Understanding in the amount of \$100,000 out of the Water Enterprise funds*

*and what are we getting out of the \$100,000. Interim Director Carbajal responded the Memorandum of Understanding does not include additional expenditures that it is only administrative changes. Council President Soria also asked about the state dollars.*

*APPROVED*

**On motion of Vice President Brandau, 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

- 1-F**    [ID18-0809](#)    \*\*\*Approve a Side Letter of Agreement with the Fresno Police Officers Association (FPOA), representing Unit 4, Non-Supervisory Police, regarding Lateral Hire Incentives (Subject to Mayor's veto)

**Attachments:** [Side Letter of Agreement with FPOA.pdf](#)

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

*Upon call, there was no public comment.*

*Council Vice President Brandau asked staff about the side letter and if it changes any previous agreements about lateral hire incentive package or does it just extend it. Director Cardell responded that this is just an extension. Council Vice President Brandau asked Chief Dyer to discuss the effectiveness and how many officers have been attracted. Chief Dyer responded.*

*APPROVED*

**On motion of Vice President Brandau, 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



- 1-H [ID18-0833](#) Approve the Second Amendment to the Consultant Services Agreement with the Youth Leadership Institute, in an amount not to exceed the appropriations for fiscal years 2018 and 2019, and extend the contract to June 30, 2020, with the option of two one-year extensions

**Attachments:** [Youth Leadership Institute re Youth Commission Consultant.pdf](#)  
[Youth Leadership Institute 1st Amend to Agreement.pdf](#)  
[Youth Leadership Second Amend - Extend term.pdf](#)

*Councilmember Bredefeld spoke regarding his concerns about the money being spent that oversee the program and does not support the expenditure part of the item.*

*Upon call, the following member of the public addressed Council: Jose Espinoza, Youth Commission Program Coordinator.*

*Councilmember Baines stated the money spent on the organization is a benefit to our youth.*

APPROVED

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

**Aye:** 4 - Soria, Baines III, Caprioglio and Chavez

**No:** 3 - Brandau, Bredefeld and Olivier

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

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

- [ID18-0764](#) HEARING Regarding Increasing the Annual Assessment for Tract 3884 of Landscaping and Lighting Maintenance District No. 1. (Council District 2)
1. Submission by City Clerk of Affidavit Certifying the Mailing of Notices and Ballots for Hearing
  2. \*\*\*RESOLUTION - Declaring the Results of the Majority Protest Public Hearing Proceedings to Increase Assessments for Tract 3884 of Landscaping and Lighting Maintenance District

## No. 1 and Authorizing the Levy of Increased Assessments

**Attachments:** [18-0764 7-Clerk Certification re Mailing of Notice and Ballot.pdf](#)  
[18-0764 Engineer's Report 5\\_2\\_18.pdf](#)  
[18-0764 RESOLUTION.pdf](#)

*The hearing was called to order at 10:04 A.M.*

*The above item was introduced to Council by Manager Aguirre, Public Works Department.*

*City Attorney Sloan spoke regarding the process of the ballot, public hearing period and announced the ballot count will be conducted by City Clerk Spence in the City Clerk's Office Room 2133.*

*Upon call, there was no public comment.*

*The hearing was closed at 10:06 A.M.*

*City Clerk Spence announced the following: There was a total of 185 ballots mailed out, 57 voted yes equalling to 55.9% and 45 voted no equalling to 44.1% with a total of 102 returned ballots counted. Therefore a majority protest does not exist and Council can vote to approve the item.*

**RESOLUTION 2018-155 ADOPTED**

**On motion of Vice President Brandau, seconded by Councilmember Olivier, 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

**10:05 A.M.**

[ID18-0751](#) HEARING to consider Pre-zone Application No. R-17-020 and related Environmental Assessment No. R-17-020, filed by Jeffrey Roberts, on behalf of the Assemi Group. The application pertains to ±1.43 acres of property located on the south side of West San Jose Avenue between North Maroa and North Del Mar Avenues in the unincorporated portion of City's Sphere of Influence

boundary. The proposed site is currently under the jurisdiction of Fresno County and will be annexed to the City of Fresno (Council District 2).

1. ADOPT the Mitigated Negative Declaration prepared for Environmental Assessment No. R-17-020 dated April 20, 2018.
2. BILL - (For introduction and adoption) - Approving Pre-zone Application No. R-17-020 which proposes to amend the Official Zone Map from the R-1 (Single Family Residential, 6,000 sq. foot minimum) County of Fresno zone district to the RS-5 (Single Family Residential, Medium Density ) City of Fresno zone district.

**Attachments:** [Exhibit A Vicinity Map](#)  
[Exhibit B Aerial Photograph](#)  
[Exhibit C Public Hearing Notice Mailing List Vicinity Map.pdf](#)  
[Exhibit D Fresno General Plan Planned Land Use Map.pdf](#)  
[Exhibit E Proposed Pre-zone and Annexation Map.pdf](#)  
[Exhibit F Project Information Tables](#)  
[Exhibit G Fresno Municipal Code Findings](#)  
[Exhibit H Environmental Assessment No. R-17-020, Mitigated Negative Declaration dated April 20 2018.pdf](#)  
[Exhibit I Application.pdf](#)  
[Exhibit J Ordinance Bill.pdf](#)

*The item was called to order at 10:06 A.M.*

*The above item was introduced to Council by Project Manager Barnes, DARM Department.*

*Upon call, the following member of the public addressed Council: Jeff Roberts.*

**BILL B-38 AND ORDINANCE 2018-40 ADOPTED**

**On motion of Vice President Brandau, seconded by Councilmember Caprioglio, 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

### **3. GENERAL ADMINISTRATION**

- 3-B**     [ID18-0746](#)     Award a construction contract in the amount of \$4,693,392.60 to American Paving Company, of Fresno, California for the Veterans Boulevard Project - Bullard Extension Package from Bullard Avenue to the Riverside Drive and Veterans Boulevard Intersection - Bid File No. 3582 (Council District 2)

**Attachments:**   [18-0746 Bid Evaluation.pdf](#)  
[18-0746 Fiscal Impact Statement.pdf](#)  
[18-0746 Vicinity Map.pdf](#)  
[18-0746 Standarized Contract.PDF](#)

*THE ABOVE ITEM WAS REMOVED FROM THE AGENDA*

- 3-C**     [ID18-0783](#)     RESOLUTION - Authorizing the submission of the application for grant funds from the United States Department of Transportation's Better Utilizing Investments to Leverage Development (BUILD) Program and authorizing the execution of documents by the Public Works Director or designee (Council District 2)

**Attachments:**   [18-0783 Resolution.pdf](#)  
[18-0783 Project Map.pdf](#)

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

*Upon call, there was no public comment.*

*RESOLUTION 2018-156 ADOPTED*

**On motion of Vice President Brandau, seconded by President Soria, 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

- 3-D**     [ID18-0748](#)     Actions pertaining to the Herndon Avenue Westbound Widening Project, from Brawley Avenue to Blythe Avenue - Bid File 3606 (Council District 2):
1. Adopt a finding of Categorical Exemption per City of Fresno Environmental Assessment EA-15-028, pursuant to Section

15301/Class 1, Section 15302/Class 2 and Section 15332/Class 32 of the State of California Environmental Quality Act Guidelines for the Herndon Avenue Widening Project, from Brawley Avenue to Blythe Avenue.

2. Award a construction contract in the amount of \$845,722.30 to Dave Christian Construction Company, of Fresno, California as the lowest responsive and responsible bidder for the Herndon Avenue Westbound Widening Project, from Brawley Avenue to Blythe Avenue.

**Attachments:** [18-0748 Bid Evaluation.pdf](#)  
[18-0748 Fiscal Impact Statement.pdf](#)  
[18-0748 Vicinity Map.pdf](#)  
[18-0748 Standard Contract.pdf](#)

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

*Upon call, there was no public comment.*

*Council Vice President Brandau spoke about the Herndon widening project, streets and problems with traffic.*

**APPROVED**

**On motion of Vice President Brandau, 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

- 3-E**     [ID18-0828](#)     Actions pertaining to the Orange Avenue Pavement Overlay from California Avenue to Jensen Avenue - Bid File 3601 (County of Fresno and Council District 5)
1. Adopt a finding of Categorical Exemption per staff's determination, pursuant to Section 15301(c) of the California Environmental Quality Act Guidelines (CEQA)
  2. Award a construction contract in the amount of \$1,143,341 with Avison Construction Inc., of Madera, California, as the lowest responsive and responsible bidder for the Orange Avenue

Pavement Overlay from California Avenue to Jensen Avenue

**Attachments:** [18-0692 Bid Evaluation.pdf](#)  
[18-0692 Fiscal Impact Statement.pdf](#)  
[18-0692 Vicinity Map.pdf](#)  
[18-0692 Standardized Contract.pdf](#)

*THE ABOVE ITEM WAS REMOVED FROM THE AGENDA.*

## **10:15 A.M.**

### **JOINT MEETING OF THE SUCCESSOR AGENCY OF THE REDEVELOPMENT AGENCY OF THE CITY OF FRESNO AND THE FRESNO REVITALIZATION CORPORATION**

[ID18-0820](#) Actions pertaining to approximately 4.79 acres located at 1153 Fresno Street (APN 467-310-12T):

1. Adopt a finding of Categorical Exemption pursuant to Section 15301 of California Environmental Quality Act Guidelines
2. Approve a Purchase, Sale and Settlement Agreement in the amount of \$1,912,915 for sale of the Kearney Palms Shopping Center Parking Lot to Kearney Palms, LLC. (Council District 3)

**Attachments:** [Kearney Palms Purchase Sale and Settlement Agreement.pdf](#)  
[Kearney Palms Appraisal Summary.pdf](#)  
[Kearney Palms Location Map.pdf](#)  
[Kearney Palms Disposition and Development Agreement.pdf](#)  
[Kearney Palms Covenants for Public Parking Lease. .pdf](#)

*The above item was introduced to Council by Redevelopment Administrator Murphy, Redevelopment Agency Department.*

*Upon call, there was no public comment.*

**APPROVED**

**On motion of Councilmember Baines III, seconded by President Soria, 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

**10:20 A.M. SCHEDULED COMMUNICATION**

[ID18-0834](#) Appearance by Mary Esther Correa to discuss the fines she has received from Code Enforcement (Speaker resides in District 7)

*Ms. Correa spoke regarding her fines from Code Enforcement.*

APPEARED.

[ID18-0835](#) Appearance by Gonzalo Arambula to discuss the damage done to his wheelchair by a FAX Driver while on a City bus and the need to properly train the bus drivers on handling the disabled.

**Attachments:** [Request to Appear.pdf](#)

*Mr. Arambula spoke regarding the damage on his wheelchair from a FAX driver.*

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: Jaime Loza*

**Actions on the Fiscal Year 2019 Budget and related items -  
CONTINUED FROM JUNE 21, 2018**

1. [ID18-0821](#) \*\*\*RESOLUTION - Council Adoption of the Fiscal Year 2018-2019 City of Fresno Budget including the Annual Appropriations Resolution (Subject to Mayor's Veto)

**Attachments:** [19 AAR Resolution.pdf](#)  
[Supplement - 2019 Final AAR.pdf](#)

*RESOLUTION 2018-157 ADOPTED AS AMENDED.*

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

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

**No:** 2 - Brandau and Bredefeld

2. [ID18-0822](#) \*\*\*RESOLUTION - Adopt the Fiscal Year 2019 Position Authorization Resolution (PAR) (Subject to Mayor's veto)

Attachments: [19 PAR Reso.pdf](#)  
[19 PAR Part V Draft.pdf](#)  
[Supplement - 19 PAR V Final.pdf](#)

*RESOLUTION 2018-158 ADOPTED AS AMENDED.*

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

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

**No:** 2 - Brandau and Bredefeld

3. [ID18-0823](#) \*\*\*BILL - (For introduction and adoption) - Adoption of Property Tax Override Ordinance (Subject to Mayor's veto)

Attachments: [19 PTO ORD.pdf](#)

*BILL B-39 AND ORDINANCE 2018-41 ADOPTED*

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

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

**No:** 2 - Brandau and Bredefeld

4. [ID18-0824](#) \*\*\*RESOLUTION - Adopt the Fiscal Year 2019 Salary Resolution. (Subject to Mayor's veto)

Attachments: [FY19 Salary Resolution.pdf](#)  
[FY19 Salary Resolution with Strikeouts.pdf](#)

*RESOLUTION 2018-159 ADOPTED AS AMENDED.*

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

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



**No:** 2 - Brandau and Bredefeld

5. [ID18-0825](#) \*\*\*RESOLUTION - FY 2019 Gann Appropriation Limit Resolution  
(Subject to Mayor's Veto)

Attachments: [19 GANN Resolution.pdf](#)  
[19 GANN Attachment A.pdf](#)

*RESOLUTION 2018-160 ADOPTED*

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

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

**No:** 2 - Brandau and Bredefeld

6. [ID18-0826](#) RESOLUTION - Approve the City of Fresno (the "City")  
Investment Policy for Fiscal Year 2018-2019

Attachments: [Resolution Adopting Investment Policy for FY 18-19.pdf](#)  
[Investment Policy for Fiscal Year 2018\\_2019.pdf](#)

*RESOLUTION 2018-161 ADOPTED.*

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

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

**No:** 2 - Brandau and Bredefeld

**City Council discussed the budget and made additional motions.**

*Budget Manager Fierro introduced the budget items to Council and announced corrections to the Annual Appropriations Resolution (AAR) and stated the approval of the budget will be adopted as amended.*

*The following motions amend the above approved Resolutions.*

*Upon call, the following members of the public addressed Council and spoke regarding the Senior Center: Ismael Gimeno, Dave Crosby, Dorthy Smith, Diane Dimon, Sherley Peters, Carment Navarro, Karen Jerkisms,*

*John Crawford, Donna Callahan, Mary Correa, Carmen Mendoza and Kirwin Wong.*

*Councilmember Caprioglio motioned to include the following: 1) The August 2019 sales tax revenue of approximately \$9.9 million will be recognized in the FY19 budget, with appropriate language to implement this drafted by the City Attorney inserted in the AAR. 2) \$9.9 million of the August 2019 sales tax revenue will be allocated to the General Fund Reserve per the Reserve Management Act. This will achieve or exceed the goal of a 10% General Fund reserve. 3) For the approximate \$3.4 million of the FY19 RDA debt repayment revenue (General Fund) that was to be allocated to the General Fund reserve, instead it will be appropriated as follows: a) \$1 million toward a community/senior center in District 4; b) \$1 million toward a housing fund (funds will be designated for first home buyer down payment assistance, rehab housing, and affordable housing developments); c) \$1 million toward a park infrastructure fund (designated for maintenance and irrigation projects in Council districts) - non-regional, neighborhood (smaller) parks; d) \$300,000 to Infrastructure Fund for Council districts (evenly divided) for projects under \$100,000; e) \$100,000 to the City Attorney's Office to use for law clerks and code enforcement related expenses, at the City Attorney's discretion. 4. Amounts in excess of \$9.9 million from the August 2019 sales tax revenue and \$3.4 million of the RDA debt repayment revenue actually received will be added to the Council offices budget, for purposes to be decided by Council when the amounts become known. Councilmember Chavez seconded the motion. Motion PASSED 5-2. Councilmember Bredefeld and Council Vice President Brandau voted no.*

*Councilmember Bredefeld motioned to use the \$3.4 million of FY19 RDA debt repayment revenue (General Fund) as follows: \$1 million to the District 4 Community / Senior Center, \$1.4 million to the Police Department to be used at the discretion of the Police Chief and \$1 million to the Fire Department to be used at the discretion of the Fire Chief. Councilmember Olivier seconded the motion. Motion FAILED 2-4. Councilmember Chavez abstained, Councilmember Caprioglio, Council Vice President Brandau, Councilmember Baines and Council President Soria voted no.*

Councilmember Olivier motioned to use \$500,000 from cannabis tax, off the top, to be used for an interim senior center; place in contingency until revenue actually appears. Council President Soria seconded the motion. Motion PASSED 5-2. Councilmember Bredefeld and Council Vice President Brandau voted no.

Councilmember Baines motioned to authorize 12 additional FTE's (from 311 to 323 authorized positions) with FY19 money. Also to defund the 11 remaining vacant positions and move those dollars to the Fire Department overtime budget account. Should the North Central Firefighters move back to the City of Fresno in FY19, then the defunded positions would automatically be refunded. If there are MOU conflicts arising from this motion, then the item would be brought back to Council. Council Vice President Brandau seconded the motion. Motion PASSED 4-3. Councilmember Chavez, Councilmember Bredefeld and Councilmember Olivier voted no.

**City Council recessed to lunch at 12:24 P.M. and returned from lunch at 2:06 P.M.**

### **1:55 P.M.**

[ID18-0829](#) Actions pertaining to the Orange Avenue Pavement Overlay from California Avenue to Jensen Avenue - Bid File 3601 (County of Fresno and Council District 5)

1. Adopt a finding of Categorical Exemption per staff's determination, pursuant to Section 15301(c) of the California Environmental Quality Act Guidelines (CEQA)
2. Award a construction contract in the amount of \$1,141,217 with Dave Christian Construction Co., Inc., of Fresno, California, as the lowest responsive and responsible bidder for the Orange Avenue Pavement Overlay from California Avenue to Jensen Avenue

**Attachments:** [18-0829 Bid Evaluation.pdf](#)  
[18-0829 Fiscal Impact Statement.pdf](#)  
[18-0829 Vicinity Map.pdf](#)  
[18-0829 Standardized Contract.pdf](#)  
[Signed Agenda.pdf](#)

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

*Department.*

*Upon call, there was no public comment.*

**APPROVED**

**On motion of Councilmember Chavez, 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

**2:00 P.M.**

- [ID18-0837](#) HEARING to Consider a Proposed Parks and Public Safety Transactions and Use Tax:
1. \*\*\*BILL - (For introduction and adoption) - Adding Article 15 to Chapter 7 of the Fresno Municipal Code Relating to a Parks and Public Safety Transactions and Use Tax (Requires 5 affirmative votes) (Subject to Mayor's veto)
  2. \*\*\*RESOLUTION - Calling a General Election to be held on November 6, 2018, for a Ballot Measure Proposal to Impose a Parks and Public Safety Transactions and Use Tax; Requesting the County to Conduct the Election; and Requesting Consolidation of the Election with any Other Election held on that Date (Subject to Mayor's veto)

**Attachments:** [Ord -Parks and Public Safety Tran. and Use Tax.pdf](#)  
[Reso - Parks and Public Safety Tran. and Use Tax.pdf](#)  
[Supplement - Updated Ordinance.pdf](#)

**THE ABOVE ITEM WAS REMOVED FROM THE AGENDA**

**3-A** [ID18-0628](#) WORKSHOP - Transit Restructure and Title VI

**Attachments:** [Transit Restructure Wkshop Final 061818.pptx](#)

*The above workshop was presented by Director Schaad, Transportation Department.*

**PRESENTED**

**4. CITY COUNCIL**

**5. CLOSED SESSION**

*City Council recessed into Closed Session at 3:20 P.M. and returned from Closed Session at 3:40 P.M.*

*There was no announcements after Closed Session*

- 5-A**    [ID18-0830](#)    CONFERENCE WITH REAL PROPERTY NEGOTIATOR -  
Government Code Section 54956.8  
Property: Fresno Irrigation District property along Herndon Canal  
between McKinley Ave and Millbrook Ave  
Negotiating Parties: City Manager Wilma Quan-Schecter  
Under Negotiation: Terms and Conditions of Property Acquisition

*DISCUSSED*

- 5-B**    [ID18-0831](#)    CONFERENCE WITH LABOR NEGOTIATOR - Government  
Code Section 54957.6  
City Negotiator(s): Jeffrey Cardell, Ken Phillips  
Employee Organizations:  
1. City of Fresno Professional Employees Association (CFPEA)

*DISCUSSED*

- 5-C**    [ID18-0838](#)    CONFERENCE WITH LABOR NEGOTIATOR - Government  
Code Section 54957.6  
City Negotiator(s): Jeffrey Cardell, Ken Phillips  
Employee Organizations:  
1. International Association of Firefighters, Local 753, Unit 10  
(Fire Management)

*DISCUSSED*

**ADJOURNMENT**

*City Council adjourned at 3:40 P.M.*

