



# City of Fresno

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

## Meeting Minutes - Draft City Council

***President - Oliver L. Baines, III***

***Vice President - Paul Caprioglio***

***Councilmembers:***

***Lee Brand, Steve Brandau, Clinton J. Olivier,***

***Sal Quintero, Esmeralda Z. Soria***

***City Manager - Bruce Rudd***

***City Attorney - Douglas T. Sloan***

***City Clerk - Yvonne Spence, CMC***

---

**Thursday, June 25, 2015**

**8:30 AM**

**Council Chambers**

---

### **Regular Session**

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

8:36 A.M. ROLL CALL

**Present:** 5 - Vice President Paul Caprioglio  
Councilmember Lee Brand  
Councilmember Clinton Olivier  
Councilmember Sal Quintero  
Councilmember Esmeralda Soria

**Absent:** 2 - President Oliver Baines III  
Councilmember Steve Brandau

Invocation by Jose Garza, Fresno Police Captain for Southeast Fresno

Pledge of Allegiance to the Flag

## **CEREMONIAL PRESENTATIONS**

[ID#15-496](#) Proclamation of "PARKS MAKES LIFE BETTER MONTH"

**PRESENTED**

**ADD ON CEREMONIAL - Honoring Richard Marshall for outstanding support of PARCS Healthy Lifestyles Fitness Camp**

**PRESENTED**

[ID#15-576](#) Proclamation of "MY JOB DEPENDS ON AG DAY"

PRESENTED

## **APPROVE MINUTES**

*There were no minutes on the agenda for approval.*

## **COUNCILMEMBER REPORTS AND COMMENTS**

*Councilmember Soria thanked Public Works Director Mozier and PARCS Director Mollinedo for taking her on a tour of Inspiration park which would be opening later in the fall west of Highway 99. She noted the residents in District One were excited for the opening. Councilmember Soria also asked the City Manager about the status of the FresGo smart phone application. City Manager Rudd stated the application was currently being Beta tested and he expected the application to be rolled out next Wednesday. Councilmember Soria directed the City Manager to keep the Council updated on the status of the FresGo application.*

*Councilmember Brand requested the meeting be adjourned in the memory of his uncle, Frank Trosi, who passed away a few days earlier. He was remembered as a true son of Italy and Fresno and as someone who touched many lives.*

*Councilmember Olivier welcomed Senator Anthony Cannella staffer and former Madera Sheriff, John Andersen. Mr. Cannella asked the Councilmembers to contact him if there was anything Mr. Cannella's Office or the State Legislature could do for the City.*

*Vice President Caprioglio made the following announcements: First, he had welcomed the Home of Hope winner, Mara Gabrielian, into District Four last Thursday. The event raised more than \$440,000 for ten local charities. Second, the sixth Honor Flight had flown into Fresno Yosemite International Airport to honor World War II and Korean War Veterans. It was a great event for the "original freedom fighters" of his generation. Third, he congratulated the Fresno Grizzlies for being number one in the Pacific Coast League. Fourth, Nathan's Hot Dogs was at a community event at Westley's Church in the El Dorado Park area. Nathan's brought a portable "Coney Island" complete with games, slides and Nathan's Famous Hot Dogs. Everyone in attendance had a wonderful time. Fifth, he congratulated the management of Fashion Fair Mall for their improvement efforts including an expanded food court, additional retailers and ample parking. Finally, Vice*

*President Caprioglio asked City Manager Rudd for an update on grey water availability. City Manager Rudd stated an announcement was expected around the first of July regarding the availability of grey water for the public.*

*Councilmember Quintero congratulated the Council and the Administration for approving the largest budget in the City's history at \$1.2 billion.*

## **APPROVE AGENDA**

*City Clerk Spence announced that File ID#15-591, regarding purchasing insurance, would be heard at 8:30, or as soon thereafter as may be heard, pursuant to a special meeting notice that was separately published.*

**On motion of Councilmember Soria, seconded by Councilmember Brand, the AGENDA was approved. The motion carried by the following vote:**

**Aye:** 5 - Caprioglio, Brand, Olivier, Quintero and Soria

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

## **1. CONSENT CALENDAR**

### APPROVAL OF THE CONSENT CALENDAR

**On motion of Councilmember Brand, seconded by Councilmember Quintero, the CONSENT CALENDAR was hereby adopted by the following vote:**

**Aye:** 5 - Caprioglio, Brand, Olivier, Quintero and Soria

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

[ID#15-497](#) Approve the acquisition of a 0.44-acre easement and right-of-way for a public recycled water pipeline from property, owned by Gunnar R. and Martha L. Nielsen and located at 760 S. Cornelia Avenue (County of Fresno)

**The above item was APPROVED on the Consent Calendar.**

[ID#15-508](#) Approve the Common Use Agreement between the Garfield Water District and the City of Fresno for selected parcels where easements for construction, operation and maintenance of the Friant-Kern Canal Raw Water Pipeline will share areas of common use

**The above item was APPROVED on the Consent Calendar.**

[ID#15-516](#) Authorize the Chief of Police to enter into an agreement with Fresno County Superintendent of Schools (FCSS) providing a School Resource Officer (SRO) at 100% of the actual officer's cost plus administrative fees and the operation/maintenance costs of a patrol vehicle for a total of \$128,004

**The above item was APPROVED on the Consent Calendar.**

[ID#15-529](#) Authorize the Chief of Police to enter into a renewal agreement with Fresno Unified School District providing nine School Resource Officers at 75% of the actual officer's cost, two officers at 100% of the actual officer's cost, and a police sergeant at 90% of the actual sergeant's cost, plus administrative fees and the operation/maintenance costs of twelve patrol vehicles for a total of \$1,253,264

**The above item was APPROVED on the Consent Calendar.**

[ID#15-524](#) Approve the acquisition of a permanent easement and temporary construction easement from Leonard Verni and Nicholas Verni for APNs 580-020-20S & 580-020-22S.

**The above item was APPROVED on the Consent Calendar.**

[ID#15-525](#) 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 30, 2015 at 10:00 a.m. (Citywide)

1. RESOLUTION - Initiating proceedings for the annual levy of assessment
2. RESOLUTION - Of Intention to levy and collect the annual assessment

*RESOLUTION 2015-112 ADOPTED*

*RESOLUTION 2015-113 ADOPTED*

**The above item was APPROVED on the Consent Calendar.**

[ID#15-534](#) RESOLUTION - Authorizing the submission of grant applications to the Fresno Council of Governments for 2013 Lifeline Regional Surface Transportation Program (RSTP) and authorizing the execution of all application related documents by the Public Works Director or designee. (Council Districts 1, 3 and 7)

*RESOLUTION 2015-114 ADOPTED*

**The above item was APPROVED on the Consent Calendar.**

[ID#15-539](#) Approve the acquisition of a permanent easement for APN 580-020-21, and a permanent easement and temporary construction easement for APN 580-020-23, from: George G. Goshgarian & Kathleen A. Gregory (who acquired title as Kathleen A. Goshgarian) (undivided 1/32 interest); Michael Morales (undivided 3/32 interest); Leonard Verni (undivided 1/4 interest) & Nicholas Verni (undivided 1/4 interest); Steven G. Fogg Family Partnership, A California Partnership (undivided 1/8 interest); Steven G. Fogg Family Partnership, A California Limited Partnership (undivided 1/8 interest); Christopher T. Lum, Sole Trustee of the Steven C.Y. Lum and Catherine J. Lum Trust (undivided 1/8 interest).

**The above item was APPROVED on the Consent Calendar.**

[ID#15-571](#) Approve the reappointment of Jack Tracy to the Civil Service Board

**The above appointment was APPROVED on the Consent Calendar.**

[ID#15-577](#) Approve the third amendment to the contract with Fehr and Peers, a California S-Corporation, in an amount not to exceed \$83,700 for professional engineering services to complete the traffic analysis for the Downtown Plans and Code Environmental Impact Report and authorize City Manager or his or her designee to execute documents.

**The above item was APPROVED on the Consent Calendar.**

## **CONTESTED CONSENT CALENDAR**

*No items were moved to the Contested Consent Calendar.*

**2. GENERAL ADMINISTRATION**

[ID#15-422](#) Approve Revised Five Year Underground Utility District Plan  
(Located City Wide)

*The above item was introduced to Council by Public Works Supervising Engineer Technician, Polsgrove.*

*Councilmember Quintero directed staff to provide him with information regarding the Butler and Orange Avenue area.*

**APPROVED**

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

**Aye:** 5 - Caprioglio, Brand, Olivier, Quintero and Soria

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

Councilmember Olivier exited the Council Chamber at 9:28 A.M. and returned at 9:30 A.M.

[ID#15-470](#) 1.\*\*\*Adopt a Memorandum of Understanding between the City of Fresno and City of Fresno Professional Employees Association (CFPEA) (Management Non-Confidential and Non-Management Confidential)  
2.\*\*\*Adopt a Side Letter of Agreement between the City of Fresno and CFPEA (Management Non-Confidential and Non-Management Confidential - Unit 13A and 13B) on pensions for new employees  
3.\*\*\*RESOLUTION - 15th amendment to Salary Resolution No. 2014-108, Amending Salaries in Exhibit 13-1, Management Non-Confidential (CFPEA), and Exhibit 13-2, Non-Management Confidential (CFPEA)

*The above item was introduced to Council by Personnel Department Labor Relations Manager, Phillips. Mr. Phillips read the two corrections into the record. The first correction was that the "strike out version" of the Memorandum of Understanding incorrectly indicated that Water System Supervisors and Wastewater Treatment Maintenance Supervisors would receive equity adjustments in 2019. The year 2019 was incorrect and should read, "2015." The second correction was that Exhibit 3, attached to the Memorandum of Understanding, transposed "C" and "D" at the top of the*

wage columns.

**RESOLUTION 2015-115 ADOPTED**

**On motion of Councilmember Brand, seconded by Councilmember Quintero, the above item was adopted. The motion carried by the following vote:**

**Aye:** 4 - Caprioglio, Brand, Quintero and Soria

**Absent:** 3 - Baines III, Brandau and Olivier

**ID#15-538** \*\*\*RESOLUTION - 50th amendment to the Annual Appropriation Resolution (AAR) No. 2014-95 to reallocate funding for various Water System capital improvement projects to provide for the drawdown of all remaining 2010 Water System Revenue Bond proceeds and; the payment of preliminary expenditures for the 2015 Water System Revenue Bonds which were not issued during FY 2015 (Citywide) (Requires 5 affirmative votes)

*The above item was introduced to Council by Public Utilities Manager, McLaughlin. Public Utilities Director Esqueda also answered questions for Council.*

**RESOLUTION 2015-116 ADOPTED**

**On motion of Councilmember Brand, seconded by Councilmember Quintero, the above item was adopted. The motion carried by the following vote:**

**Aye:** 5 - Caprioglio, Brand, Olivier, Quintero and Soria

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

**ID#15-540** Award a purchase contract in the amount of \$1,294,139 to Scelzi Enterprises for the purchase of truck mounted service and utility bodies - Bid File 9252

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

**APPROVED**

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



**Aye:** 5 - Caprioglio, Brand, Olivier, Quintero and Soria

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

Councilmember Soria exited the Council Chamber at 9:43 A.M. and returned at 9:45 A.M.

- [ID#15-542](#) Actions pertaining to completion of construction funding applications for City of Fresno's Southeast Surface Water Treatment Facility:
1. \*\*\*RESOLUTION - To adopt Pledged Revenue Funds to the State Water Resources Control Board through its Safe Drinking Water State Revolving Fund Low-Interest Loan Program
  2. \*\*\*RESOLUTION - To reimburse the State Water Resources Control Board through its Safe Drinking Water State Revolving Fund Low-Interest Loan Program
  3. Authorize the Director of Public Utilities or designee, to execute all documents on behalf of the City of Fresno

*The above item was introduced to Council by Public Utilities Professional Engineer, Knapp. Public Utilities Director Esqueda answered additional questions from Council.*

**RESOLUTION 2015-117 ADOPTED**

**RESOLUTION 2015-118 ADOPTED**

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

**Aye:** 4 - Caprioglio, Brand, Olivier and Quintero

**Absent:** 3 - Baines III, Brandau and Soria

- [ID#15-544](#) Actions pertaining to new software integration for the Water Division's SCADA system. (Request for Proposal 3401) (Citywide):
1. Award software integration services agreement to Partners In Control, Inc., dba Enterprise Automation to provide the Northeast Surface Water Treatment Facility Vijeo CitectSCADA and Modicon Unity Pro PLC Software Integration for the Department of Public Utilities, Water Division in an amount not to exceed \$1,204,814
  2. Authorize the Director of Public Utilities, or their designee, to execute the agreement on behalf of the City



*The above item was introduced to Council by Public Utilities Water System Supervisor, Carroll.*

**APPROVED**

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

**Aye:** 5 - Caprioglio, Brand, Olivier, Quintero and Soria

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

[ID#15-545](#) RESOLUTION - Adopt Substantial Amendment No. 2015-005 to the FY 2014-2015 Annual Action Plan authorizing a \$1.3 million HOME Investment Partnerships Program loan to the Housing Authority of the City of Fresno for its Lowell Neighborhood Project and authorize the City Manager to sign all implementing documents required by HUD

*The above item was introduced to Council by Development and Resources Management ("DARM") Housing Manager, Trujillo. Christina Husbands of the Fresno Housing Authority also answered questions from Council. DARM Director Clark, Assistant City Manager Smith and City Manager Rudd also spoke on this item.*

*The following member(s) of the public spoke on this item: Barbara Fisk of the Lowell Neighborhood Association.*

*Councilmember Quintero asked, for the record, why the Kings Canyon project in South East Fresno was not a qualifying project. DARM Director Clark explained that, after the initial Notice of Funding Availability ("NOFA") was issued, the proposals were ranked and a commitment was made to award the funds to the agency proposing the Kings Canyon project in South East Fresno. Unfortunately the agency was unable to secure financing so a new NOFA was issued. Under the re-issued NOFA, the Lowell neighborhood project was determined to have the highest ability to succeed because: the agency had the land under assignment with an option to purchase; the agency had additional cash resources for the project, and; the agency had the capacity to access the tax credits. Based on the re-ranking of the proposals, the Lowell neighborhood project ranked higher than the Kings Canyon project. Assistant City Manager Smith noted the agency proposing the Kings Canyon project would be able to apply when the next NOFA is issued.*

*NOT ADOPTED*

**Vice President Caprioglio, seconded by Councilmember Soria, motioned for the above item to be approved. The motion FAILED by the following vote:**

**Aye:** 2 - Caprioglio and Soria

**No:** 3 - Brand, Olivier and Quintero

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

- [ID#15-547](#)
1. \*\*\*Adopt a Memorandum of Understanding between the City of Fresno and Fresno Airports Safety Supervisors/Operating Engineers, Local 3 (FAPSS/OE3) - Unit 15 (Airport Public Safety Supervisors)
  2. \*\*\*Adopt a Side Letter of Agreement between the City of Fresno and FAPSS/OE3 (Airport Public Safety Supervisors - Unit 15) on pensions for new employees
  3. \*\*\*RESOLUTION - 6th amendment to Salary Resolution No. 2014-108, amending salaries in Exhibit 15, Airport Public Safety Supervisors (FAPSS)

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

*RESOLUTION 2015-119 ADOPTED*

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

**Aye:** 5 - Caprioglio, Brand, Olivier, Quintero and Soria

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

- [ID#15-560](#)
- \*\*\*Approve Side Letters of Agreement Implementing Provisions of AB 1522, Healthy Workplace Healthy Family Act of 2014 with Unit 1, represented by IUOE, Stationary Engineers, Local 39; Unit 3, represented by Fresno City Employees Association (FCEA); Unit 4 and Unit 9, represented by the Fresno Police Officers Association (FPOA); Unit 5 and Unit 10, represented by the International Association of Fire Fighters (IAFF), Local 753; Unit 6, represented by the Amalgamated Transit Union (ATU), Local 1027; Unit 7, represented by the International Brotherhood

of Electrical Workers (IBEW), Local 100; and, Unit 13, represented by the City of Fresno Professional Employees Association (CFPEA)

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

**APPROVED**

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

**Aye:** 5 - Caprioglio, Brand, Olivier, Quintero and Soria

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

[ID#15-562](#) RESOLUTION - Approving the reallocation of \$1,500,000 from the Property/Liability Self-Insurance Fund Contingency to fund refunds and claims

*The above item was introduced to Council by Personnel Services Department Risk Manager, Payne. Personnel Services Director Cardell also spoke on this item.*

*Councilmember Soria requested a list of estimated expenses accounting for the amount requested.*

**RESOLUTION 2015-120 ADOPTED**

**On motion of Councilmember Olivier, seconded by Councilmember Brand, the above item was adopted. The motion carried by the following vote:**

**Aye:** 5 - Caprioglio, Brand, Olivier, Quintero and Soria

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

**SPECIAL MEETING ITEM (separately noticed)**

[ID#15-591](#) Authorize the purchase of the City's Fiscal Year 2015/2016 insurance coverage as included within the proposal by the City's broker of record, Alliant Insurance Services, and authorize the City's Risk Manager to bind the coverage

*The above item was introduced to Council by Personnel Services Department Risk Manager, Payne.*

APPROVED

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

**Aye:** 5 - Caprioglio, Brand, Olivier, Quintero and Soria

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

**SCHEDULED COMMUNICATION**

[ID#15-559](#) Appearance by Rick Morse to discuss medical marijuana

*Upon call, Mr. Morse failed to appear before Council.*

**3. CITY COUNCIL**

*No items were on the agenda under "City Council."*

**4. CLOSED SESSION**

*No items were on the agenda under "Closed Session."*

**5. SCHEDULED COUNCIL HEARINGS AND MATTERS**

*No items were on the agenda under "Scheduled Council Hearings and Matters."*

**UNSCHEDULED COMMUNICATION**

*Upon call, no one addressed Council with unscheduled communication.*

**ADJOURNMENT**

*Adjourned in the memory of Frank Trosi at 10:42 A.M.*