



City of Fresno

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

Meeting Minutes - Draft 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, October 25, 2018

9:00 AM

Council Chambers

Special Meeting

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

[ID18-1289](#) Approve a contract and expenditure for printing and mailing a ballot correction notice relating to Measure P.

Vice President Brandau presented the item above by providing a timeline of events regarding the ballot language of Measure P. Vice President Brandau explained that the initial resolution contained 41 words and after working with the proponents of Measure P, the resolution was revised to include 74 words. The resolution with the new language was added to the agenda management system on August 6, 2018. When the resolution was submitted to the County they received the incorrect resolution with the 41 words in hard copy, but they were also sent the correct language electronically via email. The County ended up publishing the correct language in the Fresno Bee on August 15, 2018, but used the resolution with the 41 words to print the ballot language.

The error was discovered on October 10, 2018 by the proponents when they saw the shorter version of the ballot language printed on the ballot. They immediately contacted the City about it.

Vice President Brandau explained that there were several opportunities for this error to be caught ranging from the City Clerk's Office, the City Attorney's Office, the County Clerk's Office, the proponents of the measure (who had a 10 day period to review the language), and the City Council. He stated that the reason this item is just now being addressed was to get all of the information. Vice President Brandau also stated that this is an issue for the City Council to address, not the Mayor because the City Clerk and the City Attorney report to the City Council, not the Mayor.

After discussion by the City Council and the Mayor, Vice President Brandau made a motion to direct the City Clerk to send the mailer to each voting household in the City of Fresno, providing the correct ballot language for Measure P, conditioned upon the proponents "Yes on P" giving a full release of liability to the City of Fresno. The release of liability will be drawn up by the City Attorney.

City Attorney Sloan stated that he spoke to the proponent's attorney and they approved the language in the mailer and agreed to the release of liability.

There was more discussion on why the councilmember either supported the motion or did not support the motion.

The special meeting was adjourned at 12:07 p.m.

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

Aye: 4 - Soria, Brandau, Baines III and Chavez

No: 3 - Caprioglio, Bredefeld and Olivier

