

City of Fresno

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



Meeting Minutes - Draft

Thursday, January 17, 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.

9:12 A.M. ROLL CALL

Present: 7 - President Steve Brandau
Vice President Miguel Angel Arias
Councilmember Esmeralda Z. Soria
Councilmember Paul Caprioglio
Councilmember Luis Chavez
Councilmember Garry Bredefeld
Councilmember Nelson Esparza

Invocation by Pastor John Cox of the River Park Bible Church

Pledge of Allegiance to the Flag

APPROVE AGENDA

City Clerk Spence announced the following changes to the agenda: Two items moved from General Administration to 1:30 P.M.: File ID19-0191 regarding Homeless Emergency Aid Program (HEAP) and File ID19-0192 regarding an agreement between the City of Fresno and WestCare California for the HERO Team; File ID19-0141 (1-I) – regarding approve the Mayor's appointees for the Anti-Displacement Task Force has been moved to January 31, 2019; File ID 19-1597 (3-G) – regarding actions pertaining to the removal, processing and beneficial reuse or other environmental friendly alternative disposal of Biosolids has been removed from the agenda by staff; File ID19-0173 (4-B) – The following has been continued to January 31, 2019 (Mayoral appointments) 1. Council of Governments, 6. Fresno County Zoo Authority 7. Fresno Madera Area Agency on Aging Board and 9. San Joaquin River Conservancy Board and File ID 19-0149 (3-H) - regarding Groundwater Sustainability Grant, under schedule A-6 the following dates were changed: section 1.3 was changed from January 31, 2019 to April 30, 2019, section 2.2.2 date was changed from February 2019 to May 2019, section 2.3 date was changed from January 31, 2019 to April 30, 2019 and section 2.3.2 date was changed from March 2019 to May 2019.

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

motion carried by the following vote:

Aye: 7 - Brandau, Arias, Soria, Caprioglio, Chavez, Bredefeld and Esparza

APPROVE MINUTES

[ID19-0178](#) Approval of amended minutes for December 6, 2018.

City Clerk Spence announced that the amendment was regarding item 1-H. The item 1-H was issued a regular Council resolution number and the change, corrected the Council resolution number to a JPFA resolution number.

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

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

Abstain: 2 - Arias and Esparza

[ID19-0188](#) Approval of minutes for January 10, 2019.

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

Aye: 7 - Brandau, Arias, Soria, Caprioglio, Chavez, Bredefeld and Esparza

CEREMONIAL PRESENTATIONS

[ID19-0175](#) Presentation of the SPCA Pet of the Month
Sponsor: Councilmember Soria

THE ABOVE ITEM WAS CONTINUED TO JANUARY 31, 2019

[ID19-0184](#) Proclamation for "David McDonald"

PRESENTED

[ID19-0172](#) Proclamation of "National Slavery and Human Trafficking Awareness Month"

PRESENTED

COUNCILMEMBER REPORTS AND COMMENTS

Councilmembers welcomed Council Vice President Miguel Angel Arias and Councilmember Nelson Esparza to their first official meeting.

Councilmember Soria welcomed The Bad Axe Throwing business to District 1, congratulated Central High School's Varsity and JV Pep and Cheer teams for their win at the USA region competition in Deer Valley and Central High School's Wind Ensemble for performing for the state-level showcase performance. She discussed the 1:30 p.m. item regarding Homelessness and thanked the staff and homeless advocates she met with.

Councilmember Soria addressed the issue of homeless women, children and the gap between families and children. She also discussed overburdening one district over another in regards to where shelters are located, accountability and flexibility, wants the council to consistently get reports a few times a year so that they know progress is being made and if the final plan is not voted on today, she recommends the council approve a subcommittee that she would like to be a part of.

Council Vice President Arias addressed the administration letting them know that he heard from the community regarding how they are impacted by the Federal shutdown. City Manager Quan-Schechter mentioned that the Department of Public Utilities has a hardship program that people can defer their utilities until the shutdown is over and said to call 621-6888 and that this information is also being promoted on social media.

Councilmember Caprioglio encouraged members of the public to stop by the Discovery Center and thanked staff for their hard work.

Councilmember Bredefeld thanked the homeless taskforce and staff for their quick response at Woodward Park.

Councilmember Chavez requested the meeting be adjourned in memory of Bernarda Puentes Reyes and mentioned they will be circulating a proclamation.

Councilmember Esparza thanked his colleagues for the warm welcome and

discussed the extensive damage at Romain Park.

Council President Brandau read from the Council Rules and Procedures regarding supporting documents to be submitted Thursday by 5:00 p.m. and stated the item will be removed from the agenda if it does not meet the deadline.

1. CONSENT CALENDAR

On motion of Councilmember Caprioglio, seconded by Councilmember Soria, the below CONSENT CALENDAR items were approved. The motion carried by the following vote:

Aye: 7 - Brandau, Arias, Soria, Caprioglio, Chavez, Bredefeld and Esparza

- 1-A** [ID19-0193](#) Actions pertaining to the 2018 Edward Byrne Memorial Justice Assistance Grant (JAG) Program:
1. Authorize the Chief of Police to apply for and accept \$282,426 in total grant funding for the 2018 JAG Program from the U.S. Department of Justice, Bureau of Justice Assistance for the City and County of Fresno
 2. Authorize the Chief of Police to execute all related documents for the application, acceptance, modification, and administration of 2018 JAG Program
 3. Authorize the Chief of Police to execute an agreement between the City of Fresno and the County of Fresno regarding the 2018 JAG Program
 4. ***RESOLUTION - 24th amendment to the Annual Appropriation Resolution No. 2018-157 appropriating \$71,700 from the 2018 JAG Program award from the U.S. Department of Justice, Bureau of Justice Assistance (Requires 5 affirmative votes) (Subject to Mayor's Veto)

RESOLUTION 2019-001 ADOPTED

- 1-B** [ID19-0194](#) **RESOLUTION** - Of Intention to annex Final Tract Map No. 5913 as Annexation No. 99 to the City of Fresno Community Facilities District No. 11 and to Authorize the Levy of Special Taxes; and setting the public hearing for February 28, 2019 at 10:00 a.m. (northeast corner of South Armstrong Avenue and the California Alignment) (Council District 5)

RESOLUTION 2019-002 ADOPTED

- 1-C** [ID19-0187](#) **RESOLUTION** - To rescind approval of Development Permit D-16-109 and adoption of Environmental Assessment No. D-16-109.

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

- 1-D** [ID19-0015](#) Approve Service Provider Contract between City of Fresno through the PARCS Department and Fresno-Madera Area Agency on Aging (FMAAA) annual renewal for FY19 to operate the Senior Hot Meals (SHM) Program Site Management Contract at seven sites; and authorize the PARCS Director to execute the agreement on behalf of the City
- 1-E** [ID19-0138](#) Approve the award of a purchase contract to Vincent Communications, Inc., a Clovis-based corporation, for the purchase of 70 Kenwood radio sets in the amount of \$177,057.30 for Police Department fleet vehicles
- 1-F** [ID19-0140](#) Actions pertaining to awarding a contract to remove underground diesel storage tanks in the Fresno Area Express bus yard:
1. Adopt findings of categorical exemptions pursuant to sections 15301 and 15330 of the California Environmental Quality Act Guidelines
 2. Award a construction contract to Jimmy the Junker, Inc., DBA Williams Excavation, of Fresno, California, in the amount of \$481,600 for removal and disposal of underground diesel tanks, dispensers, and associated piping
- 1-G** [ID19-0142](#) Approve a purchase contract to Swanson Fahrney Ford for the purchase of 15 new Ford F-150 XLT super crew cab pickups in the amount of \$434,318.64
- 1-H** [ID19-0143](#) Approve an Agreement with Fresno County Superintendent of Schools' Fresno Regional Occupational Program to provide a community classroom training opportunity for students within the Department of Transportation Municipal Fleet Division
- 1-I** [ID19-0141](#) Approve the Mayor's appointees for the Anti-Displacement Task Force.
- THE ABOVE ITEM WAS MOVED TO JANUARY 31, 2019*
- 1-J** [ID19-0180](#) Approve the reappointment of Peter Vang to the Planning Commission and the reappointments of James Poptanich and Rodney Ashley to the Fresno Madera Area Agency on Aging Board (FMAAA)
- 1-K** [ID19-0151](#) Approve Consultant Services Agreement in the amount of \$129,354 with Akel Engineering Group, Inc., a California corporation, for Wastewater Collection System Hydraulic Modeling (Citywide)

CONTESTED CONSENT CALENDAR

- 1-C** [ID19-0187](#) RESOLUTION - To rescind approval of Development Permit D-16-109 and adoption of Environmental Assessment No. D-16-109.

The above item was introduced to Council by Director Clark, DARM Department.

Upon call, the following members of the public addressed Council: Jim Grant, Genevieve Gale, Sandra Celedon and Lucio Avila.

Council Vice President Arias apologized to District 3 residents for the experience they went through with the project and stated the community engagement should be up-front. Council Vice President Arias asked staff several questions regarding the next steps, timeline and the community engagement plan. He requested that staff involve everyone in the community engagement plan that was involved in the City and litigation and to be mindful of the language barriers. He also asked if there are any projects that are up for approval, under construction or in the process in the reverse triangle. Director Clark responded.

RESOLUTION 2019-003 ADOPTED

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

Aye: 7 - Brandau, Arias, Soria, Caprioglio, Chavez, Bredefeld and Esparza

3. GENERAL ADMINISTRATION

- 3-J** [ID19-01101](#) WORKSHOP - Proposed PARCS Priority Projects

The above workshop was presented to Council by Director Neloms, Parks Department and Assistant City Manager Schaad.

Councilmember Soria suggested the Council move forward and continue the remaining three parks to a workshop at a later date starting with Einstein Park.

PRESENTED

- 3-K** [ID19-0198](#) Approve the expenditures of \$1,000,000 of General Fund appropriations identified in FY2019 budget deliberations for PARCS recommended priority projects

The above item was presented to Council by Director Neloms, Parks Department.

Upon call, there was no public comment.

APPROVED AS AMENDED

On motion of Councilmember Caprioglio, seconded by Vice President Arias, that the above Action Item be approved as amended in the amount of \$100,000.00 for Cary Park and continue the remaining balance of the agenda item to January 31, 2019. The motion carried by the following vote:

Aye: 7 - Brandau, Arias, Soria, Caprioglio, Chavez, Bredefeld and Esparza

- 3-L** [ID19-0135](#) Actions pertaining to the Installation of Field Lighting at Cary Park located at 4750 N. Fresno Street south of Shaw Avenue - Project Bid File No. 3603 (Council District 4)
1. Adopt a finding of Categorical Exemption pursuant to Class 1 Section 15301(c) (existing facilities) of the California Environmental Quality Act (CEQA) Guidelines for the Installation of Field Lighting at Cary Park
 2. Award a construction contract to Cable Links Construction of Fresno, California, in the amount of \$764,487 for the Installation of Field Lighting at Cary Park

The above item was introduced to Council by Director Neloms, Parks Department.

Upon call, there was no public comment.

Council Vice President Arias requested staff to address their plans for parks needs at the next workshop.

APPROVED

On motion of Councilmember Caprioglio, seconded by Vice President

Arias, that the above Action Item be approved. The motion carried by the following vote:

Aye: 7 - Brandau, Arias, Soria, Caprioglio, Chavez, Bredefeld and Esparza

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:00 A.M.#1

[ID19-0132](#) **HEARING** to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community Facilities District No. 11, Annexation No. 90 (Final Tract Map No. 6165, Assessor's Parcel Number 316-022-62, and Assessor's Parcel Number 316-022-63) (north side of East Church Avenue between South Fowler and Sunnyside Avenues) (Council District 5)

1. **RESOLUTION** - Directing Preparation of a Modified District Report Analyzing Impact of the Proposed Change in Services and Increase in the Probable Special Tax for Proposed Modification of Resolution No. 2018-267
2. **RESOLUTION** - Receiving and Approving the Modified District Report and Modifying Council Resolution No. 2018-267 for Annexation No. 90 to the City of Fresno Community Facilities District No. 11
3. *****RESOLUTION** - to Annex Territory to Community Facilities District No. 11 and Authorizing the Levy of a Special Tax for Annexation No. 90 (Subject to Mayor's Veto)
4. *****RESOLUTION** - Calling Special Mailed-Ballot Election (Subject to Mayor's Veto)
5. *****RESOLUTION** - Declaring Election Results (Subject to Mayor's Veto)
6. *****BILL** - (For introduction and adoption) - Levying a Special Tax for the Property Tax Year 2018-2019 and Future Tax Years Within and Relating to Community Facilities District No. 11, Annexation No. 90 (Subject to Mayor's Veto)

The item was called to order at 10:21 A.M.

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

Upon call, there was no public comment.

Councilmember Chavez asked staff what was the minor modification.

Director Mozier replied.

RESOLUTION 2019-004 ADOPTED

RESOLUTION 2019-005 ADOPTED

RESOLUTION 2019-006 ADOPTED

RESOLUTION 2019-007 ADOPTED

RESOLUTION 2019-008 ADOPTED

BILL B-1 AND ORDINANCE 2019-001 ADOPTED

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

Aye: 7 - Brandau, Arias, Soria, Caprioglio, Chavez, Bredefeld and Esparza

10:10 A.M.

[ID19-01102](#) Appearance by Joseph and Ziona Brophy to request Council assistance with a long standing issue of their neighbors repairing and storing vehicles on their front yard. (Speakers reside in District 1)

Mr. Brophy addressed Council and requested to meet with Councilmember Soria and Council President Brandau's office. He is also working with the City Attorney's Office.

APPEARED

10:00 A.M.#2

[ID19-0012](#) **HEARING** to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community Facilities District No. 11, Annexation No. 98 (Final Tract Map No. 6162) (northeast corner of North Hayes Avenue and East Ashlan Avenue) (Council District 1)

1. *****RESOLUTION** - to Annex Territory to Community Facilities District No. 11 and Authorizing the Levy of a Special Tax for Annexation No. 98 (Subject to Mayor's Veto)
2. *****RESOLUTION** - Calling Special Mailed-Ballot Election (Subject to Mayor's Veto)
3. *****RESOLUTION** - Declaring Election Results (Subject to Mayor's Veto)
4. *****BILL** - (For introduction and adoption) - Levying a

Special Tax for the Property Tax Year 2018-2019 and Future Tax Years Within and Relating to Community Facilities District No. 11, Annexation No. 38 (Subject to Mayor's Veto)

The item was called to order at 10:25 A.M.

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

Upon call, there was no public comment.

RESOLUTION 2019-009 ADOPTED

RESOLUTION 2019-010 ADOPTED

RESOLUTION 2019-011 ADOPTED

BILL B-2 AND ORDINANCE 2019-002 ADOPTED

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

Aye: 7 - Brandau, Arias, Soria, Caprioglio, Chavez, Bredefeld and Esparza

10:05 A.M. REPORT TO THE CITY COUNCIL, SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF FRESNO AND THE FRESNO REVITALIZATION CORPORATION

[ID19-0169](#) Successor Agency to the Redevelopment Agency of the City of Fresno and Fresno Revitalization Corporation (FRC) consider adopting:

1. RESOLUTION - Approving the Recognized Obligation Payment Schedule 19-20

Councilmember Soria left the meeting at 10:25 A.M.

The item was called to order at 10:26 A.M.

The above item was introduced to Council by Vice President Arias.

Upon call, there was no public comment.

SA-42 ADOPTED

FRC-18 ADOPTED

RESOLUTION 2019-012 ADOPTED

On motion of Member Caprioglio, seconded by Member Chavez, that the above Resolution be adopted. The motion carried by the following vote:

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

Absent: 1 - Soria

3-A [ID19-0159](#) Provide Anti-Slum Enforcement Team (ASET) Quarterly Report

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

Council Vice President Arias requested in the future that the names of the owners be provided on the report.

REPORT GIVEN

3-B [ID19-0196](#) Submission and Acceptance of the City of Fresno Comprehensive Annual Financial Report and the Comprehensive Annual Debt Report for Fiscal Year 2018.

The above item was presented to Council by Director Lima, Finance Department.

Upon call, there was no public comment.

Councilmember Caprioglio asked staff to address pages V, VI and VII of the Comprehensive Annual Financial Report regarding the overall financial position change in the General Fund Emergency Reserve, Bond Rating and Fresno ranking at number 5 out of 25 California Cities regarding our pension liability. We are the only one on that entire list that is on a positive note. Director Lima responded.

Council Vice President Araiz asked Director Lima to discuss the historic unemployment rate and the peak of economic activity national and locally. He also asked staff what the issue is with paying for Public Safety and Parks. He talked about the decrease in taxable sales, the decrease of

agriculture economy on page III, City assets and 30 year agreements. He also stated the general fund is not big enough to meet our fiscal obligations. We need to consider the intentional impacts we are making on the general fund as we sign these agreements. Director Lima and City Manager Quan-Schechter responded.

Councilmember Chavez spoke regarding incentives, workforce, job placements and support on small businesses. Director Lima responded.

Councilmember Esparza spoke regarding page 26 and the difference between 2017 and 2018 grant revenue. Director Lima replied.

Councilmember Bredefeld spoke regarding policy issues in term of economic incentives.

Council President Brandau thanked the Finance Department for their hard work and is supportive of the item above.

APPROVED

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

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

Absent: 1 - Soria

3-C [ID19-0120](#) Approve the amended City of Fresno Retiree Health Reimbursement Arrangement (HRA) Plan Document

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

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, Caprioglio, Chavez, Bredefeld and Esparza

Absent: 1 - Soria

- 3-D** [ID19-0121](#) BILL - (For introduction) - Amending Section 3-422 of the Fresno Municipal Code relating to the redeposit by members of the Fire and Police Retirement System of contributions withdrawn by former spouses

*THE ABOVE ITEM WAS REMOVED FROM THE AGENDA AND
CONTINUED TO A LATER DATE BY COUNCIL VICE PRESIDENT ARIAS.*

- 3-E** [ID19-0136](#)

Award a Requirements Contract to Chemtrade Chemicals, US, LLC., of Parsippany, New Jersey in the amount of \$1,204,500 for Bulk Aluminum Sulfate, for a term of one-year with the possibility of two one-year extensions. Bid File 9478 (Citywide)

The above item was introduced by Assistant Director Tickel, Public Utilities Department.

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, Caprioglio, Chavez, Bredefeld and Esparza

Absent: 1 - Soria

- 3-G** [ID19-1597](#)

Actions pertaining to the removal, processing, and beneficial reuse or other environmental friendly alternative disposal of Biosolids (Bid File No. 9460) (Citywide)

1. Approve a three year contract with two one-year optional terms with Synagro Technologies, Inc., in the amount of \$10,155,000;
2. Approve a three year contract with two one-year optional terms with Holloway Environmental, LLC., in the amount of \$6,372,000

THE ABOVE ITEM WAS REMOVED FROM THE AGENDA BY STAFF.

- 3-H** [ID19-0149](#)

Actions pertaining to accepting a Groundwater Sustainability Grant from the State of California for removal of Perchloroethylene from Groundwater

at Pump Stations PS 117 and PS 284 (Citywide):

1. Adopt findings of Class 1, Class 3, and Class 32 Categorical Exemptions pursuant to Sections 15301, 15303, and 15332 of the California Environmental Quality Act Guidelines
2. ***RESOLUTION - Authorizing entering into a Funding Agreement with the State Water Resources Control Board and Authorizing and Designating a Representative for the Groundwater Sustainability Grant Program for Funding Related to Perchloroethylene (PCE) groundwater cleanup project for water well Pump Stations PS 117 and PS 284 in the City of Fresno and authorizing the execution of documents (Subject to Mayor's Veto)
3. Approve a Third Amendment to Agreement for supplemental engineering services with Provost & Pritchard Engineering Group, Inc., in the amount of \$28,500

The above item was introduced by Professional Engineer Bullis, Public Utilities Department.

Upon call, there was no public comment.

RESOLUTION 2019-013 ADOPTED

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

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

Absent: 1 - Soria

3-F [ID19-0150](#)

Approve a Consultant Services Agreement with Carollo Engineers, Inc., for an amount not to exceed \$906,350 for preparation of engineering design of a new Waste Gas Flare unit for the Fresno/Clovis Regional Wastewater Reclamation Facility (Citywide)

The above item was introduced by Professional Engineer Bullis, Public Utilities Department.

Upon call, there was no public comment.

APPROVED

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

the following vote:

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

Absent: 1 - Soria

- 3-I [ID19-0139](#) Approve the award of a purchase contract to Stommel Inc., dba Lehr Automotive, a California-based company, in the amount of \$899,509.13 for the purchase of 66 sets of police vehicle hardware

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

Upon call, there was no public comment.

APPROVED

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

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

Absent: 1 - Soria

4. CITY COUNCIL

- 4-A [ID19-0197](#) Actions related to repairs at Romain Neighborhood Center:
1. Adopt a finding of Categorical Exemption pursuant to Class 1/Section 15301(c) of the California Environmental Quality Act (CEQA) Guidelines for repair of damage to Romain Neighborhood Center.
 2. ***RESOLUTION - Directing the prompt repair of Romain Neighborhood Center. (Subject to Mayor's veto)
- Sponsor: Councilmember Esparza

The above item was introduced to Council by Councilmember Esparza.

Upon call, there was no public comment.

City Manager Quan-Schechter recommended working together in the future before bringing a Resolution before Council. Assistant City Manager Schaad spoke regarding the damage on the property.

Council Vice President Arias asked how long does the insurance claim take to process and how fast does staff respond.

*Councilmember Chavez asked how much cleanup did the facility need.
Assistant City Manager Schaad responded.*

RESOLUTION 2019-014 ADOPTED

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

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

Absent: 1 - Soria

4-B [ID19-0173](#)

Council Boards and Commissions Communications, Reports, Assignments and/or Appointments, Reappointments, Removals to/from City and non-City Boards and Commissions:

1. Council of Governments - **Mayor Brand-Ex-Officio (Olivier-Alternate)**
2. Finance and Audit Committee - **Bredefeld, Olivier, Brandau**
3. Fresno Area Workforce Investment Corporation - **Soria**
4. Fresno County Transportation Authority (FCTA) - **Mayor Brand-Ex-Officio, (Brandau-Alternate)**
5. Fresno Regional Workforce Development Board - **Soria**
6. Fresno County Zoo Authority - **Mayor Brand-Ex-Officio, (Baines-Alternate)**
7. Fresno Madera Area Agency on Aging Board - **Olivier**
8. Joint Powers Financing Authority - **Mayor Brand, President Soria, Councilmember Caprioglio**
9. San Joaquin River Conservancy Board - **Mayor Brand-Ex-Officio, (Brandau-Alternate)**
10. Association for the Beautification of Highway 99 - **Baines**
11. Upper Kings Basin Integrated Regional Water Management JPA - **Brandau (Olivier, Michael Carbajal and Vacant - Alternates)**
12. Economic Development Corporation Serving Fresno County - **Caprioglio-Ex-Officio, City Manager Wilma Quan-Schechter and (Chavez - Alternate)**
13. League of California Cities (Annual Meeting) - **Council President Soria, (Vice President Brandau, Councilmember Caprioglio - Alternate)**
14. Litigation Exposure Reduction Ad Hoc Committee - **Brandau, Caprioglio**
15. Sub-Committee on Transportation - **Baines, Caprioglio, Soria**

16. Code Enforcement Sub-Committee - **Baines, Caprioglio, Soria**
17. Enterprise and Construction Management Oversight Board -
Councilmember Chavez, Bredefeld-Alternate
18. School Liaison Sub-Committee - **Soria - Chair, Olivier, Baines**
19. North Kings Groundwater Sustainability Agency (GSA) Joint Powers
Authority - **Mayor Brand (Michael Carbajal, Tim Orman -
Alternates)**

THE ABOVE ITEM WAS CONTINUED TO JANUARY 31, 2019

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 addressed Council: Destiny Rodriguez and David Love

City Council recessed for lunch at 11:49 A.M. and returned from lunch at 1:37 P.M.

1:30 P.M.

[ID19-0191](#) Approve Agreement with the State of California to receive \$3,105,519.90 in Homeless Emergency Aid Program (HEAP) funding awarded to the City of Fresno December 20, 2018.

The above item was presented to Council by Mayor Brand and Director Strategic Initiative Spees, Mayor's Office.

Upon call, the following members of the public addressed Council: Jan Minami, Brandi Nuse-Villegas, Shawn Jenkins, Julie Bouchareune, Morgan Doizaki, June Stanfield, Nicole Linder, Doreen Neely, Nancy Waidtlow, Debbie Darden, Dez Martinez, Robert Mitchell, Preston Prince and Misty Gadie

Director Strategic Initiative Spees gave three options for approval: 1) Approve the agreement with the State of California, deadline date is Saturday, January 19, 2019, 2) Choose a spending plan and 3) Choose an implementation plan.

Council President Brandau talked about the need to audit contracts.

Councilmember Chavez spoke regarding the priority of the City to address the homeless issue and stated he is not comfortable delegating his fiduciary duties to another entity but also believes we should work together to address the homeless issue.

Council Vice President Arias expressed his frustration, the option that was given to the council on Friday only provided one option; option 1, with the requirement to approve the expenditure plan as presented. It had no commitment or language that would not result in the concentration of shelters in one district. It had no flexibility for the budget expenditure plan, no best practices, no city procurement process, no engagement for businesses and citizens impacted by the homeless. He stated they had three days to process this massive information and a three year commitment to this strategy. He stated that he would not commit to the solution being in District 3 and any commitments must be in writing.

Councilmember Caprioglio asked Chairman of the Board of Supervisors Magsig to speak regarding the position and collaboration of the County of Fresno to address homelessness. Supervisor Magsig responded.

Councilmember Esparza thanked the staff and expressed his frustration regarding the proposal. He stated that we have to find a way to prioritize children and family shelters better.

Councilmember Chavez made a motion to accept the funds, and form a subcommittee comprised of the Council to shape what the expenditure plan looks like and return back to Council. The City will keep their own procurement process and establish performance benchmarks and termination provisions for non-performance of contracts that are awarded. There was a second by Council Vice President Arias who asked for an amendment to give direction to staff to ensure that rapid, triage and bridge shelters are not concentrated in one Council district. Councilmember Chavez accepted the amendment. It was determined that the subcommittee will include Councilmembers Chavez, Bredefeld and Arias. Council President Brandau wants to ensure that the motion includes audits, and he asked to confirm that they are not making choices on expenditures today.

This item will come back to council in two weeks, February 14, 2019 at 1:30 P.M.

APPROVED AS AMENDED

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

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

Absent: 1 - Soria

[ID19-0192](#) Approve a Fourth Amendment to the Agreement between the City of Fresno and WestCare California for Street Outreach Services through the HERO Team in the amount of \$420,000.

The above item was introduced to Council by Director Strategic Initiative Spees, Mayor's Office.

Upon call, there was no public comment.

APPROVED

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

Aye: 4 - Brandau, Caprioglio, Chavez and Bredefeld

No: 2 - Arias and Esparza

Absent: 1 - Soria

5. CLOSED SESSION

ADJOURNMENT

City Council adjourned in memory of David McDonald and Bernarda Puentes Reyes

