

# **City of Fresno**

*2600 Fresno Street*

*Fresno, CA 93721*

*www.fresno.gov*



## **Meeting Minutes - Final**

**Thursday, September 20, 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-Schechter***

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

***City Clerk - Yvonne Spence, MMC***

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

9:04 A.M. ROLL CALL

*Councilmember Caprioglio was absent during roll call and joined the meeting at 9:23 A.M.*

*Councilmember Olivier was absent during roll call and joined the meeting at 10:08 A.M.*

Invocation by Ken Wilson from Northpointe Church

Pledge of Allegiance to the Flag

**APPROVE AGENDA**

*City Clerk Spence announced the following changes to the agenda: File ID 18-1012 (1-A) - Approve Sponsorship with Pepsi Beverages Company to be Exclusive Non-Alcoholic Beverage Provider for the Fresno Convention & Entertainment Center was continued to September 27, 2018.*

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

**Aye:** 4 - Soria, Brandau, Chavez and Bredefeld

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

**1. CONSENT CALENDAR**

**On motion of Vice President Brandau, seconded by Councilmember Chavez, the below CONSENT CALENDAR items were adopted. The motion carried by the following vote:**

**Aye:** 4 - Soria, Brandau, Chavez and Bredefeld

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

- 1-A [ID18-1012](#) Approve Sponsorship Agreement with Pepsi Beverages Company to be Exclusive Non-Alcoholic Beverage Provider for the Fresno Convention & Entertainment Center

*THE ABOVE ITEM WAS CONTINUED TO SEPTEMBER 27, 2018*

- 1-B [ID18-1030](#) Approve a Successor Memorandum of Understanding between

the County and the City of Fresno for continued implementation and funding of county-wide AB 939-related education, public information, and household hazardous waste management programs, and the development of new household hazardous waste facilities (Citywide)

- 1-C [ID18-1037](#) Approve the sale of a portion of property at 5510 W. Barstow Avenue (APN 508-020-03ST) in the amount of \$1,000 to the State of California, High Speed Rail Authority (Council District 2)
- 1-D [ID18-1038](#) RESOLUTION - Approving the Final Map of Tract No. 5464 and accepting dedicated public uses therein except for dedications offered subject to the City acceptance of developer installed required improvements - Southwest corner of North Temperance Avenue and East Hamilton Avenue (Council District 5)

*RESOLUTION 2018-215 ADOPTED*

- 1-E [ID18-1039](#) RESOLUTION - Approving the Final Map of Tract No. 6185 and accepting dedicated public uses therein except for dedications offered subject to City acceptance of developer installed required improvements - South side of North Alicante Drive, within the Copper River Ranch Planned Community (Council District 6)

*RESOLUTION 2018-216 ADOPTED*

- 1-F [ID18-1042](#) Approve a Reimbursement Cooperative Agreement with the Pacific Gas and Electric Company (PG&E) for \$415,000 to reimburse PG&E for expenses related to design review and construction oversight of gas and electrical infrastructure relocations to accommodate the "G" Street Realignment and authorize the Director or his designee to execute an amendment up to a maximum amount of \$415,000. (Council District 3)
- 1-G [ID18-1055](#) Actions pertaining to a Neighborhood Stabilization Program 3 Agreement with the Housing Authority of the City of Fresno, CA: (Council District 5)
1. Adopt a finding of Categorical Exemption pursuant to Section 15303/Class 3 of the California Environmental Quality Act (CEQA) Guidelines; and
  2. Approve a \$148,700 development agreement for the new

construction of a single-family house located at 844 S. Chance Avenue.

- 1-H [ID18-1000](#) Actions pertaining to the comprehensive administration of the United States Department of Housing and Urban Development (HUD) programs
1. Approve Consulting Services Agreements with Michael Baker International in the amount of \$113,000
  2. Approve Consulting Services Agreements with Usona Development, LLC in the amount of \$304,510

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

### **CEREMONIAL PRESENTATIONS**

[ID18-1035](#) Presentation of the SPCA Pet of the Month

*PRESENTED*

[ID18-0926](#) Presentation of the California Association of Code Enforcement Officers (CACEO) Certificates

*PRESENTED*

[ID18-1009](#) Proclamation of “Sandi Kiefert Johanns Day”

*PRESENTED*

*Councilmember Caprioglio joined the meeting at 9:23 A.M.*

[ID18-1102](#) Presentation of Certificates of Recognition to District 1 Interns Ignacio Barbosa and Alexandria Sanchez.

*PRESENTED*

[ID18-1109](#) Presentation of a Certificate of Recognition to The Fresno Youth Commission and Youth Leadership Institute on receipt of the Helen Putnam Award for Excellence

*PRESENTED*

**City Council recessed from 9:37 A.M. to 10:04 A.M.**

*Council Vice President Brandau left the meeting at 10:04 A.M.*

**APPROVE MINUTES**

[18-0037](#) Approval of minutes from August 30, 2018.

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

**Aye:** 4 - Soria, Caprioglio, Chavez and Bredfeld

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

**COUNCILMEMBER REPORTS AND COMMENTS**

*Councilmember Chavez requested the meeting be adjourned in memory of Gavin Gladding, Fort Washington Elementary School Administrator.*

*Councilmember Caprioglio addressed Chief of Police for Fresno State University, David Huerta, and spoke regarding the September 20, 2018, Fresno State Blood Drive, located at Fresno University of Student Union and the Maple Mall from 9:00 A.M. to 4:00 P.M.*

*Council Vice President Brandau joined the meeting at 10:08 A.M. and Councilmember Olivier joined the meeting at 10:08 A.M.*

*Council President Soria spoke regarding the Annual League of Cities Conference in Long Beach; Saturday, September 29, 2018 is the first Annual Fall Festival at Inspiration Park; she thanked Captain Farrah for the West Shaw Estates community meeting and requested today's meeting be adjourned in memory of Luke Thomas Cox.*

*Council Vice President Brandau announced last Monday, September 17, 2018 City of Fresno celebrated the Southeast Surface Water Treatment Facility opening and thanked the Department of Public Utilities for their efforts.*

*Councilmember Olivier asked District 7 constituent Laura Olivas to speak regarding her troubles with Society for the Prevention of Cruelty to Animals (SPCA).*

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 during  
Unscheduled Communication: David Love and Veronica Gonzaga.*

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

### **10:00 A.M.#1**

- [ID18-1044](#) 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. 89 (Final Tract Map No. 6216) (southwest corner of North Temperance and East Dakota Avenues) (Council District 4)
1. \*\*\*RESOLUTION - to Annex Territory to Community Facilities District No. 11 and Authorizing the Levy of a Special Tax for Annexation No. 89 (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. 89 (Subject to Mayor's Veto)

*The item was called to order at 10:34 A.M.*

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

*Upon call, there was no public comment.*

*Councilmember Caprioglio asked staff about the cost of services and if there was room for inflation and how would it be addressed. Councilmember Caprioglio also asked if it impacted the General Fund dollars.*

*The public hearing was closed at 10:35 A.M.*

RESOLUTION 2018-217 ADOPTED  
RESOLUTION 2018-218 ADOPTED  
RESOLUTION 2018-219 ADOPTED  
B-49 AND ORDINANCE 2018-51 ADOPTED

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

**Aye:** 6 - Soria, Brandau, Caprioglio, Chavez, Bredefeld and Olivier

**Absent:** 1 - Baines III

## **10:00 A.M.#2**

- [ID18-1045](#) 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. 93 (Final Tract Map No. 6217) (a portion of the southeast corner of North Bryan and West Gettysburg Avenues) (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. 93 (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. 93 (Subject to Mayor's Veto)

*The item was called to order at 10:37 A.M.*

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

*Upon call, there was no public comment.*

*The public hearing was closed at 10:38 A.M.*

RESOLUTION 2018-220 ADOPTED  
RESOLUTION 2018-221 ADOPTED  
RESOLUTION 2018-222 ADOPTED  
B-50 AND ORDINANCE 2018-52 ADOPTED

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

**Aye:** 6 - Soria, Brandau, Caprioglio, Chavez, Bredefeld and Olivier

**Absent:** 1 - Baines III

### **10:00 A.M.#3**

- [ID18-1048](#) HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community Facilities District No. 9, Annexation No. 33 (Assessor's Parcel Number 326-160-41) (south side of West Nielsen Avenue west of South Marks Avenue) (Council District 3)
1. \*\*\*RESOLUTION - Annexing Territory to Community Facilities District No. 9 and Authorizing the Levy of a Special Tax (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. 9, Annexation No. 33 (Subject to Mayor's Veto)

*The item was called to order at 10:38 A.M.*

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

*Upon call, there was no public comment.*

*The public hearing was closed at 10:39 A.M.*

RESOLUTION 2018-223 ADOPTED

RESOLUTION 2018-224 ADOPTED

RESOLUTION 2018-225 ADOPTED

B-51 AND ORDINANCE 2018-53 ADOPTED

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

**Aye:** 6 - Soria, Brandau, Caprioglio, Chavez, Bredefeld and Olivier

**Absent:** 1 - Baines III

#### **10:00 A.M.#4**

- [ID18-1049](#) HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community Facilities District No. 9, Annexation No. 34 (Assessor's Parcel Number 408-062-07 and 27) (southeast corner of East Herndon Avenue (Frontage) and North Howard Avenue) (Council District 6)
1. \*\*\*RESOLUTION - Annexing Territory to Community Facilities District No. 9 and Authorizing the Levy of a Special Tax (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. 9, Annexation No. 34 (Subject to Mayor's Veto)

*The item was called to order at 10:40 A.M.*

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

*Upon call, there was no public comment.*

*The public hearing was closed at 10:41 A.M.*

RESOLUTION 2018-226 ADOPTED

RESOLUTION 2018-227 ADOPTED

RESOLUTION 2018-228 ADOPTED

B-52 AND ORDINANCE 2018-54 ADOPTED

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

**Aye:** 6 - Soria, Brandau, Caprioglio, Chavez, Bredefeld and Olivier

**Absent:** 1 - Baines III

### **10:05 A.M.**

[ID18-1043](#) HEARING - To vacate a street, pipeline, and utility easement in Lot 8 of Tract Map No. 4043. (Council District 1)  
1. \*\*\*RESOLUTION - Ordering the vacation of a street, pipeline, and utility easement in Lot 8 of Tract Map No. 4043. (Subject to Mayor's Veto)

*The item was called to order at 10:41 A.M.*

*The above item was introduced to Council by Chief Surveyor Camit, Public Works Department.*

*Upon call, the following members of the public addressed Council: John White and Joseph Brophy*

*Councilmember Olivier left the meeting at 10:47 A.M.*

*Council President Soria asked staff who uses the road. Director Mozier responded.*

*Councilmember Caprioglio asked staff if the matter was time sensitive and suggested that the item be continued to the next meeting.*

*THE ABOVE ITEM WAS CONTINUED TO SEPTEMBER 27, 2018 AT 10:05 A.M.*

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

[ID18-0970](#) CONTINUED HEARING to consider adoption of resolution

related to the designation of a property to the Local Register of Historic Resources

- 1.\*\*\* RESOLUTION - Designating the Herndon Substation Control Building located at 7430 N Weber Avenue, Fresno, California to the Local Register of Historic Resources (Council District 2) (Subject to Mayor's veto)

*The item was called to order at 10:56 A.M.*

*The above item was introduced to Council by Historic Preservation Specialist Van Onna, DARM Department.*

*Upon call, the following member of the public addressed Council: Erica Correa, Public Affairs with PG&E.*

*Council President Soria requested that this item be continued.*

*Council Vice President Brandau disagreed with the request to continue the item stating PG&E has not been responding to Council Vice President Brandau's office.*

*Councilmember Olivier returned to the office at 11:05 A.M.*

*Councilmember Caprioglio asked for the input of the owner and stated if the owner is in support of the item he will support the item.*

*Councilmeber Bredefeld asked PG&E Representative Correa what the intentions were with the property.*

*Councilmember Chavez asked PG&E Representative Correa about the permit to demolish the property and she responded the permit to demolish has been withdrawn.*

*Councilmember Olivier asked PG&E Representative Correa why they withdrew their demolition permit, does the property demand tourists, what was in the building and what can it be used for. Councilmember Olivier also asked what was the historical value of the building.*

*There was no public comment. The public hearing was closed at 11:02 A.M.*

*Council President Soria motioned to continued the item as presented. Councilmember Chavez seconded the motion. Motion FAILED 2-4 with Councilmembers Caprioglio, Bredefeld, Olivier and Council Vice President Brandau voting no, and Councilmember Baines absent.*

*Council Vice President Brandau motioned to accept staff's recommendation. The motion dies for lack of a second.*

*ITEM WAS NOT APPROVED*

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

[ID18-1077](#) Appearance by Gonzalo Arambula to discuss the Police Department

*Mr. Arambula appeared and spoke regarding his issues with the Police Department and an individual who has stolen his property.*

*APPEARED*

*Councilmember Olivier left the meeting at 11:22 A.M.*

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

[ID18-0940](#) Actions pertaining to the Program Year 2017 Consolidated Annual Performance and Evaluation Report (CAPER):

1. HEARING to obtain public comments regarding the CAPER; and
2. Approve Program Year 2017 CAPER and authorize submission to the U.S. Department of Housing and Urban Development (HUD).

*The item was called to order at 11:25 A.M.*

*The above item was introduced to Council by Assistant Director Furtado, DARM Department.*

*Upon call, there was no public comment. The public hearing was closed at 11:26 A.M.*

*Council President Soria asked staff questions regarding if other cities take Council action, what are the numbers of completed goals and if we are meeting those goals for this Fiscal Year. Council President Soria also asked about the unanticipated delays and if they have been impacted by the lack of capacity. Council President Soria asked if staff anticipates park and neighborhood street improvements and what is the time frame. Assistant Director Furtado responded.*

*Council Vice President Brandau left the meeting at 11:34 A.M.*

**APPROVED**

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

**Aye:** 5 - Soria, Caprioglio, Chavez, Bredefeld and Olivier

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

## **CONTESTED CONSENT CALENDAR**

- 1-H**    [ID18-1000](#)    Actions pertaining to the comprehensive administration of the United States Department of Housing and Urban Development (HUD) programs
1. Approve Consulting Services Agreements with Michael Baker International in the amount of \$113,000
  2. Approve Consulting Services Agreements with Usona Development, LLC in the amount of \$304,510

*The above item was introduced to Council by Assistant Director Furtado, DARM Department.*

*Upon call, there was no public comment.*

*Council President Soria spoke regarding her concerns relying on consultants and not building the capacity in the staff and asked that there still be a commitment to build the capacity with staff and to make sure the*

*consultants train the current staff. City Manager Quan-Schechter agreed.*

*Council Vice President Brandau returned to the meeting at 11:40 A.M.*

**On motion of President Soria, seconded by Councilmember Bredefeld, that the above Action Item be approved with direction to staff to bring back a report in 6 months with updates on training staff, and what has been done to promote the vacant positions, and what outreach was done to attract quality staff. The motion carried by the following vote:**

**Aye:** 6 - Soria, Brandau, Caprioglio, Chavez, Bredefeld and Olivier

**Absent:** 1 - Baines III

### **3. GENERAL ADMINISTRATION**

- 3-B**     [ID18-1056](#)     1. Authorize the Chief of Police to revise the approved agreement with Fresno Unified School District to provide eleven student resource officers at 95 percent of the actual officers' cost, a police sergeant at 90 percent of the actual sergeant's cost, plus administrative fees and the vehicle lease costs of twelve patrol vehicles for an annual total of \$1,588,350.
2. \*\*\*RESOLUTION - 7th amendment to the Annual Appropriation Resolution (AAR) No. 2018-157 appropriating \$222,100 for twelve patrol vehicles for Student Resource Officers under the Fresno Unified School District and one patrol vehicle for a Student Resource Officer under the Fresno County Superintendent of Schools agreement. (Requires 5 affirmative votes) (Subject to Mayor's veto)

*The above item was introduced to Council by Deputy Chief of Police Reid, Police Department.*

*Upon call, there was no public comment, however Superintendent Nelson spoke.*

*Councilmember Chavez thanked Superintendent Nelson and the School Board for all the work they have done with the student resource officers.*

*Councilmember Bredefeld asked staff about the reason for the drop from 100 percent to 95 percent and stated he supports the item.*

*Council President Soria asked several questions regarding the Fiscal Year tag price in absorbing the cost through savings, the potential savings and what the impact is to the budget next year. Deputy Chief of Police Reid and City Manager Quan-Schechter responded.*

**RESOLUTION 2018-229 ADOPTED**

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

**Aye:** 6 - Soria, Brandau, Caprioglio, Chavez, Bredefeld and Olivier

**Absent:** 1 - Baines III

#### **4. CITY COUNCIL**

- 4-A**     [ID18-1031](#)    Approve an Experiential Learning Agreement for internships with Fresno State students

*The above item was introduced to Council by City Attorney Sloan, City Attoreny's Office.*

*Upon call the following member of the public addressed Council: Mary Willis, Internship Coordinator with Fresno State University.*

**APPROVED**

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

**Aye:** 6 - Soria, Brandau, Caprioglio, Chavez, Bredefeld and Olivier

**Absent:** 1 - Baines III

- 3-A**     [ID18-1057](#)    Actions pertaining to Airports Department - Job Order Contracting for General Building Construction and HVAC Construction (Bid File 9460) (Council District 4)
1. Adopt finding of a Categorical Exemption pursuant to Section 15301 of the California Environmental Quality Act (CEQA) Guidelines
  2. Award Job Order Contracting contracts for General Building

construction to EXBON Development, Inc., Durham Construction Company, Inc., and Puma Construction Co., Inc. and for HVAC construction to EXBON Development Inc., and Mesa Energy Systems, Inc.

*The above item was introduced to Council by Director Meikle, Airports Department.*

*Upon call, there was no public comment.*

*Council President Soria asked staff about the dollar amount of the agreement, and why the contract does not state the renewal options. Director Meikle and Senior Deputy Attorney Collet responded.*

**APPROVED**

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

**Aye:** 6 - Soria, Brandau, Caprioglio, Chavez, Bredefeld and Olivier

**Absent:** 1 - Baines III

- 3-C**    [ID18-0974](#)    Actions pertaining to the 2019 Selective Traffic Enforcement Program (STEP) grant
1. Authorize the Chief of Police to accept \$657,015 in grant funding for the 2019 STEP grant awarded to the Fresno Police Department from the National Highway Traffic Safety Administration (NHTSA) through the California Office of Traffic Safety (OTS)
  2. \*\*\*RESOLUTION - 6th amendment to the Annual Appropriation Resolution (AAR) No. 2018-157 appropriating \$543,000 for the Police Department's STEP grant (Requires 5 affirmative votes) (Subject to Mayor's veto).

*The above item was introduced to Council by Deputy Chief Reid, Police Department.*

*Upon call, there was no public comment.*

*Councilmember Bredefeld asked staff about the DUI checkpoints and what*

*the status was for the education and technology for marijuana. Deputy Chief Reid responded.*

*Council President Soria asked staff about the outreach to Jr. High and High School students and asked that the education be broader throughout the City of Fresno to include adults and pedestrians.*

**RESOLUTION 2018-230 ADOPTED**

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

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

**Absent:** 1 - Baines III

**Abstain:** 1 - Olivier

**City Council recessed for lunch at 12:05 P.M. and returned from lunch at 1:42 P.M.**

**4-B** [ID18-1106](#) WORKSHOP on Homelessness

*The above workshop was presented by Council President Soria, and Director Spees of the Mayor's Office.*

**PRESENTED**

**4-C** [ID18-1067](#) BILL - (For introduction) - Adding Section 10-1707 to the Fresno Municipal Code relating to the enforcement of the unlawful camping ordinance

*The above item was introduced to Council by Council Vice President Brandau.*

*Upon call, the following members of the public addressed Council: Patiences Milrod and Yonas Paulos.*

*Captain Farrah gave Council an update on the no camping ordinances and the experiences the Department has had since it has been implemented.*

*Council Vice President Brandau asked staff how many encampments have*

*been broken down and cleaned up in the last 11 months. Captain Farrah responded 3,753 camps.*

*Council Vice President Brandau made a motion to approve this item, Council Member Olivier seconded the motion.*

*Councilmember Chavez thanked staff for all their work in District 5 and offered an amendment to the motion to give direction the City Manager to take necessary actions to construct a come-as-you-are homeless shelter and utilize the \$1 million dollars in partnership with service providers.*

*Councilmember Caprioglio recommended using the word "establish" instead of "construct".*

*The amendment was accepted by the maker and the second of the motion to include using the word "establish" instead of "construct".*

*Councilmember Olivier asked what a sprung shelter was and expressed his concern with the language of come-as-you-are. Councilmember Olivier also asked how many nights a year is the City of Fresno out of beds.*

*Councilmember Bredefeld asked how many beds will be provided and had some concerns with the lack of details in the backup. Councilmember Bredefeld asked staff how can the public help the homeless without giving them money and spoke regarding the homeless veterans.*

*City Manager Quan-Schecter suggested to meet with the partners and Councilmember Chavez and recommend to move forward with what is on the the item as presented and come back in October to discuss the amendments Councilmember Chavez is proposing.*

#### **BILL B-53 INTRODUCED AND LAID OVER**

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

**Aye: 5 - Brandau, Caprioglio, Chavez, Bredefeld and Olivier**

**No:** 1 - Soria

**Absent:** 1 - Baines III

- 3-D [ID18-1040](#) Award a construction contract in the amount of \$2,087,284 to Emmett’s Excavation, Inc., of Fresno, California, as the lowest responsive and responsible bidder for the East Belmont Avenue Westbound Widening Improvements from Clovis Avenue to Fowler Avenue - Bid File 3612 (Council District 5 and County of Fresno)

*Council President Soria left the meeting at 3:29 P.M.*

*The above item was introduced to Council by Manager Sehm, 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:** 5 - Brandau, Caprioglio, Chavez, Bredefeld and Olivier

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

**5. CLOSED SESSION**

*City Council recessed into Closed Session at 3:32 P.M. and returned from Closed Session at 5:15.*

*There was no announcements after Closed Session.*

- 5-A [ID18-1060](#) CONFERENCE WITH LEGAL COUNSEL-DECIDING WHETHER TO INITIATE LITIGATION - Government Code Section 54956.9, subdivision (d)(4)  
1. City of Fresno v. Sticky Fingers Delivery, People’s Cure Inc., One OZ 88, and Green Leaf

**DISCUSSED**

- 5-B [ID18-1066](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING

LITIGATION - Government Code Section 54956.9, subdivision (d)(1)

1. Pena, Rosita v. City of Fresno, et al.; Fresno Superior Court Case No.: 17CECG02424

*DISCUSSED*

**5-C**    [ID18-1072](#)    CONFERENCE WITH LEGAL COUNSEL-EXISTING  
LITIGATION - Government Code Section 54956.9, subdivision (d)(1)

1. California Grocers Association v. City of Fresno; Fresno Superior Court Case No.: 17CECG03787

*DISCUSSED*

**5-D**    [ID18-1098](#)    CONFERENCE WITH LEGAL COUNSEL - EXISTING  
LITIGATION - Government Code Section 54956.9, subdivision (d)(1)

1. South Central Neighbors United v. City of Fresno; Fresno Superior Court No.: 18CECG00690

*DISCUSSED*

**5-E**    [ID18-1104](#)    CONFERENCE WITH LEGAL COUNSEL-EXISTING  
LITIGATION - Government Code Section 54956.9, subdivision (d)(1)

1. Robert Mesel v. City of Fresno, et al.; Fresno Superior Court Case No.: 17CECG02064.

*DISCUSSED*

**5-F**    [ID18-1105](#)    CONFERENCE WITH LEGAL COUNSEL-EXISTING  
LITIGATION - Government Code Section 54956.9, subdivision (d)(1)

1. David Phillips-Kerley v. City of Fresno, et al.; United States District Court Case No.: 1:18-CV-00438.

*DISCUSSED*

**5-G**    [ID18-1107](#)    CONFERENCE WITH REAL PROPERTY NEGOTIATOR -  
Government Code Section 54956.8  
Property: 801 H Street (APN: 467-040-20ST & 467-040-22ST)  
Negotiating Parties: City Manager Wilma Quan-Schecter and

Fresno Sports and Events, LLC  
Under Negotiation: Terms and Conditions of Sale of Property

*DISCUSSED*

- 5-H [ID18-1108](#) CONFERENCE WITH REAL PROPERTY NEGOTIATOR -  
Government Code Section 54956.8  
Property: 830 Fulton Street (APN: 468-255-11T & 468-255-15T)  
Negotiating Parties: City Manager Wilma Quan-Schecter and  
Radnor Capital Corporation  
Under Negotiation: Terms and Conditions of Sale of Property

*DISCUSSED*

**ADJOURNMENT**

*City Council adjourned at 5:15 in memory of Luke Thomas Cox and Gavin Gladding.*