

# City Council Minutes

## February 13, 2014

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The City Council met in regular session at the hour of 8:30 P.M. in the Council Chamber, City Hall, on the day above written.

Present:	Oliver Baines III	Acting Council President
	Lee Brand	Councilmember
	Paul Caprioglio	Councilmember
	Clinton Olivier	Councilmember
	Sal Quintero	Councilmember
	Blong Xiong	Councilmember
	Steve Brandau	Council President

Also Present:	Bruce Rudd	City Manager
	Renena Smith	Assistant City Manager
	Doug Sloan	City Attorney
	Yvonne Spence	City Clerk
	Todd Stermer	Assistant City Clerk

Invocation by Pastor Lee Pointer of the Bethlehem Baptist Church

Pledge of Allegiance to the Flag

### **8:35 A.M. ROLL CALL**

#### **Ceremonial Presentations:**

Presentation of SPCA Pet of the Month – Councilmember Xiong – **Presented**

Proclamation of “ELECTRIC MOTOR SHOP DAY” celebrating 100 years in business – Councilmember Quintero – **Read**

Proclamation of “FREE APPLICATION FOR FEDERAL STUDENT AID (FAFSA) COMPLETION AWARENESS MONTH” – Acting President Baines – **Not Read**

Retirement Ceremony for Police Sergeant Len Gleim – Councilmember Olivier – **Ceremony Held**

Proclamation of “MLS SOCCER DAY” – Councilmember Xiong – **Read**

Approve Council minutes of February 6, 2014

**Action Taken:** APPROVED AS SUBMITTED

Motion / Second: Councilmember Caprioglio / Councilmember Brand  
Ayes: Baines, Brand, Caprioglio, Olivier, Quintero, Xiong, Brandau  
Noes: None

February 13, 2014

Councilmember Reports and Comments

**Action Taken:** HELD

Councilmember Quintero discussed, with City Manager Rudd, the sinkhole that swallowed eight corvettes in the National Corvette Museum in Kentucky. Councilmember Quintero also discussed the 30<sup>th</sup> anniversary Dixieland Society event held downtown and noted all three days were sold out and visitors attended from as far away as Turkey.

Councilmembers Olivier and Brand requested the meeting be adjourned in memory of Joe Levy, the community leader and former CEO of Gottschalks department store who passed away this week.

Approve Agenda

**Action Taken:** APPROVED AS AMENDED

City Clerk Spence announced that General Administration Item 2-B, a workshop relating to Transit Oriented Development, and 2-C, concerning a submission of an application for grant funding for Capital Improvement Projects in Downtown Fresno, had been moved to the February 27, 2014 agenda.

City Clerk Spence also announced that Closed Session Item 4-C, a conference with Labor Negotiators regarding employee organizations, was removed from the Agenda.

Motion / Second: Councilmember Caprioglio / Councilmember Olivier  
Ayes: Baines, Brand, Caprioglio, Olivier, Quintero, Xiong, Brandau  
Noes: None

Adopt Consent Calendar

**Action Taken:** ADOPTED

Consent Calendar Item 1-C regarding a master lease with Dell Financial Services was moved to the Contested Consent Calendar for further discussion by Councilmember Brand.

Motion / Second: Councilmember Brand / Councilmember Olivier  
Ayes: Baines, Brand, Caprioglio, Olivier, Quintero, Xiong, Brandau  
Noes: None

1. **CONSENT CALENDAR**

- A. \* **RESOLUTION** - 34th amendment to the Annual Appropriation Resolution (AAR) No. 2013-98 appropriating \$70,200 for design costs on the new bridge preventive maintenance program in fiscal year 2014 (**Requires 5 affirmative votes**) (**Citywide**) - Public Works Department

**Action Taken:** RESOLUTION 2014-29 ADOPTED

- B. Approval of a one (1) year agreement with The Way Ministries for secondary operation responsibility for recreational programming at Lafayette Neighborhood Center (**Property located in District 7**) – PARCS

**Action Taken:** APPROVED

D. **RESOLUTION** - Ordering the summary vacation of the sixteen foot wide public utility easement (PUE) in Lots 4 through 10 of Rose Court, located west of N. Blackstone Avenue and north of E. Floradora Avenue (*Property located in District 1*)- Public Works Department

**Action Taken:** RESOLUTION 2014-30 ADOPTED

E. \* **BILL NO. B- 7 – (Intro. 2/6/2014) (For adoption)** - Adding Section 12-1271 to Chapter 12, Article 17 of the Fresno Municipal Code relating to signs – Councilmember Brand

**Action Taken:** ORDINANCE 2014-11 ADOPTED

### **CONTESTED CONSENT CALENDAR**

C. Approve and Ratify Master Lease Agreement with Dell Financial Services -Information Services Department

**Action Taken:** APPROVED

Motion / Second: Councilmember Brand / Councilmember Xiong  
Ayes: Baines, Brand, Caprioglio, Quintero, Xiong, Brandau  
Noes: None  
Absent: Olivier

### 2. **GENERAL ADMINISTRATION**

A. **WORKSHOP** relating to homelessness - City Manager's Office

HELD

B. **WORKSHOP** relating to Transit Oriented Development (TOD) and downtown projects – City Manager's Office

CONTINUED TO FEBRUARY 27, 2014

C. **RESOLUTION** - Authorizing the submission of applications for grant funding for Capital Improvement Projects in Downtown Fresno from the Fresno County Measure "C" Transit Oriented Development (TOD) Program and authorizing the execution of application related documents by the City Manager or designee – City Manager's Office

**Action Taken:** CONTINUED TO FEBRUARY 27, 2014

### **UNSCHEDULED COMMUNICATION**

The following members of the public spoke to Council regarding items not on the Agenda:

Gerald Bill – discussed homelessness in the City and ways of dealing with the issue.

Nancy Waidtlow – discussed homelessness, the cost of housing people, and homeless models.

Bill Simon – discussed the number of homeless and City efforts to address the issue.

Chris Schneider – discussed accuracy of the information provided during the homeless workshop.

#### **SCHEDULED COUNCIL HEARINGS AND MATTERS**

#### **10:30 A.M. JOINT MEETING OF THE CITY OF FRESNO AND THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF FRESNO AND FRESNO REVITALIZATION CORPORATION**

The City Council met in joint session with the Successor Agency to the Redevelopment Agency of the City of Fresno and the Fresno Revitalization Corporation at 11:12 A.M. to discuss the following:

- A.** City Council in its capacity as Housing Successor, Successor Agency Board, and Fresno Revitalization Corporation (FRC) consider adopting:
- 1. RESOLUTION** – Approving the Recognized Obligation Payment Schedule for July 1 – December 31, 2014 (ROPS 14-15A) (**City, Successor Agency, and FRC action**)  
**Action Taken:** RESOLUTIONS 2014-31, SA-21 AND FRC-11 ADOPTED

#### **CITY COUNCIL VOTE**

Motion / Second: Acting President Baines / Councilmember Brand  
Ayes: Baines, Brand, Caprioglio, Olivier, Quintero, Xiong, Brandau  
Noes: None

#### **SUCCESSOR AGENCY VOTE (Members are the City Councilmembers)**

Motion / Second: Chair Baines / Member Brand  
Ayes: Brand, Brandau, Caprioglio, Olivier, Quintero, Xiong, Baines  
Noes: None

#### **FRESNO REVITALIZATION CORPORATION VOTE (Members are City Council and Mayor)**

Motion / Second: Chair Baines / Member Brand  
Ayes: Brand, Brandau, Caprioglio, Olivier, Quintero, Xiong, Baines  
Noes: None  
Absent: Swearengin

#### **4. CLOSED SESSION**

The City Council met in closed session and joint closed session in Room 2125 from 11:25 A.M. to 12:50 P.M. to discuss the following:

- A. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION** - Government Code Section 54956.9, subdivision (d)(1)
1. Chris Willis, et al. v. City of Fresno, et al.; United States District Court Case No.: 09-CV-01766-LJO-DLB  
**Action Taken:** HELD

No announcement was made.

**JOINT CLOSED SESSION OF THE CITY OF FRESNO AND THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF FRESNO AND FRESNO REVITALIZATION CORPORATION**

- B. CONFERENCE WITH REAL PROPERTY NEGOTIATOR** – Government Code Section 54956.8
- Property:** APN 493-020-28ST (No Address); APN 493-020-29ST (5025 E. Dakota); APN 493-020-37ST; (5005 E. Dakota)
- Negotiating Parties:** Executive Director of Successor Agency Marlene Murphey
- Under Negotiation:** Price and Terms of Payment
- Action Taken:** HELD

No announcement was made.

- C. CONFERENCE WITH LABOR NEGOTIATOR** – Government Code Section 54957.6
- City Negotiator(s):** Jeffrey Cardell, Ken Phillips
- Employee Organization(s):**
1. City of Fresno Management Employees Association (CFMEA)
  2. City of Fresno Professional Employees Association (CFPEA)
  3. IUOE, Stationary Engineers, Local 39 (L39)
  4. Fresno City Employees Association (FCEA)
  5. Fresno Police Officers Association (FPOA Basic)
  6. International Association of Firefighters, Local 753 (Fire Basic)
  7. Amalgamated Transit Union, Local 1027 (ATU)
  8. International Brotherhood of Electrical Workers, Local 100 (IBEW)
  9. Fresno Police Officers Association (FPOA Management)
  10. International Association of Firefighters, Local 753 (Fire Mgmt)
  11. Fresno Airport Public Safety Supervisors (FAPSS)
- Action Taken:** REMOVED FROM AGENDA

- D. PUBLIC EMPLOYEE PERFORMANCE EVALUATION** – Government Code Section 54957
- Title:** City Attorney
- Action Taken:** HELD

No announcement was made.

**E. CONFERENCE WITH LABOR NEGOTIATOR** – Government Code Section 54957.6  
**City Negotiator(s):** Council President Brandau  
**Unrepresented Employee:** City Attorney  
**Action Taken:** HELD

No announcement was made.

**F. PUBLIC EMPLOYEE PERFORMANCE EVALUATION** – Government Code Section 54957  
**Title:** City Clerk  
**Action Taken:** HELD

No announcement was made.

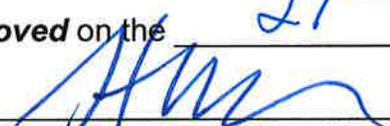
**G. CONFERENCE WITH LABOR NEGOTIATOR** – Government Code Section 54957.6  
**City Negotiator(s):** Council President Brandau  
**Unrepresented Employee:** City Clerk  
**Action Taken:** HELD

No announcement was made.

**JOINT SESSION ADJOURNED – 12:50 P.M.**

**ADJOURNED IN THE MEMORY OF JOE LEVY – 12:50 P.M.**

**Approved** on the 27<sup>th</sup> day of February, 2014.

  
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Steve Brandau, Council President

ATTEST:   
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Todd Stermer, Assistant City Clerk