

City Council Minutes

January 16, 2014

The City Council met in regular session at the hour of 1:30 p.m. in the Council Chamber, City Hall, on the day above written.

Invocation by Reverend Bob Smalls of the Northwest Church

Pledge of Allegiance to the Flag

1:30 P.M. ROLL CALL

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

Ceremonial Presentations:

Proclamation of "HUMAN-TRAFFICKING AWARENESS MONTH" – Councilmember Olivier – **Read**

I Have a Dream, Then, Now, and Tomorrow, the 30th Year Anniversary of the Reverend Dr. Martin Luther King Unity Committee and the Community wide Celebration – Acting President Baines - **Presented**

Approve Council minutes of January 9, 2014

Action Taken: APPROVED AS SUBMITTED

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

Councilmember Reports and Comments

Action Taken: HELD

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Action Taken: HELD

Councilmember Quintero stated City Manager Rudd made wise decisions in his appointments of Donnis, Mozier, Aguirre, and Johnson to various departments. Mr. Rudd took a moment to acknowledge the hard work and dedication of the newly appointed Director of Public Works, Scott Mozier.

Councilmember Xiong congratulated Mr. Mozier on his appointment. Councilmember Xiong also thanked Jeremy Schultz of Fresno Fuego for organizing soccer games with the Los Angeles Galaxy and San Jose Earthquakes at the City's stadium noting that three or four of the players will be representing the United States in Brazil during the World Cup.

President Brandau announced he had been in discussions with Chairman Borgeas about organizing a special joint meeting with the Fresno County Board of Supervisors, in a neutral location, to discuss common issues. President Brandau noted the format of the City Council minutes had change to record the actions taken but comments would be included upon request. President Brand announced he and Councilmember Xiong had been involved in bringing a new business, All Western Mortgage, and five new jobs to District One.

Councilmember Caprioglio lauded the idea of a regional meeting with the Fresno County Board of Supervisors and encouraged President Brandau to continue his effort to make the meeting a reality.

Councilmember Brand felt the regional meeting would be an excellent idea and thought Clovis should be included due to shared interests.

Acting President Baines applauded the efforts of President Brandau to establish a meeting with the Fresno County Board of Supervisors and discussed the recent changes in the minutes

Councilmember Xiong noted there were regular joint meetings in the late 1950's and early 1960's between the Cities of Fresno and Clovis and Fresno County.

Councilmember Caprioglio stated he was in dialogue with Clovis Mayor Pro Tem Magsig to have a joint meeting with the Clovis City Council, tentatively scheduled for February 24, 2014 at the Veterans Building in Clovis.

Approve Agenda

Action Taken: APPROVED AS AMENDED

City Clerk Spence made the following corrections to the agenda:

Part (d) of the 2:20 p.m. item pertaining to a resolution applying to the Fresno Local Agency Formation Commission (LAFCO) was removed by staff.

Section No. 8 on Item 3A pertaining to the members of the Joint Powers Financing Authority was correct to reflect membership consisting of Baines, Xiong and Swearingin.

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

1. **CONSENT CALENDAR**

Action Taken: ADOPTED

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

- A. Award a requirements contract in the amount of \$143,181.68 to Metron Farnier LLC for single jet water meters for a one-year contract with provisions for two one-year extensions, total amount not to exceed \$429,545.04 (**Citywide**) – Department of Public Utilities

Action Taken: AWARDED

2. **GENERAL ADMINISTRATION**

- A. Actions pertaining to Front-line law enforcement operations – Police Department

1. Accept funding of \$1,168,285 from California Board of State and Community Corrections (BSCC)

Action Taken: ACCEPTED

2. Authorize the Chief of Police to enter into and execute Addendum No. 1 to the Memorandum of Understanding between the City of Fresno, City of Clovis, Cities of Huron, Coalinga, Parlier, Reedley, Fowler, Selma, Sanger, Kerman, Kingsburg, Orange Cove, Firebaugh, Mendota and County of Fresno; and

Action Taken: AUTHORIZED

3. **RESOLUTION** - 29th amendment to the Annual Appropriation Resolution (AAR) No. 2013-98 appropriating \$521,600 for front-line law enforcement operations into the fiscal year 2014 budget

Action Taken: RESOLUTION NO. 2014-7 ADOPTED

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

- B. Pursuant to the Amended and Restated Management Agreement between the City of Fresno and SMG approved by Council on December 5, 2013: (City Manager's Office)

1. Establish Convention Center Oversight Advisory Board, chaired by the City Manager and composed of industry representatives; and

Action Taken: ESTABLISHED

2. Select a Council representative to serve on the Board

Action Taken: ACTING PRESIDENT BAINES SELECTED AS BOARD MEMBER WITH COUNCILMEMBER BRAND TO SERVE AS AN ALTERNATE

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

3. **CITY COUNCIL**

A. 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 – **Swearingin-Ex-Officio (Olivier-Alternate)**
2. Financial Audit Committee – **Brand, Olivier, Xiong**
3. Fresno Area Workforce Investment Corporation - **Baines**
4. Fresno County Transportation Authority (FCTA) - **Swearingin, Brandau**
5. Fresno Regional Workforce Investment Board – **Baines, Renena Smith**
6. Fresno County Zoo Authority – **Swearingin (Baines-Alternate)**
7. Fresno Madera Area Agency on Aging Board - **Olivier**
8. Joint Powers Financing Authority – **Baines, Xiong, Swearingin**
9. Leadership Council on Ending Homelessness - **Swearingin, Baines**
10. San Joaquin River Conservancy Board - **Swearingin (Brandau-Alternate)**
11. Association for the Beautification of Highway 99 - **Baines**
12. Upper Kings Basin Integrated Regional Water Management JPA – **Xiong**
13. Pension Reform Task Force – **Brand, Xiong, (3rd Member vacant)**
14. Economic Development Corporation Serving Fresno County – **Brandau-Ex-Officio**
15. Fresno/Clovis Convention & Visitors Bureau (CVB) – **Amy Fuentes**
16. League of California Cities (Annual Meeting) – **Swearingin (Olivier-Alternate)**
17. San Joaquin Valley Air Pollution Control District - **Baines**
18. Infill Development Ad Hoc Subcommittee - **Brand, Baines, Olivier**
19. Litigation Exposure Reduction Ad Hoc Committee – **Brandau, Caprioglio**

Action Taken: HELD

President Brandau replaced Councilmember Xiong on the Joint Powers Financing Authority.

Councilmember Brand discussed the membership of the Finance and Audit Committee.

Acting President Baines reported on the San Joaquin Valley Air Pollution Control District.

SCHEDULED COUNCIL HEARINGS AND MATTERS

- 2:00 P.M. **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. 52 (Final Tract Map No. 6028) (**Property located in District 4**) (West side of N. Armstrong Avenue between E. Ashlan and Dakota Avenues) – Public Works Department

Action Taken: HELD

- a. **RESOLUTION** – Annexing territory to Community Facilities District No. 11 and authorizing the levy of a special tax
Action Taken: RESOLUTION NO. 2014-8 ADOPTED
- b. **RESOLUTION** – Calling a special mailed-ballot election
Action Taken: RESOLUTION NO. 2014-9 ADOPTED
- c. **RESOLUTION** – Declaring election results
Action Taken: RESOLUTION NO. 2014-10 ADOPTED
- d. **BILL – (For introduction and adoption)** Levying a special tax for the property tax year 2013-2014 and future years with and relating to Community Facilities District No. 11, Annexation No. 52
Action Taken: BILL NO. B-2 INTRODUCED, ORDINANCE NO. 2014-5 ADOPTED

The following member(s) of the public spoke on this item: Bill Walls

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

2:15 P.M. **HEARING** to adopt resolutions and ordinance to annex territory and levy a special tax regarding Community Facilities District No. 2, Annexation No. 136 (Final Tract Maps No. 5567 and 5770) (***Property located in District 3***) (east side of N. Polk Avenue between W. Shields and Clinton Avenues) - Public Works Department

Action Taken: HELD

- a. **RESOLUTION** – Annexing territory to Community Facilities District No. 2 and authorizing the levy of a special tax
Action Taken: RESOLUTION NO. 2014-11 ADOPTED
- b. **RESOLUTION** – Calling a special mailed-ballot election
Action Taken: RESOLUTION NO. 2014-12 ADOPTED
- c. **RESOLUTION** – Declaring election results
Action Taken: RESOLUTION NO. 2014-13 ADOPTED
- d. **BILL – (For introduction and adoption)** Levying a special tax for the property tax year 2013-2014 and future years with and relating to Community Facilities District No. 2, Annexation No. 136
Action Taken: BILL NO. B-3 INTRODUCED, ORDINANCE NO. 2014-6 ADOPTED

The following member(s) of the public spoke on this item: Bill Walls

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

2:20 P.M. **HEARING** to consider Plan Amendment Application No. A-13-001, Rezone Application No. R-13-007, the initiation of the “Grantland-Barstow No. 3-A” Reorganization; and,

related Environmental Assessment No. A-13-001/R-13-007/t-6036 (***Property located in District 2***) – Development and Resource Management Department

Action Taken: HELD

- a. Consider the environmental finding of the Mitigated Negative Declaration prepared for Environmental Assessment No. A-13-001/R-13-007/T-6036 dated November 08, 2013 for purposes of the proposed project

Action Taken: ADOPTED

- b. **RESOLUTION** – Approving Plan Amendment Application No. A-13-001 to amend the planned land use designation of the 2025 Fresno General Plan and West Area Community Plan, for an approximately 5.74 acre *portion* of the subject property, from the Commercial Business Park planned land use designation to the Medium Density Residential (4.99-10.37 dwelling units/acre) planned land use designation

Action Taken: RESOLUTION 2014-14 ADOPTED

- c. **BILL - (*For introduction and adoption*)** Approving Rezone Application No. R-13-007 to prezone the *entirety* of the subject property from the R-R (*Rural Residential [Fresno County]*) zone district to the R-1/UGM (*Single Family Residential/ Urban Growth Management [City of Fresno]*) zone district

Action Taken: BILL B-4 INTRODUCED, ORDINANCE 2014-7 ADOPTED

- d. **RESOLUTION** – Applying to the Fresno Local Agency Formation Commission (LAFCO) for the detachment of the approximately 17.38 acre subject property from the North Central Fire Protection District and the Kings River Conservation District in order to annex the same territory to the City of Fresno for the proposed “Grantland-Barstow No. 3-A” Reorganization

Action Taken: REMOVED BY STAFF

Motion / Second: Councilmember Caprioglio / Councilmember Olivier

Ayes: Baines, Brand, Caprioglio, Olivier, Quintero, Xiong, Brandau

Noes: None

4. **CLOSED SESSION**

The City Council met in closed session in Room 2125 at 2:46 P.M. to discuss the following:

A. **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: HELD

No announcements were made.

ADJOURNED – 3:35 P.M.

Approved on the 30th day of January, 2014.


Steve Brandau, Council President

ATTEST: 
Todd Stermer, Assistant City Clerk