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Agenda Item: 6/16/14 minutes for approval

Date: 6/29/2014

CITY CLERK, FRESNO, CA

## FRESNO CITY COUNCIL



### Supplemental Information Packet

Agenda Related Items – 6/16/14 minutes for approval

Supplemental Packet Date: June 24, 2014

#### Item(s)

#### Approve Minutes of June 16, 2014

##### Supplemental Information:

Any agenda related public documents received and distributed to a majority of the City Council after the Agenda Packet is printed are included in Supplemental Packets. Supplemental Packets are produced as needed. The Supplemental Packet is available for public inspection in the City Clerk's Office, 2600 Fresno Street, during normal business hours (main location pursuant to the Brown Act, G.C. 54957.5(2)). In addition, Supplemental Packets are available for public review at the City Council meeting in the City Council Chambers, 2600 Fresno Street. Supplemental Packets are also available on-line on the City Clerk's website.

##### Americans with Disabilities Act (ADA):

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, sign language interpreters, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650. Please keep the doorways, aisles and wheelchair seating areas open and accessible. If you need assistance with seating because of a disability, please see Security.

# City Council Minutes

## June 16, 2014

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The City Council met in regular session at the hour of 9:00 A.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

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

#### **9:00 A.M. FISCAL YEAR 2014-2015 BUDGET HEARINGS (SUBJECT TO CHANGE)**

##### **1. Budget Overflow**

Councilmember Quintero questioned the City Manager about: Councilmember motions for appropriations that did not identify funding sources; the ability to make changes to the budget through August.

Acting President Baines withdrew his June 5, 2014 motion for bus service to the Veteran's Home as he felt the issue had been resolved after speaking to the City Manager and the Transportation Department.

President Brandau withdrew his June 10, 2014 motion to increase the infrastructure budget for each Council District by \$50,000 as a subsequent motion better captured his original intent to focus on roads.

President Brandau motioned to eliminate a total of six Fire Inspectors consisting of four inspectors that handle non-mandated inspections and two inspectors that handle residential inspections with DARM to take over new residential inspections within existing appropriations. Councilmember Olivier seconded the motion.

Councilmember Caprioglio withdrew his June 10, 2014 motion for \$210,000 to repair Cedar Avenue between Gettysburg and Shaw.

Councilmember Caprioglio motioned to increase the infrastructure budget for each Council District by \$50,000 for a total of \$100,000 per district. Councilmember Baines seconded the motion.

Councilmember Xiong discussed the following: meet and confer requirements for elimination of fire inspectors; eliminating fire inspectors eliminates a key piece of fire prevention activities and will stress public safety and fire fighters; the need for a thorough analysis to understand the overall impact of elimination of the fire inspector positions.

Acting President Baines discussed the following: the need for additional information on the ramification of eliminating six fire inspector positions; the rationale behind the determination that six inspectors should be eliminated rather than another number.

City Manager Rudd discussed the following: fee increases; cost recovery and subsidies of fire inspections by the general fund.

Councilmember Brand discussed the following: the net effect of eliminating Fire Inspectors; specifics of fire inspections; lender requirements for fire inspections; fire inspections required through various legal instruments; the cost of the Fire Inspector positions; cost savings and efficiencies; the cost of all Councilmember motions; the ability to find funds mid-year to support all Councilmember motions.

Councilmember Olivier discussed the following: alternatives to deal with fewer Fire Inspectors; fire inspection self-certification programs; savings from elimination of Fire Inspector positions; the feeling of business owners that the Fires Department has been taxing and prosecuting them to raise money.

Fire Chief Donis spoke against elimination of the Fire Inspector positions.

Councilmember Xiong discussed the following: general fund subsidies for the Fire Inspectors and the benefit received; allowing Department Directors to determine where staff is needed; the economic cost of eliminating the Fire Inspectors; the need for an analysis of the impact that would be created by the elimination of the Fire Inspector positions.

Acting President Baines discussed the following: restoring city services incrementally throughout the City; the kind of direction Council provides to Department Directors; the possibility of utilizing Cadet II's and police reserves to fulfill motions regarding a police presence; options as an alternative to eliminating Fire Inspector positions; finding balance between fire inspections, inspection costs and subsidies.

Councilmember Brand discussed the following: making use of a recovering budget strategically; the possibility of delaying fire inspections; the expertise required for new residential fire inspections; the possibility of a pilot program for building inspectors performing new residential fire inspections; insurance requirements for fire inspections; mandated inspections and non-mandated inspections; the schedule for residential fire sprinkler inspections.

Councilmember Olivier discussed the following: the current non-existence of certain inspections and the unfounded categorization that the city would be in grave danger if the Fire Inspector positions were eliminated; options to reform fire inspections that would be beneficial to the citizens and the general fund.

Councilmember Caprioglio discussed the following: personal experience with inspections required by insurance; use for the savings created by the elimination of the Fire Inspector positions; additional funding for Council District offices; the unique needs of the Council Districts.

Councilmember Baines discussed the following: City liability for eliminating fire inspections. With regards to the motion to eliminate the Fire Inspector positions, Councilmember Baines clarified, for the record, that he was not saying there would be a catastrophe or that Councilmember Olivier was being disingenuous.

The following members of the public spoke on the budget:

Dee Barnes – disagreed with the elimination of the Fire Inspector positions and felt that the Council needed additional information.

RECESSED 10:45 A.M. to 11:10 A.M.

Councilmember Brand discussed the following: inspections performed on properties through insurance requirements; the ability of Council to re-institute the Fire Inspectors next year if the City is not happy with the results.

Councilmember Baines discussed the following: property owners that claim to have never been inspected by insurance companies; deferring to the judgment of the Fire Chief.

Councilmember Xiong discussed the following: observations by the Fire Chief regarding insurance inspections of properties.

Councilmember Quintero discussed the following: his lack of support for eliminating the Fire Inspector positions; the need to allow Chief Donis a chance to implement past direction she had received from the Council; the danger posed to firefighters when they enter buildings that have not been inspected.

## 2. Council Vote on Motions

The Councilmembers voted electronically on the following motions:

- 1(a) Motion to add one paralegal position to the City Attorney's Office to be funded from existing appropriations passed by the following vote:  
Motion / Second: Councilmember Brand / Councilmember Quintero  
Ayes: Baines, Brand, Caprioglio, Olivier, Quintero, Xiong, Brandau  
Noes: None
2. Motion to approve the City Attorney's Budget inclusive of Councilmember Brand's motion for an additional paralegal passed by the following vote:  
Motion / Second: Councilmember Quintero / Councilmember Brand  
Ayes: Baines, Brand, Caprioglio, Olivier, Quintero, Xiong, Brandau  
Noes: None
3. Motion to provide bus services to the Veteran's Home.  
Withdrawn
4. Motion to approve the City Clerk's budget passed by the following vote:  
Motion / Second: Councilmember Quintero / Councilmember Brandau  
Ayes: Baines, Brand, Caprioglio, Olivier, Quintero, Xiong, Brandau  
Noes: None
5. Motion to appropriate \$50,000 from the Co-Promotion fund and \$50,000 from the Convention Center Operating Reserves fund for a Convention Center marketing position to be housed within the Convention and Visitors Bureau passed by the following vote:  
Motion / Second: Councilmember Brand / Councilmember Xiong  
Ayes: Baines, Brand, Caprioglio, Olivier, Quintero, Xiong, Brandau  
Noes: None
6. Motion to add a bike police unit consisting of two officers in the Tower District passed by the following vote:  
Motion / Second: Councilmember Xiong / Councilmember Baines  
Ayes: Baines, Caprioglio, Quintero, Xiong,  
Noes: Brand, Olivier, Brandau
7. Motion to establish a Police report writing office at Shaw and Sixth passed by the following vote:  
Motion / Second: Councilmember Caprioglio / Acting President Baines  
Ayes: Baines, Brand, Caprioglio, Olivier, Xiong, Brandau  
Noes: Quintero

8. Motion to fully occupy and maintain at least 717 police officers on staff at the Police Department with the requirement to hire additional sworn staff within six month if the number falls below the minimum and to use best efforts to maintain an active hire list passed by the following vote:

Motion / Second: Acting President Baines / Councilmember Xiong

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

Noes: None

9. Motion for staff to pursue an Request for Proposals / Request for Qualifications to determine the viability of consolidating revenue collection services for the City passed by the following vote:

Motion / Second: Councilmember Olivier / Councilmember Brand

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

Noes: None

10. Motion to increase infrastructure budget by \$50,000 for a total infrastructure budget per district to \$100,000.

Withdrawn by original maker.

11. Motion to allocate \$210,000 to fund the street project on Cedar between Gettysburg and Shaw through existing funding sources.

Withdrawn

12. No motion made.

13. Motion for the City to provide a permanent weekend Code Enforcement presence passed by the following vote:

Motion / Second: Acting President Baines / Councilmember Quintero

Ayes: Baines, Caprioglio, Quintero, Xiong, Brandau

Noes: Brand, Olivier

14. Motion to move Proposition 84 Sustainable Community Grant funding budgeted at \$100,000 to the Planning Division passed by the following vote:

Motion / Second: Acting President Baines / Councilmember Xiong

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

Noes: None

15. No motion made.

16. Motion to add one million dollars to the existing two million dollars in the Neighborhood Street Improvement Program to be for paving repairs and split evenly between all seven Council Districts passed by the following vote:

Motion / Second: President Brandau / Councilmember Caprioglio  
Ayes: Baines, Brand, Caprioglio, Quintero, Xiong, Brandau  
Noes: Olivier

17. Motion to eliminate six Fire Inspectors consisting of four inspectors that handle "non-mandated" inspections and two inspectors that handle new residential inspections with DARM taking responsibility over the new residential inspections with existing appropriations passed by the following vote:

Motion / Second: President Brandau / Councilmember Olivier  
Ayes: Brand, Caprioglio, Olivier, Brandau  
Noes: Baines, Quintero, Xiong

18. Motion to increase infrastructure budget by \$50,000 for a total infrastructure budget of \$100,000 per district failed by the following vote:

Motion / Second: Councilmember Caprioglio / Acting President Baines  
Ayes: Baines, Caprioglio, Xiong  
Noes: Brand, Olivier, Quintero, Brandau

**Action Taken:** HELD

**ADJOURNED – 11:32 A.M.**

**Approved** on the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Steve Brandau, Council President

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ATTEST: Todd Stermer, Assistant City Clerk