



# City of Fresno

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

## Meeting Minutes - Draft City Council

*President - Clinton J. Olivier*

*Vice President - Esmeralda Z. Soria*

*Councilmembers:*

*Oliver L. Baines, III, Steve Brandau, Garry Bredefeld,*

*Paul Caprioglio, Luis Chavez*

*City Manager - Bruce Rudd*

*City Attorney - Douglas T. Sloan*

*City Clerk - Yvonne Spence, CMC*

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Thursday, January 12, 2017

8:30 AM

Council Chambers

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### Regular Meeting

8:30 A.M. ROLL CALL

**Present:** 7 - President Clinton Olivier  
Vice President Esmeralda Soria  
Councilmember Oliver L. Baines III  
Councilmember Steve Brandau  
Councilmember Garry Bredefeld  
Councilmember Paul Caprioglio  
Councilmember Luis Chavez

Invocation by Pastor DJ Criner of St. Rest Baptist Church

Pledge of Allegiance to the Flag

President Olivier recognized Fresno County Supervisor Nathan Magsig and invited him to address Council. Supervisor Magsig introduced himself and stated he and the other Supervisors were looking forward to working with the city. He said the Board Chair would work quickly to extend a hand to the Mayor and Councilmembers so they could start finding ways to be effective for the citizens of the City and County of Fresno.

### **CEREMONIAL PRESENTATIONS**

[ID17-0021](#) Proclamation of "NATIONAL SLAVERY AND HUMAN  
TRAFFICKING PREVENTION MONTH"

*PRESENTED*

## **COUNCILMEMBER REPORTS AND COMMENTS**

### **APPROVE AGENDA**

*City Clerk Spence announced the following changes to the agenda: the invocation was by Pastor DJ Criner of St. Rest Baptist Church; the 10:15 A.M. Scheduled Hearing (File ID17-0015) was continued to January 26, 2017; General Administration item 3-B (File ID17-0005) was removed from the agenda by staff; the Fresno County Transportation Authority, Fresno County Zoo Authority, Joint Powers Financing Authority and Convention Center Oversight Advisory Board were removed from City Council item 4-A (File ID17-68); Closed Session item 5-A (File ID17-75) was on the agenda for verbal status and direction; Closed Session items 5-B (File ID17-76) and 5-C (File ID17-78) were removed from the agenda; Closed Session item 5-D (File ID17-81) was on the agenda for verbal discussion concerning real estate and right of first refusal.*

*APPROVED AS AMENDED*

**On motion of Vice President Soria, seconded by Councilmember Caprioglio, the Agenda was approved as amended. The motion carried by the following vote:**

**Aye:** 7 - Olivier, Soria, Baines III, Brandau, Bredefeld, Caprioglio and Chavez

### **APPROVE MINUTES**

*There were no minutes on the agenda for approval.*

## **1. CONSENT CALENDAR**

### APPROVAL OF THE CONSENT CALENDAR

**By consensus of the City Council, the CONSENT CALENDAR was hereby adopted.**

**Aye:** 7 - Olivier, Soria, Baines III, Brandau, Bredefeld, Caprioglio and Chavez

- 1-A**    [ID17-0002](#)    \*\*\*RESOLUTION - 11th amendment to Fiscal Year 2017 Salary Resolution No. 2016-120: unflexing the Communications Technician I/II classification in Exhibit 1, Non-Supervisory Blue Collar (Local 39); implementing a scheduled 2% wage increase for Unit 3 pursuant to the successor MOU with the Fresno City

Employees Association (FCEA); amending the classification title and increasing the salary for Tax/Permit Representative in Exhibit 3, Non-Supervisory White Collar (FCEA); increasing the minimum hourly rate for Cashier Clerk, Lifeguard, Senior Lifeguard, Police Cadet I, Police Cadet II, Services Aide, Sports Official and Student Aide II in Exhibit 8, Non-Represented; increasing the salary for Human Resources Analyst in Exhibit 13-1, Exempt Supervisory and Professional (CFPEA); adding the new classification of Sanitation Supervisor to Exhibit 13-1, Exempt Supervisory and Professional (CFPEA); adding the new classification of Senior Paralegal to Exhibit 13-2, Non-Exempt Professional (CFPEA); and amending the classification title and increasing the salary for Legal Assistant in Exhibit 13-2, Non-Exempt Professional.

*RESOLUTION 2017-1 ADOPTED*

**The above item was approved on the Consent Calendar.**

- 1-B [ID17-0007](#) RESOLUTION - Of Intention to annex Parcel "A" of Parcel Map No. 2016-04, Development Permit Application No. 2016-086, Annexation No. 11, to City of Fresno Community Facilities District No. 9 (North East Corner of North Spalding Avenue and East Spruce Avenue) (Council District 6)

*RESOLUTION 2017-2 ADOPTED*

**The above item was approved on the Consent Calendar.**

- 1-C [ID17-0008](#) RESOLUTION - Of Intention to annex Assessor's Parcel Number 567-030-71 and 567-030-76, Conditional Use Permit No. 2015-104, GB3 Sports Club Development, Annexation No. 12, to City of Fresno Community Facilities District No. 9 (northeast corner of East Champlain Avenue and North Hickory Hill Drive) (Council District 6)

*RESOLUTION 2017-3 ADOPTED*

**The above item was approved on the Consent Calendar.**

- 1-D [ID17-0010](#) Approve a Reimbursement Agreement with FFDA Properties, LLC for \$225,527 for the Met Block Project Off-site Improvements under Round Five of the 2015 funding cycle for the Measure "C" TOD Program. (Council District 3)

*APPROVED*

**The above item was approved on the Consent Calendar.**

- 1-E [ID17-0016](#) RESOLUTION - Of Intention to annex territory associated with the development of Assessor's Parcel Numbers 404-083-44, 45, 42 and 404-090-47, Annexation No. 13, to City of Fresno Community Facilities District No. 9 (northwest corner of East Herndon and North Willow Avenues) (Council District 6)

*RESOLUTION 2017-4 ADOPTED*

**The above item was approved on the Consent Calendar.**

- 1-F [ID17-0020](#) Actions pertaining to the design contract for the Recycled Water Distribution System, Southwest Quadrant, Project (Council District 3 and Fresno County)
1. \*\*\*RESOLUTION - 33rd Amendment to the Annual Appropriation Resolution (AAR) No. 2016-118 to appropriate \$141,600 for the design of the Recycled Water Distribution System, Southwest Quadrant (Requires affirmative 5 votes)
  2. Approve the Second Amendment to the Agreement with Blair, Church & Flynn Consulting Engineers, a California Corporation for professional engineering services for the design (Council District 3 and portions of Fresno County)

*RESOLUTION 2017-5 ADOPTED*

**The above item was approved on the Consent Calendar.**

- 1-G [ID17-0023](#) Approve an agreement with CMI Contractors, Inc. of Fresno, CA for \$87,110 with a contingency amount not to exceed \$5,000 for the design of plans, cost estimates and general construction documents for the replacement of four air handlers at the Police Department Headquarters (PDHQ) project (Council District 3)

*APPROVED*

**The above item was approved on the Consent Calendar.**

- 1-H [ID17-0027](#) \*\*\*RESOLUTION - 35th Amendment to the Annual Appropriation Resolution (AAR) No. 2016-118 to appropriate \$92,400 for two railroad crossing safety improvement projects. (Requires 5 affirmative votes) (Districts 1, 2, 3 and 7)

*The above item was moved to the Contested Consent Calendar for further discussion by Vice President Soria.*

- 1-I [ID17-0028](#) Under the provisions of Administrative Order 3-3 governing Sole Source vendors, approve a Purchase Order in the amount of \$96,700 to LN Curtis to replace hoses that are delaminating.

*APPROVED*

**The above item was approved on the Consent Calendar.**

- 1-J [ID17-0032](#) RESOLUTION - Of Intention to annex Final Tract Map No. 6163, Annexation No. 73, to the City of Fresno Community Facilities District No. 11 (south of East Dakota Avenue along the east and west side of North Saddleback Avenue) (Council District 4)

*RESOLUTION 2017-6 ADOPTED*

**The above item was approved on the Consent Calendar.**

- 1-K [ID17-33](#) Approve a first amendment to the agreement with Blair, Church & Flynn Consulting Engineers, a California Corporation for professional engineering services for the design of the Sewer Rehabilitation/Replacement in North Central Downtown for a net increase of \$13,314 bringing the total fee to \$87,414 (Council District 3)

*APPROVED*

**The above item was approved on the Consent Calendar.**

- 1-L [ID17-35](#) RESOLUTION - Authorizing the execution and delivery of a Master Equipment Lease Purchase Agreement, certain separate lease schedules, and other documents required in connection therewith in respect to the acquisition, purchase, financing and leasing of equipment for the public benefit.

*RESOLUTION 2017-7 ADOPTED*

**The above item was approved on the Consent Calendar.**

- 1-M**     [ID17-0018](#)     \*\*\*BILL NO. B-62 - (Intro. 12/15/ 2016) (For adoption) -  
Amending Section 14-1006 of the Fresno Municipal Code  
relating to the Prohibited Use of Streets for Storage of Vehicles  
  
*ORDINANCE 2017-1 ADOPTED*

**The above item was approved on the Consent Calendar.**

- 1-N**     [ID17-67](#)     \*\*\*BILL NO. B-63 - (Intro. 12/15/2016) (For adoption) -  
Amending Section 4-108 of the Fresno Municipal Code relating  
to local preference  
  
*ORDINANCE 2017-2 ADOPTED*

**The above item was approved on the Consent Calendar.**

### **CONTESTED CONSENT CALENDAR**

- 1-H**     [ID17-0027](#)     \*\*\*RESOLUTION - 35th Amendment to the Annual  
Appropriation Resolution (AAR) No. 2016-118 to appropriate  
\$92,400 for two railroad crossing safety improvement projects.  
(Requires 5 affirmative votes) (Districts 1, 2, 3 and 7)

*The above item was introduced to Council by Project Administrator Cisneros  
with the Public Works Department.*

*RESOLUTION 2017-8 ADOPTED*

**On motion of Vice President Soria, seconded by Councilmember  
Baines III, the above item was approved. The motion carried by the  
following vote:**

**Aye:** 7 - Olivier, Soria, Baines III, Brandau, Bredefeld, Caprioglio and  
Chavez

### **3. GENERAL ADMINISTRATION**

- 3-A**     [ID17-0003](#)     WORKSHOP - Fresno Fire Department (FFD): 2016 FFD  
Training Division Resource and SART Report Implementation

*The above workshop was presented to Council by Fire Chief Donis. Chief  
Donis provided a handout for Council and members of the public. A copy of  
the handout has been attached to File ID 17-0003 and is available in the City  
Clerk's Office.*

*During the presentation Council asked questions on the following topics: the*

*change to how risk was assessed; risking little to save property; incorporating feedback; creating a model other fire departments would emulate; whether there was an increase in "write-ups" following implementation of the new rules; the chain of responsibility when it comes to following the rules; the positive steps made to change the culture in the department; the need for additional firefighters in the city and how Fresno Fire Department staffing levels compared to departments in other cities.*

#### WORKSHOP HELD

- 3-B**    [ID17-0005](#)    Actions Pertaining to Regulation of Newsracks in the City of Fresno:
1. BILL - (For Introduction) - Adding Article 7 to Chapter 13 of the Fresno Municipal Code relating to Publication Dispensing Racks Citywide and in Special Districts
  2. \*\*\*RESOLUTION - 527th amendment to the Master Fee Schedule (MFS) Resolution No. 80-420 Adding Newsrack Fees in the Public Works Section

*The above item was removed from the agenda by staff.*

- 3-C**    [ID17-0006](#)    \*\*\*Resolution - 31st amendment to the Annual Appropriations Resolution 2016-118 to appropriate \$500,000 for the installation of a permanent calcium hydroxide chemical feed system at the Northeast Surface Water Treatment Facility. (Requires 5 affirmative votes)

*The above item was introduced to Council by Public Utilities Director Esqueda.*

#### RESOLUTION 2017-9 ADOPTED

**On motion of Councilmember Bredefeld, seconded by Vice President Soria, the above item was approved. The motion carried by the following vote:**

**Aye:** 7 - Olivier, Soria, Baines III, Brandau, Bredefeld, Caprioglio and Chavez

Vice President Soria left the Council Chamber at 9:46 A.M. and returned at 9:54 P.M.

- 3-D**    [ID17-0030](#)    Actions Pertaining to the Engineering Services to divert Renewable Natural Gas into the Natural Gas pipeline at the Fresno/Clovis Regional Wastewater Reclamation Facility (Council District 3)



1. \*\*\*RESOLUTION - 12th Amendment to the Annual Appropriation Resolution No. 2016-118 appropriating \$637,000 for engineering services to divert renewable natural gas into the natural gas pipeline at the Fresno/Clovis Regional Wastewater Reclamation Facility (Requires 5 affirmative votes)
2. Award a professional engineering services contract for \$592,000, with \$25,000 contingency, to Stearns, Conrad and Schmidt Consulting Engineers Incorporated of Long Beach, California

*The above item was introduced to Council by Supervising Professional Engineer Norgaard with the Department of Public Utilities.*

*Councilmember Baines III noted there were no local firms associated with the item and confirmed with staff, on the record, that the required engineering work was highly specialized.*

**RESOLUTION 2017-10 ADOPTED**

**On motion of Councilmember Baines III, seconded by Councilmember Bredefeld, the above item was approved. The motion carried by the following vote:**

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

**Absent:** 1 - Soria

- 3-F**     [ID17-0017](#)     Approve a write-off on a 2007 Home Buyer Assistance Loan for property at 4019 East Garland Avenue, Fresno, CA 93726 in the amount of \$68,852.

*The above item was introduced to Council by Assistant Director Furtado with the Development and Resources Management Department. Project Manager Nunez also spoke on the item.*

*Councilmember Brandau directed staff to schedule a meeting with him to discuss the new Housing and Urban Development programs.*

**NOT APPROVED**

**Councilmember Caprioglio motioned to approve the item and Councilmember Baines III made the second. The motion FAILED by the following vote:**



**Aye:** 3 - Soria, Baines III and Caprioglio

**No:** 4 - Olivier, Brandau, Bredefeld and Chavez

Vice President Soria left the Council Chamber at 10:06 A.M. and returned at 10:07 A.M.

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

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

- [ID17-0004](#) HEARING - Regarding the vacation of a portion of an alley between N. Blackstone Avenue and N. Effie Street north of E. Cornell Avenue (Council District 7).
1. \*\*\*RESOLUTION - Ordering the vacation of a portion of an alley between N. Blackstone Avenue and N. Effie Street north of E. Cornell Avenue.

*The above hearing was called to order at 10:04 A.M. Chief Surveyor Camit with the Public Works Department introduced the item to Council.*

*Upon call for public comment, no one chose to address Council and public comment was closed.*

*The hearing was closed at 10:07 A.M.*

**RESOLUTION 2017-11 ADOPTED**

**On motion of President Olivier, seconded by Councilmember Bredefeld, the above item was approved. The motion carried by the following vote:**

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

**Absent:** 1 - Soria

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

- [ID17-0019](#) HEARING to consider Rezone Application No. R-16-010, Development Permit Application D-16-081, Variance Application No. V-16-009 and Annexation Application No. ANX-16-004 and related Environmental Assessment (EA) No. R-16-010/D-16-081/V-16-009/ANX-16-004 pertaining to 4.65 acres of property located on the north side of W. Clinton Avenue between N. Valentine and N. Brawley Avenues in the

unincorporated portion of the City of Fresno's Sphere of Influence Boundary. The applicant proposes to construct an 80-unit multi-family housing project at the site.

1. Adopt the Finding of Conformity to the Fresno General Plan Master Environmental Impact Report (MEIR #2012111015) as prepared for Environmental Assessment No. R-16-010/D-16-081/V-16-009/ANX-16-004, filed October 14, 2016.
2. BILL - (For introduction and adoption) - Approve Rezone Application No. R-16-010 which proposes to amend the Official Zone Map to pre-zone the subject property from the Fresno County (RR) (Rural Residential) zone district to the City of Fresno RM-2/UGM (Residential Multi-Family, Urban Neighborhood/Urban Growth Management).
3. \*\*\*RESOLUTION - Approve Annexation Application No. ANX-16-004 which proposes detachment of the property from the Kings River Conservation District and the North Central Fire Protection District and annexation to the City of Fresno.
4. Approve Development Permit Application No. D-16-081 which proposes the phased construction of an 80-unit multiple-family residential development with associated on-site improvements
5. Approve Variance Application No. V-16-009 which requests a reduction in the minimum required front coverage.

*The above hearing was called to order at 10:07 A.M. The item was introduced to Council by Project Manager Barnes with the Development and Resources Management Department. Staff noted, on the record, the sentence, "[a]ccess will be relinquished along all major streets," found on page seven of the staff report, was not accurate and should have been deleted.*

*Upon call for public comment, the following people addressed Council:*

*Joe Guagliardo representative for the applicant - supported the staff recommendation. Mr. Guagliardo noted the project included \$291,000 in school fees, \$268,000 in street improvements, \$96,000 to the Council of Governments for additional traffic improvements, \$221,000 in park fees, \$40,000 in police fees, and \$35,000 in fire fees. He also said there were neighborhood meetings prior to the Planning Commission meeting and that the project incorporated existing design elements into the project for minimal impact. Mr. Guagliardo also pointed out that approving the annexation*

would help reduce county pockets within the City of Fresno.

The hearing was closed at 10:11 A.M.

*BILL B-1 INTRODUCED AND ADOPTED AS  
ORDINANCE 2017-3  
RESOLUTION 2017-12 ADOPTED*

**On motion of Councilmember Baines III, seconded by President Olivier, the above item was approved. The motion carried by the following vote:**

**Aye:** 7 - Olivier, Soria, Baines III, Brandau, Bredefeld, Caprioglio and Chavez

**10:10 A.M.**

- [ID17-0026](#) HEARING to consider Rezone Application No. R-16-008, Annexation Application No. ANX-16-002 and related Addendum to Environmental Assessment No. C-14-041 for a 57 acre site located on the west side of N. Armstrong between E. Floradora and E. Olive Avenues in the unincorporated portion of City's Sphere of Influence boundary (location of the Southeast Surface Water Treatment Facility).
1. APPROVE an addendum to Environmental Assessment No. C-14-041, in accordance with Section 15164 of the California Environmental Quality Act Guidelines (CEQA).
  2. BILL - (For introduction and adoption) - Approve Rezone Application No. R-16-008 which proposes to amend the Official Zone Map to rezone the property from the Fresno County AE-20 (Agriculture Exclusive, 20 acres) zone district to the City of Fresno PI/UGM (Public and Institutional/Urban Growth Management) zone district. (Conditional Use Permit No. C-14-041 was approved on September 28, 2015, to allow the phased development of the Southeast Surface Water Treatment Facility and future City Water Division administration site).
  3. \*\*\*RESOLUTION - Approve Annexation Application No. ANX-16-002 which proposes detachment of the property from the Fresno County Fire Protection District and the Kings River Conservation District and annexation to the City of Fresno.

*The above hearing was called to order at 10:11 A.M. The item was introduced to Council by Project Manager Barnes with the Development and Resources Management Department. Assistant Director Sanchez also*

*spoke on the item.*

*Upon call for public comment, the following people addressed Council:*

*Curt Blank - stated he was the owner of the first house east of the project and did not receive the same two notices of the original hearings as the other abutting property owners. He stated that, after the project had begun, he received notices of traffic and noise issues. Mr. Blank explained that people moved to Floradora Avenue to have a quiet place outside of the city, but with access to the city. He complained that the character of the neighborhood had been destroyed and property values have been negatively impacted and people were having problems selling their property. He felt the change in zoning was wrong especially in light that he was not notified. He also had issue with annexation and felt his neighborhood would be next to be annexed against the wishes of those in the neighborhood.*

*Michael De Benedetto representative of De Benedetto Properties - stated he owned properties directly north and across the street of the current water treatment project. Mr. De Benedetto stated he worked with the city and county ten years ago to get the annexation completed but "Gallo" was the roadblock that stopped the process. He would like to see his 25 acre property annexed so it could be develop pursuant to the General Plan.*

*The hearing was closed at 10:19 A.M.*

**BILL B-2 INTRODUCED AND ADOPTED AS  
ORDINANCE 2017-4  
RESOLUTION 2017-13 ADOPTED**

**On motion of Councilmember Caprioglio, seconded by Councilmember Baines III, that the above item was approved. The motion carried by the following vote:**

**Aye:** 7 - Olivier, Soria, Baines III, Brandau, Bredefeld, Caprioglio and Chavez

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

[ID17-0015](#) CONTINUED HEARING to consider adoption of resolutions related to the designation of properties to the Local Register of Historic Resources  
1.\*\*\* RESOLUTION - Designating the C.J. Ryland Home located at 573 E. Terrace Avenue, Fresno, California to the

Local Register of Historic Resources (Council District 1).

2.\*\*\* RESOLUTION - Designating the J.B. Inderrieden Company Building located at 2721 Ventura Street, Fresno, California to the Local Register of Historic Resources (Council District 3).

3.\*\*\* RESOLUTION - Designating the David and Frances Bruner Home located at 215 N. Clark Street, Fresno, California to the Local Register of Historic Resources (Council District 7).

4.\*\*\*RESOLUTION - Designating the Armenian Town Historic District to the Local Register of Historic Resources (Council District 3).

*The above hearing was continued, as noted, to January 26, 2017 at 10:05 A.M.*

### **3. GENERAL ADMINISTRATION CONTINUED**

- 3-G [ID17-0011](#) Actions pertaining to the purchase and installation of 55 Ticket Vending Machines (TVMs) along the Blackstone/Kings Canyon Bus Rapid Transit (BRT) corridor (Council District 3)
1. RESOLUTION - Affirming the City Manager's approval of bypassing formal bid procedures to purchase Genfare Ticket Vending Machines from SPX Corporation (owner of Genfare) under the sole source exception
  2. Award a contract to SPX Corporation and Genfare SPX for the purchase and installation of 55 TVMs along the Blackstone/Kings Canyon BRT corridor, two years of warranty and maintenance, and an option for an additional three years of maintenance, in the amount of \$4,261,144
  3. \*\*\*RESOLUTION - 39th amendment to the Annual Appropriation Resolution (AAR) No. 2016-118 appropriating \$4,359,700 in grant funds from the Transit and Intercity Rail Capital Program (TIRCP) and local match for the purchase of TVMs along the Blackstone/Kings Canyon corridors (Requires 5 affirmative votes)

*The above item was introduced to Council by Assistant Director Barfield from the Transportation Department. Transportation Director Marshall also spoke on this item.*

*President Olivier stated, for the record, that he felt checking bus fares was a terrible use of police officer time.*

*RESOLUTION 2017-14 ADOPTED*

*RESOLUTION 2017-15 ADOPTED*

**On motion of Councilmember Baines III, seconded by Vice President Soria, the above item was approved. The motion carried by the following vote:**

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

**No:** 1 - Brandau

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

**10:20 A.M.**

### **JOINT MEETING OF THE CITY OF FRESNO AND THE** **SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF** **THE CITY OF FRESNO**

*The City Council, met in joint session with the Successor Agency to the Redevelopment Agency of the City of Fresno at 10:59 A.M. to discuss the following:*

[ID17-34](#) 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 17-18

*The above item was introduced at joint session by Successor Agency Executive Director Murphey.*

*SUCCESSOR AGENCY RESOLUTION SA-36 ADOPTED*

#### **SUCCESSOR AGENCY VOTE ONLY**

**On motion of Chair Baines III, seconded by Vice Chair Soria, the above item was approved. The motion carried by the following vote:**

**Aye:** 7 - Olivier, Soria, Baines III, Brandau, Bredefeld, Caprioglio and Chavez

## **ADJOURN AGENCY**

*The joint meeting adjourned from Closed Session at 1:30 P.M.*

### **3. GENERAL ADMINISTRATION CONTINUED**

- 3-E**     [ID17-0009](#)     Actions pertaining to Parking Fees:
1. Adopt a Finding of no possibility of significant effect on the environment, per staff determination, pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA).
  2. \*\*\*RESOLUTION - 531st Amendment to the Master Fee Schedule Resolution (MFS) No. 80-420 to     add, adjust, and delete various parking fees.

*The above item was introduced to Council by Division Manager Estabrooke in the Development and Resources Management Department. City Manager Rudd also spoke on this item.*

*The following member of the public addressed Council on this matter: Aaron Blair with the Downtown Fresno Partnership, spoke in support.*

*At the request of Vice President Soria, President Caprioglio motioned to approve the item with an amendment that any increased revenue from the passage of the item be dedicated to maintenance of the city owned parking structures.*

*Vice President Soria noted, for the record, that she would not support using cap and trade money for upgrades to parking lots.*

**RESOLUTION 2017-16 ADOPTED AS AMENDED**

**On motion of Councilmember Caprioglio, seconded by Vice President Soria, the above item was approved as amended. The motion carried by the following vote:**

**Aye:** 4 - Soria, Baines III, Caprioglio and Chavez

**No:** 3 - Olivier, Brandau and Bredefeld

Councilmember Chavez left the Council Chamber at 11:46 A.M. and was absent the remainder of the open session.

- 3-H**     [ID17-69](#)     Approve the sale of APN 507-030-12st, approximately 14.55 acres of which 10.72 are developable, ("Property") in the amount of \$1.7 million to Marc O'Polo Enterprises, Inc., a California corporation ("Buyer"). The property is located at the southwest corner of Herndon and Brawley Avenues in Fresno, California, to be used for future development. (Council District 2)



*The above item was introduced to Council by Business Manager Gloria with the City Manager's Office.*

*APPROVED*

**On motion of Councilmember Brandau, seconded by Councilmember Bredefeld, the above item was approved. The motion carried by the following vote:**

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

**Absent:** 1 - Chavez

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

- 4-A**     [ID17-68](#)     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 - Vacant, Olivier, Brandau
  3.     Fresno Area Workforce Investment Corporation - Baines
  4.     Fresno County Transportation Authority (FCTA) - Vacant, Brandau
  5.     Fresno Regional Workforce Development Board - Baines
  6.     Fresno County Zoo Authority - Vacant (Baines-Alternate)
  7.     Fresno Madera Area Agency on Aging Board - Olivier
  8.     Joint Powers Financing Authority - Baines, Brandau, Vacant
  9.     San Joaquin River Conservancy Board - Vacant (Brandau-Alternate)
  10.    Association for the Beautification of Highway 99 - Baines
  11.    Upper Kings Basin Integrated Regional Water Management JPA - Brandau (Soria, Georgeanne White and Thomas Esqueda - Alternates)
  12.    Economic Development Corporation Serving Fresno County - Brandau-Ex-Officio, City Manager Bruce Rudd and (Baines - Alternate)
  13.    League of California Cities (Annual Meeting) - Mayor Brand, (Olivier-Alternate)
  14.    San Joaquin Valley Air Pollution Control District - Baines
  15.    Litigation Exposure Reduction Ad Hoc Committee - Brandau, Caprioglio

16. Convention Center Oversight Advisory Board - Baines, (Brand-Alternate), City Manager, SMG General Manager and one representative from each of SMG's organizations
17. Sub- Committee on Transportation - Baines, Caprioglio, Soria
18. Code Enforcement Sub-Committee - Baines, Olivier, and Caprioglio
19. Enterprise and Construction Management Oversight Board - Councilmember Soria
20. Fresno- Clovis Metropolitan Solid Waste Commission- JPA - Brandau, Soria, Caprioglio
21. School Liaison Sub-Committee - Soria - Chair, Olivier, Baines
22. North Kings Groundwater Sustainability Agency (GSA) Joint Powers Authority - Mayor Brand (Thomas Esqueda, Georgeanne White - Alternates)

*President Olivier continued the above item to January 26, 2017.*

## **UNSCHEDULED COMMUNICATION**

*Upon call, no member of the public chose to address Council during Unscheduled Communication.*

## **5. CLOSED SESSION**

*City Council met in Closed Session in Room 2125 from 11:48 A.M. to 1:30 P.M. to discuss the following:*

- 5-A**     [ID17-75](#)     CONFERENCE WITH LEGAL COUNSEL - DECIDING WHETHER TO INITIATE LITIGATION - Government Code Section 54956.9, subdivision (d)(4)  
City of Fresno v. Venu Sharma (an individual) and 530 N. Weber, et al., (Hotel California)

*The above item was discussed during closed session. No open session announcements were made regarding this item.*

- 5-B**     [ID17-76](#)     CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION  
Government Code Section 54956.9, subdivision (d)(1)  
Case Name: Appeal by Chris Henry of Administrative Hearing Decision; 2103 N. Angus Street, LLC v. City of Fresno, et al., (Summerset); Fresno Superior Court Case No. 16CECL09293

*The above item was removed from the agenda.*

- 5-C [ID17-78](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)  
1. Steven Kennedy v. City of Fresno, et al.; Fresno Superior Court Case No. 14CECG02334

*The above item was removed from the agenda.*

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

- 5-D [ID17-81](#) CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Government Code Section 54956.8 Property: APN 466-206-50T and 466-206-51T (1911 Merced St.)  
Negotiating Party: City Manager Bruce Rudd  
Under Negotiation: Price and terms of payment

*The above item was discussed during joint closed session. No open session announcements were made regarding this item.*

**ADJOURNMENT**

*The meeting adjourned from Closed Session at 1:30 P.M. in the memory of Barbara L. Boren.*