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2015 APR 8 AM 8 04

Agenda Item: ID#15-272

Date: 4/9/15

CITY CLERK, FRESNO

FRESNO CITY COUNCIL



Supplemental Information Packet

Agenda Related Items – ID#15-272

Contents of Supplement: Draft City Council Minutes of March 26, 2015

Item(s)

Approval of City Council minutes from March 26, 2015

Supplemental Information:

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RECEIVED

City of Fresno

2600 Fresno Street
Fresno, CA 93721
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MAR 8 AM 8 05

Meeting Minutes - Draft

City Council

CITY CLERK, FRESNO, CA

President - Oliver L. Baines, III

Vice President - Paul Caprioglio

Councilmembers:

Lee Brand, Steve Brandau, Clinton J. Olivier,

Sal Quintero, Esmeralda Z. Soria

City Manager - Bruce Rudd

City Attorney - Douglas T. Sloan

City Clerk - Yvonne Spence, CMC

Thursday, March 26, 2015

8:30 AM

Council Chambers

Regular Session

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

8:39 A.M. ROLL CALL

Present: 7 - President Oliver Baines
Vice President Paul Caprioglio
Councilmember Lee Brand
Councilmember Steve Brandau
Councilmember Clinton Olivier
Councilmember Sal Quintero
Councilmember Esmeralda Soria

Invocation by Senior Pastor Steve Williams of the NorthPointe Church

Pledge of Allegiance to the Flag

CEREMONIAL PRESENTATIONS

ID#15-228 Proclamation of "Women's History Month"

Sponsors: City Councilmember Soria

PRESENTED

ADD ON CEREMONIAL

Proclamation of "Ron Orozco Day"

PRESENTED

ID#15-190 Proclamation of "Fresno High School Senate 125th Anniversary Day"

Sponsors: Mayor's Office and City Councilmember Soria

PRESENTED

ID#15-234 Proclamation of "Cesar Chavez Day"

Sponsors: Mayor's Office and City Council

PRESENTED

ID#15-215 Gap Foundation check presentation for \$25,000 to Fresno United Neighborhoods (FUN) on behalf of PARCS Department in support of the Youth Job Preparation Program (YJPP)

Sponsors: Parks, After School, Recreation and Community Services Department and City Manager's Office

PRESENTED

ID#15-121 Resolution Honoring the Fresno Housing Authority for 75 years of service to the community

Sponsors: City Councilmember Baines

PRESENTED**8:45 A.M.**

ID#15-122 WORKSHOP relating to the Housing Authority, the next 75 years

Sponsors: City Councilmember Baines

The above workshop was presented by Fresno Housing Authority Preston Prince.

Vice President Caprioglio requested a copy of the powerpoint presentation used during the workshop.

SCHEDULED COMMUNICATION**9:30 A.M.**

ID#15-212 Presentation by 6th grade students from Riverview Elementary regarding water conservation

Sponsors: City Councilmember Brand

PRESENTED

APPROVE MINUTES

ID#15-233 Approval of City Council minutes from March 5, 2015

APPROVED

On motion of Vice President Caprioglio, seconded by Councilmember Soria, the above Minutes were approved. The motion carried by the following vote:

Aye: 7 - Baines, Caprioglio, Brand, Brandau, Olivier, Quintero and Soria

COUNCILMEMBER REPORTS AND COMMENTS

Councilmember Brand noted that he and President Baines attended the 20th anniversary of Family Community Church where a Doctorate was awarded to Pastor McGensy. Councilmember Brand also discussed the Coalition of Hope he attended with Councilmember Brandau and noted that Pastor Franklin and the volunteers did a great job. The Coalition of Hope was meant to show people in hard hit gang neighborhoods that there was hope for the area.

Vice President Caprioglio announced that representatives of the Fresno State Associated Students, Inc. were in New Orleans to receive the 2015 Excellence Award for Community Service Goals. The students received the award for community revitalization efforts that were described as, "a student movement providing safety through service." Vice President Caprioglio also congratulated the Pi Kappa Alpha fraternity for work done at the Tot Lot at El Dorado park and for improving the area around Wesley Church including at the Boys and Girls Club through acts like graffiti abatement.

Councilmember Soria thanked Code Enforcement and the Police Department for appearing at the second community meeting hosted in

District One last Thursday. More than fifty residents participated and the staff presence was greatly appreciated. Councilmember Soria also thanked Airport staff and Public Works for working with her on a streets tour to help assess the needs in District One. Additionally, Councilmember Soria thanked the Police Department for allowing her to be part of "Cease Fire" and encouraged others Councilmembers to attend these events in the future. Councilmember Soria noted the Cease Fire event helped to keep neighborhoods safe and thanked everyone involved. Councilmember Soria also announced she has been in conversation with Fresno County First Five regarding making City Hall more family friendly. The City would be looking into adding baby changing stations in bathrooms at City Hall and looking into safe nursing spaces for mothers. First Five was willing to provide some funding for these improvements.

Councilmember Olivier provided an update concerning parking around the Veteran's Affairs Hospital in Fresno. As there had been no parking for employees at the Hospital, staff had been parking in adjacent neighborhoods which caused problems, especially during trash days. Councilmember Olivier announced the federal government was building a parking structure in the next 6 to 8 months and would immediately lease a church parking lot to relieve the parking tension. Councilmember Olivier noted the residents were not interested in developing a Parking District and thanked staff for all their work.

Councilmember Quintero announced that two of nine homes being built in South East Fresno by the Housing Authority had been completed and were dedicated to two families at Church and Laval Avenues. Councilmember Quintero thanked Habitat for Humanity for its part and the Council for approving the money. Councilmember Quintero also asked City Manager Rudd to provide updates and a timeline regarding the following projects that had been approved by Council last year: the rebuilding of Heaton Avenue and work on four properties on Orange Avenue, dealing with sidewalks, curbs and the granting of easements.

President Baines asked that the meeting be adjourned in the memory of Mary McCoy, a life long resident of the City of Fresno and mother of Reverend Paul McCoy, the Board Chair of the Fresno Economic Opportunity Commission.

APPROVE AGENDA

City Clerk Spence announced the following changes to the agenda: the addition of the Ceremonial Item, "Proclamation of Ron Orozco Day;" removal of Consent Calendar item 1-F (File ID# 15-179) regarding a resolution identifying the terms and conditions for Fire Department response away from their official duty station and assigned to an emergency incident; removal of consent Calendar item 1-M (File ID# 15-213) regarding award of a requirements contact for magnetic flow meters; removal of Consent Calendar item 1-S (File ID# 15-229) regarding a Bill amending the FMC concerning administrative appeals; removal of Consent Calendar item 1-T (File ID# 15-230) regarding a Bill amending the FMC concerning the confirmation of costs by the Hearing Officer; the Fresno Daily Expositor Building that was the subject of the 10:15 A.M. timed item (File ID# 15-196) was located in Council District Three, not District One; the Nestel Home which was the subject of the 10:30 A.M. timed item (File ID# 15-198) was located in Council District Three, not District One; the joint meeting timed item for 9:45 A.M. (File ID# 15-247) was both a Successor Agency and City action.

Vice President Caprioglio noted the 11:00 A.M. Workshop (File ID 15-240) did not provide documentation at least 24 hours before the meeting pursuant to Council policy. He noted the importance of receiving documentation for workshops and action items at least 24 hours before meetings so that Councilmembers would have adequate time to digest the material and form relevant questions.

On motion of Councilmember Soria, seconded by President Baines, the AGENDA was adopted as amended. The motion carried by the following vote:

Aye: 7 - Baines, Caprioglio, Brand, Brandau, Olivier, Quintero and Soria

1. CONSENT CALENDAR**APPROVAL OF THE CONSENT CALENDAR**

On motion of President Baines, seconded by Councilmember Brand, the CONSENT CALENDAR was hereby adopted by the following vote:

Aye: 7 - Baines, Caprioglio, Brand, Brandau, Olivier, Quintero and Soria

- 1-A [ID#15-156](#) Award a service contract in the amount of \$97,086.08, to CIS Security, Incorporated for security operations at the Fresno-Clovis Regional Wastewater Reclamation Facility

Sponsors: Department of Public Utilities

AWARDED

The above item was approved on the Consent Calendar.

- 1-B [ID#15-168](#) Approve a substitution of a listed subcontractor for the Universally Accessible Park Project PC00066 (Council District 1)

Sponsors: Public Works Department

APPROVED

The above item was approved on the Consent Calendar.

- 1-C [ID#15-174](#) Approve the Fourth Amendment to the Agreement with Sharp Inspection Group in the amount of \$50,000 for construction management services on the City of Fresno commercial water meter retrofit project (All Council Districts)

Sponsors: Public Works Department

APPROVED

The above item was approved on the Consent Calendar.

- 1-D [ID#15-177](#) Approve a loan agreement between City of Fresno Fire Department (Fire Department) and Fire Investigative Strike Team ("FIST") for City use of a vehicle specially equipped to accommodate a canine unit

Sponsors: Fire Department

APPROVED

The above item was approved on the Consent Calendar.

- 1-E [ID#15-178](#) Actions relating to 2014 Cycle State Homeland Grant Program Fund
1. Authorize acceptance of fiscal year 2014 Cycle State Homeland Security Grant Program Funds, through the County of Fresno ("County") in the amount of \$145,000
 2. RESOLUTION - Authorizing the application for and acceptance of FY 2014 Cycle U.S. Department of Homeland

Security/Office of Domestic Preparedness "State Homeland Security Grant Program" Funds, through the County of Fresno, and authorizing completion of required documents

3. ***RESOLUTION - 40th amendment to the Annual Appropriation Resolution ("AAR") No. 2014-95 appropriating \$145,000 from the State Homeland Security Grant Program to the Fire Department to provide equipment and support of the community emergency response team (Requires 5 affirmative votes)

Sponsors: Fire Department

RESOLUTION 2015-42 ADOPTED

RESOLUTION 2015-43 ADOPTED

The above item was approved on the Consent Calendar.

- 1-F [ID#15-179](#) RESOLUTION - Identifying the terms and conditions for Fire Department response away from their official duty station and assigned to an emergency incident

Sponsors: Fire Department

REMOVED FROM AGENDA BY STAFF

- 1-G [ID#15-187](#) Award a purchase contract in the amount of \$432,359 to Herwaldt Automotive for the purchase of BMW police motorcycles - Bid File 3377

Sponsors: Department of Public Transportation (FAX)

Moved to Contested Consent Calendar by Councilmember Brand for further discussion.

- 1-H [ID#15-192](#) Authorize the Chief of Police to enter in Memorandums of Understanding ("MOU's") with the Community Based Organizations ("CBO's") as identified in the California Gang Reduction, Intervention and Prevention ("CalGRIP") 2015-2017 grant program agreement

Sponsors: Police Department

AUTHORIZED

The above item was approved on the Consent Calendar.

- 1-I [ID#15-194](#) RESOLUTION - Of Intention to annex Final Tract Maps No. 6053, 6052 and 6075, Annexation No. 60, to the City of Fresno

Community Facilities District No. 11 (the northwest and northeast corners of W. Herndon and N. Hayes Avenues)
(Council District 2)

Sponsors: Public Works Department

RESOLUTION 2015-44 ADOPTED

The above item was approved on the Consent Calendar.

- 1-J [ID#15-199](#) Approve the appointment of Annalisa Perea to the Tower District Design Review Committee

Sponsors: City Councilmember Soria

APPROVED

The above item was approved on the Consent Calendar.

- 1-K [ID#15-209](#) Approve the acquisition of permanent pipeline right-of-way easement and temporary construction easement from Robert D. and Suzanne Johnson for APN 580-040-21s, formerly a portion of 580-040-03, (Sphere of Influence in County of Fresno)

Sponsors: Department of Public Utilities

APPROVED

The above item was approved on the Consent Calendar.

- 1-L [ID#15-210](#) Authorize the Chief of Police to enter in Memorandums of Understanding ("MOUs") with the Community Based Organizations ("CBOs") as identified in the 2014 Project Safe Neighborhoods grant program agreement

Sponsors: Police Department

Moved to Contested Consent Calendar by Councilmember Quintero for further discussion.

- 1-M [ID#15-213](#) Award a requirements contract in the amount of \$182,807 to All West Equipment dba Frank A. Olsen Co., for magnetic flow meters and authorize the Director of Public Utilities, or their designee to execute a one-year contract with provisions for two one-year extensions - Bid File 9316 (Citywide)

Sponsors: Department of Public Utilities

REMOVED FROM AGENDA BY STAFF

- 1-N [ID#15-214](#) Approve an agreement to reimburse FFDA Properties, Limited Liability Company and Granville Homes, Incorporated an amount not to exceed \$67,772.15 for the design and construction of an 8-inch diameter water main in San Joaquin Street to 'L' Street, then north in 'L' Street connecting to the existing 8-inch main in E. Divisadero Street (Council District 3)

Sponsors: Department of Public Utilities

APPROVED

The above item was approved on the Consent Calendar.

- 1-O [ID#15-217](#) Actions pertaining to the Veterans Boulevard Grade Separation Project and adjustments to Pacific Gas and Electric Company facilities:
1. Approve an actual cost contract in the amount of \$453,000 with Pacific Gas and Electric Company for the adjustment of an overhead electrical tower to accommodate the Veterans Boulevard Grade Separation Project.
 2. Approve a Consent to Common Use Agreement with Pacific Gas and Electric Company for the overlapping area shared by the City of Fresno and Pacific Gas and Electric Company within the Veterans Boulevard Grade Separation Project limits

Sponsors: Public Works Department

APPROVED

The above item was approved on the Consent Calendar.

- 1-P [ID#15-224](#) Approve the Supplemental Agreement No. 1 to Fresno-Clovis Water System interconnection agreement for interconnection of municipal potable water systems for temporary water service and emergency backup (Council District 4)

Sponsors: Department of Public Utilities

APPROVED

The above item was approved on the Consent Calendar.

- 1-Q [ID#15-225](#) Actions pertaining to the award of a sole source service contract to ShotSpotter, Inc. ("ShotSpotter"):
1. Authorize the Chief of Police or designee to specify ShotSpotter, without substitution, to provide gunshot detection

services through the ShotSpotter Flex™ Gunshot Location, Alert, and Analysis Service; and uphold the City Manager's determination that ShotSpotter is uniquely qualified to provide the service

2. Award a service contract in the amount of \$450,000 to ShotSpotter, Inc., sufficient for ShotSpotter to provide a continuous three square mile area of coverage for three years.

3.*** RESOLUTION - 43rd Amendment to the Annual Appropriation Resolution (AAR) No. 2014-95 appropriating \$109,000 into the Police Department's FY 2015 budget for the CalGRIP grant program (Requires 5 affirmative votes)

Sponsors: Police Department

RESOLUTION 2015-45 ADOPTED

The above item was approved on the Consent Calendar.

- 1-R [ID#15-226](#) Approve the following District Committee appointments:
1. Approve the appointments of Geri Yang-Johnson and Tiffany Mangum to the District 1 Plan Implementation Committee - Councilmember Soria
 2. Approve the appointment of Christiansen Flemming to the District 3 Plan Implementation Committee - Council President Baines

APPROVED

The above item was approved on the Consent Calendar.

- 1-S [ID#15-229](#) ***BILL NO. B-4 (Intro. 3/5/2015) (For adoption) - Amending Section 1-407 of the Fresno Municipal Code to require the advance deposit of fines at the time of filing an administrative appeal

Sponsors: City Manager's Office

REMOVED FROM AGENDA BY STAFF

- 1-T [ID#15-230](#) ***BILL No. B-5 (Intro. 3/5/2015) (For adoption) - Amending Subsection (d) of the Fresno Municipal Code, Section 1-506 of Article 5, Chapter 1 to require the conformation of costs by the Hearing Officer

Sponsors: City Manager's Office

REMOVED FROM AGENDA BY STAFF

CONTESTED CONSENT CALENDAR

- 1-G** [ID#15-187](#) Award a purchase contract in the amount of \$432,359 to Herwaldt Automotive for the purchase of BMW police motorcycles - Bid File 3377

Sponsors: Department of Public Transportation (FAX)

The above item was introduced to Council by Public Transportation Director Marshall.

APPROVED

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

Aye: 7 - Baines, Caprioglio, Brand, Brandau, Olivier, Quintero and Soria

- 1-L** [ID#15-210](#) Authorize the Chief of Police to enter in Memorandums of Understanding ("MOUs") with the Community Based Organizations ("CBOs") as identified in the 2014 Project Safe Neighborhoods grant program agreement

Sponsors: Police Department

Councilmember Quintero introduced the item to Council.

APPROVED

On motion of Councilmember Quintero, seconded by Councilmember Soria, the above item was approved. The motion carried by the following vote:

Aye: 7 - Baines, Caprioglio, Brand, Brandau, Olivier, Quintero and Soria

5. SCHEDULED COUNCIL HEARINGS AND MATTERS**10:00 A.M.**

- [ID#15-186](#) HEARING to consider Text Amendment Application No. TA-14-003 and related environmental finding regarding mixed use development in the C-P (Administrative and Professional Office) zone district and the use of family restaurant, game and

entertainment center (Citywide Application)

a. Adopt the environmental finding of Environmental Assessment No. TA-14-003, dated February 10, 2015, pursuant to CEQA Guidelines Section 15061(b)(3), that there is no possibility that this project may have a significant effect on the environment

b. BILL - (For introduction) - Amending Sections 12-216.3-B, 12-325-D-2-B, and 12-306-N-37 of the Fresno Municipal Code to allow the use of a family restaurant, game and entertainment center within a mixed use development with a minimum of 20 acres that is zoned C-P

Sponsors: Development and Resource Management Department

The above item was introduced to Council by Development and Resources Management ("DARM") Planner Contreras. DARM Assistant Director Sanchez also answered questions.

BILL B-7 INTRODUCED AND LAID OVER

On motion of Councilmember Brand, seconded by Councilmember Brandau, the above item was introduced and laid over. The motion carried by the following vote:

Aye: 7 - Baines, Caprioglio, Brand, Brandau, Olivier, Quintero and Soria

10:15 A.M.

ID#15-196 HEARING to consider adoption of resolutions related to the designation of properties to the Local Register of Historic Resources

- 1.*** RESOLUTION - Designating the A.G. and Henrietta Wishon Home located at 3555 E. Huntington Boulevard, Fresno, California to the Local Register of Historic Resources (Council District 5)
- 2.*** RESOLUTION - Designating the Fresno Daily Expositor Building located at 1029-1031 Fulton Mall, Fresno, California to the Local Register of Historic Resources (Council District 3)

Sponsors: Development and Resource Management Department

The above item was introduced to Council by Development and Resources Management Historic Preservation Project Manager Hattersley-Drayton.

The following member(s) of the public spoke on this item: Dave Herb and John Rupe.

RESOLUTION 2015-46 ADOPTED

RESOLUTION 2015-47 ADOPTED

On motion of President Baines, seconded by Councilmember Brandau, the above item was adopted. The motion carried by the following vote:

Aye: 7 - Baines, Caprioglio, Brand, Brandau, Olivier, Quintero and Soria

10:30 A.M.

ID#15-198 HEARING to consider request to rescind the historic designation of the Nestel Home located at 1527 "L" Street due to a loss of integrity (Council District 3)

1. ***RESOLUTION - Rescinding the Nestel Home located at 1527 "L" Street from the Local Register of Historic Resources due to a loss of integrity by rescinding City Council Resolution 80-295

Sponsors: Development and Resource Management Department

The above item was introduced to Council by Development and Resources Management Historic Preservation Project Manager Hattersley-Drayton.

RESOLUTION 2015-48 ADOPTED

On motion of President Baines, seconded by Councilmember Brand, the above item adopted. The motion carried by the following vote:

Aye: 7 - Baines, Caprioglio, Brand, Brandau, Olivier, Quintero and Soria

10:45 A.M.

ID#15-222 Submission and Acceptance of City of Fresno Comprehensive Annual Financial Report ("CAFR") for Fiscal Year 2014

Sponsors: Finance Department

The above item was introduced to Council by Finance Director Lima.

ACCEPTED

On motion of Councilmember Brand, seconded by Councilmember Quintero, the Comprehensive Annual Financial Report for Fiscal Year 2014 was accepted. The motion carried by the following vote:

Aye: 7 - Baines, Caprioglio, Brand, Brandau, Olivier, Quintero and Soria

9:45 A.M.

REPORT TO THE CITY COUNCIL, SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF FRESNO AND THE FRESNO REVITALIZATION CORPORATION

The City Council met in joint session with the Successor Agency to the Redevelopment Agency of the City of Fresno and Fresno Revitalization Corporation at 11:19 A.M. to discuss the following:

- ID#15-247 Successor Agency to the Redevelopment Agency consider adopting and approving:
1. Adopt finding of Categorical Exemption pursuant to Section 15332/Class 32 of the CEQA Guidelines (Successor Agency and City Action)
 2. Approve Purchase and Sale Agreement between the Successor Agency to the Redevelopment Agency of the City of Fresno and the City of Fresno for the sale of certain former Redevelopment Agency Parcel located near the west corner of Inyo Street and Fulton (APN 468-282-23T) within the City of Fresno (Successor Agency and City Action)

The above item was introduced to Council and the Successor Agency by Successor Agency Executive Director Murphey.

APPROVED

CITY COUNCIL VOTE

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

Aye: 7 - Baines, Caprioglio, Brand, Brandau, Olivier, Quintero and Soria

SUCCESSOR AGENCY VOTE

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

Aye: 7 - Baines, Caprioglio, Brand, Brandau, Olivier, Quintero and Soria

ADJOURN AGENCY

The joint meeting adjourned at 11:20 A.M.

3. CITY COUNCIL

- 3-A** [ID#15-175](#) **BILL - (For introduction) - Amending Section 12-2103 by amending Subsection (c) and adding Subsection (g), amending Section 12-2104 and adding Sections 12-2104.1 and 12-2108 to the Fresno Municipal Code relating to medical marijuana cultivation - Council Subcommittee on medical marijuana - Council President Baines, Councilmember Olivier and former Councilmember Xiong**

Sponsors: City Councilmember Baines and City Councilmember Olivier

The above item was introduced to Council by District Three Council Assistant Arceneaux.

President Baines appointed Councilmember Soria to the Marijuana sub committee to serve with him and Councilmember Olivier. President Baines also announced that he had informally asked the Fresno County Board of Supervisors Chair if the Board would be interested in a joint meeting which covered the topic of marijuana and stated he would continue working toward that end.

BILL B-8 INTRODUCED AND LAID OVER

On motion of President Baines, seconded by Councilmember Olivier, the above item was introduced and laid over. The motion carried by the following vote:

Aye: 5 - Baines, Caprioglio, Brand, Olivier and Soria

No: 2 - Brandau and Quintero

5. SCHEDULED COUNCIL HEARINGS AND MATTERS **CONTINUED**

11:00 A.M.

[ID#15-240](#) Workshop to present overview of the new Fresno Development Code

The above workshop was introduced to Council by Development and Resources Management ("DARM") Assistant Director Zack. DARM Director Clark and City Manager Rudd answered additional questions.

Councilmember Olivier requested that his office be involved in several meetings to help him better understand the Development Code update before Council is required to vote on the item.

SCHEDULED COMMUNICATION CONTINUED

11:15 A.M.

[ID#15-231](#) Appearance by Lisa Lindsay, a librarian at the Central Library to discuss and review her film that will screen in April called Our Lives: Surviving the Streets of Fresno. The movie is about individuals who live on the streets here in Fresno who share their varied experiences

APPEARED

UNSCHEDULED COMMUNICATION

Upon call, no members of the public addressed Council with unscheduled communication.

RECESSED 12:12 P.M. to 1:00 P.M.

4. CLOSED SESSION

The City Council met in closed session in Room 2125 from 1:00 P.M. to 3:44 P.M. to discuss the following:

[ID#15-188](#) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Government Code Section 54956.9, Subdivision (d)(2)
Significant Exposure to Litigation:
1. Floyd Johnston Construction Company v. City of Fresno

(WEST YOST PROJECT: WC00030 Large Diameter Transmission Main in Northeast Fresno Segment I)

The above item was discussed in closed session. No open session announcement was made regarding this item.

- ID#15-189 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)
1. Angel Keith Toscano, et al. v. Fresno Police Department, et al. United States District Court Case No. 13-CV-01987 SAB

The above item was discussed in closed session. No open session announcement was made regarding this item.

- ID#15-235 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)
1. City of Fresno v. Leonard Verni, et al; Superior Court No. 15CECG00258 / 15CECG00259

The above item was discussed in closed session. No open session announcement was made regarding this item.

- ID#15-236 CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Government Code Section 54956.8
- Property: APNs 581-030-02S; 580-040-07; 580-040-08; 581-020-05S
- Negotiating Parties: City Manager Bruce Rudd, Director of Public Utilities Thomas Esqueda; Rodric and Kimberly Lichti; Earleen Leshar and the estate of Velda D. Leshar; Lilli Herold and Linda E. Cheney as trustees of the Lilli Herold Living Trust

The above item was discussed in closed session. No open session announcement was made regarding this item.

- ID#15-237 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)
1. Bitters et al. v. Federal Highway Administration; United States District Court - Eastern District (Sacramento) No. 1:14-CV-01646

The above item was discussed in closed session. No open session announcement was made regarding this item.

- ID#15-238 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)
1. Downtown Fresno Coalition v. City of Fresno; Superior Court No. 14CECG00890, Fifth District Court of Appeal No. F070845

The above item was discussed in closed session. No open session announcement was made regarding this item.

- ID#15-193 CONFERENCE WITH LABOR NEGOTIATOR - Government Code Section 54957.6
- City Negotiator(s): Ken Phillips, Jeff Cardell
- Employee Organization(s):
1. IUOE, Stationary Engineers, Local 39 (L39)
 2. Fresno City Employees Association (FCEA)
 3. Fresno Police Officers Association (FPOA Basic)
 4. International Association of Firefighters, Local 753 (Fire Basic)
 5. Amalgamated Transit Union, Local 1027 (ATU)
 6. International Brotherhood of Electrical Workers, Local 100 (IBEW)
 7. Fresno Police Officers Association (FPOA Management)
 8. International Association of Firefighters, Local 753 (Fire Mgmt)
 9. City of Fresno Professional Employees Association (CFPEA)
 10. City of Fresno Management Employees Association (CFMEA)
 11. Fresno Airport Public Safety Supervisors (FAPSS)

Sponsors: Personnel Services Department

The above item was discussed in closed session. No open session announcement was made regarding this item.

- ID#15-239 PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Government Code Section 54957
- Title: City Attorney

The above item was discussed in closed session. No open session announcement was made regarding this item.

2. GENERAL ADMINISTRATION

Councilmember Quintero was absent from the Council Chamber when open session resumed at 3:44 P.M. He re-entered the Council Chamber at 3:52 P.M.

- 2-A** [ID#15-153](#) BILL - (for introduction and adoption) - To cancel the Artisan Square Development Agreement

Sponsors: Development and Resource Management Department

The above item was introduced to Council by Development and Resources Management Assistant Director Sanchez.

The following member(s) of the public spoke on this item: Jeff Roberts of Granville Homes.

**BILL B-9 INTRODUCED AND ADOPTED AS
ORDINANCE 2015-4**

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

Aye: 6 - Baines, Caprioglio, Brand, Brandau, Olivier and Soria

Absent: 1 - Quintero

- 2-B** [ID#15-185](#) RESOLUTION - Authorizing the execution and delivery of an Equipment Lease Purchase Agreement with Community First National Bank as Lessor for the acquisition, purchase, financing and leasing of certain equipment for the Fresno Fire Department in a principal amount not to exceed \$7,150,000

Sponsors: Fire Department

The above item was introduced to Council by Fire Chief Donis. City Manager Rudd also spoke on this item.

RESOLUTION 2015-49 ADOPTED

On motion of President Baines, seconded by Councilmember Brand, the above item was adopted. The motion carried by the following vote:

Aye: 7 - Baines, Caprioglio, Brand, Brandau, Olivier, Quintero and Soria

Councilmember Brandau exited the Council Chamber at 3:53 P.M.

- 2-C** [ID#15-208](#) Actions pertaining to the Tulare Street Wireless Intelligent Transportation System ("ITS") Traffic Signals Synchronization Project from "C" Street to Clovis Avenue - Bid File 3367 (Council Districts 3, 5, 7 and Fresno County)
1. Adopt a finding of a Categorical Exemption per staff determination, pursuant to Section 15301(c) of the CEQA Guidelines for the Tulare Street Wireless ITS Project from "C" Street to Clovis Avenue
 2. Award a Construction Contract with A-C Electric Company of Fresno, California in the amount of \$682,860 for the base bid and add alternates 1 and 2 for the Tulare Street Wireless ITS Project from "C" Street to Clovis Avenue

Sponsors: Public Works Department

The above item was introduced to Council by Public Works Engineer Johnson.

APPROVED

On motion of Councilmember Quintero, seconded by Councilmember Soria, the above item was approved. The motion carried by the following vote:

Aye: 6 - Baines, Caprioglio, Brand, Olivier, Quintero and Soria

Absent: 1 - Brandau

- 2-D** [ID#15-211](#) ***BILL NO. B-6 - (Intro. 3/5/2015) (For adoption) - Adding Article 3.13 to Chapter 12 of the Fresno Municipal Code relating to the transfer of development impact fees for the reestablishment of businesses relocated due to condemnation

Sponsors: Public Works Department

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

ORDINANCE 2015-5 ADOPTED

On motion of President Baines, seconded by Councilmember Brand, the above item was adopted. The motion carried by the following vote:

Aye: 6 - Baines, Caprioglio, Brand, Olivier, Quintero and Soria

Absent: 1 - Brandau

ADJOURNMENT

Adjourned in the memory of Mary McCoy at 3:57 P.M.