



# City of Fresno

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

## Meeting Minutes - Final 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*

**Thursday, June 22, 2017**

**8:30 AM**

**Council Chambers**

### Regular Meeting

The City Council met in regular session in the Council Chamber, City Hall, on the date and time written above.

8:41 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

*Invocation led by Reverend Ara Guekguezian of the First Congregational Church*

Pledge of Allegiance to the Flag

*Pledge of Allegiance led by President Olivier*

**Councilmember Baines III absent during Approval of Agenda and Approval of the Minutes and entered the Council Chambers at 8:54 A.M.**

### **APPROVE AGENDA**

*City Clerk Spence announced the following changes to the agenda:*

*June 8, 2017 minutes will be continued to June 29, 2017 agenda.  
June 15, 2017 Special Meeting minutes will be added to the approval.  
File ID 17-810 - to include "Resolution" to the action*

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

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

**Absent:** 1 - Baines III

## **CEREMONIAL PRESENTATIONS**

[ID17-886](#) Proclamation of "Immigrant Heritage Month"

*PRESENTED*

## **APPROVE MINUTES**

[ID17-103](#) Approval of minutes from June 13, 14 and 15, 2017 and Special Meeting minutes for June 15, 2017. Minutes for June 8, 2017 will be continued to June 29, 2017.

**On motion of Councilmember Chavez, seconded by Councilmember Bredefeld, the above MINUTES were approved as amended. The motion carried by the following vote:**

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

**Absent:** 1 - Baines III

## **COUNCILMEMBER REPORTS AND COMMENTS**

*Councilmember Soria thanked Department of Public Works for all the work they have done in District 1, she spoke regarding immigration workshop and Chicano Leadership.*

*Councilmember Olivier spoke regarding small cell tower ordinance.*

**Councilmember Soria was absent during Consent Calendar and entered the Council Chambers at 9:03 A.M.**

### **1. CONSENT CALENDAR**

*Councilmember Brandau moved the following Consent Calendar item 1-K (17-907) to the Contested Consent Calendar for further discussion.*

APPROVAL OF THE CONSENT CALENDAR

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

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

**Absent:** 1 - Soria

- 1-A** [ID17-757](#) \*\*\*RESOLUTION - 15th amendment to Fiscal Year 2017 Salary Resolution No. 2016-120 to implement a scheduled 2% wage increase in Exhibit 3, Unit 3, Non-Supervisory White Collar (FCEA), pursuant to the successor MOU with the Fresno City Employees Association (FCEA), effective June 30, 2017

*RESOLUTION 2017-160 APPROVED*

**This Action Item was approved on the Consent Calendar.**

- 1-B** [ID17-817](#) **RESOLUTION** - Approving the Final Map of Tract No. 6163 and accepting dedicated public uses offered therein - southwest corner of North Temperance Avenue and East Dakota Avenue (Council District 4)

*RESOLUTION 2017-161 APPROVED*

**This Action Item was approved on the Consent Calendar.**

- 1-C** [ID17-789](#) Approve a substitution of a listed subcontractor Steven's Electrical Contracting, of Madera, CA for the 2 MW Emergency Generator Installation at the Northeast Surface Water Treatment Facility, Project ID WC00021 (Council District 6)

*APPROVED*

**This Action Item was approved on the Consent Calendar.**

- 1-D** [ID17-874](#) Approve the Third Amendment, in the amount of \$42,200, to the agreement with FirstCarbon Solutions for environmental construction monitoring services on the Fulton Street Reconstruction Project (Council District 3)

*APPROVED*

**This Action Item was approved on the Consent Calendar.**

- 1-E** [ID17-885](#) Actions pertaining to the Fairview Trail Rehabilitation Project - Bid File 3542 (Council District 3)
1. Adopt a finding of Categorical Exemption per staff determination,

pursuant to Section 15301(c) Class 1 of the California Environmental Quality Act Guidelines (CEQA) for the Fairview Trail Rehabilitation Project

2. \*\*\*RESOLUTION - 61st amendment to the Annual Appropriations Resolution (AAR) No. 2016-118, to appropriate \$200,600 in Measure "C" Flexible funding for Fairview Trail Reconstruction and Repairs (Requires 5 affirmative votes)
3. Award a Construction Contract with F. Loduca Co., in the amount of \$484,010 for the Fairview Trail Rehabilitation Project and authorize the Public Works Director or designee to sign a contract on behalf of the City

*RESOLUTION 2017-162 ADOPTED*

**This Action Item was approved on the Consent Calendar.**

- 1-F**     [ID17-901](#)     Actions pertaining to Initiating Proceedings and Declaring Intention to Levy the Annual Assessment for the City of Fresno Landscaping and Lighting Maintenance District No. 1; and setting the public hearing for July 20, 2017 at 10:00 a.m. (Citywide)
1. RESOLUTION - Initiating proceedings for the annual levy of assessment
  2. RESOLUTION - of Intention to levy and collect the annual assessment

*RESOLUTION 2017-163 #1 APPROVED*

*RESOLUTION 2017-164 #2 APPROVED*

**This Action Item was approved on the Consent Calendar.**

- 1-G**     [ID17-778](#)     Authorize the Chief of Police to approve the 2nd Amendment to the original agreement for forensic interview services with Family Healing Center, Inc., to extend the term of the agreement for one (1) year and to increase the total contract dollar amount to \$105,000.

*APPROVED*

**This Action Item was approved on the Consent Calendar.**

- 1-H**     [ID17-856](#)     Actions pertaining to the approval of a cooperative purchasing agreement between the City of Fresno and Musco Sports Lighting, LLC, for the installation of LED sports field lighting at Melody Park (Council District 4)

*APPROVED*

**This Action Item was approved on the Consent Calendar.**

- 1-I**     [ID17-863](#)

Award a requirements contract in the amount of \$143,930.68 to Metron Farnier, LLC., for single jet water meters for an one-year contract with provisions for two one-year extensions, total amount not to exceed \$429,545.04 - Bid File 9396 (Citywide)

*APPROVED*

**This Action Item was approved on the Consent Calendar.**

- 1-J [ID17-864](#) Approve a Change Order for Clark Brothers Inc., in the amount of (\$3,739.70) and a time extension of 31 calendar days for the Recycled Water Pump Station at the Fresno-Clovis Regional Wastewater Reclamation Facility (Council District 3)

*APPROVED*

**This Action Item was approved on the Consent Calendar.**

- 1-K [ID17-907](#) Consider Plan Amendment Application No. A-17-004, Rezone Application No. R-17-006, Development Code Text Amendment Application No. TA-17-004 and related environmental finding filed by the Development and Resource Management Department Director pertaining to 174.6 acres of property as follows: (Citywide)

1. **BILL NO. B-31 - (Intro. 6/8/2017) (For adoption)** - Approving Text Amendment Application No. TA-17-004 for minor changes to the Development Code in order to improve functionality, clarity, internal consistency, and consistency with State law. Proposed amendments affect the following standards and/or procedures: abandonment of private right-of-way; calculation of residential density; rear yard setback reduction; determining lot frontage; applicability of multi-family frontage coverage and front setback requirements; the allowed locations of auto sales and leasing, caretaker residences, family day care, parks, and schools; applicability of sidewalk configuration; allowed locations of accessory structures and pool equipment; safety standards for electric fences; intersection visibility; applicability of TOD Height and Density Bonus; landscape buffers; temporary parking lots; signs; child care centers and family child care homes operational requirements; drive-throughs; mobile vendors; amateur (ham) radios; Airport Land Use Commission review of text amendments; planned developments; tasting rooms, among others. The affected sections are 15-108-B-5, 15-310-B, 15-312-A, 15-904-A-7, Table 15-1003, Table 15-1102, 15-1104-B, Table 15-1202, Table 15-1504-K-2, 15-2004-D-2-b-ii, 15-2005, Figure 15-2006-C, 15-2010-J, Figure 15-2018, Table 15-2018-A, 15-2102-B, 15-2305-C-1, Table 15-2305-C-1, 15-2431, 15-2605-B, Table 15-2608, Table 15-2608-B-5, 15-2609-H, 15-2612-A, 15-2612-D, Section 15-2725, 15-2728-B-2, 15-2728-B-2, 15-

2759, 15-5808, 15-5903-D, 15-5904-B-3, 15-6707, and 15-6802.

*The above item was moved to the Contested Consent Calendar by Councilmember Brandau for further discussion*

## **CONTESTED CONSENT CALENDAR**

### **1-K [ID17-907](#)**

Consider Plan Amendment Application No. A-17-004, Rezone Application No. R-17-006, Development Code Text Amendment Application No. TA-17-004 and related environmental finding filed by the Development and Resource Management Department Director pertaining to 174.6 acres of property as follows: (Citywide)

- 1. BILL NO. B-31 - (Intro. 6/8/2017) (For adoption)** - Approving Text Amendment Application No. TA-17-004 for minor changes to the Development Code in order to improve functionality, clarity, internal consistency, and consistency with State law. Proposed amendments affect the following standards and/or procedures: abandonment of private right-of-way; calculation of residential density; rear yard setback reduction; determining lot frontage; applicability of multi-family frontage coverage and front setback requirements; the allowed locations of auto sales and leasing, caretaker residences, family day care, parks, and schools; applicability of sidewalk configuration; allowed locations of accessory structures and pool equipment; safety standards for electric fences; intersection visibility; applicability of TOD Height and Density Bonus; landscape buffers; temporary parking lots; signs; child care centers and family child care homes operational requirements; drive-throughs; mobile vendors; amateur (ham) radios; Airport Land Use Commission review of text amendments; planned developments; tasting rooms, among others. The affected sections are 15-108-B-5, 15-310-B, 15-312-A, 15-904-A-7, Table 15-1003, Table 15-1102, 15-1104-B, Table 15-1202, Table 15-1504-K-2, 15-2004-D-2-b-ii, 15-2005, Figure 15-2006-C, 15-2010-J, Figure 15-2018, Table 15-2018-A, 15-2102-B, 15-2305-C-1, Table 15-2305-C-1, 15-2431, 15-2605-B, Table 15-2608, Table 15-2608-B-5, 15-2609-H, 15-2612-A, 15-2612-D, Section 15-2725, 15-2728-B-2, 15-2728-B-2, 15-2759, 15-5808, 15-5903-D, 15-5904-B-3, 15-6707, and 15-6802.

*The item was introduced to Council by Development and Resource Management Department Director Clark.*

*Upon call, there was no public comment.*

*Councilmember Brandau, Director Clark and Assistant Director, Zack spoke regarding drive-throughs and Councilmember Bredefeld spoke regarding the*

*100 foot being removed.*

*ORDINANCE 2017-33 ADOPTED*

**On motion of Councilmember Brandau, seconded by Vice President Soria, the above Ordinance hereby be adopted. The motion carried by the following vote:**

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

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

### **9:00 A.M.**

#### **Actions on the Fiscal Year 2017 Budget and related items - CONTINUED FROM JUNE 20, 2017**

##### *ADDITIONAL MOTIONS*

*Councilmember Bradau motioned to take \$700,000 from Park Impact fee and divide evenly between districts to be utilized for park improvements. Councilmember Caprioglio seconded the motion. This item PASSED by unanimous vote.*

*Councilmember Brandau motioned that the contingency of \$700,000 in the Fire Department identified on the line item detail on page 61 be assigned to tier 1 level for the Riverwest on West of the 99 specific plan if not utilized for its intended purpose. Councilmember Soria seconded the motion. This item PASSED by unanimous vote.*

*Councilmember Caprioglio motioned to amend the Capital Improvement Plan to include a splash pad at Melody Park estimated at \$450,000. Councilmember Baines III seconded the motion. This item PASSED by unanimous vote.*

*Councilmember Baines III motioned to roll over funds totaling \$100,000 from the Southwest CDC. Councilmember Caprioglio seconded the motion. This item PASSED by unanimous vote.*

*Councilmember Chavez motioned to continue to provide support to the Fresno Historical Society at a cost of \$40,000. Councilmember Baines III seconded the motion. This item PASSED by 6 to 1 vote. Councilmember Olivier voting, no.*

[ID17-803](#) \*\*\*RESOLUTION - Council adoption of the Fiscal Year 2017-2018 City of Fresno Budget including the Annual Appropriations Resolution (AAR)

*Upon call there was no public comment.*

**RESOLUTION 2017-165 ADOPTED**

**On motion of Councilmember Baines III, seconded by Vice President Soria, that the above Resolution be adopted. The motion carried by the following vote:**

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

[ID17-802](#) \*\*\*RESOLUTION - Adopt the FY 2018 Position Authorization Resolution

*Upon call there was no public comment.*

**RESOLUTION 2017-166 ADOPTED**

**On motion of Councilmember Baines III, seconded by Vice President Soria, that the above Resolution be adopted. The motion carried by the following vote:**

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

[ID17-899](#) \*\*\* RESOLUTION - of the Council of the City of Fresno adopting the 537th Amendment to the Master Fee Scheduled Resolution No. 80-420 increasing the Convention Center Art, Park Entertainment and Sports (APES) Fee

*Upon call there was no public comment.*

**RESOLUTION 2017-167 ADOPTED**

**On motion of Councilmember Baines III, seconded by Vice President Soria, that the above Resolution be adopted. The motion carried by the following vote:**

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

[ID17-801](#) \*\*\*BILL - (For introduction and Adoption) - Adoption of property Tax Override Ordinance

*Upon call there was no public comment.*

**BILL NO. B-33 AND ORDINANCE NO. 2017-34 ADOPTED**



**On motion of Councilmember Baines III, seconded by Vice President Soria, that the above Action Item be adopted. The motion carried by the following vote:**

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

[ID17-809](#) RESOLUTION - FY2017 Gann Appropriation Limit Resolution

*Upon call there was no public comment.*

*RESOLUTION 2017-168 APPROVED*

**On motion of Councilmember Baines III, seconded by Vice President Soria, that the above Resolution be adopted. The motion carried by the following vote:**

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

[ID17-810](#) Approve the City of Fresno (the "City") Investment Policy for Fiscal Year 2017-2018

*Upon call there was no public comment.*

*RESOLUTION 2017-169 APPROVED.*

**On motion of Councilmember Baines III, seconded by Vice President Soria, that the above Resolution be adopted. The motion carried by the following vote:**

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

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

- [ID17-849](#) **HEARING** to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community Facilities District No. 2, Annexation No. 137 (Final Tract Map No. 5513) (south of East Church Avenue between South Minnewawa and Clovis Avenues) (Council District 5)
1. **\*\*\*RESOLUTION** - Annexing Territory to Community Facilities District No. 2 and Authorizing the Levy of a Special Tax
  2. **\*\*\*RESOLUTION** - Calling Special Mailed-Ballot Election
  3. **\*\*\*RESOLUTION** - Declaring Election Results
  4. **\*\*\*BILL** - (For introduction and adoption) - Levying a Special Tax for the Property Tax Year 2017-2018 and

Future Tax Years Within and Relating to Community  
Facilities District No. 2, Annexation No. 137

*The above hearing was called to order at 10:02 A.M.. The item was introduced to Council by Assistant Director Benelli, Public Works Department.*

*Upon call there was no public comment.*

**RESOLUTION 2017-170 #1 APPROVED**  
**RESOLUTION 2017-171 #2 APPROVED**  
**RESOLUTION 2017-172 #3 APPROVED**  
**BILL NO. B-34 AND ORDINANCE 2017-35 ADOPTED**

**On motion of Councilmember Caprioglio, seconded by Councilmember Brandau, that the above Action Item be 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.**

### **SCHEDULED COMMUNICATION**

[ID17-882](#) Appearance by Mary Esther Correa to dispute the fines she has incurred by Code Enforcement on her Iowa Street property (Property located in District 7)

*Ms. Correa appeared and addressed Council regarding the fixed repairs and her \$13,000 code enforcement fine. She also spoke regarding the homeless Veterans in Fresno who suffer from Post Traumatic Stress Disorder (PTSD) and need help and homes for shelter.*

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

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

*The above meeting started at 10:12 A.M.*

[ID17-916](#) Receive Annual Report and Approve FY 17-18 Program Income Budget for the Housing Successor to the Redevelopment Agency of the City Fresno (Fresno Revitalization Corp./City of Fresno)

*This item was introduced by Executive Director Murphey.*

*Upon call there was no public comment.*

*Member Chavez asked about the Oversight Board appointments.*

*Adjourned at 10:23 A.M.*

**On motion of Member Caprioglio, seconded by Member Bredefeld, that the above Action Item be approved. The motion carried by the following vote:**

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

### **10:30 A.M.**

#### **ID17-911**

Actions related to Kaiser Park (Council District 6):

1. Adopt a finding of Categorical Exemption pursuant to Section 15301, 15304, 15311, and 15332 of the California Environmental Quality Act (CEQA) Guidelines.
2. Approve a ground lease with River Park Little League, Inc.
3. Approve an Amendment and Extension of Agreement for Recreational Use of Basin "CN" between the City, Fresno Metropolitan Flood Control District, and River Park Little League, Inc.
4. RESOLUTION - Finding River Park Little League is uniquely qualified to provide recreational programming at Kaiser Park and Inspiration Park.
5. Approve a service contract with River Park Little League, Inc., to provide recreational programming at Kaiser Park and Inspiration Park.
6. Approve Third Amendment to Agreement with Resources for Independence Central Valley regarding use of Inspiration Park.

*The above item was called to order at 10:33 A.M.. This item was introduced to Council by City Manager Rudd.*

*Upon call there was no public comment.*

*Member of the public Tim Bennett spoke regarding River Park Little League and how their program operates and spoke regarding the parking lot issues. Councilmembers spoke regarding the Challenger program, who is*

*responsible for the maintenance of the park, who the new owner was who didn't allow parking in their lots, parking lot locations and cost of the soccer field.*

*RESOLUTION 2017-173 ADOPTED.*

**On motion of Councilmember Bredefeld, seconded by Vice President Soria, that the above Action Item be adopted. The motion carried by the following vote:**

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

**Absent:** 1 - Olivier

### **4:00 P.M.**

[ID17-908](#)      Actions relating to marijuana within the City of Fresno  
1. BILL - (for Introduction) - Amending Sections 12-2104 and 12-2105 of the Fresno Municipal Code relating to cultivation of marijuana  
2. RESOLUTION - Initiating a Text Amendment to the Zoning Ordinance of the City of Fresno pursuant to FMC Section 15-5803-A (1) to establish zoning and use regulations for recreational Marijuana Activities within the City of Fresno

*The above hearing was called to order at 4:07 P.M.*

*Council President announced to the public that the parking meters were relaxed and the public will have two minute to speak.*

*Councilmember Olivier motioned to approve the amendment of the Municipal Code regarding Marijuana and adopt a Resolution of Intention to initiate a text amendment to permit and regulate both recreational and medical marijuana dispensaries and testing facilities in industrial districts with a CUP with direction for City staff to return to the City Council for final approval by November 1, 2017. Councilmember Soria seconded the motion. Motion FAILED for lack of vote.*

*Councilmembers Brandau asked Council President for clarification on his motion. Councilmember Bredefeld requested the motion be voted on before going out to the public and Mayor Brand requested Council President to go out for public comment prior to the vote of the motion.*

*Upon call, the following members of the public spoke in support and opposition for the above item: Arthur Anderson, Ted Miller, Teresa Wiles,*

*Robert Huggins, Derek Payton, James Alipaa, Rob Lowery, Michael Cunningham, Ze Xiong, Christopher Leal, James White, Elias Loera, Brenda Linder, Joan Mcguire, Griselda Arroyo, Johnathan Zwickae, Rob Cravy, Sue Stone, Booker Lewis, Alexander Acedo, Bill McPike, Kim Castro, George Boyadjian, Amanda Foster, Christina Soto, Donte Farinelli, Erik Zamora, Richard Smith, Richard Davis, Dallas Blanchard, Alfonso Martinez, Stephen Zyrkiewilz, Michael Green, Sister Kate, fred Vanderhoot, Martha Kolstad, Jim Franklin, Andrea Lomaseola, Russell Douglas, Mallory Medina and John Wilson.*

*Council President spoke regarding his concerns of the black market and it hurting Council districts. Councilmember Brandau spoke regarding issues with store fronts and their locations. Councilmember Bredefeld spoke regarding his concerns about the crime rate and homelessness increasing in the City of Fresno. Councilmember Baines III spoke regarding his opposition to the item and his concerns for the youth and the easy access to marijuana. Councilmember Soria echoed her colleagues remarks regarding the youth and easy access to marijuana, requested the item to come back for further discussion and she asked how would public smoking be enforced. Councilmember Caprioglio thanked all the Veterans who spoke on the above item and spoke regarding the ability to review the item in one year. Council President asked City Attorney if there was a way both motions could be voted on and approved.*

*Councilmember Brandau motioned to amend the first motion and to return to the original proposed item for consideration and approval. Councilmember Bredefeld seconded the motion.*

**BILL B-35 ADOPTED**

**RESOLUTION 2017-175 #2 APPROVED**

**On motion of Councilmember Brandau, seconded by Councilmember Bredefeld, that the above Action Item be approved. The motion carried by the following vote:**

**Aye:** 4 - Brandau, Bredefeld, Caprioglio and Chavez

**No:** 3 - Olivier, Soria and Baines III

### **3. GENERAL ADMINISTRATION**

- 3-A**     [ID17-850](#)     Approve a consultant services agreement with Raimi + Associates for an amount not to exceed \$550,000 to prepare the Central Southeast Area Specific Plan. (District 5)

*The above item was introduced to Council by Assistant Director Zack with Development and Resource Management Department.*

*Upon call there was no public comment.*

*Councilmembers spoke regarding the following consultant contract, cost savings, status of opened specific plan, Southwest, Southeast and West of 99.*

**APPROVED.**

**On motion of Councilmember Chavez, seconded by Councilmember Baines III, that the above Action Item be approved. The motion carried by the following vote:**

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

**3-B** [ID17-857](#)

Actions pertaining to Sewer Rehabilitation in Abby Street and Hammond Avenue (Bid File 3485) (Council District 7)

1. Adopt findings of Categorical Exemption Class 1, pursuant to Section 15301(d) (Existing Facilities) and Categorical Exemption Class 2, pursuant to Section 15302(c) (Replacement or Reconstruction) of the California Environmental Quality Act Guidelines
2. Award a contract in the amount of \$702,673.50 to NU-Line Technologies of Encinitas, California
3. Authorize the Director of Public Utilities, or designee, to sign all documents on behalf of the City of Fresno.

*This above item was introduced to Council by Department of Public Utilities Director Esqueda.*

*Upon call there was no public comment.*

**APPROVED.**

**On motion of President Olivier, seconded by Councilmember Caprioglio, that the above Action Item be approved. The motion carried by the following vote:**

**Aye:** 5 - Olivier, Soria, Bredefeld, Caprioglio and Chavez

**Absent:** 2 - Baines III and Brandau

- 3-C [ID17-884](#) Actions pertaining to the installation of water mains in Maroa Avenue from Olive Avenue to McKinley Avenue - Bid File 3357 (Council District 1)
1. Adopt a finding of Class 2 Categorical Exemption as set forth in California Environmental Quality Act (CEQA) Guidelines, Section 15302(c)
  2. Award a construction contract in the amount of \$549,690 to West Valley Construction Company, Inc., of Fresno, California as the lowest responsive and responsible bidder for the construction of the Maroa Avenue water main and authorize the Public Works Director or designee to sign the standardized construction contract on behalf of the City of Fresno

*The above item was introduced to Council by Assistant Director Anderson with Department of Public Works.*

*Upon call there was no public comment.*

*Councilmember Soria asked what the time frame for the work to be started was and the impact of Mora, Olive and McKinley and also encouraged the Department to give enough noticing to the residents who will be impacted by the construction.*

**APPROVED.**

**On motion of Vice President Soria, seconded by Councilmember Chavez, that the above Action Item be approved. The motion carried by the following vote:**

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

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

- 4-A [ID17-909](#) RESOLUTION - Initiating a text amendment to Fresno Municipal Code sections 15-2009(F) and 15-2010(I), relating to security and electric fences

*The above item was introduced to Council by Councilmember Brandau.*

*Upon call there was no public comment.*

*Councilmember Brandau spoke regarding electric fences and to remove the verbiage regarding covenant. John Lee, with Electric Guard Dog, LLC spoke regarding amending the code for security fences.*

*RESOLUTION 2017-174 APPROVED.*

**On motion of Councilmember Brandau, seconded by Councilmember Chavez, that the above Action Item be approved. The motion carried by the following vote:**

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

**Absent:** 1 - Soria

## **5. CLOSED SESSION**

*City Council met in Closed Session in Room 2125 from 11:05 A.M. to 11:40 A.M. to discuss the following:*

### **5-A [ID17-932](#)**

CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Government Code Section 54956.8  
Property: 1800 Tulare Street  
Negotiating Parties: City Manager Bruce Rudd; Fresno Baseball Club, LLC  
Under Negotiation: Price and Terms of Payment  
Sponsors: City Attorney's Office and City Manager's Office

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

**PLEASE NOTE: UNSCHEDULED COMMUNICATION IS NOT SCHEDULED FOR A SPECIFIC TIME AND MAY BE HEARD ANY TIME DURING THE MEETING**

## **UNSCHEDULED COMMUNICATION**

*Upon call there was no Unscheduled Communication.*

## **ADJOURNMENT**

*City Council Adjourned at 6:44 P.M.*

*The above minutes were approved at the July 20, 2017 meeting with a motion from Councilmember Brandau and a second by Councilmember Soria. On a vote of 6-0 with Councilmember Caprioglio absent.*