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Agenda Item: File ID 16-165

Date: 12/8/2016

CITY CLERK, FRESNO

FRESNO CITY COUNCIL



Supplemental Information Packet

Agenda Related Items – File ID 16-165

Contents of Supplement: Draft City Council Minutes from December 1, 2016

Item(s)

Approval of minutes from December 1, 2016

Supplemental Information:

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City of Fresno

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

Meeting Minutes - Draft City Council

President - Paul Caprioglio

Vice President - Sal Quintero

Councilmembers:

Oliver L. Baines, III, Lee Brand, Steve Brandau,

Clinton J. Olivier, Esmeralda Z. Soria

City Manager - Bruce Rudd

City Attorney - Douglas T. Sloan

City Clerk - Yvonne Spence, CMC

Thursday, December 1, 2016

9:00 AM

Council Chambers

Regular Session

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

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

9:00 A.M. ROLL CALL

Invocation by Senior Pastor Will Stoll of the Northwest Church

Pledge of Allegiance to the Flag

APPROVE AGENDA

City Clerk Spence announced the following changes to the agenda:

The 2017 City Council Meeting Schedule which is General Administration item 2-D (File ID 16-1339) has been changed so that the January 5, 2016 meeting begins at 10:00 A.M. for the Swearing In Ceremony.

General Administration item 2-F (File ID 16-1370) (Fulton Corridor Survey) will be heard on the Consent Calendar as item 1-V

There is a special meeting at 9 a.m. for a closed session item with the following title: CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Government Code Section 54956.8; Property: 5607 W. Jensen; Negotiating Parties: City Manager Bruce Rudd; Darling Ingredients, Inc. Under Negotiation: Price and Terms of Payment

On motion of Councilmember Baines III, seconded by Councilmember Olivier, the Agenda was adopted as amended. The motion carried by the following vote:

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

APPROVE MINUTES

[ID16-164](#) Approval of minutes from November 17, 2016

APPROVED

On motion of Councilmember Olivier, seconded by Councilmember Brand, the above Minutes were approved. The motion carried by the following vote:

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

COUNCILMEMBER REPORTS AND COMMENTS

Councilmember Quintero asked the City Manager and Assistant City Manager to pass along to Code Enforcement that we had a property on the Southwest corner of Hamilton and Orange where the road was rebuilt there earlier this year which was a great job by the Public Works Department. It was a real bad business where they had a ton of inoperable and tires that was just stacked up. They went in there and cleaned it up. They did a great job. It's great for the neighborhood to get it all cleaned up. Please thank them for doing a great job.

Secondly, I wanted to inform the Fresno city family that we are collecting new and gently used coats this year. District 5 is collecting coats for the Poverello House and the Holy Cross Center for Women and Children. The collection site is in front of our office in City Hall. Please bring the coats to us, they will be picked up on December 22, 2016. There is a big need so the more coats, the merrier.

Councilmember Soria made the following announcements: 1) I would like to thank the City Manager, Code Enforcement, the Fresno Police Department and the Planning staff at our Home and Community meeting in District 1 earlier this week. 2) I wanted to give an update on the recycling issue. I believe every council office staff has been involved in talking about the issue and trying to find a policy solution to the issue of recycling centers in neighborhoods. I look forward to continuing working with the City Manager as we bring a policy forward. 3) District 1 is doing our 4th annual holiday toy drive. Our drive will benefit, the homeless and foster children in District 1. We partnered with Fresno Unified, Central Unified and also Fresno EOC Sanctuary. There are also businesses where you can drop off unwrapped toys throughout the District. I would like to acknowledge the following businesses: Gazebo Gardens, Yosemite Falls on Ashland, 7-11 on Clinton and Fruit, Pardini's, Rancho;s Bakery on Shields, and DiCicco's on Shaw. If you are out shopping and want to drop off toys, you can do it at any of these locations, or you can drop them off at our office. We will be collecting toys through December 16, 2016.

Councilmember Baines reminded his colleagues of the Christmas Parade this Saturday at 10am, going through the downtown area. Councilmember Baines will be the Grand Marshal. Hope to see everyone there.

City Manager Bruce Rudd reminded everyone that tonight is the official opening of the Cultural Arts District Park which has interactive LED Canopy's. Calveras will be lined with food trucks and there will be live Music. He invited all of the councilmembers to the ribbon cutting that will take place shortly after 5pm.

1. CONSENT CALENDAR

APPROVAL OF THE CONSENT CALENDAR

Councilmember Soria moved Consent Calendar item 1-N (File ID 16-1375) to the Contested Consent Calendar for further discussion.

Councilmember Brand moved Consent Calendar item 1-R (File ID 16-1349) to the Contested Consent Calendar for further discussion.

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

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

- 1-A [ID16-1296](#) Approve the acquisition of 2,647 square feet of property owned by Johnny Lopez (APN 310-111-12), in the amount of \$46,300, to widen East Belmont Avenue between Clovis and Fowler Avenues. (Council District 5)

APPROVED

The above item was approved on the Consent Calendar.

- 1-B [ID16-1308](#) Approve acceptance of a donation of approximately 1.89 acres of property (APN 504-091-20T) owned by Central Unified School District for the future construction of a trailhead at N. Hayes Avenue and N. Veterans Boulevard. (Council District 2)

APPROVED

The above item was approved on the Consent Calendar.

- 1-C [ID16-1248](#) Actions pertaining to the acquisition of a portion of APNs 504-091-21S and 504-091-21, owned by Lennar Fresno Inc. for the Veterans Boulevard project and for the future construction of a trailhead at N. Hayes Avenue and N. Veterans Boulevard (Council District 2):

1. Approve the acquisition of 36,614 square feet of easement from property (APN: 504-091-21S) owned by Lennar Fresno Inc., in the amount of \$100,700, to use as right-of-way for the construction of the Veterans Boulevard project.
2. Approve acceptance of a donation of approximately 2.14 acres of property (APN: 504-091-21) by Lennar Fresno Inc. for the future construction of a new trailhead at N. Hayes Avenue and N. Veterans Boulevard.
3. Authorize the Public Works Director, or his designee, to sign all documents necessary to complete the transaction.

APPROVED

The above item was approved on the Consent Calendar.

- 1-D [ID16-1315](#) Actions pertaining to Materials Testing, Acceptance Services and Independent Assurance Testing for Capital Improvement Projects within the City of Fresno street right-of-way (Citywide)
1. Approve agreement in the amount of \$470,000 with Blackburn Consulting for materials testing and acceptance services.
 2. Approve agreement in the amount of \$470,000 with Krazan &

Associates, Inc., for materials testing and acceptance services.

3. Approve agreement in the amount of \$55,000 with Moore Twining Associates, Inc., for independent assurance testing
4. Authorize the Public Works Director or designee to execute the agreements on behalf of the City

APPROVED

The above item was approved on the Consent Calendar.

- 1-E [ID16-1327](#) Approve the acquisition of an easement on a portion of APN 504-091-17 (10,008 square feet) from property owned by Catherine Lambetecchio, Trustee of the Antionette Lambe Trust in the amount of \$65,100, to use as right-of-way for the construction of the Veterans Boulevard Project (Council District 2).

APPROVED

The above item was approved on the Consent Calendar.

- 1-F [ID16-1335](#) Actions pertaining to the Met Block Project Off-site improvements:
1. *** RESOLUTION - 30th amendment to the Annual Appropriations Resolution (AAR) No. 2016-118 appropriating \$90,500 for expenses related to the Met Block Project Off-site Improvements (Requires 5 affirmative votes); and,
 2. Approve a Second Amendment to the Cooperative Agreement in the amount of \$225,527 with Fresno County Transportation Authority (FCTA) for the Met Block Project Off-Site Improvements under Round Five (5) of the 2015 funding cycle for the Measure "C" Transit Oriented Development (TOD) Program. (Council District 3)

RESOLUTION 2016-245 ADOPTED

The above item was approved on the Consent Calendar.

- 1-G [ID16-1341](#) Actions pertaining to Resolution of Intention No. 1112-D to vacate portions of N. Parkway Drive and N. Lafayette Avenue, north of W. Weldon Avenue Alignment (Council District 3).
1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301 of the California Environmental Quality Act (CEQA) Guidelines, Environmental Assessment No. EA-16-31-HSR.
 2. Adopt Resolution of Intention No. 1112-D to vacate portions

of N. Parkway Drive and N. Lafayette Avenue, north of W. Weldon Avenue Alignment.

APPROVED

The above item was approved on the Consent Calendar.

- 1-H [ID16-1347](#) Actions pertaining to Resolution of Intention No. 1113-D to vacate a portion of W. Bullard Avenue, west of N. Brawley Avenue (Council District 2).
1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301 of the California Environmental Quality Act (CEQA) Guidelines, Environmental Assessment No. EA-16-025.
 2. Adopt Resolution of Intention No. 1113-D to vacate a portion of W. Bullard Avenue, west of N. Brawley Avenue.

APPROVED

The above item was approved on the Consent Calendar.

- 1-I [ID16-1356](#) Approve a Memorandum of Understanding (MOU) with Central Valley Trailer Repair to provide \$189,970.66 in reimbursements for street improvements on East Avenue near the intersection of North Avenue. (District 3)

APPROVED

The above item was approved on the Consent Calendar.

- 1-J [ID16-1360](#) Approve Amendment No. 2 to Lease between the City of Fresno and Federal Express, Inc., for cargo operations at Fresno Yosemite International Airport. (Council District 4)

APPROVED

The above item was approved on the Consent Calendar.

- 1-K [ID16-1364](#) Approval of the agreement for Repair of Fresno County Roads for Recycled Water Transmission Main, Southwest Quadrant, Project SW1D, SW1C2 and Pump Station (Bid File 3504) (Council District 3 and Fresno County)

APPROVED

The above item was approved on the Consent Calendar.

- 1-L [ID16-1365](#) RESOLUTION - Approving the Final Map of Tract No. 6124 and

accepting dedicated public uses offered therein - north and south sides of East California Avenue between South Armstrong and South Temperance Avenues (Council District 5)

RESOLUTION 2016-246 ADOPTED

The above item was approved on the Consent Calendar.

- 1-M [ID16-1367](#) Approve the appointments of Jeffrey Dippel to the Fresno/Clovis Community Media Authority; Jane Sumpter to the City of Fresno Employees Retirement Board; Kathy Bray to the Planning Commission, and Virna Santos to the Housing Authority

APPROVED

The above item was approved on the Consent Calendar.

- 1-N [ID16-1375](#) Approve amendment to Professional Cleanup Services Agreement with Lowell Property Services, LLC., to include the Jefferson neighborhood in the amount of \$2,750 for one month to perform an initial clean up, and then \$1,750 per month for weekly cleaning and reporting services.

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

- 1-O [ID16-1387](#) Approve a First Amendment to the Amended and Restated Agreement for Purchase Option and Right of Access between Cesar Chavez Foundation and the City of Fresno

APPROVED

The above item was approved on the Consent Calendar.

- 1-P [ID16-1388](#) Approve Agreement between the City of Fresno and Michael D. Flores, Esq. for Hearing Officer Services

APPROVED

The above item was approved on the Consent Calendar.

- 1-Q [ID16-1393](#) Authorize the Director of Public Works, or his designee, to sign on behalf of the Director of Transportation in order to execute a purchase agreement between the City of Fresno and Fresno County, allowing the City of Fresno to purchase easement deeds in Courthouse Park for a total price of \$150,531, supporting improvements to Fresno Area Express Courthouse Park Intermodal Transit Center and Bus Rapid Transit projects

(District 3)

APPROVED

The above item was approved on the Consent Calendar.

- 1-R** [ID16-1394](#) Actions related to repealing and adding Fire and Life Safety Regulations in the Fresno Municipal Code
1. Adopt the finding that this project is not subject to the requirements of the California Environmental Quality Act pursuant to CEQA Guidelines, Section 15061(b)(3) as there is clearly no possibility the adoption of the 2016 California Fire Code or amendments may have a significant adverse effect on the environment.
 2. ***BILL NO. B-47 - (Intro. 11/3/2016) (For adoption) - Repealing Article 5 of Chapter 10, and adding Article 5 to Chapter 10 of the Fresno Municipal Code relating to fire and life safety regulations

The above item was moved to the Contested Consent Calendar for further discussion by Councilmember Brand.

- 1-S** [ID16-1398](#) Approve a substitution of listed subcontractor for the Kings River Pipeline Project - Bid File 3433

APPROVED

The above item was approved on the Consent Calendar.

- 1-T** [ID16-1326](#) BILL - (For introduction) - Amending Sections 10-1103 and 10-1105 of the Fresno Municipal Code (FMC), Article 11 - the Smoking Pollution Control Ordinance (Smoking Ordinance)

BILL B-51 INTRODUCED AND LAID OVER

The above item was approved on the Consent Calendar.

- 1-U** [ID16-1405](#) Action pertaining to taxicab regulations:
1. ***BILL NO. B-50 - (Intro. 11/17/2016) (For adoption) - Amending portions of Chapter 9, Article 9 of the Fresno Municipal Code relating to taxicab regulations.

ORDINANCE 2016-47 ADOPTED

The above item was approved on the Consent Calendar.

- 1-V** [ID16-1370](#) Actions pertaining to the Downtown Fresno (Fulton Corridor) Historic Resources Survey

1. RESOLUTION- Adopt the Downtown Fresno (Fulton Corridor) Historic Resource Survey
2. Authorize the Director of Development and Resource Management Department to forward the survey to the California Office of Historic Preservation pursuant to FMC 12-1606(b)(7) and the terms of the approved Certified Local Government agreement

RESOLUTION 2016-247 APPROVED.

The above item was approved on the Consent Calendar.

9:15 A.M. SPECIAL CEREMONIAL PRESENTATION

[ID16-1423](#) Fresno Police Department receives Significant Achievement Award from the California Department of Alcoholic Beverage Control

Council President Caprioglio, Chief Dyer and Chris Albrick, Northern Division, Assistance Director for the California Department of TABC presented the Significant Achievement Award to the Fresno Police Department.

PRESENTED

2. GENERAL ADMINISTRATION

- 2-B** [ID16-1305](#) Actions pertaining to the City's loan program for installation of sewer lines, abandonment of existing septic tank(s) and cesspool systems, and for single family residence connection to the City sanitary sewer system (Citywide).
1. BILL (for introduction) - Amending Section 6-305 of the Fresno Municipal Code relating to the City's loan program for mandatory connections to the City's sewer system for single family residences, increasing the loan amount per residence from \$5,000 to \$15,000 and term from 15 years to 20 years.
 2. ***RESOLUTION - Amending Exhibit "A" to Resolution 2011-147 setting forth revised Loan Program Terms and Conditions for abandonment of single family residential septic tank and cesspool systems and sewer line installation and connection. (Citywide)

The above item was introduced to Council by Department of Public Utilities, Planning Manager, Doug Hecker.

*BILL B-52 INTRODUCED AND LAID OVER.
RESOLUTION 2016-248 APPROVED*

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

Aye: 6 - Caprioglio, Quintero, Baines III, Brand, Brandau and Soria

Absent: 1 - Olivier

- 2-C** [ID16-1306](#) BILL - (For introduction) - Amending Subsection (d) of Section 6-507 of the Fresno Municipal Code relating to the deferment of water system connection and related charges.

The above item was introduced to Council by Public Utilities Planning Manager, Doug Hecker.

BILL B-53 INTRODUCED AND LAID OVER

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

Aye: 6 - Caprioglio, Quintero, Baines III, Brand, Brandau and Soria

Absent: 1 - Olivier

- 2-A** [ID16-1203](#) 1. BILL - (For introduction) - Adding Article 17 to Chapter 12 of the Fresno Municipal Code, Adopting a Mills Act Program
2. Authorize the Director of the Development and Resource Management Department to prepare an application and information packet for a Mills Act Program

The above item was introduced to Council by DARM Assistant Director, Dan Zack.

BILL B-54 INTRODUCED AND LAID OVER

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

Aye: 5 - Caprioglio, Quintero, Baines III, Brand and Soria

Absent: 2 - Brandau and Olivier

- 2-D** [ID16-1339](#) Approval of City Council Meeting Schedule for Calendar Year

2017

The above item was introduced to Council by City Clerk Spence. Clerk Spence also pointed out the amendment of changing the start time for the January 5, 2017 meeting from 8:30 to 10:00 a.m.

Councilmember Olivier and City Manager Rud discussed the increased number of meetings for 2017.

APPROVED

On motion of Councilmember Olivier, seconded by Councilmember Brandau, the above item was approved with the change noted by City Clerk Spence. The motion carried by the following vote:

Aye: 5 - Quintero, Brand, Brandau, Olivier and Soria

No: 2 - Caprioglio and Baines III

UNSCHEDULED COMMUNICATION

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

2. GENERAL ADMINISTRATION CONTINUED

- 2-E** [ID16-1366](#) Actions pertaining to Water Sale and Transfers:
1. Adopt findings of Statutory Exemptions pursuant to CEQA Guideline Section 15282(u) for water sales and transfers below.
 2. Authorize the City Manager or Designee to Execute Agreements for Water Sale and Transfer to the Dudley Ridge Water District for 371 Acre Feet, at \$800 per Acre Foot.
 3. Authorize the City Manager or Designee to Execute Agreements for Water Sale and Transfer to the Wheeler Ridge-Maricopa Water Storage District for 5,629 Acre Feet, at \$800 per Acre Foot.

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

APPROVED

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

Aye: 6 - Caprioglio, Quintero, Baines III, Brand, Brandau and Olivier

Absent: 1 - Soria

- 2-G** [ID16-1383](#) ***RESOLUTION - Authorizing that the FAX Administration Building be named the Bruce Rudd Fresno Area Express (FAX) Administration Building

The above item was introduced to Council by Assistant City Manager, Renena Smith.

RESOLUTION 2016-249 ADOPTED.

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

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

9:00 A.M. SPECIAL CLOSED SESSION (SEPARATELY NOTICED)

- [ID16-1435](#) CONFERENCE WITH REAL PROPERTY NEGOTIATOR -
Government Code Section 54956.8
Property: 5607 W. Jensen
Negotiating Parties: City Manager Bruce Rudd; Darling
Ingredients, Inc.
Under Negotiation: Price and Terms of Payment

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

2. GENERAL ADMINISTRATION CONTINUED

- 2-H** [ID16-1409](#) Actions pertaining to 20 acres of land on Jensen Avenue adjacent to the wastewater treatment plant, located at 2201 S. Cornelia and 5459 W. Jensen Ave.
1. Approve an Exclusive Negotiation Agreement with Darling Ingredients, Inc.
 2. RESOLUTION-Initiating a Plan amendment and Rezone pursuant to FMC sections 15-4902(B) and 15-5803(B-C) relating to 20 acres of land on Jensen Avenue adjacent to the wastewater treatment plant, located at 2201 S. Cornelia and 5459 W. Jensen Ave.

The above item was introduced to Council by City Manager, Rudd.

Approval of the Exclusive Negotiation Agreement with Darling Ingredients, Inc. (2-H (1)) was removed from the agenda. The Resolution initiating a Plan amendment and Rezone (2-H(2)) remained on the agenda for consideration

RESOLUTION 2016-250 ADOPTED

On motion of Councilmember Baines III, seconded by Vice President Quintero, the above item (2-H(2) only) was approved. The motion carried by the following vote:

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

3. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:00 A.M.

[ID16-1278](#) WORKSHOP: City of Fresno Parking Rate Study

The above item was introduced to Council by Housing and Neighborhood Revitalization Manager, Del Estabrooke. Discussion ensued.

WORKSHOP HELD

4. CITY COUNCIL

4-A [ID16-1372](#) BILL - (For introduction) - On December 10, 2015, Article 4.15 to Chapter 12 of the Fresno Municipal Code relating to the exemption of development impact fees for the replacement or reconstruction of existing commercial structures was introduced to City Council and adopted on December 17, 2015.

City Council items 4-A (16-1372) and 4-B (16-1373) were discussed and voted upon together. The items were introduced to Council by Councilmember Soria.

Councilmember Soria requested to extend the deadline for one more year.

BILL B-55 INTRODUCED AND LAID OVER.

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

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

Absent: 1 - Brandau

- 4-B** [ID16-1373](#) BILL - (For introduction) - On December 10, 2015, Article 4.14 to Chapter 12 of the Fresno Municipal Code relating to the exemption of development impact fees for certain projects in economically disadvantaged neighborhoods was introduced to City Council and adopted on December 17, 2015.

City Council items 4-A (16-1372) and 4-B (16-1373) were discussed and voted upon together. The items were introduced to Council by Councilmember Soria.

Councilmember Soria requested to extend the deadline for one more year.

BILL B-56 INTRODUCED AND LAID OVER.

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

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

Absent: 1 - Brandau

5. CLOSED SESSION

City Council met in Closed Session in Room 2125 from 11:26 A.M. to 11:55 A.M. to discuss the following:

- [ID16-1397](#) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Government Code Section 54956.9, subdivision (d)(2)
Significant Exposure to Litigation: Appeal by Chris Henry to Administrative Hearing Decision
Case Number 15-7815; Location: 2103 N. Angus Street, Fresno (APN 446-020-19)

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

- [ID16-1430](#) CONFERENCE WITH LABOR NEGOTIATOR - Government Code Section 54957.6
City Negotiator(s): Jeffrey Cardell, Ken Phillips
Employee Organization(s):
Amalgamated Transit Union, Local 1027 (ATU)

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

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

[ID16-1429](#) CONFERENCE WITH LEGAL COUNSEL - DECIDING WHETHER TO INITIATE LITIGATION
Government Code Section 54956.9, subdivision (d)(4)
1. City of Fresno and Fresno Successor Agency v. Department of Finance

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

[ID16-1399](#) JOINT CLOSED SESSION OF THE CITY OF FRESNO AND THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF FRESNO

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)
City of Fresno v. State of California and Michael Cohen, Director of Finance, in his official capacity, related to repayment of debt from the former Redevelopment Agency
Sponsors: Successor Agency to the Redevelopment Agency and City Attorney's Office

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

1:30 P.M.

CEREMONIAL PRESENTATIONS

[ID16-1316](#) Presentation of a Resolution of Commendation Congratulating the Desktop Team in the Information Services Department and the Facilities Team in the Public Works Department For Their Outstanding Effort in the City Hall Re-carpeting Project

PRESENTED

CONTESTED CONSENT CALENDAR

- 1-N [ID16-1375](#) Approve amendment to Professional Cleanup Services Agreement with Lowell Property Services, LLC., to include the Jefferson neighborhood in the amount of \$2,750 for one month to perform an initial clean up, and then \$1,750 per month for weekly cleaning and reporting services.

The above item was introduced to Council by DARM staff.

APPROVED

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

Aye: 5 - Caprioglio, Quintero, Baines III, Brand and Soria

No: 2 - Brandau and Olivier

- 1-R [ID16-1394](#) Actions related to repealing and adding Fire and Life Safety Regulations in the Fresno Municipal Code
1. Adopt the finding that this project is not subject to the requirements of the California Environmental Quality Act pursuant to CEQA Guidelines, Section 15061(b)(3) as there is clearly no possibility the adoption of the 2016 California Fire Code or amendments may have a significant adverse effect on the environment.
 2. ***BILL NO. B-47 - (Intro. 11/3/2016) (For adoption) - Repealing Article 5 of Chapter 10, and adding Article 5 to Chapter 10 of the Fresno Municipal Code relating to fire and life safety regulations

The above item was introduced to Council by Fire Chief Donnis.

The following member(s) of the public spoke on the item: Mike Pickett and Mike Prandini

Councilmember Brand motioned to approve the item with an amendment to remove the requirement for all commercial buildings to have fire sprinklers and to keep the threshold at 5,000 square feet.

ORDINANCE 2016-48 ADOPTED AS AMENDED

On motion of Councilmember Brand, seconded by Councilmember Olivier, the above item was approved as amended. The motion carried

by the following vote:

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

2:15 P.M.

- [ID16-1402](#) CONTINUED HEARING to consider initiation of the Southwest Fresno Specific Plan, pertaining to approximately 3,255 acres in the South Development Area of the Fresno General Plan, filed by the City of Fresno Development and Resource Management Department Director (The public input portion of the meeting was closed on 11/17/2016)
1. Direct staff to continue working with the Steering Committee and community to refine the plan and commence the Program Environmental Impact Report.
 2. RESOLUTION - Initiating the Southwest Fresno Specific Plan Draft Preferred Alternative and the corresponding amendment of the Fresno General Plan, the Fresno Chandler Airport Land Use Compatibility Plan and Airport Environs Plan, and the Repeal or Amendment of the Edison Community Plan pertaining to approximately 3,255 acres located in the South Development Area to allow for future adoption of a Southwest Fresno Specific Plan.

Councilmember Baines III moved this item to the December 8, 2016 Council Meeting.

CONTINUED TO DECEMBER 8, 2016

2:00 P.M.#1

- [ID16-1369](#) HEARING to consider Plan Amendment Application No. A-16-013, Rezone Application No. R-16-012 and related Environmental Assessment No. A-16-013/R-16-012 filed by the Development and Resource Management Department Director, for four separate properties (referred to as Requests 1, 2, 3, and 4) located in the City of Fresno (Council Districts 5 & 7) - Development and Resource Management Department.
- a. Adopt Environmental Assessment No. A-16-013/R-16-012, an Addendum to Final Master Environmental Impact Report SCH No. 2012111015 certified by the Fresno City Council on December 18, 2014 for the Fresno General Plan and

Development Code, pursuant to California Environmental Quality Act Guidelines Sections 15162 and 15164.

b. RESOLUTION - Approving Plan Amendment Application No. A-16-013, pertaining to 2.94 acres and 1/3 of a mile of a street segment, to amend the Fresno General Plan (Figure LU-1: Land Use and Circulation Map) and the Roosevelt Community Plan, as described in Exhibits A and B, Requests 1-4.

c. BILL (For introduction and adoption) - Approving Rezone Application No. R-16-012, pertaining to 2.94 acres, to amend the City of Fresno Zoning Map to change zoning on properties requesting to be reverted back to their previous zoning. The rezones are requested to attain consistency with the approved general plan land use designation, and are further described in Exhibits A and B, Requests 1-3.

The above hearing was called to order at 2:06 P.M. The item was introduced to Council by Supervising Planner Contreras with the Development and Resources Management Department.

Upon call for public comment, no members of the public chose to address Council and public comment was closed.

The hearing was closed at 2:07 P.M.

**RESOLUTION 2016-251 ADOPTED
BILL B-57 INTRODUCED AND ADOPTED AS
ORDINANCE 2016-49**

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

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

Absent: 1 - Brand

2:00 P.M.#2

[ID16-1396](#) HEARING to consider initiation of the Parks Master Plan by means of a Parks Vision document, pertaining to all land within the City of Fresno Sphere of Influence, filed by the Development and Resource Management Director

1. RESOLUTION - Initiating the Parks Master Plan by means of the Vision Plan and directing staff to continue work on the next

phase of the master planning process.

The above hearing was called to order at 2:07 P.M. The item was introduced to Council by Planning Manager Pagoulatos with the Development and Resources Management Department.

John Gibbs of WRT gave a power point presentation.

Upon call for public comment, no members of the public chose to address Council and public comment was closed.

The hearing was closed at 2:52 P.M.

RESOLUTION 2016-252 ADOPTED

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

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

2:05 P.M.

[ID16-1309](#) WORKSHOP regarding Recharge Fresno Program Update

The above workshop was introduced to Council by Public Utilities Planning Manager, Michael Carbajal. Discussion ensued.

WORKSHOP HELD

UNSCHEDULED COMMUNICATION

The following member of the public addressed Council during Unscheduled Communication:

Martha Fabela - discussed the increased price of her utility bill.

ADJOURNMENT

Adjourned at 3:08 P.M.