



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, March 2, 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 above written.

8:34 A.M. ROLL CALL

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

Invocation by Jasmine Romero, a Senior at Roosevelt High School

Pledge of Allegiance to the Flag

APPROVE AGENDA

City Clerk Spence announced the following changes to the agenda:

(i) The agenda title for part three of Consent Calendar item 1-D (ID17-248) was changed to "Approve the sale of a portion of an alley northeast of North 'H' Street between Freeway 180 and the Dry Creek Canal owned in fee simple by the City of Fresno."

(ii) Consent Calendar items 1-M (ID17-214) and 1-N (ID17-216) were to be

adopted by resolutions and the agenda titles should include the word "resolution."

(iii) Per staff, General Administration item 3-A (17-295) will be heard as part of the Consent Calendar

(iv) City Council item 4-A (ID17-291) was removed from the agenda.

City Clerk Spence also announced a special meeting had been scheduled for March 30, 2017 to hear the item, "RESOLUTION of Initiation for a text amendment to prohibit recreational marijuana operations, dispensaries, and sales within the City of Fresno." After a brief discussion, the consensus of the Council was not to hold the meeting on March 30, 2017. Councilmember Bredefeld subsequently announced the item would be heard as a timed item at 4:00 P.M. during the March 23, 2017 regular City Council Meeting. He also stated a workshop would precede the 4:00 P.M. timed item.

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

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

CEREMONIAL PRESENTATIONS

[ID17-285](#) Presentation of the SPCA Pet of the Month

PRESENTED

[ID17-290](#) Proclamation of "Wall of Honor Inductee Day"

PRESENTED

[ID17-305](#) Proclamation of "Donna Schiefer of Central Unified, Carlston Family Foundation's Outstanding Teacher of America Day"

PRESENTED

APPROVE MINUTES

[ID17-91](#) Approval of minutes from February 16, 2017

APPROVED

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

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

COUNCILMEMBER REPORTS AND COMMENTS

President Olivier thanked Terese Edwards and her team as well as Public Works Director Scott Mozier for working hard to fix the traffic signals on Saginaw Way near an elementary school. They worked with the Principal to help keep the students and residents in the area safe.

Councilmember Caprioglio reported his attendance at the Fresno Police Chaplaincies second annual Support the Blue run/walk at Woodward Park on February 25. Event attendance was nearly 2,000 people. He noted that the K-9 unit, motorcycles, Dutch Brothers Coffee and food trucks were at the park and everyone had a lot of fun. The organization was hoping to draw 4,000 people to the event next year.

Councilmember Caprioglio invited everyone to attend the grand opening of the Granite Park sports fields in District Four on March 4, 2017 at 9:00 A.M. He thanked Terance Frazier, TJ Cox, the Mayor and the City Manager and his team for their hard work on the project. He noted that three million dollars would be invested in the location and said it would be a "first class facility" for the citizens and children of Fresno.

Councilmember Caprioglio invited everyone to participate in the Kid's Day newspaper event on March 7, 2017 to raise money for Valley Children's Hospital. He noted the "celebrity corner" was going to be at Blackstone and Shaw Avenues. He said the event would only be a success if everyone helped and that every dollar counted. He thanked the Fresno Bee, Channel 30 and the other sponsors that helped organize the event.

Councilmember Caprioglio reported that the Fresno State student run newspaper, The Collegian, would be accepting 17 awards at the annual

California College Media Association's Excellence in Student Media Banquet in San Francisco over the weekend.

Councilmember Caprioglio announced that Council would celebrate "Woman of the Year" on March 23, 2017. He reminded his fellow Councilmembers that they should each be prepared to recognize deserving women from their districts.

Vice President Soria announced that March was Women's History Month. She stated her District had a tradition and would hold another event to recognize women from District One.

Vice President Soria reported her attendance at the Mardi Gras event in her District on February 26. She noted it was a beautiful day with a great turn out. She thanked Firefighter James Scoggins for driving the antique fire truck.

Vice President Soria reported that her office hosted an immigration related "Know Your Rights" workshop with Councilmember Baines III. Other participants included Central Valley Immigrant Integration Collaborative, Centro La Familia, Mi Familia Vota, the Mexican Consulate of Fresno and the Bishop. The event was at St. John's Cathedral and approximately 300 families attended. A panel of pro-bono immigration attorneys provided information at the event. She noted there was a need for more information to the community and said she would continue to host educational forums throughout the city. Vice President Soria thanked Chief Dyer for sending Deputy Chief Navarez and Deputy Chief Carrasco to discuss the Police Department's policies regarding immigration enforcement.

Vice President Soria announced the Fresno County Board of Supervisor unanimously approved an investment in the Highway City Library Development Project. The first phase of the project would include library service at a 500 square foot space in a community center. She noted it was a long term project and the goal was to have a 5,000 square foot space in that area in five to six years. She thanked Supervisor Pacheco for taking the lead on the public private partnership which also included support from Granville Homes.

Vice President Soria thanked City Manager Rudd for answering her questions related proposed commercial uses at Shaw Avenue and questions related to "tiny houses."

Councilmember Baines III asked that the meeting to be adjourned in the memory of Shirley Joe Kelly.

Councilmember Bredefeld commended Jerry Schuber, Assistant Director of Public Utilities, for going "above and beyond" when assisting one of his constituents. He stated that Mr. Schuber did a tremendous job and his constituent was very grateful so he wanted to recognize him for the "fantastic job" he was doing.

1. CONSENT CALENDAR

Consent Calendar item 1-I (ID17-269) was moved to the Contested Consent for further discussion by Councilmember Bredefeld.

General Administration item 3-A (ID17-295) was heard as part of the Consent Calendar as announced during the approval of the agenda.

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

- 1-A** [ID17-203](#) RESOLUTION - Of Intention to annex Final Tract Map No. 5449, Annexation No. 75, to the City of Fresno Community Facilities District No. 11 (north side of E. Butler Avenue between S. Villa and Minnewawa Avenues); and setting the hearing for April 6, 2017 at 10:00 a.m. (Council District 5)

RESOLUTION 2017-52 ADOPTED

The above item was approved on the Consent Calendar.

- 1-B [ID17-212](#) RESOLUTION - Of Intention to annex Final Tract Map No. 5971, Annexation No. 76, to the City of Fresno Community Facilities District No. 11 (west side of North Locan Avenue between East Ashlan and Dakota Avenues, adjacent to the Gould Canal); and setting the hearing for April 6, 2017 at 10:05 a.m. (Council District 4)

RESOLUTION 2017-53 ADOPTED

The above item was approved on the Consent Calendar.

- 1-C [ID17-215](#) ***RESOLUTION - 34th amendment to the Annual Appropriation Resolution (AAR) No. 2016-118 to appropriate \$110,000 in developer contributions for the acquisition of right-of-way for public street and public utility easements for Tract Map 6124 on Temperance Avenue between Butler Avenue and Church Avenue (Council District 5) (Requires 5 affirmative votes).

RESOLUTION 2017-54 ADOPTED

The above item was approved on the Consent Calendar.

- 1-D [ID17-248](#) Actions pertaining to Resolution of Intention No. 1114-D to vacate a portion of Arroyo Avenue and an alley northeast of North "H" Street between Freeway 180 and the Dry Creek Canal; and setting the hearing for March 23,2017 at 10:00 a.m. (Council District 3).
1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15332 of the California Environmental Quality Act (CEQA) Guidelines, Environmental Assessment No. D-16-046.
 2. Adopt the attached Resolution of Intention No. 1114-D to vacate a portion of Arroyo Avenue and a portion of an alley northeast of North "H" Street between Freeway 180 and the Dry Creek Canal.
 3. Approve the sale of a portion of an alley northeast of North "H" Street between Freeway 180 and the Dry Creek Canal owned in fee simple title by the City of Fresno

APPROVED

The above item was approved on the Consent Calendar.

- 1-E [ID17-263](#) Authorize the City Manager or designee to execute a grant deed for the sale of a portion of City-owned property (APN 330-021-20ST) on E. Muscat Avenue just west of State Route 99, in the amount of \$3,668.00 to the State of California (Council District 3).

APPROVED

The above item was approved on the Consent Calendar.

- 1-F [ID17-264](#) Authorize the City Manager or designee to execute a grant deed for the sale of City-owned vacant property located on "G" Street and beneath the former Monterey Street Bridge (APN 467-091-14T) in the amount of \$107,581 to the State of California (Council District 3).

APPROVED

The above item was approved on the Consent Calendar.

- 1-G [ID17-206](#) Actions pertaining to sewer rehabilitation and replacement in Iowa and Eighth (Bid File 3506) (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, and
 2. Award a construction contract in the amount of \$340,925 to Bill Nelson General Engineering Construction Inc., of Fresno, California

APPROVED

The above item was approved on the Consent Calendar.

- 1-H [ID17-245](#) Approve the purchase of security network equipment in the amount of \$234,833.15 from AMS.NET, in accordance with purchasing procedures from cooperative agreements as set forth in Administrative Order 3-1.

APPROVED

The above item was approved on the Consent Calendar.

- 1-I [ID17-269](#) Approve a ten-year agreement with Bullard Cal Ripken for the use and maintenance of Figarden Loop Park baseball field

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

- 1-J [ID17-273](#) Approve the appointment of Celeste Martinez to the Bicycle and Pedestrian Advisory Committee (BPAC)

APPROVED

The above item was approved on the Consent Calendar.

- 1-K [ID17-281](#) ***BILL NO. B-8 - (Intro. 2/16/2017) (For adoption) - Amending Resolution No. 2004-88 relating to reimbursement of expenses for elected officials.

ORDINANCE 2017-10 ADOPTED

The above item was approved on the Consent Calendar.

- 1-L [ID17-282](#) ***BILL No. B-9 - (Intro. 2/16/2017) (For adoption) - Adding Section 3-125 to Chapter 3 of the Fresno Municipal Code relating to Stipends for City Council Interns. (All Council Districts)

ORDINANCE 2017-11 ADOPTED

The above item was approved on the Consent Calendar.

- 1-M [ID17-214](#) RESOLUTION - to appoint and authorize certain Finance Officers of the City of Fresno ("City") to sign City checks and various investment and commercial banking documents, and to provide verbal instruction required for the prudent financial administration and safekeeping of City funds

RESOLUTION 2017-55 ADOPTED

The above item was approved on the Consent Calendar.

JOINT MEETING WITH THE FRESNO JOINT POWERS FINANCE AUTHORITY ("JPFA") (Consent Calendar)

- 1-N [ID17-216](#) RESOLUTION - to designate and authorize certain Finance Officers of the City of Fresno ("City") to sign various investment and commercial banking documents, and to provide verbal instruction required for prudent financial administration and safekeeping of Fresno Joint Powers Finance Authority ("JPFA")

funds and property

RESOLUTION JPFA-39 ADOPTED

The above JPFA item was approved on the Consent Calendar.

ADJOURN AUTHORITY

The joint meeting adjourned at 9:09 A.M.

- 3-A [ID17-295](#) Approve the purchase of 25 emergency mobile radios and the purchase of Vote Scan firmware technology to upgrade 370 existing mobile radios. The added radios and Vote Scan technology will improve emergency scene communication and firefighter safety.
 1. ***RESOLUTION-49TH Amendment to the Annual Appropriations Resolution (AAR) No. 2016-118 Appropriating \$129,500 for the purchase of vote scan firmware technology to upgrade 370 existing mobile radios (Requires 5 affirmative votes)

RESOLUTION 2017-56 ADOPTED

The above item was approved on the Consent Calendar.

CONTESTED CONSENT CALENDAR

- 1-I [ID17-269](#) Approve a ten-year agreement with Bullard Cal Ripken for the use and maintenance of Figarden Loop Park baseball field

The above item was introduced to Council by Recreation Manager Jeffcoach with the Parks, After School, Recreation and Community Services ("PARCS") Department. City Manager Rudd also spoke on this item.

Councilmember Soria requested a workshop on the types of partnerships the PARCS Department has to offer outside entities.

APPROVED

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

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

UNSCHEDULED COMMUNICATION

Upon call, the following members of the public addressed Council during Unscheduled Communication:

Mike Starry - spoke in support of green space as opposed to the development of basketball courts at Eaton Plaza. Mr. Starry provided a handout to Council. A copy of the handout has been attached to File ID17-354 and is available in the City Clerk's Office.

[ID17-354](#) Handout received during Unscheduled Communication from Mike Starry.

5. CLOSED SESSION

City Council met in Closed Session in Room 2125 from 9:27 A.M. to 10:16 A.M. to discuss the following:

- 5-D [ID17-303](#) CONFERENCE WITH LABOR NEGOTIATOR - Government Code Section 54957.6
City Negotiator(s): Jeffrey Cardell, Ken Phillips
Employee Organizations:
1. International Union of Operating Engineers, Stationary Engineers, Local 39 (Local 39)

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

UNSCHEDULED COMMUNICATION CONTINUED

Upon call, the following members of the public addressed Council during Unscheduled Communication:

Mary Savala with the League of Women Voters of Fresno - thanked Council for allowing the California State Office of Research and Planning to hold its meeting, regarding new guidelines for California General Plans, in the Council Chamber last week.

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:00 A.M.#1

[ID17-237](#) HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community Facilities District No. 11, Annexation No. 74 (Final Tract Map

No. 6139) (northeast corner of North Polk Avenue and West Olive Avenue) (Council District 3)

1. ***RESOLUTION - Annexing Territory to Community Facilities District No. 11 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 2016-2017 and Future Tax Years Within and Relating to Community Facilities District No. 11, Annexation No. 74

The above hearing was called to order at 10:18 A.M. The item was introduced to Council by Assistant Director Benelli with the Public Works 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 10:18 A.M.

*RESOLUTION 2017-57 ADOPTED
RESOLUTION 2017-58 ADOPTED
RESOLUTION 2017-59 ADOPTED
BILL B-10 INTRODUCED AND ADOPTED AS
ORDINANCE 2017-12*

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

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

10:00 A.M.#2

[ID17-280](#)

CONTINUED HEARING to consider Plan Amendment Application No. A-16-015, and related environmental finding filed by the Development and Resource Management Department Director pertaining to the Active Transportation Plan (ATP) as follows:

1. ADOPT Environmental Assessment No. A-16-015 a Mitigated Negative Declaration dated November 17, 2016
2. RESOLUTION - Adopting the ATP and Approving Plan

Amendment Application No. A-16-015, to amend the Fresno General Plan Map (Figure MT-2: Paths and Trails) and related text, as described in Exhibit B

3. ADOPT Prioritization Tool for use with projects which improve Active Transportation Infrastructure

The above hearing was called to order at 10:18 A.M. The item was introduced to Council by Traffic Engineer Gormley with the Public Works Department.

The hearing recessed from 10:28 A.M. to 10:29 A.M. to accommodate another Council item.

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

Juan Castillo of Cultiva de Salud – stated the plan did a good job identifying underserved neighborhoods and would help to improve the most disadvantaged areas.

Gabriela Mares of Cultiva de Salud - stated her neighborhood was deteriorating and felt the plan would be a good tool to help all disadvantaged communities. She stated that South Fresno neighborhoods needed to stop being marginalized.

Austin Hall of California Walks - applauded the plan which he felt would help transform the city into a more walkable and bike-able community. He said the city currently has high fatality rates for walking and biking which the plan could help to change. Mr. Hall stated the proposed scoring rubric would help ensure communities with the greatest needs would be helped but said additional changes could be made to help historically disadvantaged communities.

Genoveva Islas with Cultiva de Salud – stated the plan was good and contained input from stake holder groups. She said the priority tool would help to identify priority projects. Ms. Islas felt the plan was equitable and just and would identify places with the least investment over time.

Esther Postiglione with Cultiva de Salud – stated the prioritization tool would elevate projects that meet funding requirements. She said when funding was available, having a tool to identify priority projects was important. Ms. Postiglione felt the plan was equitable and would help the disadvantaged communities like those south of Shaw Avenue. She provided cards with

statements from additional members of the community. The cards have been attached to File ID 17-280 and copies are available in the City Clerk's Office.

Graciela Lenes with Leadership Counsel for Justice and Accountability - said the priority matrix was good for equity and would help the long forgotten most disadvantaged communities in Fresno. She stated that infrastructure and rights of way were not in many of the disadvantaged communities and should be a part of the priority tool. Ms. Lenes said connectivity to parks and other destinations should be considered when prioritizing. She noted the prioritization tool ranked items that were eligible for grants and suggested the city apply for every available grant.

Anthony Molina Chair of the Fresno Bicycle and Pedestrian Advisory Committee ("BPAC") and Fresno County Bicycle Coalition Boardmember - noted there were adverse health impacts from bad air quality and existing transportation in the city. He said the plan supports health and a good future. Mr. Molina stated BPAC endorsed the plan. He also said building in older areas is always tough and asked Council to consider the prioritization tool. He felt that people to getting to work and school on time encouraged economic vibrancy.

Jose Leon-Barraza CEO of the Southeast Fresno Regional Parks and Soccer Complex Authority and Southeast Fresno Economic Development Corporation - stated the plan did not address the equity of higher quality trails for Southeast and Southwest Fresno. Staff should be directed to include South Fresno as part of a complete network of Class 1 and Class 4 Cycle Tracks to be integrated with Bus Rapid Transit and with trails at the 49 acre sight his organization is developing in Southwest Fresno. Mr. Barraza felt the Parks Master Plan should be done concurrently with the Active Transportation Plan so a better product could be produced. He suggested Southeast Fresno be funded as the highest priority and said everyone should enjoy a healthy environment and decent quality life.

Nicholas D. Paladino with BPAP and with the stakeholder advisory committee - stated the plan provided pedestrian improvements and was a complete vision for bike lanes throughout Fresno. He said good bike lanes existed in the city but not in Southwest and Southeast Fresno. Mr. Paladino noted the plan also provided rules and education for the safe use of the bike routes and said the plan should be adopted.

Alec Kimmel with Service Employees International Union Local 1000, District Labor Council 772 – offered "cautious optimism" for the plan and prioritization tool. He stated that Fresno needs to develop a network of trails and cycle tracks. He said Class 4 Cycle Tracks should be integrated with Bus Rapid Transit lines and the lines should be included in Fresno Council of Government feasibility studies. Mr. Kimmel felt the network should include the needs of underserved people in Southeast and Southwest Fresno.

Celeste Martinez – stated that bike lanes make cyclists more confident about riding in the city. She stated that disconnecting lanes were discouraging. Ms. Martinez felt that the prioritization tool helped to get funds to the best projects. She hoped Fresno could match the bike lanes in bike friendly cities like San Diego and Los Angeles.

Public comment closed at 10:57 A.M.

Vice President Soria stated, for the record, that there was also a huge need in central-west Fresno.

Councilmember Baines III's motion to approve included the alternate scoring matrix.

The hearing was closed at 11:01 A.M.

RESOLUTION 2017-60 ADOPTED WITH THE ALTERNATE SCORING MATRIX

On motion of Councilmember Baines III, seconded by Councilmember Caprioglio, the above item was approved with the alternate scoring matrix. The motion carried by the following vote:

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

Councilmember Chavez left the Council Chamber at 10:26 A.M. and returned at 10:31 A.M.

10:05 A.M.

[ID17-274](#) HEARING to consider Rezone Application No. R-17-001, Vesting Tentative Tract Map No. 6153, Conditional Use Permit Application No. C-16-045 and related Environmental Assessment No. T-6153/C-16-045, (Council District 6)

- a. ADOPT the Finding of Conformity (and Addendum) to the Fresno General Plan Master Environmental Impact Report (MEIR #2012111015) as prepared for Environmental Assessment No. T-6153/C-16-045, dated September 16, 2016.
- b. BILL - (For introduction and adoption) - approving Rezone Application No. R-17-001 to amend the Official Zone Map to rezone approximately 13.49 acres from the RS-4/EA/CZ (Single-Family Residential District/Expressway Area/Conditions of Zoning) zone district to the RS-4/EA/PD/CZ (Single-Family Residential District/Expressway Area/Planned Development/Conditions of Zoning) zone district.
- c. APPROVE Conditional Use Permit No. C-16-045 subject to compliance with the Conditions of Approval dated January 25, 2017.
- d. APPROVE Vesting Tentative Tract Map No. T-6153 subject to compliance with the Conditions of Approval dated January 25, 2017.

The above hearing was called to order at 10:28 A.M. The item was introduced to Council by Planner Trejo with the Development and Resources Management ("DARM") 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 10:29 A.M.

**BILL B-11 INTRODUCED AND ADOPTED AS
ORDINANCE 2017-13**

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

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

Absent: 1 - Chavez

10:15 A.M.

- [ID17-176](#) HEARING to consider the 2017 Weed Abatement Program and Adoption of an Ordinance approving the 2017 Weed Abatement Program (City wide)
1. BILL - (For introduction) - Relating to the Annual Weed

Abatement Program

The above hearing was called to order at 11:09 A.M. The item was introduced to council by DARM Director Clark. City Manager Rudd also spoke on this item.

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

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

BILL B-12 INTRODUCED AND LAID OVER

3. GENERAL ADMINISTRATION

- 3-A** [ID17-295](#) Approve the purchase of 25 emergency mobile radios and the purchase of Vote Scan firmware technology to upgrade 370 existing mobile radios. The added radios and Vote Scan technology will improve emergency scene communication and firefighter safety.
1. ***RESOLUTION-49TH Amendment to the Annual Appropriations Resolution (AAR) No. 2016-118 Appropriating \$129,500 for the purchase of vote scan firmware technology to upgrade 370 existing mobile radios (Requires 5 affirmative votes)

The above item was moved to the Consent Calendar for consideration.

4. CITY COUNCIL

- 4-A** [ID17-291](#) RESOLUTION- Initiating a text amendment to Tables 15-1002, 15-1102 and 15-1202 of the Fresno Municipal Code pursuant to FMC section 15-5803-A, relating to multi-unit residential uses.

The above item was removed from the agenda.

- 4-B** [ID17-296](#) RESOLUTION - Initiating an amendment to Fresno General Plan Policy RC-9-c pursuant to Fresno Municipal Code Sections 15-4902-B and 15-5803-C.

The above item was introduced to Council by Councilmember Brandau. City Manager Rudd, Deputy City Attorney Kolluri-Barbick and DARM Director Clark also spoke on this item.

The following members of the public spoke on this item: Mary Savala with

League of Women Voters of Fresno; Mike Prandini with Building Industry Association of Fresno and Madera Counties; Daniel O'Connell; Ryan Jacobsen with Fresno County Farm Bureau; Jeff Roberts with Granville Homes, and; Darius Assemi with Granville Homes.

Councilmember Brandau motioned to approve the item which Councilmember Chavez seconded.

Councilmember Baines III made a procedural motion to continue the item with direction that it return to Council when detailed plan options could be presented after discussions with stakeholders. Vice President Soria seconded the motion which failed by a vote of 3 to 4 with Councilmembers Chavez, Brandau, Bredefeld and President Olivier voting "no."

RESOLUTION 2017-61 ADOPTED

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

Aye: 4 - Olivier, Brandau, Bredefeld and Chavez

No: 3 - Soria, Baines III and Caprioglio

5. CLOSED SESSION CONTINUED

City Council met in Closed Session in Room 2125 from 1:30 P.M. to 1:38 P.M. to discuss the following:

- 5-A** [ID17-292](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)
1. Brewington, Justin v. City of Fresno Police Department, David Wilkin, Jr., and Does 1 to 25; Fresno Superior Court Case No.15CECG03005

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

- 5-B** [ID17-294](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)
1. Maez, Alicia v. City of Fresno, Richard Paul Sorondo, and Does 1-20; Fresno Superior Court Case No.15CECG01812

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

- 5-C [ID17-299](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)
1. Robert Griggs v. City of Fresno, PSI, administered by Risico Claims Management; WCAB Case Nos. ADJ4166588; ADJ8031054; ADJ788192

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

ADJOURNMENT

Adjourned from Closed Session at 1:38 P.M. in the memory of Shirley Joe Kelly.

The above minutes were approved by unanimous vote of Council during the March 16, 2017 meeting.