

# City of Fresno

2600 Fresno Street  
Fresno, CA 93721  
[www.fresno.gov](http://www.fresno.gov)



## Meeting Minutes - Final

Thursday, November 14, 2019

9:00 AM

Regular Meeting

Council Chambers

## City Council

*President - Paul Caprioglio*

*Vice President - Miguel Angel Arias*

*Councilmembers:*

*Esmeralda Z. Soria, Mike Karbassi, Luis Chavez, Garry Bredefeld,*

*Nelson Esparza*

*City Manager - Wilma Quan*

*City Attorney - Douglas T. Sloan*

*City Clerk - Yvonne Spence, MMC*

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

9:03 A.M. ROLL CALL

Invocation by 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: File ID 19-11553 (1-L) - Amending the Fresno Municipal Code relating to the Planning Commission composition, the Bill number should be B-45, File ID 19-11556 (10:00 A.M.) - Resolution initiating a comprehensive update to the Fresno General Plan to allow for future adoption, Council Vice President Arias was added as a sponsor to the item and File ID 19-11554 (11:00 A.M.) - Amending the Fresno Municipal Code related to confidentiality of closed session attorney-client privileged communication, the Bill number should be B-44.*

**On motion of Councilmember Soria, seconded by Councilmember Karbassi, the above Action was approved as amended. The motion carried by the following vote:**

**Aye:** 7 - Caprioglio, Arias, Soria, Karbassi, Chavez, Bredefeld and Esparza

## **APPROVE MINUTES**

[ID19-11465](#) Approval of Minutes for November 7, 2019.

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

**Aye:** 7 - Caprioglio, Arias, Soria, Karbassi, Chavez, Bredefeld and Esparza

## **CEREMONIAL PRESENTATIONS**

*The following Ceremonial items were presented.*

[ID19-11268](#) Proclamation of "World Prematurity Day"

[ID19-11269](#) Proclamation of Sikh Awareness & Appreciation Day”

[ID19-11458](#) Proclamation of “KMY Prosthetic & Orthotic, Inc. Day”

[ID19-11267](#) Proclamation of “Denise Soria Day”

[ID19-11525](#) Proclamation honoring Malcolm & LaVerne Masten as they celebrate their 100th birthdays

[ID19-11270](#) Proclamation of “National Alzheimers & Caregivers Day”

[ID19-11390](#) Proclamation of “Marc Castro Day”

## **COUNCILMEMBER REPORTS AND COMMENTS**

*Councilmember Karbassi thanked the Northwest Fresno residents, Director Mozier, Police Captain Farrah and Community Outreach Specialist Ramirez for attending his first neighborhood meeting at Forkner Elementary. He thanked Pastor Will Stoll from the Northwest Church for the invocation and he gave Council President Caprioglio a card signed by the Council, City Clerk and City Attorney to wish his wife's recent hand surgery a speedy recovery.*

*Council Vice President Arias announced he has front row tickets to the Presidential Candidate, Senator Bernie Sanders' campaign rally in Fresno.*

*Councilmember Esparza spoke regarding the allocated Community Development Block Grant (CDBG) Funds for rehabilitation for housing and celebrated the reunion of a resident and her home. He thanked the Fresno Police Department and the District Attorney who spoke to the students at Roosevelt High School. He thanked Councilmember Bredefeld for all his work on the Fresno Veteran's Memorial unveiling event.*

*Council President Caprioglio thanked everyone for the get-well card. He attended the 100th Veteran's Day Parade on Monday, November 11, 2019. He mentioned the recent win for the Fresno State Men's basketball team and spoke regarding Paul George's Jersey #24 being retired. He announced Saturday, November 16, 2019 at El Dorado Park from 8 A.M. to 2 P.M. they will be hosting its Block Party and he thanked the Public Works and PARCs*

*Department for all their hard work. Council President Caprioglio announced on Wednesday, November 13, 2019 his mother turned 93 and wished her a Happy Birthday and stated his daughter was honored at Fresno State for Speech Pathologist program.*

## **1. CONSENT CALENDAR**

**On motion of Councilmember Chavez, seconded by Councilmember Bredefeld, the below CONSENT CALENDAR items were adopted. The motion carried by the following vote:**

**Aye:** 7 - Caprioglio, Arias, Soria, Karbassi, Chavez, Bredefeld and Esparza

- 1-A** [ID19-11482](#) Actions pertaining to 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 the adoption of the 2019 California Fire Code or amendments will not have a significant adverse effect on the environment
  2. RESOLUTION - Making and Adopting Express Findings that Modifications or Changes to the 2019 California Fire Code Are Reasonably Necessary Because of Local Climatic, Geological, or Topographical Conditions
  3. BILL - (For Introduction) - Repealing and Adding Fire and Life Safety Regulations in the Fresno Municipal Code

*The above item was pulled from Consent Calendar by Councilmember Soria and moved to Contested Consent for further discussion.*

- 1-B** [ID19-11509](#) Reject all bids for the Herndon Avenue Corridor Pedestrian Signalization Upgrade - Bid File No. 3683 (Council Districts 2 and 6)
- 1-C** [ID19-11510](#) Reject all bids for the Shaw Avenue Corridor Pedestrian Signalization Upgrade - Bid File No. 3683 (Council Districts 1, 2 and 4)
- 1-D** [ID19-11513](#) Actions pertaining to Resolution of Intent Number 1134-D to vacate a portion of South Golden State Boulevard, south of San Benito Street, between G Street and F Street (Council District 3)
1. Adopt a finding of Categorical Exemption Number PW12454 per staffs determination, pursuant to Section 15301/Class 1, Section 15302/Class 2, and Section 15305/Class 5 of the California Environmental Quality Act (CEQA) Guidelines
  2. Adopt Resolution of Intent Number 1134-D to vacate a portion of South Golden State Boulevard, south of San Benito Street, between

## G Street and F Street

- 1-E**     [ID19-11514](#) Approve the Agreement for Purchase and Sale of a Permanent Street Easement and Escrow Instructions for the acquisition of a 1,430 square foot permanent easement from a portion of 3897 N. Polk Avenue, Fresno (APN: 511-011-10), located on the west side of North Polk Avenue, between West Ashlan Avenue and West Dakota Avenue, owned by Michael J. Berube and Cynthia L. Berube, Trustees of the Declaration of Trust of Michael J. Berube and Cynthia L. Berube established January 24, 2005, for \$38,800 in monetary compensation, and authorize the Public Works Director or his designee to sign all documents necessary to complete the subject acquisition (Council District 1)
- 1-F**     [ID19-11515](#) Approve the Agreement for Purchase and Sale of a Permanent Street Easement and Escrow Instructions for the acquisition of a 1,430 square foot permanent easement from a portion of 3793 N. Polk Avenue, Fresno (APN: 511-011-15), located on the west side of North Polk Avenue, between West Ashlan Avenue and West Dakota Avenue, owned by DNAssociates, a California Corporation for \$37,500 in monetary compensation, and authorize the Public Works Director or his designee to sign all documents necessary to complete the subject acquisition (Council District 1)
- 1-G**     [ID19-11489](#) Actions pertaining to the dedication of a portion of City-owned property for the purpose of a Public Street easement, to accommodate the construction of North Willow Avenue between East Copper Avenue and East International Avenue (Council District 6)
1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301, Section 15302, and Section 15304 of the California Environmental Quality Act (CEQA) Guidelines, Environmental Impact Report No 10126
  2. RESOLUTION - Dedicating a portion of a City-owned property for the purpose of constructing public street improvements for Willow Avenue between East Copper Avenue and East International Avenue

*RESOLUTION 2019-226 ADOPTED*

- 1-H**     [ID19-11524](#) **RESOLUTION** - Of Intention to Annex Assessor's Parcel Number 509-040-03 and 509-040-04 as Annexation No. 42 to the City of Fresno Community Facilities District No. 9 and to Authorize the Levy of Special Taxes; and setting the public hearing for December 12, 2019, at 10:10 am (northwest corner of the intersection West Jennifer and West Jacquelyn Avenues) (Council District 2)

*RESOLUTION 2019-227 ADOPTED*

- 1-I [ID19-11561](#) **RESOLUTION** - Approving the Final Map of Tract No. 6191 and accepting dedicated public uses offered therein except for dedications offered subject to City acceptance of developer installed required improvements - East Fancher Creek Drive, West of North Armstrong Avenue (Council District 5)

*RESOLUTION 2019-228 ADOPTED*

- 1-J [ID19-11564](#) **RESOLUTION** - Authorizing the Application for Funding from the Urban Forestry Grant Program Entitled "Urban and Community Forestry Program" as Provided Through the Greenhouse Gas Reduction Fund (Citywide)

*RESOLUTION 2019-229 ADOPTED*

- 1-K [ID19-11517](#) Actions related to amending the Cannabis Retail Business and Commercial Cannabis Business Ordinance:
1. Adopt a finding that there is no possibility that this approval will have a significant effect on the environment pursuant to the common sense exemption set forth in CEQA Guidelines Section 15061(b)(3); and
  2. BILL - (For re-introduction) - Amending sections 9- 3307, 9-3308, 9-3309, 9-3310, 9-3311, 9-3312, 9-3313, 9-3314, 9-3316, 9-3317, 9-3318, 9-3319, 9- 3321, 9-3328, 9-3335, and 9-3337 of the Fresno Municipal Code related to Cannabis Retail Business and Commercial Cannabis Business.

*The above item was pulled from Consent Calendar by Council President Caprioglio and moved to Contested Consent for further discussion.*

- 1-L [ID19-11553](#) \*\*\*BILL NO. B-45 (Intro. 11/7/2019) (For adoption) - Adding Section 2-804 to the Fresno Municipal Code relating to Planning Commission composition (Subject to Mayor's veto)

*The above item was pulled from the agenda by Council Vice President Arias and continued to December 5, 2019.*

- 1-M [ID19-11552](#) Action relating to repealing and adding Building Regulations in the Fresno Municipal Code:
1. \*\*\*BILL NO. B-41- (Intro. 11/7/2019) (For adoption) - Adopting express findings related to local climatic, topographical and geological conditions that make the City's amendments to the California Mechanical Code and California Plumbing Code reasonably necessary and repealing Sections 11-101 through Section 11-109 of Article1, Chapter 11 of the Fresno Municipal Code and adding Sections 11-101 through Section 11-109 of Article1, of Chapter 11 to adopt and amend the California Building,

Residential, Electrical, Mechanical, Plumbing, Energy and Green Building Standards Codes. (Subject to Mayor's veto)

*ORDINANCE 2019-042 ADOPTED*

- 1-N** [ID19-11531](#) Approve the award of a three-year purchase contract to Robert Burgess, dba Burgess Innovation Management for the purchase of Adobe Enterprise Licenses in the amount of \$187,904 (Bid File No. 9523)
- 1-O** [ID19-11532](#) Approve the appointment of Edgar Blunt to the Fresno Regional Workforce Development Board

**3. GENERAL ADMINISTRATION**

- 3-A** [ID19-11311](#) Actions pertaining to the 2017 Transformative Climate Communities (TCC) Grant and Transform Fresno Plan project regarding the Clean Shared Mobility Network:
1. Adopt a Class 3 Categorical Exemption under Section 15303(e) of the State of California Environmental Quality Act (CEQA) Guidelines
  2. Approve Sub-Recipient Agreement A with the Fresno Metro Black Chamber of Commerce for the Clean Shared Mobility Network totaling \$137,757.66
  3. Approve Sub-Recipient Agreement B with the Fresno Metro Black Chamber of Commerce for the Clean Shared Mobility Network totaling \$7,579,256.55
  4. \*\*\*RESOLUTION - 17th amendment to the Annual Appropriation Resolution (AAR) No. 2019-133 appropriating \$7,717,000 for the TCC grant (Requires 5 affirmative votes) (Subject to Mayor's veto).

*The above item was introduced to Council by Business Manager Espinoza, City Manager's Office. Upon call, there was no public comment.*

*Discussion held.*

*RESOLUTION 2019-230 ADOPTED*

**On motion of Vice President Arias, seconded by Councilmember Chavez, that the above Discussion Item be adopted. The motion carried by the following vote:**

**Aye:** 7 - Caprioglio, Arias, Soria, Karbassi, Chavez, Bredefeld and Esparza

- 3-C** [ID19-11519](#) Actions pertaining to the Capital Improvement Projects within the City of Fresno street right of way (All Council Districts)
1. Approve agreement in the amount of \$575,000 with Moore Twining &

- Associates, Inc. for materials testing and acceptance services
2. Approve agreement in the amount of \$575,000 with Salem Engineering Group Inc. for materials testing and acceptance services
  3. Approve agreement in the amount of \$575,000 with Krazan & Associates, Inc. for materials testing and acceptance services
  4. Approve agreement in the amount of \$70,000 with Technicon Engineering Services, Inc. for independent assurance testing
  5. Authorize the Public Works Director or designee to execute the agreements on behalf of the City

*The above item was introduced to Council by Assistant Director Herr, Public Works Department. Upon call, there was no public comment and no Council discussion.*

**APPROVED**

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

**Aye:** 7 - Caprioglio, Arias, Soria, Karbassi, Chavez, Bredefeld and Esparza

- 3-D** [ID19-11565](#) Actions pertaining to the City Hall and Municipal Services Center (MSC) energy savings and sustainability capital improvement projects: (Council District 3)
1. Adopt findings of Categorical Exemptions pursuant to Sections 15301(c), 15301(d), and 15301(e) of the California Environmental quality Action Guidelines
  2. Approve a design build agreement with Alliance Building Solutions, Inc., in the amount of \$5,555,258 for an Energy Efficiency Program and equipment, including but not limited to efficient lighting, air-conditioning and control and monitoring systems, roof replacement, elastomeric coating, and solar panels for implementation of certain energy related and sustainability services
  3. Approve a Solar Power Purchase Agreement with Fresno Street Solar Project 2019, LLC., for City Hall
  4. Approve a Solar Power Purchase Agreement with El Dorado Street Solar Project 2019, LLC., for the MSC
  5. Approve a Solar Energy System Lease Agreement with Fresno Street Solar Project 2019, LLC.,
  6. Approve a Solar Energy System Lease Agreement with El Dorado Street Solar Project 2019, LLC., and
  7. Authorize the City Manager to enter into a Financing Agreement for the City Hall and MSC Energy Efficiency Project for a rate not to

exceed 2.95%

*The above item was introduced to Council by Director Mozier, Public Works Department and Principal Brad Chapman, Alliance Building Solutions. Upon call, there was no public comment.*

*Discussion held.*

*Council Vice President Arias motioned to amend item 7 to come back before Council for approval and to include language in the agreement that the contractor will make a good faith effort to hire local workers in the community. Councilmember Soria seconded the amended motion.*

*Councilmember Esparza directed staff to provide Council with a detailed line item memo regarding the \$5 million and where it is going.*

**APPROVED**

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

**Aye:** 7 - Caprioglio, Arias, Soria, Karbassi, Chavez, Bredefeld and Esparza

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

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

[ID19-11556](#) RESOLUTION - Initiating a comprehensive update to the Fresno General Plan to allow for future adoption of a Fresno General Plan consistent with Alternative D; Initiating the amendment of the Woodward Park Community Plan; the Bullard Community Plan (which includes the Pinedale Neighborhood Plan and the Sierra Sky Park Land Use Policy Plan); the Hoover Community Plan (which includes the El Dorado Park Neighborhood Plan); the West Area Community Plan; the Fresno High-Roeding Community Plan; the McLane Community Plan; the Downtown Neighborhoods Community Plan; the Edison Community Plan; the Roosevelt Community Plan; the Butler-Willow Specific Plan; the Fresno-Chandler Downtown Airport Master Plan; the Fresno Yosemite International Airport Land Use Compatibility Plan; the Fulton Corridor Specific Plan; the Highway City Neighborhood Plan; the North Avenue Industrial Triangle; the Southwest Fresno Specific Plan; the Tower District

Specific Plan; and the Yosemite School Area Specific Plan pursuant to Fresno Municipal Code Section 15-4902-B

*The above item as pulled by Councilmember Chavez and continued to December 5, 2019.*

### **10:30 A.M. - JOINT MEETING OF THE FRESNO REVITALIZATION CORPORATION AND THE CITY OF FRESNO IN ITS CAPACITY AS HOUSING SUCCESSOR TO THE REDEVELOPMENT AGENCY**

[ID19-11536](#) RESOLUTION - Of the City of Fresno Approving a Bond Proceeds Expenditure Agreement between the Successor Agency to the Redevelopment Agency of the City of Fresno and the City of Fresno in its Capacity as Housing Successor to the Redevelopment Agency of the City of Fresno

Sponsor: The City in its capacity as Housing Successor to the Redevelopment Agency of the City of Fresno

*The above item was introduced to Council by Project Manager Mendez, Redevelopment Agency Department. Upon call, there was no public comment and no Council discussion.*

*RESOLUTION 2019-231 ADOPTED*

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

**Aye:** 7 - Caprioglio, Arias, Soria, Karbassi, Chavez, Bredefeld and Esparza

### **GENERAL ADMINISTRATION (CONTINUED)**

- 3-E** [ID19-11530](#) Actions pertaining to the new Fire Station No. 18 project:
1. \*\*\*RESOLUTION - 15th Amendment to the Annual Appropriation Resolution (AAR) No. 2019-133, appropriating \$3,419,600 to fund the new Fire Station No. 18 project which includes \$1,019,600 through defunded Urban Growth Management (UGM) appropriations as a funding source (Requires 5 affirmative votes) (Subject to Mayor's veto)
  2. Adopt finding of a Categorical Exemption pursuant to Section 15332/Class 32 of the California Environmental Quality Act (CEQA) Guidelines
  3. Approve Inter-fund Loan Agreements from the UGM Area-wide Oversize sewer fund and the UGM Wellhead Treatment Area 101S fund, for the new Fire Station No. 18, pursuant to Article VI of the

- City of Fresno Reserve Management Act and Article IV of the Taxpayer Protection Act, providing for a cumulative \$3,857,700 loan
4. Award a construction contract with Klassen Corporation of Bakersfield, CA, for \$6,260,000 (Bid File 3655) (District 1)

*The above item was introduced to Council by Supervising Engineering Tech Bernard, Public Works Department. Upon call, there was no public comment.*

*Discussion held*

*Councilmember Soria directed staff to include solar as part of the standard for new public facilities including the future SPCA building.*

**RESOLUTION 2019-232 ADOPTED**

**On motion of Councilmember Esparza, seconded by Councilmember Karbassi, that the above Action Item be adopted. The motion carried by the following vote:**

**Aye:** 7 - Caprioglio, Arias, Soria, Karbassi, Chavez, Bredefeld and Esparza

**10:30 A.M. - JOINT MEETING OF THE FRESNO REVITALIZATION CORPORATION AND THE CITY OF FRESNO IN ITS CAPACITY AS HOUSING SUCCESSOR TO THE REDEVELOPMENT AGENCY (CONTINUED)**

[ID19-11544](#) RESOLUTION - Designating positions which shall be subject to the Conflict of Interest Code and defining categories of disclosure for such positions. (Council and Agency action)

*The above item was introduced to Council by City Clerk Spence, City Clerk's Office. Upon call, there was no public comment.*

*Council Vice President Arias amended his motion to include Assistant Police Chief in Exhibit L - Police Department. Councilmember Bredefeld agreed to the amendment.*

**RESOLUTION 2019-233 ADOPTED AS AMENDED  
SUCCESSOR AGENCY RESOLUTION 43 ADOPTED AS AMENDED**

**On motion of Vice President Arias, seconded by Councilmember**

**Bredefeld, that the above Resolution be approved as amended. The motion carried by the following vote:**

**Aye:** 7 - Caprioglio, Arias, Soria, Karbassi, Chavez, Bredefeld and Esparza

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

**4-B** [ID19-11562](#) \*\*\*RESOLUTION - In support of construction of a senior center

*The above item was introduced to Council by Councilmember Esparza, District 7.*

*Upon call, the following member of the public addressed Council: Carmen Navarro.*

*Councilmember Esparza amended his motion to included the \$1 million be contingent upon allocation of budget carryover funds. Councilmember Soria seconded the amended motion.*

*RESOLUTION 2019-234 ADOPTED AS AMENDED*

**On motion of Councilmember Esparza, seconded by Councilmember Soria, that the above Resolution be approved as amended. The motion carried by the following vote:**

**Aye:** 7 - Caprioglio, Arias, Soria, Karbassi, Chavez, Bredefeld and Esparza

#### **GENERAL ADMINISTRATION (CONTINUED)**

**3-B** [ID19-11446](#) **WORKSHOP** - Options for Improving Services in City of Fresno Landscape and Lighting Maintenance District No. 1 (LLMD)

*The above Workshop was presented to Council by Director Mozier, Public Works Department.*

*Council Vice President Arias suggested to staff to use Option 3 District-wide LLMD Ballot for all 14,697 lots and Option B - Increase frequency to 30 days and include annual escalator.*

*PRESENTED*

**11:00 A.M.**

[ID19-11554](#) \*\*\*BILL-44 (Intro. 11/7/2019) (For adoption) - Adding Section 2-319 of the Fresno Municipal Code, relating to confidentiality of closed session attorney-client privileged communications. (Subject to Mayor's veto)

*The above item was introduced to Council by Councilmember Karbassi, District 2 and Councilmember Bredefeld, District 6.*

*Councilmember Chavez requested the motion be amended to change section (e) to read " If a city elected official is suspected of violating this Section, the Council will hold a closed session and give direction on how to proceed." Councilmember Karbassi and Councilmember Bredefeld agreed to the request to amend the motion.*

*Upon call, the following members of the public addressed Council: Raquel Busahi, Sam Frank and Robert Rosati.*

*Council Vice President Arias stated for the record that his request for staff to provide City Council with the total cost of the leaks that were leaked from Closed Session was not provided to Council.*

*Discussion held.*

*Council Vice President Arias asked for a friendly amendment to remove the reference of millions of dollars being saved or has cost the City of Fresno and to include violations by the Police Chief when it comes to pending litigation. City Manager Quan responded. The above friendly amendment was not accepted by Councilmember Karbassi and Councilmember Bredefeld.*

**ORDINANCE 2019-043 ADOPTED AS AMENDED**

**On motion of Councilmember Karbassi, seconded by Councilmember Bredefeld, that the above Ordinance be approved as amended. The motion carried by the following vote:**

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

**No:** 3 - Arias, Soria and Esparza

City Council recessed for lunch at 12:22 A.M. and returned from lunch at 2:10 P.M.

### **CITY COUNCIL (CONTINUED)**

- 4-A [ID19-11527](#) Actions pertaining to the South Industrial Priority Area (SIPA):
1. Approve a First Amendment to the Consultant Services Agreement with Ascent Environmental, Inc., regarding land use, planning, and environmental services for the South Industrial Priority Area (SIPA). (Council District 3)
  2. \*\*\*RESOLUTION - In support of community engagement in the South Industrial Priority Area Specific Plan (Subject to Mayor's veto)

*The above item was introduced to Council by Council Vice President Arias, District 3.*

*Upon call, the following members of the public addressed Council: Rev. Simon Biasell, Artie Padilla, Elodia Perez, Adela Moreno, Ivanka Saunders, Sandra Vasquez, Jim Grant, Kimberly McCoy, Will Oliver, Daniel O'Conner, Ashley Warner, Esther Ortega and Rosa DePew.*

*Discussion held.*

*Council Vice President Arias motioned to amend the resolution, page 4, Section 6 to read "Council authorizes the City Manager to expend \$250,000, in addition to the original amount authorized for the contract, and/or hire additional consultants, to fulfill the scope of work outlined herein." Councilmember Chavez seconded the motion.*

**RESOLUTION 2019-235 ADOPTED AS AMENDED**

**On motion of Vice President Arias, seconded by Councilmember Chavez, that the above Action Item be adopted as amended. The motion carried by the following vote:**

**Aye:** 7 - Caprioglio, Arias, Soria, Karbassi, Chavez, Bredefeld and Esparza

### **1:30 P.M. CONTESTED CONSENT CALENDAR**

- 1-A [ID19-11482](#) Actions pertaining to 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 the adoption of the 2019 California Fire Code or amendments will not have a significant adverse effect on the environment

2. RESOLUTION - Making and Adopting Express Findings that Modifications or Changes to the 2019 California Fire Code Are Reasonably Necessary Because of Local Climatic, Geological, or Topographical Conditions
3. BILL - (For Introduction) - Repealing and Adding Fire and Life Safety Regulations in the Fresno Municipal Code

*The above item was introduced to Council by Fire Deputy Chief Semonious, Fire Department. Upon call, there was no public comment.*

*Discussion held.*

**RESOLUTION 2019-236 ADOPTED**

**BILL 46 INTRODUCED AND LAID OVER**

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

**Aye: 7 - Caprioglio, Arias, Soria, Karbassi, Chavez, Bredefeld and Esparza**

- 1-K** [ID19-11517](#) Actions related to amending the Cannabis Retail Business and Commercial Cannabis Business Ordinance:
1. Adopt a finding that there is no possibility that this approval will have a significant effect on the environment pursuant to the common sense exemption set forth in CEQA Guidelines Section 15061(b)(3); and
  2. BILL - (For re-introduction) - Amending sections 9- 3307, 9-3308, 9-3309, 9-3310, 9-3311, 9-3312, 9-3313, 9-3314, 9-3316, 9-3317, 9-3318, 9-3319, 9- 3321, 9-3328, 9-3335, and 9-3337 of the Fresno Municipal Code related to Cannabis Retail Business and Commercial Cannabis Business.

*The above item was presented to Council by Council President Caprioglio, District 4.*

*Upon call, the following members addressed Council: Zach Drivon, David Abbasi and JePaul White.*

*Discussion held.*

*Councilmember Karbassi, Councilmember Bredefeld and Council President Caprioglio expressed their opposition for the above item.*

*BILL 47 INTRODUCED AND LAID OVER*

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

**Aye:** 4 - Arias, Soria, Chavez and Esparza

**No:** 3 - Caprioglio, Karbassi and Bredefeld

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

**UNSCHEDULED COMMUNICATION**

*Upon call, the following member of the public addressed Council: David Love.*

**5. CLOSED SESSION**

*There were no Closed Session items.*

**ADJOURNMENT**

*City Council adjourned at 3:40 P.M.*