



# City of Fresno

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

## Meeting Minutes - Final City Council

**President - Esmeralda Z. Soria**

**Vice President - Steve Brandau**

**Councilmembers:**

**Oliver L. Baines, III, Paul Caprioglio, Luis Chavez,**

**Garry Bredefeld, Clinton J. Olivier**

**City Manager - Wilma Quan-Schecter**

**City Attorney - Douglas T. Sloan**

**City Clerk - Yvonne Spence, MMC**

---

**Thursday, February 8, 2018**

**1:00 PM**

**Council Chambers**

---

### **Regular Meeting**

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

1:05 P.M. ROLL CALL

*Councilmember Baines was absent during roll call and joined the meeting at 1:06PM.*

*Councilmember Olivier was absent during roll call and joined the meeting at 1:22PM.*

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

Invocation by Pastor Ron Shirley of the Victory Life Church

Pledge of Allegiance to the Flag

### **APPROVE AGENDA**

*City Clerk Spence announced the following change to the agenda: File ID*

18-0127 (5-A) was removed from the agenda.

**On motion of Councilmember Caprioglio, seconded by Councilmember Chavez, the above item was adopted as amended.**

**The motion carried by the following vote:**

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

**Absent:** 1 - Olivier

## **1. CONSENT CALENDAR**

**On motion of Councilmember Caprioglio, seconded by Councilmember Chavez, the CONSENT CALENDAR below was approved. The motion carried by the following vote:**

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

- 1-A**    [18-0090](#)    RESOLUTION - Approving the Final Map of Tract No. 6073 and accepting dedicated public uses offered therein - north side of East Church Avenue between South Chestnut Avenue and South Willow Avenue (Council District 5)

**Sponsors:** Public Works Department

*RESOLUTION 2018-30 ADOPTED*

- 1-B**    [ID18-0160](#)    Actions related to the sale of abandoned water well property on APN 474-226-12ST & 14S (PS-276) to Ms. Susan Diane Artis (County of Fresno)
1. Adopt a finding of Categorical Exemption pursuant to CEQA Guidelines Section 15312(b) for the sale of a small abandoned water well property.
  2. Approve the sale of a small abandoned water well property known as APN 474-226-12ST & 14S (PS-276) on the southwest corner of Fowler Avenue and Dwight Way to adjacent property owner Ms. Susan Diane Artis.

**Sponsors:** Public Works Department

- 1-C**    [ID18-0164](#)    Actions pertaining to the Golden State Boulevard Overhead Barrier Reconstruction, Bid File 3550 (Council District 3)
- 1 \*\*\* RESOLUTION - 52nd amendment to the Annual Appropriation Resolution No. 2017-165 appropriating \$76,300

for costs related to the Golden State Bridge Repair. (Requires 5 affirmative votes) (Subject to Mayor's veto)

2 Adopt a finding of Categorical Exemption per staff determination pursuant to Section 15301(c) of the CEQA Guidelines for the Golden State Blvd Overhead Barrier Reconstruction project

3 Award a Construction Contract with Bugler Construction Inc., of Pleasanton, California in the amount of \$163,080

**Sponsors:** Public Works Department

*RESOLUTION 2018-31 ADOPTED*

- 1-D [ID18-0147](#) Award a requirements contract in the amount of \$307,998.68 to Univar USA Inc., for bulk sodium hydroxide and authorize the Director of Public Utilities or his designee, to execute a one-year contract with provisions for two one-year extensions. Bid File 9429 (Citywide)

**Sponsors:** Department of Public Utilities

- 1-E [ID18-0161](#) Approve a First Amendment to Agreement for the Professional Consultant Services Agreement with CDM Smith, Inc., (CDM), in the amount of \$56,700 and Agreement extension to December 31, 2018, for the design and implementation of Phase 3 Groundwater Remedial Action for the Fresno Sanitary Landfill (FSL) (Citywide) (Council District 3)

**Sponsors:** Department of Public Utilities

- 1-F [ID18-0172](#) Actions pertaining to Access Structure Rehabilitation at multiple city locations: (Council Districts 3, 5 and 7)
1. Adopt a finding of Categorical Exemption pursuant to Sections 15301(d) (Existing facilities) and 15302(c) (Replacement or reconstruction) of the California Environmental Quality Act Guidelines
  2. Award a construction contract in the amount of \$148,075 to Michels Corporation of Salem, Oregon - Bid File No. 3564 (Council Districts 3, 5 and 7)

**Sponsors:** Department of Public Utilities

- 1-G [ID18-0128](#) Actions pertaining to the California Statewide Communities

Development Authority Open Property Assessed Clean Energy Program Resolution:

1. RESOLUTION -Authorizing California Statewide Communities Development Authority to accept applications from property owners, conduct contractual assessment proceedings and levy contractual assessments within the City of Fresno and authorizing related actions, and
2. Authorizing the City Manager, or designee, to execute documents on behalf of the City of Fresno

**Sponsors:** Development and Resource Management Department

*RESOLUTION 2018-32 ADOPTED*

- 1-H [ID18-0170](#) Approve renewal of Oracle Public Sector Technical Support Services for 4 years, not to exceed \$355,000 per year.

**Sponsors:** Information Services Department

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

- 1-I [ID18-0173](#) Reject Bid for the Design-Build 5 Learner Pools Health Code Upgrades Project - Bid File No. 3575

**Sponsors:** Parks, After School and Recreation and Community Services Department

- 1-J [ID18-0174](#) Approval of a Memorandum of Understanding between Hands-On Central California Retired Senior Volunteer Program (RSVP) and the City of Fresno PARCS Department to provide volunteer staffing for the Senior Hot Meal Program at Neighborhood Parks and Recreation Centers.

**Sponsors:** Parks, After School and Recreation and Community Services Department

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

- 1-K [ID18-0175](#) Approval of a Host Agency Agreement with the Senior Community Service Employment Program (SEP) National Council on Aging to provide Community Service Training Opportunities for mature adult participants.

**Sponsors:** Parks, After School and Recreation and Community Services Department

- 1-L [ID18-0204](#) Approve an Adopt-A-Park Agreement with the Southeast Fresno Regional Park and Soccer Complex Authority for 18 acres located at Peach and Butler

**Sponsors:** City Manager's Office

*Upon call, the following members of the public addressed Council: Jose Barraza, Charles Garabedian, Gabriel Lozano, Julio Bustos and Juan Saavedra*

*Councilmember Caprioglio asked Mr. Barraza what are your fund raising goals at the end of the first year. Mr. Barraza stated about \$250,000.00.*

*Council Vice President Brandau expressed his support of the item.*

*Councilmember Chavez thanked those who are adopting the park and supported the item.*

- 1-M [ID18-0121](#) Approve the Agreement between the City of Fresno, SMG and the Fresno/Clovis Convention and Visitors Bureau (FCCVB) to continue funding the Sales Manager Position (Citywide)

**Sponsors:** City Manager's Office

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

- 1-N [ID18-0217](#) Actions pertaining to the Lease Agreement between the City of Fresno and Fresno Football Club, LLC., to lease space in the Historic Bee Building located at 1555 Van Ness (Council District 3)
1. Adopt a finding of a Categorical Exemption pursuant to Class 1 of the California Environmental Quality Act (CEQA) Guideline Section 15301 (Existing Facilities) for lease
  2. Approve Lease Agreement between the City of Fresno and Fresno Football Club, LLC. to lease space in the Historic Bee Building located at 1555 Van Ness

**Sponsors:** City Manager's Office

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

- 1-O [ID18-0216](#) RESOLUTION - Establish the Elm Avenue Brownfields Area-wide Plan and Implementation Strategy Steering Committee

**Sponsors:** City Councilmember Baines III

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

## **CEREMONIAL PRESENTATIONS**

- [ID18-0148](#) Proclamation to Sunnyside Diner in Council District Five

**Sponsors:** City Councilmember Chavez

PRESENTED

- [ID18-0136](#) Certificates of Recognition to Dr. John E. Hannigan and Dr. Jessica Djabrayan Hannigan

**Sponsors:** City Councilmember Caprioglio

PRESENTED

- [ID18-0184](#) Proclamation of "Point-in-Time Count in Fresno County"

**Sponsors:** Council President Soria

PRESENTED

- [ID18-0227](#) Proclamation of Rojelio "Roy" Vasquez Day

**Sponsors:** Mayor's Office

PRESENTED

## **APPROVE MINUTES**

- [18-0018](#) Approval of minutes from January 25, 2018.

**Sponsors:** City Clerk's Office

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

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

## **COUNCILMEMBER REPORTS AND COMMENTS**

*Councilmember Caprioglio spoke regarding Tuesday, February 6, 2018 open house for Valley Caregivers, attended the State of the University, congratulated University High School for winning the Fresno County Academic Decathlon and the National Decathlon for Small Schools, gave a shout out to Paul Loeffler, voice of the Fresno State Bulldogs who donated his kidney to R. Michael Alexander, thanked PARCs for getting more green space in District 4 and mentioned Saturday, February 10, 2018 from 11:00AM to 2:00PM at Vinland Park will be the kick off of the weekend recreation and fitness program.*

*Council Vice President Brandau spoke regarding, Friday, February 2, 2018 trip to San Diego to discuss strategies for homelessness in the City of Fresno.*

*Councilmember Olivier congratulated the Police Department and Investigators for making the arrest for the 2015 murder of Casey Haggard and thanked Assistant Director Schuber for cleaning up a homeless encampment in District 7.*

*Councilmember Bredefeld thanked staff for District 6 Community meeting on Wednesday, February 8, 2018.*

*Councilmember Chavez thanked Assistant Director Schuber for cleaning up a homeless encampment at East Baptist Church.*

*Council President Soria recognized the Aspen Valley Prep Students, attended the Dress for Success ribbon cutting, mentioned 4th annual woman of the year award and that nomination forms will be available until March 1, 2018.*

## **CONTESTED CONSENT CALENDAR**

- 1-H [ID18-0170](#) Approve renewal of Oracle Public Sector Technical Support Services for 4 years, not to exceed \$355,000 per year.

**Sponsors:** Information Services Department

*The above item was introduced to Council by Director Horn, Information Services Department.*

*Upon call, there was no public comment.*

*Councilmember Bredefeld asked staff how often do we need these services. Director Horn stated it is an annual renewal and covers a number of applications and updates Citywide. Councilmember Bredefeld continued to ask staff if this part of the money is paying for the software, consultation services and if support services are used frequently.*

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

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

- 1-J**    [ID18-0174](#)    Approval of a Memorandum of Understanding between Hands-On Central California Retired Senior Volunteer Program (RSVP) and the City of Fresno PARCS Department to provide volunteer staffing for the Senior Hot Meal Program at Neighborhood Parks and Recreation Centers.

**Sponsors:** Parks, After School and Recreation and Community Services Department

*The above item was introduced to Council by Director Neloms, PARCS Department.*

*Upon call, there was no public comment.*

*Council Vice President Brandau asked for an update on the map that shows the service pattern for Senior Hot Meals in six locations and asked if the seventh will be located at Inspiration Park. Council Vice President Brandau continued to ask staff about the overlap in other locations and what is the distance between them and mentioned other areas that do not have an easy location for seniors.*

*Council President Soria appreciated the update and is excited that the resources are extending to District 1.*

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

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

- 1-M**    [ID18-0121](#)    Approve the Agreement between the City of Fresno, SMG and the Fresno/Clovis Convention and Visitors Bureau (FCCVB) to continue funding the Sales Manager Position (Citywide)

**Sponsors:** City Manager's Office

*The above item was introduced to Council by Assistant City Manager Rudd, City Manager's Office.*

*Upon call, there was no public comment.*

*Councilmember Bredefeld asked staff why the need for the sales management position.*

*Councilmember Bredefeld motion to approve the item as presented. Councilmember Chavez seconded the motion.*

*Council President Soria asked about the length of the previous contract and why the agreement can not remain at three years with one year extensions.*

*Council President Soria motioned to amend the agreement to three years with one year extension. Councilmember Chavez seconded the motion.*

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

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

- 1-N**    [ID18-0217](#)    Actions pertaining to the Lease Agreement between the City of Fresno and Fresno Football Club, LLC., to lease space in the

Historic Bee Building located at 1555 Van Ness (Council District 3)

1. Adopt a finding of a Categorical Exemption pursuant to Class 1 of the California Environmental Quality Act (CEQA) Guideline Section 15301 (Existing Facilities) for lease
2. Approve Lease Agreement between the City of Fresno and Fresno Football Club, LLC. to lease space in the Historic Bee Building located at 1555 Van Ness

**Sponsors:** City Manager's Office

*The above item was introduced to Council by Deputy City Manager Gloria, City Manager's Office.*

*Upon call, there was no public comment.*

*Council Vice President Brandau asked staff how did the .42 cent per sq ft. arrive, is that the going market rate and how did that number come up. Mr. Mathias with Cushman and Wakefield stated the building has been vacant for a long period of time and is hard to lease. Mr. Mathias mentioned the Fresno Football Club might be buying the building at a later date.*

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

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

- 1-O** [ID18-0216](#) RESOLUTION - Establish the Elm Avenue Brownfields Area-wide Plan and Implementation Strategy Steering Committee

**Sponsors:** City Councilmember Baines III

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

*Upon call, there was no public comment.*

*Council Vice President Brandau asked Councilmember Baines does this area-wide plan require funding and has the funding been appropriated.*

*Council President Soria asked that the Resolution be corrected, item 4B to*

state that the Councilmember in District 3 will have the ability to fill in the vacancies.

*RESOLUTION 2018-33 ADOPTED.*

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

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

**Council Vice President Brandau and Councilmember Baines left the meeting at 2:18PM.**

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

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

[ID18-0193](#) (CONTINUE TO 2:00 P.M.)  
CONTINUED HEARING to consider Plan Amendment Application No. A-17-010, Rezone Application No. R-17-014, and the related environmental assessment, filed by Jeff Roberts of East Shields Development, for approximately ±4.87 acres of property located on the northeast corner of East Princeton Avenue and North Fowler Avenue. (Council District 4 - Caprioglio)

**Sponsors:** Development and Resource Management Department

*The above item was continued to 2:00PM.*

### **10:05 A.M.**

[ID18-0139](#) (CONTINUE TO 2:05 P.M.)  
HEARING to Consider Plan Amendment Application No. A-16-017, Rezone Application No. R-16-18, Conditional Use Permit No. C-17-059, and related Environmental Assessment No. A-16-017/R-16-018/C-17-059, filed by Giorgio Russo, on behalf of Ginder Development. These applications pertain to approximately 2.41 acres of a 7.1-acre property located on the northwest corner of North Blythe and West Herndon Avenues. (Council District 2)

**Sponsors:** Development and Resource Management Department

*The above item was continued to 2:05PM*

**2:00 P.M.**

- [ID18-0214](#) CONTINUED HEARING to consider Plan Amendment Application No. A-17-010, Rezone Application No. R-17-014, and the related environmental assessment, filed by Jeff Roberts of East Shields Development, for approximately ±4.87 acres of property located on the northeast corner of East Princeton Avenue and North Fowler Avenue. (Council District 4 - Caprioglio)
1. ADOPT the Mitigated Negative Declaration prepared for Environmental Assessment No. A-17-010/R-17-014 dated December 1, 2017.
  2. RESOLUTION - Approving Plan Amendment Application No. A-17-010 proposing to amend 4.87 acres of the Fresno General Plan and the McLane Community Plan from the Community Commercial and Light Industrial planned land uses to the Urban Neighborhood Residential (16-30 du/acre) planned land use.
  3. BILL - (For introduction and adoption) - Approving Rezone Application No. R-17-014 requesting authorization to reclassify 4.87 acres of the subject property from the CC/UGM (Community Commercial/Urban Growth Management) and IL/UGM (Light Industrial/Urban Growth Management) zone districts to the RM-2/UGM (Residential Multi-Family, Urban Neighborhood/Urban Growth Management) zone district.

**Sponsors:** Development and Resource Management Department

*The item was called to order at 2:18PM*

*The above item was introduced to Council by Planner III, Valenzuela, DARM Department.*

*Upon call, the following member of the public addressed Council in support of the item, Jeff Robert.*

**RESOLUTION 2018-34 ADOPTED**

**BILL B-4 AND ORDINANCE 2018-7 ADOPTED**

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

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

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

**2:05 P.M.**

- [ID18-0215](#) HEARING to Consider Plan Amendment Application No. A-16-017, Rezone Application No. R-16-18, Conditional Use Permit No. C-17-059, and related Environmental Assessment No. A-16-017/R-16-018/C-17-059, filed by Giorgio Russo, on behalf of Ginder Development. These applications pertain to approximately 2.41 acres of a 7.1-acre property located on the northwest corner of North Blythe and West Herndon Avenues. (Council District 2)
- a. ADOPT the Mitigated Negative Declaration prepared for Environmental Assessment No. A-16-017/R-16-018/C-17-059 dated December 1, 2017; including, the attached Addendum prepared in accordance with Section 15073.5 of the California Environmental Quality Act (CEQA) Guidelines dated December 15, 2017.
  - b. RESOLUTION - Approving Plan Amendment Application No. A-16-017 proposing to amend the Fresno General Plan and Bullard Community Plan from the Community Commercial planned land use designation to the General Commercial land use designation.
  - c. BILL - (For introduction and adoption) - Approving Rezone Application No. R-16-018 to rezone the subject property from the CC (Commercial - Community) to CG (Commercial - General) zone district.
  - d. APPROVE Conditional Use Permit Application No. C-17-059 requesting authorization to construct three detached commercial pads (one of which includes a drive-through) on the 2.41-acre portion of the subject property that is proposed to be redesignated and rezoned.

**Sponsors:** Development and Resource Management Department

*The item was called to order at 2:20PM.*

*Councilmember Baines returned to the meeting at 2:22PM*

*The above item was introduced to Council by Planner III Lerwill, DARM Department.*

*Upon call, the following members of the public addressed Council in support of the item, Giorgio Russo and John Kenzie.*

*Council Vice President Brandau returned to the meeting at 2:23PM*

**RESOLUTION 2018-35 ADOPTED**

**BILL B-5 AND ORDINANCE 2018-8 ADOPTED**

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

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

**2:10 P.M. JOINT MEETING OF THE CITY COUNCIL, SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF FRESNO, AND THE FRESNO REVITALIZATION CORPORATION**

[ID18-0224](#) Fresno Revitalization Corporation and the City of Fresno in its capacity as Housing Successor to the Redevelopment Agency of the City of Fresno to:

1. Authorize the Executive Director to Execute a Subordination Agreement for the Sale of Fulton Village located at 1715 and 1759 Fulton Street (FRC and City Action)

**Sponsors:** Successor Agency to the Redevelopment Agency of the City of Fresno

*The above item was introduced to Council by Redevelopment Administrator Murphy.*

*Upon call, there was no public comment.*

*Council President Soria stated the 1 percent loan on the \$800,000 that we*

*provided essentially it purchased the 80 plus of covenants of affordability.*

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

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

### **3. GENERAL ADMINISTRATION**

**3-A**    [ID18-0185](#)    BILL (for introduction) - Amending Sections 5-302, 5-303, 5-304, 5-305, 5-307, 5-308, and adding Sections 5-309 and 5-310 to Article 3 of Chapter 5 of the Fresno Municipal Code, relating to fare evasion and enforcement

**Sponsors:** Department of Transportation

*The above item was introduced to Council by Director Schaad, Transportation Department.*

*Upon call, there was no public comment.*

*Council Vice President Brandau referenced back in April the fares were reduced but ridership did not increase and suggested that fares should be collected and a message should be sent out that the City of Fresno is serious about collecting the fares.*

*Councilmember Bredefeld asked staff how the penalties bring presented today differ from what was presented in April, he mentioned that back in April the penalties were more significant than they are now. Councilmember Bredefeld continued to ask what would trigger a misdemeanor and questioned why it takes four violations for someone to be charged with a misdemeanor for fare evasion. Councilmember Bredefeld stated he will not be supporting the item.*

*Councilmember Chavez thanked staff for all their hard work and mentioned State of the Art equipment.*

*Councilmember Olivier thanked staff and suggested to amend the motion to eject riders off the bus as a punishment instead of a misdemeanor for the*

*violator of fare evasion. Councilmember Olivier expressed his concerns regarding wasting resources and tax payers money on a person who is not paying a \$1.25 for a bus ride.*

*Councilmember Baines stated he is not in favor for using a bunch of resources for catching someone who did not pay a fare of a \$1.25.*

*Council President Soria agreed with previous Councilmembers on not wasting resources.*

**BILL B-6 INTRODUCED AND LAID OVER**

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

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

**No:** 1 - Bredefeld

- 3-B**    [ID18-0157](#)    RESOLUTION - Authorizing the Submission of an Application for Grant Funds from the San Joaquin Valley Air Pollution Control District Public Benefit Grants Program and Authorizing Execution of Application-Related Documents by the City Manager or Designee (Council District 3)

**Sponsors:** City Manager's Office

*Council President Soria recused herself from the proceeding.*

*The above item was introduced to Council by Deputy City Manager Gloria, City Manager's Office.*

*Upon call, there was no public comment.*

**RESOLUTION 2018-36 ADOPTED**

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

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

**Recused:** 1 - Soria

- 3-C**    [ID18-0158](#)    RESOLUTION - Authorizing the City Manager or authorized designee to execute an agreement with the California High Speed Rail Authority for continued funding of the High Speed Rail Impacted Business Support Services Program in the amount of \$1,611,774.00 beginning March 1, 2018, through December 31, 2019.

**Sponsors:** Development and Resource Management Department

*The above item was introduced to Council by Supervising Planner Kachadourian, DARM Department.*

*Upon call, there was no public comment.*

*Council Vice President Brandau asked if the payments are up to date.*

**RESOLUTION 2018-37 ADOPTED**

**On motion of Council Vice President Brandau, seconded by Councilmember Caprioglio, that the above Resolution be adopted. The motion carried by the following vote:**

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

- 3-D**    [ID18-0225](#)    WORKSHOP - Explanation Regarding Building Permit Timelines

**Sponsors:** Mayor's Office

*The Workshop was presented by Chief of Staff Orman, Mayor's Office.*

**PRESENTED**

*Council recessed into Closed Session at 3:15PM and returned from Closed Session at 4:29PM*

## **5. CLOSED SESSION**

*There was no announcements after Closed Session.*

- 5-A**    [ID18-0127](#)    CONFERENCE WITH REAL PROPERTY NEGOTIATOR -

Government Code Section 54956.8  
Property: APN 505-060-19 (Portion) (Right of Way for Veteran's Boulevard)  
Negotiating Parties: City Manager Wilma Quan-Schecter; Robert and Julie Mitchell

**Sponsors:** City Attorney's Office

*THE ABOVE ITEM WAS REMOVED FROM THE AGENDA.*

- 5-B**    [ID18-0140](#)    CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)  
Karen Micheli, et al. v. City of Fresno, et al.; Fresno County Superior Court Case No.: 16CECG02937.  
Consolidated with  
Jackie Flannery, et al. v. City of Fresno, et al.; Fresno County Superior Court Case No.: 17CECG01724.

**Sponsors:** City Attorney's Office

*DISCUSSED*

- 5-C**    [ID18-0207](#)    CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Government Code Section 54956.9, subdivision (d)(2)  
1. Significant Exposure to Litigation: Maria and Miguel Silva vs. City of Fresno

**Sponsors:** City Attorney's Office

*DISCUSSED*

- 5-D**    [ID18-0226](#)    CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)  
1. Anthony Perez v. City of Fresno, et al.; United States District Court Case No.: 1:18-CV-00127-AWI-EPG

**Sponsors:** City Attorney's Office

*DISCUSSED*

- 5-E**    [ID18-0206](#)    CONFERENCE WITH LABOR NEGOTIATOR - Government Code Section 54957.6

City Negotiator(s): Jeffrey Cardell, Ken Phillips  
Employee Organization: Amalgamated Transit Union, Local 1027 (ATU)

**Sponsors:** Personnel Services Department

*DISCUSSED*

**4:30 P.M.#1 SCHEDULED COMMUNICATION**

[ID18-0205](#) Appearance by George Torres on behalf of Mary Esther Correa to discuss Code Enforcement (Speaker resides in District 7)

*DID NOT APPEAR*

**4:30 P.M. #2 SCHEDULED COMMUNICATION**

[ID18-0199](#) Appearance by Gary Doesekle to speak about the transit system (Speaker resides in District 7)

*Mr. Doesekle appeared and expressed his concerns regarding the FAX bus.*

*APPEARED*

**4:30 P.M.#3**

[ID18-0178](#) Approve License Agreement Special Event - Woodward Park between IAN Group, LLC and the City of Fresno

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

*The above item was introduced to Council by Assistant City Manager Rudd, City Manager's Office.*

*Upon call, the following members of the public addressed Council: Sherri Alexander, Peter Dorian, John Kinsey, David Tittle, Mike Andritelt, Robert Bashian, Sarita, Dana Scott Schilperoort, James Crane, Jan Mikkelson, Nathan Alonzo, Janet Kroger, Thomas S., Matthew Collum, Eddie Wutangz, Glenn Gerado, Charles LaRude, Jamie Nelson and Mike Oman*

*Vartan Hekimian and Aren Hekimian spoke regarding the event and addressed the safety of the neighborhoods, security and working with vendors.*

*Councilmember Bredefeld addressed the comments about racism and asked Mr. Alonzo would there be economic benefit if this event was held downtown or only if the event is held at Woodward Park. Councilmember Bredefeld thanked the Council for the two week extension and mentioned he met with the promoters but does not support the item based on policy. Councilmember Bredefeld continued to say if the event was reduced to 10:00PM he would support the event at Woodward Park but is concerned about the impact this event will bring to the district. Councilmember Bredefeld asked staff why wasn't the language "Provide additional traffic mitigation measures needed to prevent event goers from parking in adjacent neighborhoods" in the agreement and suggested that the Council should have input on how the event went. Councilmember Bredefeld thanked the promoters and administration for working together.*

*Chief Dyer stated that he will be meeting with the promoters next week to come up with a security plan for the two day event.*

*Councilmember Baines thanked Councilmember Bredefeld for the way he handled the event, appreciated the promoters and administration for this event and supported the item as presented.*

*Council Vice President Brandau thanked Councilmember Bredefeld for the additional two weeks and stated he has attended several concerns at Woodward Park and had no issues with the events. However, Council Vice President Brandau stated his biggest issues with the event is the time ending at 11:30PM, the lack of communication with the residence and suggested that the City of Fresno improve on their public announcement services and engage with the community more. Council Vice President Brandau also stated that he will be out there on one of the two nights walking the neighborhoods in his district and talking with residence to make sure nothing happens. Council Vice President Brandau stated he will not be supporting the item as presented for the stated reasons.*

*Councilmember Caprioglio thanked the public for attending the Council meeting, stated he would love to have an event like this in Granite Park, and he will support the item as presented.*

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

**Aye:** 5 - Soria, Baines III, Caprioglio, Chavez and Olivier

**No:** 2 - Brandau and Bredefeld

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

4-A [ID18-0195](#) Legal Workshop

**Sponsors:** City Attorney's Office

*The above item was continued to February 15, 2018*

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

#### **UNSCHEDULED COMMUNICATION**

*There was no Unscheduled Communication.*

#### **ADJOURNMENT**

*City Council adjourned at 6:08PM*