



# City of Fresno

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

## Meeting Minutes - Draft 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 - Wilma Quan-Schechter**

**City Attorney - Douglas T. Sloan**

**City Clerk - Yvonne Spence, CMC**

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**Thursday, August 3, 2017**

**8:30 AM**

**Council Chambers**

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### **Regular Meeting**

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

8:39 A.M. ROLL CALL

**Present:** 5 - President Clinton Olivier

Vice President Esmeralda Soria

Councilmember Steve Brandau

Councilmember Garry Bredefeld

Councilmember Luis Chavez

**Absent:** 2 - Councilmember Oliver L. Baines III

Councilmember Paul Caprioglio

### **INVOCATION**

Invocation by Lead Pastor Kevin Foster of LifeBridge Community Church

*Councilmember Brandau announced the grand opening of a new church in District 2 where Kevin Foster is a pastor. The new church facilities is located at 5125 N. Gates which is close to 99. The church will open on September 10, 2017. If you are looking for a church in this area please give them a visit.*

### **PLEDGE OF ALLEGIANCE**

Pledge of Allegiance led by Council President Olivier

## **APPROVE AGENDA**

*City Clerk Spence announced the following changes to the agenda: Councilmember Caprioglio will NOT be present via the 10:30A.M. item. Under ceremonial presentations File ID17-1037 - Presentation to the student delegates and sponsors of CVAASD has been removed from the agenda. File ID17-1065 - Proclamation of "Sister-Brother Day" has been removed from the agenda. Under the Consent Calendar File ID17-1014 (1-G), the title should read "State Center Community College District - not "State Community Center College District". Under Scheduled Hearings and Matters: File ID17-941 (10:30A.M.) - Re: Concealed Carry Weapon (CCW) has been removed from the agenda, and will be placed on the August 24, 2017 meeting at 10:30 A.M.*

**On motion of Vice President Soria, seconded by Councilmember Brandau, the above hereby be approved. The motion duly carried, RESOLVED by a unanimous vote.**

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

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

## **CEREMONIAL PRESENTATIONS**

[ID17-1037](#) Presentation to the student delegates and sponsors of CVAASD (Central Valley African American Student Delegation) on their trip to Washington DC.

*This item was removed from the agenda.*

[ID17-1064](#) Proclamation of "International Assistance Dog Week" - August 6-12, 2017

*Presented.*

[ID17-1065](#) Proclamation of "Sister-Brother Day"

*This item was removed from the agenda.*

## **APPROVE MINUTES**

*Both sets of minutes were approved.*

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

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

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

[ID17-1053](#) Approval of minutes from June 20, 2017 Budget Hearing

[ID17-106](#) Approval of minutes from July 20, 2017

## **COUNCILMEMBER REPORTS AND COMMENTS**

*Councilmember Bredefeld held a district meeting last night from 6:00-7:30. They talked about public safety, avoiding to be a victim, homelessness, there were a lot of questions and concerns. It was a very positive meeting. He wants to thank all of the city staff who attended including his staff Nicole DeMera and Danny Gai, Deputy Chief Pat Farmer, Lt. Mike Brogdon, Sgt. Michael Landon, Georgeanne White, Assistant Director, Public Utilities, Jerry Schuber, Assistant Director Department of Public Utilities, Brian Russell, Department of Public Works, Jill Gormley, Department of Public Works, and Dan Zack, Assistant Director of DARM.*

*The 10:30 item on Concealed Carry Weapons (CCW), Councilmember Bredefeld met with Mayor Brand, City Manager Quan-Schechter, City Attorney Sloan, Chief Dyer and other staff, we are working to see what makes the most sense. Right now we don't have any policy in place. We will be meeting with leadership from the unions to see what their thoughts are. He urged the leadership of the unions talk to their membership. There has been a lot of misinformation on this topic. This topic will be on the August 24th agenda at 10:30 A.M.*

*Council Vice President Soria hosted a National Night Out event in Inspiration Park last Tuesday. The Chief of Police came out as well as several other officers. She would like to thank Chief Dyer, the City of Fresno Police Association who volunteered their time to cook hamburgers and hot dogs for all of our residents, we also had RIVC, the Boys and Girls Club, the PARCs Department bought a bounce house and showed a movie for the kids. They also had a number of none profit associations, and the Department of Water Conservation.*

*Council Vice President Soria announced District 1 is holding a participatory budget process for the FY17-18 budget. There will be 3 big public meetings. Mailers are being sent to the residents in District 1. The next community meeting they will have is on August 21, 2017 at Slater Elementary School at 6:30 p.m.*

*Council Vice President Soria also congratulated the Boys and Girls Club summer intern program. Pacific Gas and Electric (PG&E) Company is the sponsor of this internship program and they have been doing this for a number of years. 100 students were able to have a part time job. They also received a computer from PG&E and she would like to thank them again and thank the students that went through the program.*

## **1. CONSENT CALENDAR**

*Councilmember Brandau moved the following Consent Calendar item 1-M (ID 17-1043) to the Contested Consent Calendar for further discussion.*

*The following members of the public spoke on Consent Calendar item 1-M:*

*Mason Kersten-Perez*

*Michael Green*

*Melissa Fairless*

*Ted Miller*

### **APPROVAL OF THE CONSENT CALENDAR**

**On motion of Councilmember Bredefeld, seconded by Vice President Soria, the CONSENT CALENDAR was hereby adopted by the following vote:**

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

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

#### **1-A [ID17-906](#)**

Actions related to selling an abandoned water well property number (PS-218) to Mr. Eugene N. Sibley and Cecilia R. Sibley (County of Fresno):

1. Adopt a finding of no possibility of significant effect pursuant to CEQA Guidelines Section 15061 (B) (3) and Categorical Exemption pursuant to CEQA Guidelines Section 15312 for the sale of an abandoned water well property
2. Approve the sale of an abandoned water well property known as APN 445-234-01T (PS-218) located at 2764 N. Sixth Street to Mr. Eugene N. Sibley and Cecilia R. Sibley

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

#### **1-B [ID17-982](#)**

**RESOLUTION** - Approving the Final Map of Tract No. 6131 and accepting dedicated public uses offered therein - southeast corner of

North Fowler Avenue and East Dakota Avenue (Council District 4)

*RESOLUTION 2017-198 APPROVED*

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

**1-C**     [ID17-983](#)

**RESOLUTION** - Approving the Final Map of Tract No. 6139 and accepting dedicated public uses offered therein - northeast corner of North Polk Avenue and West Olive Avenue (Council District 3)

*RESOLUTION 2017-199 APPROVED*

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

**1-D**     [ID17-990](#)

**RESOLUTION** - Of Intention to annex the territory associated with the development of Assessor's Parcel Number 313-280-73 and 313-280-75, Conditional Use Permit Application No. 2014-057, as Annexation No. 17 to the City of Fresno Community Facilities District No. 9 (north side of East Kings Canyon Road east of North Armstrong Avenue) (Council District 5)

*RESOLUTION 2017-200 APPROVED*

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

**1-E**     [ID17-1062](#)

Actions pertaining to award of a construction contract to Durham Construction Company, of Clovis, CA for \$168,820 for the 940 Broadway Building Demo Project (Council District 3)

1. Adopt a finding of Categorical Exemption pursuant to Section 15301 of the California Environmental Quality Act (CEQA) Guidelines
2. Award a construction contract with Durham Construction Company, of Clovis, CA, for \$168,820 for the 940 Broadway Building Demo Project

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

**1-F**     [ID17-1003](#)

Approve a new Airline Operating Agreement and amendments to five existing Airline Operating Agreements for passenger airlines serving Fresno Yosemite International Airport (Council District 4)

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

**1-G**     [ID17-1014](#)

"Authorize the Director of Transportation to execute agreements between the City of Fresno and California State University, Fresno, and the State Center Community College District allowing both colleges to use agency-issued identification cards for access on Fresno Area Express (FAX) fixed-route buses."

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

- 1-H [ID17-1004](#)
1. \*\*\*Adopt a Memorandum of Understanding between the City of Fresno and the City of Fresno Management Employees Association (CFMEA) for Unit 14 - Management Confidential **(Subject to Mayor's veto)**
  2. \*\*\*RESOLUTION: Adopt the Second Amendment to FY 2018 Salary Resolution No. 2017-176, amending salary ranges in Exhibit 14, Management Confidential as required by the Memorandum of Understanding between the City of Fresno and CFMEA; and adding the new classification of City Attorney Investigator and associated salary range in Exhibit 2, Unit 2, Non-Represented Management and Confidential Classes **(Subject to Mayor's veto)**

*RESOLUTION 2017-201 APPROVED***This Action Item was approved on the Consent Calendar.**

- 1-I [ID17-978](#)
- Actions pertaining to the repair of the effluent storage basin at the North Fresno Wastewater Reclamation Facility (Bid File No. 3537) (Council District 6)
1. \*\*\*RESOLUTION - 3rd amendment to the Annual Appropriation Resolution (AAR) No. 2017-165 appropriating \$171,300 for the Repair of the Effluent Storage Basin at the North Fresno Wastewater Reclamation Facility (Requires 5 affirmative votes) (Subject to Mayor's Veto)
  2. 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
  3. Award a construction contract in the amount of \$188,800 to Bush Engineering Inc., of Hanford, California

*RESOLUTION 2017-202 APPROVED***This Action Item was approved on the Consent Calendar.**

- 1-J [ID17-981](#)
- Authorize the Controller to use cash in the General Fund Emergency Reserve to cover short-term deficit cash balances at year-end resulting from timing differences in the receipt of grant revenues/reimbursements and the incurrence of grant-funded expenditures.

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

- 1-K [ID17-1048](#)
- Approve the appointment of Peter Vang to the Planning Commission (Applicant resides in District 5); and the appointment of Robert Engleman to the District 2 Plan Implementation Committee

**This Appointment was approved on the Consent Calendar.**

- 1-L [ID17-1038](#) BILL - (For introduction) - Amending Subsections (a) and (b) of Section 2-1105 relating to campaign contribution limits

*BILL NO. B-36 APPROVED*

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

- 1-M [ID17-1043](#) Action relating to marijuana cultivation within the City of Fresno
1. Adopt a finding of No Possibility pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines
  2. \*\*\*BILL NO. B-35 - (Intro. 6/22/2017) (For adoption) - The adoption of an amendment to sections 12-2104 and 12-2105 of the Fresno Municipal Code relating to the cultivation of marijuana. **(Subject to Mayor's veto)**

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

**CONTESTED CONSENT CALENDAR**

- 1-M [ID17-1043](#) Action relating to marijuana cultivation within the City of Fresno
1. Adopt a finding of No Possibility pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines
  2. \*\*\*BILL NO. B-35 - (Intro. 6/22/2017) (For adoption) - The adoption of an amendment to sections 12-2104 and 12-2105 of the Fresno Municipal Code relating to the cultivation of marijuana. **(Subject to Mayor's veto)**

*Councilmember Brandau stated that he thinks there may still be some confusion on this item. He wants everyone here to understand what we are doing here today, and this goes for everyone on each side of this issue. Councilmember Brandau asked the City Attorney to explain exactly what the Council is voting on today. City Attorney Sloan explained that what is before the Council today has nothing to do with dispensaries or use of marijuana. Currently the City bans all cultivation of marijuana, indoors or outdoors. With Prop 64 the State said cities you can regulate this but you will have to allow for at least growing six plants for each residence, so that is what this ordinance does. It unwinds the complete ban on cultivation and would allow for growing up to six plants per residence with a regulatory mechanism for that. That's all it is.*

*Councilmember Brandau called up Ted Miller to speak.*

*Councilmember Brandau made a motion to approve. Councilmember*



*Bredefeld seconded the motion.*

*Councilmember Bredefeld stated that he appreciated the clarification on what we're voting on today. In this ordinance it is stated that "In accordance with what is expressly permitted under state law, this prohibition will be enforced for up to six marijuana plants grown with a single privately legally occupied residence within a locked space, using no more than 1,200 watts of lighting, with no detectable order from outside that residence, and not visible by normal, unaided vision from a public place or adjacent residence". So Prop 64 says that you can have up to six plants. If you grow more than six plants, it says in here that we can administer a citation up to \$1,000 per plant, plus \$100 per plant per day the plant remains unabated past the abatement deadline set forth in the administrative citation. So it states very clearly that we are getting in line with Prop 64. Councilmember Bredefeld asked the City Attorney or City Manager why we put in the ordinance 1200 watts of lighting. City Attorney Sloan stated that it was determined to be a safe number. Bredefeld stated if we vote "no" on this item, then isn't it true that we could be creating a safety hazard?*

*Councilmember Bredefeld called up Mason Kersten-Perez (a previous speaker) to answer some questions about Marinol which Mason mentioned when he spoke earlier.*

*Council President Olivier spoke stating that he is against this item. It's not well thought out; it is a knee jerk reaction. Council President Olivier thinks this bill will hurt the bottom line and there are other cities in California and around the country uses it to pave roads, keep pools open during the summertime, etc. If Council Vice President Soria votes with me, the item will die again. This is an item that has problems; people in the community have problems with this item. I think that the City should wait and engage consultants who have advised other cities and counties. For example, Monterey County does not allow outdoor grow and they charge \$15 per square foot to grow. If Prop 64 allows us to regulate marijuana, and we could make revenue off of it why wouldn't we want to do it, we could certainly use it. I'll be voting no and I hope my colleague will be voting no as well.*

*Councilmember Bredefeld announced that he received some information from our City Manager and other staff about the 1200 watts of lightening and a 15 amp breaker could overload and start a fire. I don't know how you can vote against that. It's just an easy standard to support.*



*Councilmember Chavez stated he needs clarification from the City Attorney, is it fair to say that no matter what the City of Fresno does, what ordinance we try to implement, anybody in the City of Fresno per Prop 64 can grow six plants of marijuana? City Attorney Sloan responded right now the City has an ordinance that bans all cultivation. State law, Prop 64 says cities have to allow for at least growing six plants per residence indoors. So without passing this ordinance today, if you mesh the two, we would have a complete ban but it will be unenforceable as to six plants per residence. But that unenforceability would be without any regulations on how you grow those six. Councilmember Chavez said, State law supersedes local law. City Attorney Sloan said, that is correct. Councilmember Chavez asked Council President Olivier what is an appropriate number of plants? Council President Olivier stated he doesn't know. He stated he is not an expert on marijuana policy, but there are people out there in the State of California who are. I think this municipality should engage top people in this field and consultants to find that sweet spot to help us craft a policy. We should give our city staff the tools that they need to develop a better policy. More discussion ensued.*

*Council President Olivier asked the City Attorney to speak to the issue of renters and six plants. City Attorney responded that It doesn't address whether you are renting or owning it's per residence. If a renter wanted to grow, that would be between the renter and the landlord whether it is allowed pursuant to the lease. Typically the lease will say that you have to obey all laws. So it is possible that a renter would be in violation of a lease because it is still in violation of federal law to grow marijuana.*

*Councilmember Bredefeld said that the State has already decided how many plants will be grown per residence and it is six. He asked the City Attorney to clarify if that was accurate. City Attorney Sloan stated that the State has decided that six plants are the minimum number of plants. There is no maximum number of plants provided by the State. More discussion ensued*

*Council Vice President Soria made the point that even though the City bans cultivation, Prop 64 allows our citizens to grow up to six plants as a minimum. The State trumps the City and therefore our current code has to allow at least six plants can be cultivated, but under our current code we can fine for any plants over six for one thousand dollars per plant so there is a mechanism in place right now. So while we're saying we are going to put*

*our City Code in compliance with State law we do have a mechanism in place. I would like to take a little more time to decide how we want the City of Fresno to go. I know there are other jurisdictions looking at this issue and I would like to see what they are coming up with. At this point I won't support the current motion.*

*Councilmember Brandau asked that whenever we end up visiting this item again He would like for his colleagues (Council Vice President Soria and Council President Olivier) to come prepared to talk about their recommendation for how many plants we should allow in residential homes. More discussion ensued.*

*Councilmember Bredefeld made a motion to delay acting on this item today and bring this item back in 3 weeks (August 24, 2017) when we have a full Council. Councilmember Chavez seconded the motion.*

*Council Vice President Soria called up Susan Juvay to speak. Susan stated that the law is flawed and Council Vice President Soria and Council President Olivier are correct, this item needs to be investigated, and written well. She doesn't think Code Enforcement calls should be anonymous and people who make false calls to Code Enforcement should be fined. Susan stated there is another discussion you should have about six immature plants and six mature plants. The immature plants need to exist because when we harvest it , it takes a long time. There is a lot of things to talk about so our rights can be protected.*

*Council President Olivier stated there is a motion on the floor to delay action on this item for three weeks.*

**On motion of Councilmember Bredefeld, seconded by Councilmember Chavez, that the above Ordinance be continued as noted. The motion carried by the following vote:**

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

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

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

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

[ID17-1026](#) CONTINUED HEARING to Consider Annexation Application No. ANX-17-003, Rezone Application No. R-17-007, Vesting Tentative Parcel Map Application No. TPM-2017-02, Conditional Use Permit

Application No. C-17-056, and related Environmental Assessment No. ANX-17-003/PM-2017-02/C-17-056/R-17-007, (Council District 2) - Development and Resource Management Department.

- a. Adopt the Finding of Conformity to the Fresno General Plan Master Environmental Impact Report (MEIR #2012111015) as prepared for Environmental Assessment No. ANX-17-003/PM-2017-02/C-17-056/R-17-007 dated May 19, 2017.
- b. RESOLUTION - Approving Annexation Application No. ANX-17-003 proposing detachment from the North Central Fire Protection District and the Kings River Conservation District and annexation to the City of Fresno.
- c. BILL (For introduction and adoption) - Approving Rezone Application No. R-17-007 to amend the Official Zone Map to pre-zone approximately 5.07 acres from the Fresno County RA (*Residential Agricultural*) zone district to the City of Fresno RS-3 (*Residential Single Family*) zone district.
- d. Approve Vesting Tentative Parcel Map No. TPM-2017-02 subject to compliance with the Conditions of Approval dated June 21, 2017, and as recommended by the Planning Commission.
- e. Approve Conditional Use Permit No. C-17-056 subject to compliance with the Conditions of Approval dated June 21, 2017, and as recommended by the Planning Commission.

*The above item was introduced to Council by Isreal Trejo, Planner II, Development and Resource Management Department.*

*Upon call, the following members of the public spoke on this item:*

*Tim Butler, Butler Construction and Renovation  
Norman Allinder  
Mike Cornell*

*Councilmember Brandau made the following motion to accept the staff recommendation with the following changes: eliminate the sidewalk on Bullard, eliminate the planned bus stop on Bullard, leave the wall and trees on Bullard in tact, eliminate the sidewalk on the back side of the project, and in exchange the contractor will repave the intersection of Sequoia and Morrison. President Olivier made a second to the motion.*

*City Manager Quan-Schechter asked Assistant Director, Andrew Benelli to talk about the conditions of the project. Assistant Director Benelli walked everyone through the project.*

**RESOLUTION 2017-203 APPROVED**

*BILL NO. B-37 APPROVED*

*ORDINANCE 2017-36 APPROVED*

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

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

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

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

[ID17-1044](#) Appearance by James Bills to discuss neighborhood crime and issues with the quality of life including Code Enforcement (Speaker resides in District 7)

*James Bill was not present when called.*

[ID17-1049](#) Appearance by Mary Esther Correa to discuss a Code Enforcement fine she received and to advocate for homeless veterans (Speaker resided in District 7)

*Ms. Correa discussed a Code Enforcement fine she received and talked about voting.*

### **UNSCHEDULED COMMUNICATION**

*Upon call, the following members of the public spoke:*

*Felise Coke (Coco) spoke regarding Bar Codes.*

*Michael Green spoke regarding the confusion regarding the cultivation ordinance, and the ban on medical marijuana.*

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

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

**Councilmember Caprioglio may be present via conference call from Conoco Gas Station: 90 Lone Mountain Trail, Big Sky, MT 59716**

[ID17-941](#) Discuss benefits and safety issues regarding concealed carry weapons permits- Presentation given by Police Science Institute CCW Instructors.  
A. Discussion allowing City Employees with Concealed Carry Weapon (CCW) permits having the option to utilize those permit privileges while

working for the City of Fresno.

*This item was removed from the agenda.*

### **3. GENERAL ADMINISTRATION**

- 3-A**     [ID17-986](#)     Actions pertaining to the Northbound State Route 41 Off-Ramp Improvements at Shaw Avenue - Bid File No. 3552 (Council District 4)
1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301(c) Class 1 of the CEQA guidelines
  2. Award a construction contract in the amount of \$656,158 to Avison Construction, Inc., of Madera, California

*Michael Holly, Professional Engineer, Public Works Department presented this item to Council.*

*When called, no speakers wanted to speak on this item.*

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

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

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

**3-B**     [ID17-819](#)

Actions pertaining to the Northeast Surface Water Treatment Facility Six-Million Gallon Finished Water Reservoir Project: (Council District 6)

1. Adopt the Supplemental Mitigated Negative Declaration dated April 2017 (Environmental Assessment No. E201710000114, State Clearinghouse No. 2017041061), and Addendum No. 1 to Mitigated Negative Declaration dated July 2017 (Environmental Assessment No. E201710000187, State Clearinghouse No. 2017041061).
2. \*\*\*RESOLUTION - Authorizing the Director of Public Utilities (Director) or designee to sign financing agreement, amendments, and certifications for funding under the Drinking Water State Revolving Fund (DWSRF); authorizing the Director or designee to approve claims for reimbursement; authorizing the Director or designee to execute budget and expenditure summary; authorizing the Director or designee to sign the final release form; and, authorizing the Director or designee to sign the certification of project completion; and pledging and dedicating net water revenues to payment of DWSRF financing. (Subject to Mayor's Veto)
3. \*\*\*RESOLUTION - To pledge revenues and fund(s) to satisfy

repayment obligations for financial assistance agreement with the California State Water Resources Control Board (SWRCB) for a Six-Million Gallon Finished Water Reservoir Project at the City of Fresno's Northeast Surface Water Treatment Facility (NESWTF). (Subject to Mayor's Veto)

4. \*\*\*RESOLUTION - 10th amendment to the Annual Appropriation Resolution (AAR) No. 2017-165 to appropriate \$2,500,000 in additional funding for the construction of the Six-Million Gallon Finished Water Reservoir Project at the City of Fresno's NESWTF. (Requires 5 affirmative votes.) (Subject to Mayor's Veto)
5. Authorize the Director of Public Utilities, or designee, to sign all documents on behalf of the City.

*Michael Carbajal, Planning Manager, Department of Public Works presented this item to Council.*

*When called, there were no speakers wanting to speak on this item.*

**RESOLUTION 2017-204 APPROVED**

**RESOLUTION 2017-205 APPROVED**

**RESOLUTION 2017-206 APPROVED**

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

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

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

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

##### **4-A [ID17-1041](#)**

BILL - (For introduction) - Amending Subsection (b)(2) of Section 14-1006 relating to the Prohibited Use of Streets as Storage for Vehicles.

*Del Esterbrook, Housing & Neighborhood Revitalization Manager, Development and Resources Management presented this item to Council.*

*When called, there were no speakers wanting to speak on this item.*

**BILL B-38 APPROVED**

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

the following vote:

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

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

- 4-B**     [ID17-1051](#)     RESOLUTION - Opposing Senate Bill 35, the "Housing Accountability and Affordability Act."

*Councilmember Brandau presented this item to Council.*

*When called, Greg Trazachus spoke on this item.*

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

**Aye:** 2 - Brandau and Bredefeld

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

**Abstain:** 3 - Olivier, Soria and Chavez

## **5. CLOSED SESSION**

*Council recessed at 10:51 a.m. for Closed Session. Closed Session adjourned at 11:00 a.m.*

*There were no announcements after Closed Session.*

- 5-A**     [ID17-975](#)

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION -  
Government Code Section 54956.9, subdivision (d)(1)

1. Elcie Aguirre v. City of Fresno, et al.; Superior Court Case No. 15CECG03366.

## **ADJOURNMENT**

*Adjourned at 11:00am.*