



City of Fresno

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

Meeting Minutes City Council

Thursday, January 11, 2018

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 written above.

8:42 A.M. ROLL CALL

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

The meeting was called to order by Council President Olivier. Following the Election of the Council President and Council Vice President (File ID 18-0086), Councilmember Soria presided over the meeting as Council President.

Invocation by Pastor Nick Minerva from Ambassador Baptist Church.

Pledge of Allegiance to the Flag

APPROVE AGENDA

City Clerk Spence announced the following changes to the agenda: File ID 18-0004 (1-A) Removed from the agenda-Approve a substitution of listed Subcontractor Ace Pipelining, Inc., for Sewer Rehabilitation in N. Abby Street and E. Hammond Avenue; File ID 18-0058 (10:00 A.M. #3) Removed from the agenda-Continued hearing to consider Supplemental Environmental Impact Report (SEIR) No. 10151 for the Producers Dairy Project and File ID 18-0070 (10:25 A.M.) Removed from the agenda by speaker-Appearance by Enrique Reade to discuss "Air Cargo" at the FYI Airport.

On motion of Councilmember Caprioglio, seconded by

Councilmember Brandau, the above item was adopted as amended.

The motion carried by the following vote:

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

CEREMONIAL PRESENTATIONS

[18-0072](#) Presentation of the SPCA Pet of the Month

Sponsors: City Councilmember Chavez

PRESENTED

[18-0094](#) Proclamation of "Steve Schilling Day"

Sponsors: Council President Soria

PRESENTED

[18-0084](#) Proclamation of "Central High Football Day"

Sponsors: Council President Soria

PRESENTED

[18-0085](#) Proclamation of "Central High Girls Volleyball Day"

Sponsors: Council President Soria

PRESENTED

APPROVE MINUTES

[ID18-0014](#) Approval of minutes from December 14, 2017.

Sponsors: City Clerk's Office

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

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

8:30 A.M. 2018 CITY COUNCIL ELECTION

[18-0086](#) Election of Council President and Vice President

Council President Soria thanked everyone that was in the audience and those who supported her in her new role as Council President and asked everyone to join her at 5:30PM to celebrate.

Member of the public Pat Barr with the Fresno County Democratic Women's Club presented flowers to Council President Soria.

Council President Soria and Councilmembers presented a special presentation and gifts to former Council President Olivier

On motion of Councilmember Caprioglio, seconded by Councilmember Baines III, Council Vice President Sorial was elected Council President and Councilmember Brandau was elected Council Vice President. The motion carried by the following vote:

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

[18-0087](#) Election of Chair and Vice Chair to the Successor Agency to the Redevelopment Agency of the City of Fresno

On motion of Councilmember Baines III, seconded by Councilmember Chavez, Council President Soria was elected Chair and Councilmember Caprioglio was elected Vice Chair of the Successor Agency to the Redevelopment Agency of the City of Fresno . The motion carried by the following vote:

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

COUNCILMEMBER REPORTS AND COMMENTS

Councilmember Caprioglio congratulated Council President Soria, wished everyone a happy New Year and congratulated the Fresno State Football team for a great season.

Councilmember Bredefeld spoke regarding the Attorney General and marijuana issues and stated he will bring forward an item to Council for discussion in the near future.

Councilmember Olivier discussed what is going on in Washington and supports Councilmember Bredefeld bringing forward a discussion item to

Council.

Council President Soria spoke regarding District 1 Young Councilmember program for the second year and accepted 16 students to be apart of the program.

1. CONSENT CALENDAR

On motion of Councilmember Caprioglio, seconded by Council Vice President Brandau, the CONSENT CALENDAR below was hereby adopted by the following vote.

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

- 1-A** [18-0004](#) Approve a substitution of listed Subcontractor Ace Pipelining, Inc., for Sewer Rehabilitation in North Abby Street and East Hammond Avenue Project ID RC00164 (Council District 7)

Sponsors: Public Works Department

The above item was removed from the agenda

- 1-B** [ID18-0009](#) Actions pertaining to the McKinley Avenue Street Light Installation Project from Marks to Hughes Avenue - Bid File 3574 (Council District 3)
1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301(c) 1 of the California Environmental Quality Act Guidelines (CEQA) for the McKinley Avenue Street Light Installation Project from Marks to Hughes Avenue
 2. Award a Construction Contract with Sebastian of Fresno, California in the amount of \$139,913 for the McKinley Avenue Street Light Installation Project from Marks to Hughes Avenue and authorize the Public Works Director or designee to sign a contract on behalf of the City

Sponsors: Public Works Department

- 1-C** [ID18-0011](#) Approve Revised Five Year Underground Utility District Plan (Located City Wide)

Sponsors: Public Works Department

- 1-D [18-0096](#) Approval of a Memorandum of Understanding with the Housing Authority of the City of Fresno, California and Silvercrest, Inc. for offsite improvements at 3039 N. Blackstone (Council District 7).

Sponsors: Public Works Department

- 1-E [18-0001](#) BILL (for introduction) - Amending Section 10-617 of the Fresno Municipal Code relating to Blighted Vacant Buildings

Sponsors: Development and Resource Management Department

BILL B-1 INTRODUCED AND LAID OVER

- 1-F [18-0061](#) Approve the First Amendment to the Professional Consultant Services Agreement with Silver Lining Solutions, LLC, Inc., to increase the Agreement by \$50,000 for the development of additional specialized user products (reports and scripting) related to the implementation of Accela, the City's new Land Management System. (Citywide)

Sponsors: Development and Resource Management Department

- 1-G [18-0057](#) ***RESOLUTION - Authorizing application for and acceptance of funds from the State of Good Repair Program of California's Department of Transportation (Citywide) (subject to Mayor's veto)

Sponsors: Department of Transportation

RESOLUTION 2018-1 ADOPTED

- 1-H [18-0052](#) Approve the use of the City Master Equipment Lease Purchase Agreement to purchase 14 Ford F-150 regular cab, short bed, pickups in the amount of \$316,315 for the Development and Resource Management Department

Sponsors: Department of Transportation

- 1-I [18-0064](#) Actions pertaining to the City of Fresno for various recycled water infrastructure capital improvement projects: (citywide)
1. Approve a Consultant Services Agreement with PaleoWest Archaeology, LLC., not to exceed \$491,789 to provide Paleontological and Cultural Resources Monitoring Services (citywide)

2. Authorize the Director of Public Utilities, or designee, to sign the agreement on behalf of the City of Fresno

Sponsors: Department of Public Utilities

- 1-J [ID18-0013](#) Actions pertaining to the Design of the Reclaimed Water Pipeline at the Regional Wastewater Reclamation Facility (Council District 3)
1. ***RESOLUTION - 46th Amendment to the Annual Appropriation Resolution No. 2017-165 appropriating \$91,000 for Design of the Reclaimed Water Pipeline at the Fresno/Clovis Regional Wastewater Reclamation Facility (Requires 5 affirmative votes) (Subject to Mayor's veto)
 2. Award a Professional Consultant Services Agreement in the amount of \$70,970 and a contingency of \$10,000 to Blair, Church & Flynn, Inc., a California Corporation, for professional engineering services for the Design of the Reclaimed Water Pipeline at the Regional Wastewater Reclamation Facility (Council District 3)

Sponsors: Department of Public Utilities

RESOLUTION 2018-2 ADOPTED

- 1-K [18-0069](#) Approve the purchase from AMS.NET of two Hewlett Packard CS3000 Storage Area Network Appliances in the amount of \$263,610.84 to facilitate the upgrade and expansion of the Wastewater Management Division's electronic storage architecture utilizing a cooperative purchase agreement.

Sponsors: Information Services Department

- 1-L [18-0071](#) ***BILL NO. B-73 - (Intro. 12/14/2017) (For adoption) - Extending the exemption on Development Impact Fees for certain projects in economically disadvantaged neighborhoods. (Subject to Mayor's veto)

Sponsors: Council President Soria and City Councilmember Olivier

ORDINANCE 2018-1 ADOPTED

- 1-M [18-0073](#) ***BILL NO. B-74 - (Intro. 12/14/2017) (For adoption) - Extending the exemption for Development Impact Fees for the replacement or reconstruction of existing commercial structures. (Subject to

Mayor's veto)

Sponsors: Council President Soria and City Councilmember Olivier

ORDINANCE 2018-2 ADOPTED

- 1-N [18-0092](#) ***RESOLUTION - Amending Council Rules of Procedure.
(Subject to Mayor's veto)

Sponsors: Council President Soria

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

- 1-O [18-0074](#) ***BILL NO. B-75 (Intro. 12/14/2017) (For adoption) - Amending
Section 4-107 of the Fresno Municipal Code relating to City
Manager's contracting authority. (Subject to Mayor's veto)

Sponsors: City Manager's Office

ORDINANCE 2018-3 ADOPTED

- 1-P [18-0102](#) Approve the re-appointments of Vonnie Franks and Edward
Saliba to the Fresno-Madera Area Agency on Aging

Sponsors: City Councilmember Olivier

CONTESTED CONSENT CALENDAR

- 1-N [18-0092](#) ***RESOLUTION - Amending Council Rules of Procedure.
(Subject to Mayor's veto)

Sponsors: Council President Soria

Councilmember Caprioglio agreed with the Thursday 5:00PM deadline for submission of documents, suggested that the Consent Calendar items that are pulled be set to a time to allow staff to return to work until their item is ready to be heard and suggested the meetings start at 9:00AM instead of 8:30AM.

Vice President Brandau asked Council President Soria what was the overriding concern about the Thursday before the Council meeting and why has it been so difficult to meet the deadline in the past. Council President Soria stated it is enforcement. Council Vice President Brandau continued to asked if the staff report is not ready will it not be allowed to be on the

agenda. Council President Soria stated yes. Council Vice President Brandau asked City Clerk Spence how often do items get added on Fridays the day of publication. City Clerk Spence stated at least once a month.

Council President Soria agreed to amend the item to start the meetings at 9:00AM instead of 8:30AM.

Councilmember Bredefeld disagreed with the Thursday 5:00PM deadline and will not support the item for that reason.

Councilmember Olivier stated that Council President is a facilitator and not to be ridged and to be flexible and supports the item as amended.

On motion of Councilmember Caprioglio, seconded by Councilmember Chavez, that the above Resolution be adopted as amended. The motion carried by the following vote:

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

No: 1 - Bredefeld

Councilmember Olivier left the meeting at 9:49AM

3. GENERAL ADMINISTRATION

- 3-A** [18-0062](#) Actions related to a Biomethane Purchase and Sale Agreement with Colony Energy Partners, LLC.:
1. Adopt a finding of Class 1/Existing Facilities Categorical Exemption pursuant to Section 15301 of the California Environmental Quality Act.
 2. Authorize the City Manager to execute a Biomethane Purchase and Sale Agreement with Colony Energy Partners, LLC.

Sponsors: Department of Public Utilities

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

Upon call, there was no public comment.

Councilmember Baines stated that the generated income rate payers will off

set the cost.

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

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

Absent: 1 - Olivier

- 3-B** [18-0063](#) Actions pertaining to the City of Fresno Phase 2 Regional Transmission Mains Segment B & C Project: (Council Districts 4, 5, and 7)
1. ***RESOLUTION - 48th Amendment to the Annual Appropriation Resolution No. 2017-165 to appropriate \$655,000 to fund a construction contract and staff costs to construct Segments B & C of the Phase 2 Regional Transmission Mains Project (Requires 5 affirmative votes) (Subject to Mayor's veto)
 2. Award a construction contract in the amount of \$11,490,484 to Vido Artukovich & Son, Inc./Vidmar, Inc., a joint venture for the City of Fresno Phase 2 Regional Transmission Mains Segment B & C Project - Bid File No. 3452 (Council Districts 4, 5, and 7)
 3. Authorize the Director of Public Utilities, or designee, to sign the agreement on behalf of the City

Sponsors: Department of Public Utilities

The above item was introduced to Council by Planning Manager Carbajal, Public Utilities Department.

Upon call, there was no public comment.

RESOLUTION 2018-4 ADOPTED.

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

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

Absent: 1 - Olivier

- 3-C** [18-0048](#) Actions pertaining to HOME Investment Partnerships Program, Community Housing Development Organization, Agreement with

Habitat for Humanity Fresno County, Inc.:

1. Adopt a finding of Categorical Exemption pursuant to Section 15332/Class 32 of the California Environmental Quality Act (CEQA) Guidelines.
2. Approve a \$445,000 HOME Investment Partnerships Program, Community Housing Development Organization, Agreement with Habitat for Humanity Fresno County, Inc. for the construction of three affordable single-family houses at West Rialto Avenue and North Barcus Avenue in northwest Fresno (District 1).

Sponsors: Development and Resource Management Department

The above item was introduced to Council by Assistant Director Furtado, DARM Department.

Upon call, there was no public comment.

Councilmember Baines asked staff how many homes will be built. Assistant Director Furtado stated 3 homes.

Matthew Grundy, Habitat for Humanity Fresno County stated families have to qualify, demonstrate need by living in substandard housing and invest 500 hours working on the home.

Council Vice President Brandau left the meeting at 10:00AM

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

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

Absent: 1 - Olivier

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:00 A.M.#1

[ID18-0012](#) 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. 85 (Final Tract Map No.

5538) (northwest corner of North Polk and East Dakota Avenues) (Council District 1)

1. RESOLUTION - Directing Preparation of a Modified District Report Analyzing Impact of Proposed Change in the Unit Quantity for Services and Decrease in Probable Special Tax for Proposed Modification of Council Resolution No. 2017-320
2. RESOLUTION - Receiving and Approving the Modified District Report and Modifying Council Resolution No. 2017-320 for Annexation No. 85
3. ***RESOLUTION - to Annex Territory to Community Facilities District No. 11 and Authorizing the Levy of a Special Tax for Annexation No. 85 (Subject to Mayor's Veto)
4. ***RESOLUTION - Calling Special Mailed-Ballot Election (Subject to Mayor's Veto)
5. ***RESOLUTION - Declaring Election Results (Subject to Mayor's Veto)
6. ***BILL - (For introduction and adoption) - Levying a Special Tax for the Property Tax Year 2017-2018 and Future Tax Years Within and Relating to Community Facilities District No. 11, Annexation No. 85 (Subject to Mayor's Veto)

Sponsors: Public Works Department

The above hearing was called to order at 10:01AM

The above item was introduced to Council by Assistant Director Benelli, Public Works Department.

Upon call, there was no public comment. The hearing was closed at 10:01AM.

RESOLUTION 2018-5 ADOPTED

RESOLUTION 2018-6 ADOPTED

RESOLUTION 2018-7 ADOPTED

RESOLUTION 2018-8 ADOPTED

RESOLUTION 2018-9 ADOPTED

BILL B-2 ADOPTED

ORDINANCE 2018-4 ADOPTED

On motion of Vice President Soria, seconded by Councilmember

Caprioglio, that the above Action Item be adopted. The motion carried by the following vote:

Aye: 5 - Soria, Baines III, Bredefeld, Caprioglio and Chavez

Absent: 2 - Olivier and Brandau

10:00 A.M.#2

- [ID18-0008](#) HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community Facilities District No. 9, Annexation No. 21 (Assessor's Parcel Number 303-201-29, Development Permit Application No. 2017-047) (west side of North Fresno Street just south of East Alluvial Avenue) (Council District 6)
1. ***RESOLUTION - Annexing Territory to Community Facilities District No. 9 and Authorizing the Levy of a Special Tax (Subject to Mayor's Veto)
 2. ***RESOLUTION - Calling Special Mailed-Ballot Election (Subject to Mayor's Veto)
 3. ***RESOLUTION - Declaring Election Results (Subject to Mayor's Veto)
 4. ***BILL - (For introduction and adoption) - Levying a Special Tax for the Property Tax Year 2017-2018 and Future Tax Years Within and Relating to Community Facilities District No. 9, Annexation No. 21 (Subject to Mayor's Veto)

Sponsors: Public Works Department

The above hearing was called to order at 10:02.

The above item was introduced to Council by Assistant Director Benelli, Public Works Department.

Upon call, there was no public comment. The hearing was closed at 10:02AM.

RESOLUTION 2018-10 ADOPTED
RESOLUTION 2018-11 ADOPTED
RESOLUTION 2018-12 ADOPTED
BILL B-3 ADOPTED

ORDINANCE 2018-5 ADOPTED

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

Aye: 5 - Soria, Baines III, Bredefeld, Caprioglio and Chavez

Absent: 2 - Olivier and Brandau

Councilmember Olivier and Council Vice President Brandau returned to the meeting at 10:05AM

3-D [18-0093](#) Anti-Slum Enforcement Team (ASET) Quarterly Status Report and Update on Rental Housing Improvement Act

Sponsors: City Manager's Office and City Attorney's Office

The above item was introduced to Council by City Attorney Sloan, City Manager Quan-Schechter and Deputy City Attorney Roberson.

10:00 A.M.#3

[18-0058](#) (CONTINUE TO 5:00 P.M.)
CONTINUED HEARING to consider Supplemental Environmental Impact Report (SEIR) No. 10151 (State Clearinghouse (SCH) No. 2017031030), Rezone Application No. R-17-021, Development Permit No. D-16-088 and Variance Application No. V-17-01 for the Producers Dairy Project located on the south side of E. Belmont Avenue between N. Ferger and N. Roosevelt Avenues in the City of Fresno. (Council District 3)
1. RESOLUTION -Certifying Supplemental Final EIR No. 10151 (SCH No. 2017031030), for the Producers Dairy Project located at 450 E. Belmont Avenue; and,
a. ADOPT Findings of Fact as required by Public Resources Code Section 21081(a) and CEQA Guidelines, Section 15091; and
b. ADOPT the Statement of Overriding Considerations as required by Public Resources Code, Section 21081(b) and CEQA Guidelines, Section 15093.
c. APPROVE a Mitigation Monitoring and Reporting Program as required by Public Resources Code Section 21081.6 and CEQA

- Guidelines Section 15097; and,
2. BILL-(for Introduction and Adoption) - Approving Rezone Application No. R-17-021 requesting to rezone the subject property from IL/cz (conditions of zoning) to IL/cz (conditions of zoning).
 3. APPROVE Development Permit Application No. D-16-088 (subject to the attached Conditions of Approval dated October 4, 2017).
 4. APPROVE Variance Application No. V-17-001.

Sponsors: Vice President Brandau

The above item was removed from the agenda

10:05 A.M.

- [ID18-0006](#) HEARING - Regarding the vacation of a portion of the "M"- "N" alley southeasterly of the Mariposa Mall (Council District 3)
1. ***RESOLUTION - Ordering the vacation of a portion of the "M"- "N" alley southeasterly of the Mariposa Mall (Subject to Mayor's veto)

Sponsors: Public Works Department

The above hearing was called to order at 10:07AM.

The above item was introduced to Council by Chief Surveyor Camit, Public Works Department.

Upon call, there was no public comment. The public hearing was closed at 10:09AM.

RESOLUTION 2018-13 ADOPTED

On motion of Councilmember Baines III, seconded by Councilmember Caprioglio, that the above Resolution be adopted. The motion carried by the following vote:

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

10:20 A.M.

- [18-0056](#) TEFRA HEARING - To hear and consider information concerning the proposed issuance of Revenue Bonds by California Public Finance Authority (CalPFA) for the purpose of financing the acquisition, rehabilitation, improvement and equipping of Bigby Villa Apartments and Westgate Gardens Apartments by Reliant - Valley, LP.
1. ***RESOLUTION - Approving a tax-exempt bond financing to be issued by CalPFA to benefit Reliant - Valley, LP in the aggregate principal amount not to exceed \$32 million for Bigby Villa Apartments (Subject to Mayor's veto).
 2. ***RESOLUTION - Approving a tax-exempt bond financing to be issued by CalPFA to benefit Reliant - Valley, LP in the aggregate principal amount not to exceed \$18 million for Westgate Gardens Apartments (Subject to Mayor's veto).

Sponsors: Finance Department

The above item was introduced to Council by Director Lima, Finance Department.

Upon call, there was no public comment.

RESOLUTION 2018-14 ADOPTED

RESOLUTION 2018-15 ADOPTED

Council Vice President Brandau left the meeting at 10:22AM

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

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

Absent: 1 - Brandau

10:25 A.M. SCHEDULED COMMUNICATION

- [18-0070](#) Appearance by Enrique Reade to discuss "Air Cargo" at the Fresno Yosemite International Airport (FYI)

The above item was removed from the agenda

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

UNSCHEDULED COMMUNICATION

Upon call, there was no unscheduled communication

Council recessed from 10:24AM and returned from recess at 10:41AM

Council Vice President Brandau returned to the meeting at 10:41AM

Councilmember Olivier left the meeting at 10:41AM

10:30 A.M. JOINT MEETING OF THE CITY COUNCIL, SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF FRESNO, AND THE FRESNO REVITALIZATION CORPORATION

[18-0095](#) Successor Agency to the Redevelopment Agency of the City of Fresno and Fresno Revitalization Corporation (FRC) consider adopting:

1. RESOLUTION - Approving the Recognized Obligation Payment Schedule 18-19

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

The above item was called to order at 10:41AM

The above item was introduced to Council by Redevelopment Administrator Murphey, Successor Agency to the Redevelopment Agency of the City of Fresno.

Upon call, there was no public comment.

Councilmember Caprioglio asked staff, with the net dollars to the City of Fresno where does the final dollars end up. Redevelopment Administrator Murphey responded 80 percent goes to the City general fund and the other 20 percent goes to Housing Successor Agency.

RESOLUTION SA-38 ADOPTED

On motion of Councilmember Caprioglio, seconded by

Councilmember Chavez, that the above Resolution be adopted. The motion carried by the following vote:

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

Absent: 1 - Olivier

4. CITY COUNCIL

- 4-A** [18-0088](#) RESOLUTION - Appointing Councilmember Drew M. Bessinger, City of Clovis to the vacant position on the San Joaquin Valley Air Pollution Control District

Sponsors: Council President Soria

The above item was removed from the agenda and continued to January 25, 2018

- 4-B** [18-0089](#) RESOLUTION - Establishing the Central Southeast Area Specific Plan Steering Committee

Sponsors: City Councilmember Chavez

The above item was introduced to Council by Councilmember Chavez.

Councilmember Chavez amended the item to include up to 17 individuals on the committee.

RESOLUTION 2018-16 ADOPTED AS AMENDED

On motion of Councilmember Chavez, seconded by Councilmember Baines III, that the above Discussion Item be adopted as amended.

The motion carried by the following vote:

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

Absent: 1 - Olivier

Council recessed at 10:51AM and returned from recess at 3:00PM

5. CLOSED SESSION

Council recessed to Closed Session at 3:00PM and returned from Closed Session at 4:13PM

There was no announcement after Closed Session

- 5-A [18-0077](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING
LITIGATION - Government Code Section 54956.9, subdivision
(d)(1)

1. Centeno, Channel, et al. v. City of Fresno, et al.; United
States District Court Case No.: 1:16-CV-00653-DAD-SAB

Sponsors: City Attorney's Office

DISCUSSED

- 5-B [18-0078](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING
LITIGATION - Government Code Section 54956.9, subdivision
(d)(1)

1. Motley, Pamela, et al. v. City of Fresno, et al.; United States
District Court Case No.: 1:15-CV-00905-BAM.

Sponsors: City Attorney's Office

DISCUSSED

- 5-C [18-0079](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING
LITIGATION - Government Code Section 54956.9, subdivision
(d)(1)

1. Case Name: Nelson, Veronica, et al. v. City of Fresno, et al.;
United States District Court Case No.: 1:16-CV-01754
-DAD-BAM; Noble, Darren, et al. v. City of Fresno, et al.
United States District Court Case No.: 1:16-CV-01690-DAD-BAM

Sponsors: City Attorney's Office

DISCUSSED

- 5-D [18-0080](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING
LITIGATION - Government Code Section 54956.9, subdivision
(d)(1)

1. Mendoza, Adelaida, et al. v. City of Fresno, et al.; Fresno
Superior Court Case No.: 15CECG03764

Sponsors: City Attorney's Office

DISCUSSED

4:15 P.M.

[18-0091](#) RESOLUTION - To impound motor vehicles used in the commission of illegal dumping

Sponsors: City Councilmember Bredefeld

The above item was introduced to Council by Councilmember Bredefeld.

Upon call, there was no public comment.

RESOLUTION 2018-17 ADOPTED

On motion of Councilmember Bredefeld, seconded by Councilmember Chavez, that the above Resolution be adopted. The motion carried by the following vote:

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

Absent: 1 - Olivier

Council recessed at 4:24PM and returned from recess at 4:31PM

Councilmember Olivier returned to the meeting at 4:28PM

4:30 P.M.

[18-0055](#) RESOLUTION - Of initiation of a text amendment to expand uses allowed along Belmont Avenue in the City of Fresno

Sponsors: City Councilmember Olivier

The above item was introduced to Council by Councilmember Olivier.

Councilmember Olivier asked staff if they have encountered problems in other locations, what would the fix do for Belmont, what are the design standards and how applying the plan development agreement will help the business owners, if the area is rezoned how costly would the process be and would an Environmental Impact Report be needed. Councilmember Olivier thanked staff and urged a yes vote.

Upon call, the following members of the public address Council: Nathan Alonzo, Derrick Purcell, Joe Guagliardo, Melvin Erickson and Fred Williams.

Councilmember Baines asked Councilmember Olivier how much of Belmont

Avenue is it applying to, what are the proposed changes that are being discussed, what uses are being talked about that are being taken away and supports the item as presented.

City Manager Quan-Schechter offered Councilmember Baines to meet with staff to discuss the clean up information before March. Councilmember Chavez requested to be a part of the meetings.

Council Vice President Brandau asked if the flexibility was being added back for businesses, asked if the item is a general plan amendment or development code amendment. Assistant Director Zack stated it is a text amendment. Council Vice President Brandau asked City Attorney Sloan if the item was a general plan amendment. City Attorney Sloan responded that the item is not initiating a general plan amendment. Councilmember Olivier asked staff what their opinion was on adding the general plan amendment. Assistant Director Zack stated that the changes that are being done now fall within the general plan.

Councilmember Caprioglio supported the item as presented.

RESOLUTION 2018-18 ADOPTED

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

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

5:00 P.M.

- [18-0101](#) CONTINUED HEARING to consider Supplemental Environmental Impact Report (SEIR) No. 10151 (State Clearinghouse (SCH) No. 2017031030), Rezone Application No. R-17-021, Development Permit No. D-16-088 and Variance Application No. V-17-01 for the Producers Dairy Project located on the south side of E. Belmont Avenue between N. Ferger and N. Roosevelt Avenues in the City of Fresno. (Council District 3)
1. RESOLUTION -Certifying Supplemental Final EIR No. 10151

(SCH No. 2017031030), for the Producers Dairy Project located at 450 E. Belmont Avenue; and,

- a. ADOPT Findings of Fact as required by Public Resources Code Section 21081(a) and CEQA Guidelines, Section 15091; and
- b. ADOPT the Statement of Overriding Considerations as required by Public Resources Code, Section 21081(b) and CEQA Guidelines, Section 15093.
- c. APPROVE a Mitigation Monitoring and Reporting Program as required by Public Resources Code Section 21081.6 and CEQA Guidelines Section 15097; and,
2. BILL-(for Introduction and Adoption) - Approving Rezone Application No. R-17-021 requesting to rezone the subject property from IL/cz (conditions of zoning) to IL/cz (conditions of zoning).
3. APPROVE Development Permit Application No. D-16-088 (subject to the attached Conditions of Approval dated October 4, 2017).
4. APPROVE Variance Application No. V-17-001.

Sponsors: Vice President Brandau and Development and Resource Management Department

The above item was removed from the agenda

ADJOURNMENT

City Council adjourned at 5:13PM