



City of Fresno

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

Meeting Minutes - Final City Council

President - Oliver L. Baines, III

Vice President - Paul Caprioglio

Councilmembers:

Lee Brand, Steve Brandau, Clinton J. Olivier,

Sal Quintero, Esmeralda Z. Soria

City Manager - Bruce Rudd

City Attorney - Douglas T. Sloan

City Clerk - Yvonne Spence, CMC

Thursday, July 16, 2015

8:30 AM

Council Chambers

Regular Session

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

8:38 A.M. ROLL CALL

Present: 6 - President Oliver Baines III
Vice President Paul Caprioglio
Councilmember Lee Brand
Councilmember Steve Brandau
Councilmember Sal Quintero
Councilmember Esmeralda Soria

Absent: 1 - Councilmember Clinton Olivier

Acting President Caprioglio was present for and participated in the council meeting via conference call from Conoco Gas Station: 90 Lone Mountain Trail, Big Sky MT 59716

Invocation by Pastor Gary Lee of the Riverpark Bible Church

Pledge of Allegiance to the Flag

CEREMONIAL PRESENTATIONS

ADD ON CEREMONIAL - SPCA Pet of the Month

PRESENTED

[ID#15-614](#) Proclamation of "25TH ANNIVERSARY OF
AMERICANS WITH DISABILITIES ACT"

PRESENTED

[ID#15-617](#) Presentation for the 5th Anniversary of the Fresno Food Expo

Sponsor: Office of Economic Development

PRESENTED

[ID#15-648](#) Presentation of P.R.I.D.E. Team Certificates for the Summer Quarter, 2015 (Reception immediately following - 2nd floor foyer)

Certificates were presented to: Dave Schoenauer of the Airports Department, Toni Hunter from the City Attorney's Office, Cindy Bruer of the City Clerk's Office, Jesse Morrison from the Development and Resources Management Department, Jean Thomas-Runnels of the Finance Department, Brad Driscoll from the Fire Department, Brandon Griffith from the Fire Department, Christine Wilson from the Fire Department, Tina Your from the Information Services Department, Josie Morales from the Parks, After School, Recreation and Community Services Department ("PARCS"), Gilbert Perez from the PARCS Department, Bill Merryman from the Personnel Services Department, Mickey Burrow from the Police Department, Donnie Dinnell from the Police Department, Cynthia Hanks from the Police Department, Anthony Vallez from the Police Department, Orlando Gonzalez from the Department of Public Utilities ("DPU"), Susan Rogers from DPU, Ben Sanchez from DPU, Eddie Garcia from Public Works, Bruce Mitchell from Public Works, Frank Saburit from Public Works, Jovi Torio from Public Works, Marion Davis from the Transportation Department, Brian Goss from the Transportation Department and Kathleen Healy from the Transportation Department.

PRESENTED

Councilmember Brand exited the Council Chamber at 9:35 A.M. and returned at 9:41 A.M.

APPROVE MINUTES

[ID#15-595](#) Approval of City Council minutes from June 8, 2015

APPROVED

On motion of Vice President Caprioglio, seconded by Councilmember Soria, the above MINUTES were approved. The motion carried by the

following vote:

Aye: 5 - Baines III, Caprioglio, Brandau, Quintero and Soria

Absent: 2 - Brand and Olivier

[ID#15-596](#) Approval of City Council minutes from June 11, 2015

APPROVED

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

Aye: 5 - Baines III, Caprioglio, Brandau, Quintero and Soria

Absent: 2 - Brand and Olivier

[ID#15-597](#) Approval of City Council minutes from June 15, 2015

APPROVED

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

Aye: 5 - Baines III, Caprioglio, Brandau, Quintero and Soria

Absent: 2 - Brand and Olivier

[ID#15-598](#) Approval of City Council minutes from June 16, 2015

Vice President Caprioglio motioned to approve the above minutes with a correction to page three to show that he was the second to Councilmember Soria's June 10th motion to restore the fire investigation team to pre-recession levels.

APPROVED AS AMENDED

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

Aye: 5 - Baines III, Caprioglio, Brandau, Quintero and Soria

Absent: 2 - Brand and Olivier

[ID#15-599](#) Approval of City Council minutes from June 18, 2015

APPROVED

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

Aye: 5 - Baines III, Caprioglio, Brandau, Quintero and Soria

Absent: 2 - Brand and Olivier

[ID#15-604](#) Approval of City Council minutes from June 25, 2015

APPROVED

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

Aye: 5 - Baines III, Caprioglio, Brandau, Quintero and Soria

Absent: 2 - Brand and Olivier

COUNCILMEMBER REPORTS AND COMMENTS

Vice President Caprioglio invited the public to join Fresno State University and Campus Point in celebration of the grand opening of The Square at Campus Pointe on Friday June 17, 2015 from 4:00 P.M. to 7:00 P.M. He stated that it would be a lot of fun for everyone and would include the Fresno State Marching band, Victor E. Bulldog and Time Out. He noted the event was a great example of a private and public partnership and thanked Dr. Castro.

Vice President Caprioglio announced that the Autism Center at Fresno State was moving to Valley Children's Hospital and he expressed his gratitude to Fresno State for its support of the vital program that was the Autism Center.

Vice President Caprioglio also announced he had met with the Fresno State student organization Associated Students Inc. and had a great conference regarding the common activities and the many good things in the works for Fresno State and District Four.

Vice President Caprioglio extended his congratulations to the members of Leadership Fresno, Class 31 for their drought tolerant facility at Woodward Park. He noted it was a fine example of Xeroscape gardening for the public to draw inspiration in their own conservation efforts.

Councilmember Soria reported she was at the State Capitol to meet with

Legislators regarding the Redevelopment dissolution proposal (AB 113) which was postponed. She stated she was personally monitoring the bill because the city of Fresno stands to loose \$69 million dollars through the bill.

Councilmember Soria noted the City hosted the California Energy Commission and the Water Resources Department in a public meeting for input on a rebate program for water and energy efficient appliances. The proposed rebates included a \$100 for a washer.

Councilmember Brand reported he was at the Leadership Fresno event last Friday that commemorated the Xeroscape demonstration project at Woodward Park. It was also a memorial to Jack Hall. Councilmember Brand also went to a preview of the Food Expo and stated it would be a great event for people to attend the following week. Councilmember Brand reminded his fellow councilmembers to appoint their members for the oversight board since large projects were scheduled to begin.

Councilmember Brandau asked City Manager Rudd whether or not the City of Fresno was a "Sanctuary City." City Manager Rudd clarified that the City of Fresno was not a Sanctuary City. Mr. Rudd noted an intern mistakenly stated the City was a Sanctuary City in a report, but the City updated the report to correct the error back in 2007. Mayoral Chief of Staff White noted many websites still incorrectly list the City as a Sanctuary City. She stated the City had been trying, since 2007, to get website administrators to make the correction. Chief of Staff White also noted there was no legal definition of what a "Sanctuary City" was and said some websites use their own criteria to label the City as such. She also stated the City of Fresno has never adopted a policy claiming to be a Sanctuary City. Chief of Staff White clarified that in 1985 the City of Sanger did immigration raids with the Immigration and Naturalization Service, now called the Immigration and Customs Enforcement ("ICE"). In response to the Sanger raids, the Fresno City Council passed a resolution stating the City felt it was not a good use of City resources to do immigration raids and that it was the Federal Governments responsibility to take those actions. She further clarified that the resolution still allowed the City to cooperate with ICE and the Federal Government if assistance was requested.

Councilmember Quintero discussed the oversight committee and asked for additional details that would assist him in choosing an appointee. Councilmember Brand responded that there would be a minimum of two

meetings per year and the rest of the details were meant to be left to the committee to decide.

Councilmember Quintero thanked the PARCS Department for putting on the annual Mosqueda Idol event at Mosqueda Park. The auditorium was completely filled and a lot of talented people competed. He thanked City Manager Rudd and the Public Works Department for repaving Orange Avenue from Butler to California and noted the next step would be Code Enforcement actions to clean up the surrounding properties.

Councilmember Quintero thanked the Police Department for the annual pasta dinner for Senior Citizens Village.

Councilmember Quintero informed Council that Monday through Friday would be the second annual World Changers event. The event would focus on five project homes in South East Fresno. He explained the group consisted of students from all over the country that give up one week to enter older neighborhoods and fix up the homes for those who need assistance. Councilmember Quintero expressed his thanks to the Rescue Mission for housing and feeding the volunteers. Councilmember Quintero noted one recipient was Mr. Hale, an 88 year old World War II Veteran that had purchased his home in 1950.

Recessed 9:57 A.M. to 10:02 A.M.

APPROVE AGENDA

On motion of Councilmember Brandau, seconded by President Baines III, the AGENDA was approved. The motion carried by the following vote:

Aye: 6 - Baines III, Caprioglio, Brand, Brandau, Quintero and Soria

Absent: 1 - Olivier

1. CONSENT CALENDAR

APPROVAL OF THE CONSENT CALENDAR

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

Aye: 6 - Baines III, Caprioglio, Brand, Brandau, Quintero and Soria

Absent: 1 - Olivier

- 1-A [ID#15-501](#) Approve an agreement with TRC Engineers, Inc. in the amount of \$60,165, plus \$5,000 for contingencies, to provide professional engineering services for the construction of the Veterans Trail between Hayes and Polk Avenues (Council District 2).

The above item was APPROVED on the Consent Calendar.

- 1-B [ID#15-548](#) RESOLUTION - Of Intention to grant a Non-Exclusive Franchise for roll-off collection services within the City of Fresno to Selma Disposal and Recycling, LLC, and setting a public hearing for August 20, 2015 at 2:30 p.m.

RESOLUTION 2015-122 ADOPTED

The above item was APPROVED on the Consent Calendar.

- 1-C [ID#15-579](#) Authorize the Chief of Police to enter into a five year lease agreement between the City of Fresno and the Mark and Tami Graham Family Trust for indoor vehicle storage and classroom space at 5280 and 5282 E Pine Street in Fresno, California, for the Fresno Police Department bomb squad, SWAT, and training units.

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

- 1-D [ID#15-592](#) Authorize the Chief of Police to enter into a five year agreement with the County of Fresno to reserve five bed spaces in the Fresno County Jail for the purpose of housing Fresno Police Department arrestees at a rate of \$520.00 per day.

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

- 1-E [ID#15-594](#) RESOLUTION - Dedicating certain City-owned property as an easement for public street purposes at Pump Station No. 52A located on the east side of N. Ninth Street south of E. Dakota Avenue (Council District 4)

RESOLUTION 2015-123 ADOPTED

The above item was APPROVED on the Consent Calendar.

- 1-F [ID#15-608](#) Adopt Resolution of Intention No.1099-D to vacate the R-S Alley between Tulare and Mariposa Streets (Council District 3)

The above item was **APPROVED** on the Consent Calendar.

- 1-G [ID#15-609](#) Adopt Resolution of Intention No. 1100-D to vacate portions of E. Thomas Avenue and the Thomas-Harvey Alley, both between N. Orchard Avenue and State Route Freeway 41, and N. Orchard Avenue between E. Thomas Avenue (to the east) and State Route Freeway 41 (Council District 7)

The above item was **APPROVED** on the Consent Calendar.

- 1-H [ID#15-610](#) Award a purchase contract in the amount of \$305,735.63 for one Ideal Electric Type "SAB" 2647 KVA Horizontal Brushless Synchronous Generator (Bid File 3399) and authorize the Purchasing Manager of the Finance Department or designee to issue a purchase order to Leete Generators (Council District 3).

The above item was **APPROVED** on the Consent Calendar.

- 1-I [ID#15-612](#) Actions pertaining to the FY 2016 Housing and Urban Development (HUD) Capital grant program
1. Authorize the Chief of Police to enter into three separate agreements between the Housing Authority of the City of Fresno, Southeast Fresno Rental Assistance Demonstration (RAD) and Viking Village Rental Assistance Demonstration to provide additional security and protection services for public housing
 2. Authorize the Chief of Police to execute all related documents applicable to the FY 2016 HUD Capital grant program

The above item was **APPROVED** on the Consent Calendar.

- 1-J [ID#15-613](#) Actions pertaining to the 2015/2016 Alcoholic Beverage Control (ABC) grant
1. Authorize the Chief of Police to accept \$100,000 in grant funding for the 2015/2016 ABC grant awarded to the Fresno Police Department from the State of California Alcoholic Beverage Control
 2. Authorize the Chief of Police to execute the agreement and all related documents applicable to the 2015/2016 ABC grant
 3. ***RESOLUTION - 1st amendment to the Annual Appropriation Resolution (AAR) No. 2015-104 appropriating \$100,000 for the Police Department's ABC Enforcement

Program (Requires 5 affirmative votes)

RESOLUTION 2015-124 ADOPTED

The above item was **APPROVED** on the Consent Calendar.

- 1-K [ID#15-615](#) RESOLUTION - Approving the Final Map of Tract No. 5466 and accepting dedicated public uses offered therein - both sides of E. Church Avenue between S. Minnewawa Avenue and S. Clovis Avenue (Council District 5)

RESOLUTION 2015-125 ADOPTED

The above item was **APPROVED** on the Consent Calendar.

- 1-L [ID#15-626](#) Actions pertaining to the 2015 Urban Water Management Plan (Citywide)
1. Approve Professional Consultant Services Agreement with Provost & Pritchard Engineering Group, a California Corporation dba Provost & Pritchard Consulting Group for \$90,354 for preparation of the 2015 Urban Water Management Plan.
 2. Authorize the Director of Public Utilities, or designee, to sign all documents on behalf of the City of Fresno.

The above item was **APPROVED** on the Consent Calendar.

- 1-M [ID#15-627](#) ***RESOLUTION - of the City of Fresno supporting the renewal of Fresno County as a Recycling Market Development Zone (RMDZ) (citywide).

RESOLUTION 2015-126 ADOPTED

The above item was **APPROVED** on the Consent Calendar.

- 1-N [ID#15-632](#) RESOLUTION - Calling a public hearing to determine whether public necessity, health, safety, or welfare requires the formation of Underground Utility District No. FRE-94 (UUD FRE-94) (Council Districts 1, 3 and 7); public hearing set for August 27, 2015 at 10:00 a.m.

RESOLUTION 2015-127 ADOPTED

The above item was **APPROVED** on the Consent Calendar.

- 1-O [ID#15-633](#) Approve the reappointments of Frances Reyes Acosta, Tiffany Allen-Potter, the appointment of Kyra Schleef to the Disability Advisory Commission; the appointment of C. Kristina Roper to the Historic Preservation Commission; the reappointments of

Barbara Fiske and Bob Farrar to the Housing and Community Development Commission; and the reappointments of Serop Torossian and Rojelio (Roy) Vasquez to the Planning Commission

The above item was APPROVED on the Consent Calendar.

- 1-P [ID#15-637](#) RESOLUTION - Authorizing the preparation and submission of financial assistance applications to the State Water Resources Control Board and the United States Department of Agriculture to plan, permit, design and construct water infrastructure in the Daleville Community and South Cherry Avenue area, and authorizing the Director of Public Utilities, or designee, to execute all application documents on behalf of the City of Fresno

RESOLUTION 2015-128 ADOPTED

The above item was APPROVED on the Consent Calendar.

- 1-Q [ID#15-657](#) Approve the acquisition of permanent and temporary construction easements from Rodric H. and Kimberly K. Lichti for APN 581-030-02s, located in the County of Fresno.

The above item was APPROVED on the Consent Calendar.

- 1-R [ID#15-640](#) Adopt the Measure C Extension Fund Annual Allocation Resolution in order to complete the Certification and Claim process and allow the City of Fresno to receive its share of Measure C Extension Funds in Fiscal Year 2016
a. RESOLUTION - Concerning Measure C Extension Local Transportation Purposes Pass-Through projects and programs funds annual allocation for fiscal year 2015-2016

RESOLUTION 2015-129 ADOPTED

The above item was APPROVED on the Consent Calendar.

- 1-S [ID#15-651](#) ***RESOLUTION - 1st amendment to Salary Resolution No. 2015-108 to reflect salary increases contained in Memoranda of Understandings between the City and the City of Fresno Professional Employees Association (Unit 13, Non-Management Confidential and Non-Confidential Management) and Fresno Airports Public Safety Supervisors (Unit 15); and, Amend Exhibit 14 (Unit 14, Management Confidential) to include the Personnel Manager and Project Administrator Classifications

RESOLUTION 2015-130 ADOPTED

The above item was **APPROVED** on the Consent Calendar.

- 1-T [ID#15-656](#) RESOLUTION - Approving the Final Map of Tract No. 6063 and accepting dedicated public uses offered therein-Southeast corner of N. Friant Road and E. Copper Avenue (Council District 6)

RESOLUTION 2015-131 ADOPTED

The above item was **APPROVED** on the Consent Calendar.

CONTESTED CONSENT CALENDAR

- 1-C [ID#15-579](#) Authorize the Chief of Police to enter into a five year lease agreement between the City of Fresno and the Mark and Tami Graham Family Trust for indoor vehicle storage and classroom space at 5280 and 5282 E Pine Street in Fresno, California, for the Fresno Police Department bomb squad, SWAT, and training units.

The above item was introduced to Council by Police Chief Dyer.

APPROVED

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

Aye: 6 - Baines III, Caprioglio, Brand, Brandau, Quintero and Soria

Absent: 1 - Olivier

- 1-D [ID#15-592](#) Authorize the Chief of Police to enter into a five year agreement with the County of Fresno to reserve five bed spaces in the Fresno County Jail for the purpose of housing Fresno Police Department arrestees at a rate of \$520.00 per day.

The above item was introduced to Council by Police Chief Dyer.

APPROVED

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

Aye: 6 - Baines III, Caprioglio, Brand, Brandau, Quintero and Soria

Absent: 1 - Olivier

2. GENERAL ADMINISTRATION

- 2-A** [ID#15-573](#) Authorize the Controller to make up to \$4,934,130 of temporary loans from the Committed General Cash Reserve for Economic Uncertainties and Emergencies 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.

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

APPROVED

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

Aye: 6 - Baines III, Caprioglio, Brand, Brandau, Quintero and Soria

Absent: 1 - Olivier

- 2-B** [ID#15-606](#) RESOLUTION - Authorizing the submission of grant applications to the Fresno Council of Governments for the Regional Surface Transportation Program (RSTP) and authorizing the execution of all application related documents by the Public Works Director or designee. (Council Districts 1, 3, 4, 5 and 7)

The above item was introduced to Council by Public Works Director Mozier.

RESOLUTION 2015-132 ADOPTED

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

Aye: 6 - Baines III, Caprioglio, Brand, Brandau, Quintero and Soria

Absent: 1 - Olivier

- 2-C** [ID#15-638](#) Actions related to a Facility Relocation Cooperative Agreement with the California High-Speed Rail Authority (Council Districts No. 1, 2 & 3)

The above item was introduced to Council by Public Works Director Mozier.

APPROVED

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

Aye: 5 - Baines III, Brand, Brandau, Quintero and Soria

No: 1 - Caprioglio

Absent: 1 - Olivier

- 2-D** [ID#15-639](#) Actions related to a Right-of-Way Agreement with the California High-Speed Rail Authority (Council Districts 1, 2 and 3)

The above item was introduced to Council by Public Works Director Mozier.

APPROVED

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

Aye: 5 - Baines III, Brand, Brandau, Quintero and Soria

No: 1 - Caprioglio

Absent: 1 - Olivier

- 2-E** [ID#15-558](#) 1. BILL - (For introduction) - Adding Section 3-356 to Chapter 3, Article 3 of the Fresno Municipal Code relating to the establishment of a Qualified Excess Governmental Benefit Arrangement in the City of Fresno Fire and Police Retirement System
2. BILL - (For introduction) - Adding Section 3-570 to Chapter 3, Article 5 of the Fresno Municipal Code relating to the establishment of a Qualified Excess Governmental Benefit Arrangement in the City of Fresno Employees Retirement System

The above item was introduced to Council by Personnel Services Director Cardell.

BILL B-25 INTRODUCED AND LAID OVER

BILL B-26 INTRODUCED AND LAID OVER

On motion of Councilmember Quintero, seconded by Councilmember

Soria, Bill B-25 and Bill B-26 were introduced and laid over. The motion carried by the following vote:

Aye: 6 - Baines III, Caprioglio, Brand, Brandau, Quintero and Soria

Absent: 1 - Olivier

3. CITY COUNCIL

- 3-A** [ID#15-664](#) BILL - (For introduction) - Adding Section 2-702 to the Fresno Municipal Code, banning display and sale of the Confederate flag by the City.

The above item was introduced to Council by President Baines, III.

President Baines clarified, for the record, that this item related to City owned property and would not prohibit individuals from displaying the Confederate flag at home, on their person or prohibit other retailers from selling the flag.

The following member(s) of the public spoke on this item: Mr. Gutierrez of the Mexican American Political Association

BILL B-27 INTRODUCED AND LAID OVER

On motion of President Baines III, seconded by Councilmember Soria, Bill B-27 was introduced and laid over. The motion carried by the following vote:

Aye: 4 - Baines III, Caprioglio, Quintero and Soria

Absent: 1 - Olivier

Abstain: 2 - Brand and Brandau

SCHEDULED COMMUNICATION

[ID#15-618](#) Appearance by Rick Morse to discuss medical marijuana
APPEARED

4. CLOSED SESSION

The City Council met in closed session in Room 2125 from 11:14 A.M. to 11:50 A.M. to discuss the following:

[ID#15-620](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING
LITIGATION - Government Code Section 54956.9, subdivision

(d)(1)

1. City of Fresno v. Fresno City Firefighters Association, Local 753

Public Employment Relations Board, Unfair Practice Charge,
Case No. SA-CO-121-M

2. Fresno City Firefighters Association, Local 753 v. City of Fresno

Public Employment Relations Board, Unfair Practice Charge,
Case No. SA-CE-875-M

The above item was discussed during Closed Session. No open session announcement was made regarding this item.

[ID#15-623](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING
LITIGATION - Government Code Section 54956.9, subdivision
(d)(1)

1. Sergio Minjares v. City of Fresno, et al.; Fresno Superior
Court Case #15CECG01247

The above item was discussed during Closed Session. No open session announcement was made regarding this item.

[ID#15-628](#) CONFERENCE WITH REAL PROPERTY NEGOTIATOR -
Government Code Section 54956.8
Property: APN 427-171-25 (4672-4712 N. Blackstone Avenue)
Negotiating Parties: City Manager Bruce Rudd; Francis Barigian

The above item was discussed during Closed Session. No open session announcement was made regarding this item.

RECESSED 11:50 P.M. to 2:25 P.M.

5. SCHEDULED COUNCIL HEARINGS AND MATTERS

2:00 P.M.#1 (OR UPON ARRIVAL OF ATHLETES)

[ID#15-646](#) Presentation to the Special Olympics World Games - Torch Run
Final Leg Arrival Ceremony

PRESENTED

2:00 P.M.#2

[ID#15-643](#) Consideration of Plan Amendment Application No. A-15-001
and related Environmental Assessment for property located on

within the planning area of the Fresno General Plan (Council Districts 1-7) - Development and Resource Management Department

1. Adopt the environmental finding of Environmental Assessment No. A-15-001, a Negative Declaration, dated June 11, 2015
2. RESOLUTION - Approving Plan Amendment Application No. A-15-001 as modified, which proposes to amend the Fresno General Plan, the Bullard, Edison, McLane, Roosevelt, West Area, and Woodward Park Community Plans, the Highway City Neighborhood Specific Plan, the Sierra Sky Park Land Use Policy Plan, and the Fresno Chandler Executive Airport Land Use Compatibility Plan as shown on Table 1 in Exhibit B, with the following exceptions:
 - a. Requests 4, 21, and 23 shall be removed from Plan Amendment No. A-15-001; and
 - b. Requests 3 and 16 shall be denied

The above item was introduced to Council by Development and Resources Management ("DARM") Planning Manager Pagoulatos. DARM Director Clark also spoke on this item.

The following member(s) of the public spoke on this item: Mary-Nonig Law, Edward D. Law, III, Dennis Sniffin of the Sierra Skypark Property Owners Association, Ashley Werner of the Leadership Counsel for Justice and Accountability, Jeffrey Johnson, Joan Caskey, owner representative Bill Robinson, Jim Marshall, Dirk Poeschel and Jeff Roberts of Granville Homes.

The "item numbers" in the motions below are a reference to the item numbers in "Table 1" included as a supplement to this item.

Councilmember Brandau motioned to Motion to keep the staff recommendation made on item 37 with the following conditions for the 3.93 acre parcel: (i) prior to the projects planning commission hearing a neighborhood outreach effort shall be conducted which includes Sierra Skypark residents; (ii) final project approval shall be granted by the City Council; (iii) prior to project approval, the project must obtain a Federal Aviation Administration Part 77 finding of no hazard to air navigation (iv) as may be determined by the Council to ensure appropriate esthetic, land use compatibility and public safety are addressed, project densities are not required to meet land use designation minimum yields. President Baines seconded the motion which passed by unanimous vote with Councilmember

Olivier absent.

Councilmember Brandau exited the Council Chamber at 4:45 P.M. and returned at 5:02 P.M.

Councilmember Quintero motioned to for item 16 to go back to from the quarter center mixed use on those two lots to residential medium low. Councilmember Brand seconded the motion which passed by unanimous vote with Councilmembers Brandau and Olivier absent.

Councilmember Quintero motioned to deny the staff recommendation for item number 14. Councilmember Soria seconded the motion which passed by unanimous vote with Councilmembers Brandau and Olivier absent.

Councilmember Soria motioned to table item #13 so that she could bring it to the district 1 committee again with notice of the meeting to the property owner with staff looking at other options to address the concerns of any future light industrial development. President Baines seconded the motion which passed by unanimous vote with Councilmember Olivier absent.

Councilmember Brand motioned to deny the staff recommendation for item number 33. Councilmember Quintero seconded the motion which passed by unanimous vote with Councilmember Olivier absent.

Councilmember Brand motioned to deny the staff recommendation for item number 35. President Baines seconded the motion which passed by unanimous vote with Councilmember Olivier absent.

Councilmember Brandau exited the Council Chamber at 5:18 P.M.

President Baines motioned to remove the parks designation on the items numbered 27-30 but with the condition that a Condition of Zoning be added to the current Rezone application on file for the property that demands the park requirement be met. The motion was seconded by Councilmember Soria and passed by unanimous vote with Councilmembers Brandau and Olivier absent.

RESOLUTION 2015-133 ADOPTED AS AMENDED

On motion of Vice President Caprioglio, seconded by Councilmember Brand, the above item was adopted as amended. The motion carried by the following vote:

Aye: 5 - Baines III, Caprioglio, Brand, Quintero and Soria

Absent: 2 - Brandau and Olivier

UNSCHEDULED COMMUNICATION

*Upon call, no member of the public chose to address the Council during
Unscheduled Communication.*

ADJOURNMENT

Adjourned at 5:22 P.M.

**These minutes were approved by unanimous vote of the City Council during the
July 30, 2015 Council meeting.**