



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-Schechter

City Attorney - Douglas T. Sloan

City Clerk - Yvonne Spence, MMC

Thursday, June 14, 2018

9:00 AM

Council Chambers

Regular Meeting

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

9:17 A.M. ROLL CALL

Present: 6 - President Esmeralda Z. Soria
Vice President Steve Brandau
Councilmember Oliver L. Baines III
Councilmember Paul Caprioglio
Councilmember Luis Chavez
Councilmember Clinton Olivier

Absent: 1 - Councilmember Garry Bredefeld

Invocation by Pastor Bob Willis of the Northpark Community Church

Pledge of Allegiance to the Flag

APPROVE AGENDA

City Clerk Spence announced the following changes to the agenda: File ID 18-0615 (1-E) - Actions pertaining to the Clinton Avenue overlay from Blackstone Avenue to Maroa Avenue-Bid File No. 3556- the dollar amount in item no. 2 has been amended from \$365,331.05 to \$364,331.05; File ID 18-0616 (10:20 A.M.) - The Resolution creating residential permit parking district #10 is subject to Mayor's veto; File ID 18-0657 (2:30 P.M.) - Bill - (For introduction) - adding article 22 to Chapter 12 of the Fresno Municipal

Code to allow At-Risk Development has been moved to June 21, 2018 at 10:30 A.M.; File ID 18-0563 (4-B) - Regarding parades and special events, the following was read into the record, pages 16 and 17 of the ordinance: "General liability coverage with a \$1 million limit per occurrence \$2 million aggregate; liquor liability coverage of \$1 million limit per occurrence \$2 million aggregate; File ID 18-0674 (3-A) - Actions Pertaining to the Dakota Avenue and Comelia Avenue traffic signal installation project - Bid File 3588 -Council Districts 2 and 3 have been removed and File ID 18-0687 (1-I) - Actions related to an Extraterritorial Water and Sewer Service and Offsite Infrastructure Agreement with Fresno Humane Animal Services has been removed by staff.

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

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

Absent: 1 - Bredefeld

1. CONSENT CALENDAR

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

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

Absent: 1 - Bredefeld

- 1-A** [ID18-0653](#) Approve a 3-year agreement with the County of Fresno to receive County Aid Dispatch services.

Sponsors: Fire Department

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

- 1-B** [ID18-0654](#) Approve a 10-year agreement with the California Office of Emergency Services (Cal OES) to accept a 2017 HME AHREMS-FOX Type II Hazardous Materials Vehicle and related equipment. The vehicle and equipment will be utilized by the Fresno Fire Department for local and mutual aid deployments that involve Haz-Mat emergencies.

Sponsors: Fire Department

- 1-C [ID18-0655](#) RESOLUTION - To authorize submittal of application(s) for all CalRecycle grants, and authorize the Development and Resource Management Department Director to sign on behalf of the City of Fresno.

Sponsors: Development and Resource Management Department

RESOLUTION 2018-131 ADOPTED

- 1-D [ID18-0678](#) Approve a First Amendment to Agreement with Usona Development, LLC in an amount not to exceed \$69,180, to extend services through December 31, 2018, to assist and support City staff in the management and application of Community Development Block Grant (CDBG) funds

Sponsors: Development and Resource Management Department

- 1-E [ID18-0615](#) Actions pertaining to the Clinton Avenue overlay from Blackstone Avenue to Maroa Avenue - Bid File No. 3556 (Council Districts 1 and 7)
1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301(c) Class 1 of the California Environmental Quality Act guidelines for the Clinton Avenue overlay from Blackstone Avenue to Maroa Avenue.
 2. Award a construction contract in the amount of \$364,331.05 to Dave Christian Construction Inc., of Fresno, California for the Clinton Avenue overlay from Blackstone Avenue to Maroa Avenue.

Sponsors: Public Works Department

- 1-F [ID18-0683](#) RESOLUTION - Of Intention to annex Final Tract Map No. 5592 as Annexation No. 91 to the City of Fresno Community Facilities District No. 11 and to Authorize the Levy of Special Taxes (southwest corner of North Locan and East Shields Avenues) (Council District 4)

Sponsors: Public Works Department

RESOLUTION 2018-132 ADOPTED

- 1-G [ID18-0675](#) Actions pertaining to Inspiration Park
1. Authorize Amendment 2 to the contract between City of Fresno [as a service provider] and Fresno-Madera Agency on Aging (FMAAA) to add Inspiration Park located in Council District 1 as a Parks, After School, Recreation and Community Services (PARCS) Senior Hot Meals (SHM) site including the provision of \$68,000 of additional funding.
 2. ***RESOLUTION - 53rd amendment to the Annual Appropriation Resolution (AAR) No. 2017-165 appropriating \$68,000 from FMAAA to fund the expansion of the SHM Program at Inspiration Park. (Requires 5 affirmative votes) (Subject to Mayor's veto)

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

RESOLUTION 2018-133 ADOPTED

- 1-H [ID18-0685](#) Approve the award of a cooperative purchase agreement to Quinn Company of Fresno, California, for the purchase of two Caterpillar 914M wheel loaders in the amount of \$282,000

Sponsors: Department of Transportation

- 1-I [ID18-0687](#) Actions related to an Extraterritorial Water and Sewer Service and Offsite Infrastructure Agreement with Fresno Humane Animal Services:
1. Adopt a finding of Categorical Exemption pursuant to Class 1 Section 15301(c) (existing facilities) of the California Environmental Quality Act (CEQA) Guidelines for the Extraterritorial Water and Sewer Services for Fresno Humane Animal Services;
 2. Approve an Agreement for Extraterritorial Water and Sewer Service and Offsite Infrastructure Agreement with Fresno Humane Animal Services (County of Fresno).

Sponsors: Department of Public Utilities

THE ABOVE ITEM WAS REMOVED FROM THE AGENDA BY STAFF

- 1-J [ID18-0705](#) BILL (for introduction and adoption) - An emergency ordinance rescinding Council action adopting Ordinance No. 2017-54 related to recycling centers. (Requires 5 affirmative votes)

Sponsors: City Attorney's Office

BILL B-30 AND ORDINANCE 2018-33 ADOPTED

- 1-K [ID18-0709](#) Approve the appointment of Janet M. Mikkelson to the District 6 Plan Implementation Committee

Sponsors: Mayor's Office

- 1-L [ID18-0754](#) Approve Agreement between the City of Fresno and Michael D. Flores, Esq. for Hearing Officer Services

Sponsors: City Manager's Office

- 1-M [ID18-0774](#) BILL - (For introduction) - Adopting an ordinance amending Article 4.14 of Chapter 12 of the Fresno Municipal Code relating to the exemption of development impact fees for certain projects in economically disadvantaged neighborhoods

Sponsors: Council President Soria

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

- 1-N [ID18-0777](#) Approve the reappointment of Marina Harutyunyan to the Housing and Community Development Commission

Sponsors: Mayor's Office

CEREMONIAL PRESENTATIONS

[ID18-0698](#) Presentation of the SPCA Pet of the Month

Sponsors: City Councilmember Baines III

PRESENTED

[ID18-0773](#) Proclamation of "Centro La Familia Day"

Sponsors: Council President Soria and Mayor's Office

PRESENTED

[ID18-0768](#) Proclamation of "Sunnyside Country Club Day"

Sponsors: City Councilmember Chavez

PRESENTED

[ID18-0770](#) Presentation of Certificates for the "Fresno Chamber Junior Board"

Sponsors: Council President Soria

PRESENTED

APPROVE MINUTES

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

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

Absent: 1 - Bredefeld

[ID18-0781](#) Approval of Budget Hearing Minutes for June 5, 2018 and June 6, 2018

Sponsors: City Clerk's Office

[18-0028](#) Approval of minutes from May 24, 2018.

Sponsors: City Clerk's Office

COUNCILMEMBER REPORTS AND COMMENTS

Councilmember Caprioglio spoke regarding a neighborhood picnic on June 15, 2018 located at 1338 San Burno, El Dardo park; Community meeting June 20, 2018 located at 7071 E Clinton Avenue, Virginia Boris Elementary School regarding the Temperance Avenue widening project. He congratulated the Food Security Project at Fresno State for receiving the 2018 Excellence Innovation Award and introduced the newest intern for District 4, Andrew Kloose.

Council Vice President Brandau announced that June 14, 2018 is the final West Area Specific Plan meeting located at 3535 N Cornella, Central High East Campus from 6:00 P.M. to 8:00 P.M.

Council President Soria announced Fresno Arts Council received a grant to create 8 sidewalks into functional art and mentioned City of Fresno Youth Commission has vacancies and applications are due June 15, 2018.

CONTESTED CONSENT CALENDAR

- 1-A [ID18-0653](#) Approve a 3-year agreement with the County of Fresno to receive County Aid Dispatch services.

Sponsors: Fire Department

The above item was introduced to Council by Chief Donis, Fresno Fire Department.

Council Vice President Brandau asked staff to discuss the dispatch agreement. Chief Donis replied the agreement before Council is not the agreement that was discussed earlier in the week between County of Fresno and American Ambulance. The agreement before Council is regarding America Ambulance for dispatching. Council Vice President Brandau spoke regarding the right resource software for upgrading dispatch.

APPROVED

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

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

Absent: 1 - Bredefeld

- 1-M [ID18-0774](#) BILL - (For introduction) - Adopting an ordinance amending Article 4.14 of Chapter 12 of the Fresno Municipal Code relating to the exemption of development impact fees for certain projects in economically disadvantaged neighborhoods

Sponsors: Council President Soria

The above item was introduced to Council by Council President Soria.

Council President Soria stated the item was brought forward to make sure the language was clarified.

Council Vice President Brandau motion to continue the item to June 21, 2018. Councilmember Caprioglio seconded the motion. Later, Council Vice President Brandau withdrew his motion.

Upon call, there was no public comment.

BILL B-31 INTRODUCED AND LAIDOVER

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

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

Absent: 1 - Bredefeld

- 4-D** [ID18-0750](#) HEARING to consider submission of a Cannabis Business License Tax to the voters of the City of Fresno.
(1) *** RESOLUTION - Calling a general municipal election to be held on November 6, 2018; approving ballot measure text to be submitted to the voters of the City of Fresno imposing a Cannabis Business License Tax; requesting the assistance of the County of Fresno in connection with that election; and requesting consolidation of that election with any other election held on that date. (Subject to Mayor's veto)

Sponsors: City Councilmember Olivier, City Councilmember Baines III and City Councilmember Caprioglio

The above item was introduced to Council by Councilmember Olivier.

City Attorney Sloan stated in order for the item to pass it requires 4 councilmember votes , is subject to Mayor's veto and on the ballot it is subject to a 2/3 public vote.

Councilmember Olivier read section 7-1404 of the ordinance into the record.

City Attorney Sloan read the following changes to the ballot languages: To fund unrestricted general revenue purposes, including combating gangs, drug abuse, human trafficking and homelessness, and funding police, fire, roads, and parks (90%) and fund a Community Benefit Fund allocated as recommended by a citizen.

Upon call, the following members of the public addressed Council: Steven Silva, John Draper, Gidai Maaza, Cesar Casamayor, Elias Coera, Marisa

Moraza, Delores Ayala, Rene Charest, Jim Franklin, Susan Juvet, Tami Peluso, Cyndia Gonzalez, Jepaul White, Seth Smith, Kim Castro, Dennis Nebeker, Eleanor Brown, Juan Bautista, Leslie Eller, Mary Ester Correa, Tyler Tracy, Daniel O'Connell, Stephen Zyszkiewicz and Tim Kutzmark.

Councilmember Baines stated he would speak at the church and also host some community workshops on marijuana.

Mayor Brand stated he did not vote on Proposition 64, but has researched what is best for City of Fresno and supports the proposed item to tax 10% or less and to focus on addressing the drug, gangs, human trafficking and black market issues.

Council Vice President Brandau stated he does not support recreational use and expressed his concerns supporting the tax ballot due to the lack of language and asked about the equity component. Chief Dyer stated there is a team of 2 Sergeants and 18 officers to deal with the black market and address the human trafficking issues in City of Fresno. There was more discussion regarding a limited number of dispensaries, 1 in each policing district, what the projected cost is and if the Police Department will be shutting down other operating business to reduce the amount of operations.

Council Vice President Brandau motioned to amend the motion by Councilmember Olivier to add the following language "to only be for medicinal purposes both in dispensaries and in the distribution cultivation in the City of Fresno." The motion dies for lack of second.

RESOLUTION 2018-134 ADOPTED

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

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

No: 1 - Brandau

Absent: 1 - Bredefeld

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:20 A.M.

- [ID18-0616](#) Actions pertaining to the creation of Residential Permit Parking District #10 in District 7 by Fresno Veteran's Hospital:
1. HEARING - to consider designation of Residential Permit parking District #10
 2. ADOPT a finding of Categorical Exemption pursuant to Section 15301 of the California Environmental Quality Act
 3. ***RESOLUTION - Creating Residential Permit Parking District #10 (Subject to Mayor Veto)

Sponsors: Development and Resource Management Department

Councilmember Baines left the meeting at 11:56 A.M.

The item was called to order at 11:58 A.M.

The above item was introduced by Parking Manager Estabrook, DARM Department. Councilmember Olivier spoke regarding the parking issues by the Fresno Veteran's Hospital.

Upon call the following member of the public addressed Council: Helen Marderosian.

RESOLUTION 2018-135 ADOPTED

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

Aye: 5 - Soria, Brandau, Caprioglio, Chavez and Olivier

Absent: 2 - Baines III and Bredefeld

10:30 A.M.#1 SCHEDULED COMMUNICATION

- [ID18-0640](#) Appearance by President Lori Bennett of Clovis Community College to present a brief College Update

Sponsors: City Councilmember Bredefeld

President Lori Bennett gave an update on the Clovis Community College.

APPEARED

Councilmember Baines returned to the meeting at 12:09 P.M.

[ID18-0697](#) Appearance by Gonzalo Arambula to discuss the damage done to his wheelchair by a FAX Driver while on a City bus and the need to properly train the bus drivers on handling the disabled.

Mr. Arambula spoke regarding the damages done on his wheelchair by a FAX Driver.

APPEARED

[ID18-0700](#) Appearance by Mary Esther Correa to discuss the fines she has received from Code Enforcement (Speaker resides in District 7)

Ms. Correa spoke regarding her Code Enforcement fines.

APPEARED

[ID18-0730](#) Appearance by Andy Emparan to discuss the creation of a program called \$5.00 Fresno which would help the homeless, roads and City Parks

Mr. Emparan spoke regarding a program called \$5.00 Fresno to better assist the homeless, roads and City Parks.

APPEARED

City Council recessed for lunch at 12:19 P.M. and returned from lunch at 1:44 P.M.

10:00 A.M.

[ID18-0667](#) HEARING - To vacate a portion of West Nielsen Avenue at the southwest corner of West Nielsen Avenue and South West Avenue. (Council District 3)

1. ***RESOLUTION - Ordering the vacation of a portion of West Nielsen Avenue at the southwest corner of West Nielsen Avenue and South West Avenue. (Subject to Mayor's Veto)

Sponsors: Public Works Department

Councilmember Chaves left the meeting at 1:44 P.M.

The hearing was called to order at 1:44 P.M.

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

Upon call, there was no public comment.

RESOLUTION 2018-136 ADOPTED

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

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

Absent: 2 - Chavez and Bredefeld

10:05 A.M.#1

- [ID18-0670](#) 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. 29 (Assessor's Parcel Number 509-290-07) (southwest corner of North Figarden and West Bullard Avenues) (Council District 2)
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. 29 (Subject to Mayor's Veto)

Sponsors: Public Works Department

Councilmember Chavez returned to the meeting at 1:46 P.M.

The hearing was called to order at 1:46 P.M.

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

Upon call, there was no public comment.

RESOLUTION 2018-137 ADOPTED

RESOLUTION 2018-138 ADOPTED

RESOLUTION 2018-139 ADOPTED

BILL B-32 AND ORDINANCE 2018-34 ADOPTED

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

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

Absent: 1 - Bredefeld

10:05 A.M.#2

- [ID18-0686](#) 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. 28 (Final Parcel Map No. 2017-05) (north side of West Herndon Avenue between North Blythe and Milburn Avenues) (Council District 2)
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. 28 (Subject to Mayor's Veto)

Sponsors: Public Works Department

The hearing was called to order at 1:47 P.M.

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

Upon call, there was no public comment.

RESOLUTION 2018-140 ADOPTED

RESOLUTION 2018-141 ADOPTED

RESOLUTION 2018-142 ADOPTED

BILL B-33 AND ORDINANCE 2018-35 ADOPTED

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

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

Absent: 1 - Bredefeld

10:15 A.M.

- [18-0051](#) Consideration of an extension of time of a Development Agreement for the Marketplace at El Paseo filed by Gryphon Capital pertaining to the property generally located on the southwest corner of West Herndon Avenue and North Riverside Drive covering 74.4 acres of property and Conditional Use Permit Application No. C-17-057 filed by Rich Development pertaining to the development of the Marketplace at El Paseo on 18.4 acres of the subject property. (Council District 2),
1. APPROVE the Addendum to EIR No. 10144 (SCH NO. 2008011003) for purposes of the proposed project.
 2. BILL - (For introduction) - Approving an extension of time of 10 years to February 2028, for the development of the Marketplace at El Paseo.
 3. APPROVE Conditional Use Permit Application No. C-17-057 requesting authorization to construct ±162,000 square feet of retail, restaurant, and entertainment facilities, including a ± 49,965-square-foot newly constructed movie theatre at the Marketplace at El Paseo Project.

Sponsors: Development and Resource Management Department

The item was called to order at 1:48 P.M.

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

Upon call, there was no public comment.

Council Vice President Brandau discussed the current agreement and El Paseo's next expansion with no fees being waved. Council Vice President Brandau asked about the move of Bullard Avenue and if the project was picked up by High Speed Rail. Staff responded.

BILL B-34 INTRODUCED AND LAIDOVER

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

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

Absent: 1 - Bredefeld

10:30 A.M.#2

(CONTINUE TO JUNE 21, 2018 AT 10:05 A.M.)

- [ID18-0635](#) Actions pertaining to the Citywide replacement of high pressure sodium (HPS) streetlight fixtures with more energy efficient light-emitting diode (LED) fixtures
1. HEARING to consider adoption of a Resolution to approve a Finance Agreement and Energy Services Contract with Pacific Gas and Electric Company (PG&E) for implementation of certain energy related services
 2. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301(c) of the California Environmental Quality Act Guidelines
 3. RESOLUTION - To approve a Finance Agreement and Energy Services Contract with Pacific Gas and Electric Company for implementation of certain energy related services
 4. Approval of six agreements with Pacific Gas & Electric (PG&E) in the total amount of \$10,237,062 for a General On-Bill Financing (OBF) Loan

5. Approval of the Master Services Agreement and Work Order for Turnkey Services for the Installation of Liquid Emitting Diode (LED) Streetlights throughout the City of Fresno (Citywide)

Sponsors: Public Works Department

THE ABOVE ITEM WAS CONTINUED TO JUNE 21, 2018 AT 10:05 A.M.

3. GENERAL ADMINISTRATION

- 3-A [ID18-0674](#) Actions pertaining to the Dakota Avenue and Cornelia Avenue Traffic Signal Installation Project - Bid File 3588 (Council Districts 1 and County of Fresno)
1. Adopt a finding of Categorical Exemption per staff's determination, pursuant to Section 15301(c) 1 of the California Environmental Quality Act Guidelines (CEQA)
 2. Approve an Interfund Loan Agreement from the Developer Cash-in-Lieu Improvements Fund to the Cash-in-Lieu Loan Fund, for traffic signals at Cornelia and Dakota Avenues, pursuant to Article VI of the City of Fresno Reserve Management Act and Article IV of the Taxpayer Protection Act, providing for a \$572,600 loan
 3. Award a Construction Contract with Madco Electric, Inc., in the amount of \$408,079 for the Dakota Avenue and Cornelia Avenue Traffic Signal Installation Project

Sponsors: Public Works Department

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

Upon call, there was no public comment.

APPROVED

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

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

Absent: 1 - Bredefeld

- 3-B [ID18-0681](#) Actions pertaining to the Herndon Avenue Adaptive Intelligent

Transportation System (I.T.S.) (Golden State Blvd to Willow Ave)
Traffic Signals Synchronization Project - Bid File 3593 (Council Districts 2 and 6)

1. Adopt a finding of Categorical Exemption per staff's determination, pursuant to Section 15301(c) 1 of the California Environmental Quality Act Guidelines (CEQA)
2. Award a Construction Contract to Kertel Communications, Inc. dba Sebastian of Fresno, CA in the amount of \$1,039,477

Sponsors: Public Works Department

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

Upon call, the following members of the public addressed Council: Larry Fleming and Jaime Loza.

Council Vice President Brandau asked staff what streets in town are currently synchronized. Director Mozier stated Shaw Avenue between 41 and 168 freeway and about 16 - 17 corridors on Herndon Avenue. Council Vice President Brandau asked if there is another way to synchronize other areas.

APPROVED

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

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

Absent: 1 - Bredefeld

2:00 P.M.

[ID18-0668](#) WORKSHOP pertaining to the Senior Activity Center

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

The above Workshop was presented to Council by Councilmember Olivier and Director Neloms, PARCs Department.

Councilmember Chavez motioned to allocate a \$100,000 for the PARCs Department to take the business plan to the next level and look at securing funding from Federal, State resources, Fresno Unified and all the different collaborating partners. Council President Soria seconded the motion.

Council Vice President Brandau left the meeting at 2:35 P.M. and Councilmember Chavez left the meeting at 2:48 P.M.

- 3-C** [ID18-0688](#) Actions pertaining to the Copper Avenue Trail Phase 2 and 3 - Cedar Avenue to Chestnut Avenue Protect: (Council District 6)
1. Adopt an addendum to the 2002 Copper River Ranch EIR No. 10126 (SCH2000021003) approved by the Fresno City Council on June 3, 2003
 2. Award a construction contract in the amount of \$852,502 to Dawson-Mauldin Construction, Inc.

Sponsors: Public Works Department

The above item was introduced to Council by Manager, Tyler, Public Works Department.

Upon call, there was public comment.

APPROVED

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

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

Absent: 3 - Brandau, Chavez and Bredefeld

2:30 P.M.

[ID18-0657](#) BILL - (For introduction) - Adding Article 22 to Chapter 12 of the Fresno Municipal Code to allow At-Risk Development

Sponsors: City Councilmember Bredefeld

THE ABOVE ITEM WAS CONTINUED TO JUNE 21, 2018 AT 10:30 A.M.

4. CITY COUNCIL

- 4-C** [ID18-0696](#) WORKSHOP - Status of marijuana regulations and taxes

Sponsors: Vice President Brandau

Council Vice President Brandau returned to the meeting at 2:50 P.M.

The above item was introduced to Council by Council Vice President Brandau.

The Workshop was presented to Council by City Attorney Sloan, City Attorney's Office.

- 3-D** [ID18-0733](#) Award a two-year contract with the option for two one-year extensions for banking services to Bank of America, N.A. (Bid File 9412)

Sponsors: Finance Department

Councilmember Chavez returned to the meeting at 3:00 P.M.

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

Jonathan Millard, Senior Vice President and Market Leader from Bank of America discussed the lawsuits regarding discrimination that Bank of America has previously gone through.

Mark Riley, Senior Vice President Brandau at Bank of America spoke regarding Bank of America's impact on Fresno's economy.

Upon call, the following member of the public addressed Council: Jaime Loza

Council Vice President Brandau motioned to approve a 5 year term with an option of a second 5 year term. Councilmember Olivier seconded the motion for discussion.

Director Lima stated that Bank of America's policy is to not have contracts longer than 7 years and suggested a 5 year term with 2 one year options for extensions. Council Vice President amended his motion to reflect the change.

Councilmember Baines stated he will not support a 5 year term and asked Bank of America's representatives about the amount of funds they hold in their accounts for City of Fresno monthly. Councilmember Baines also asked about the Community Reinvestment Act (CRA) investments and how much does Bank of America give City of Fresno annually.

Council President Soria stated she will not support the item and mentioned that Bank of America left Tower District area and never responded to her letters and calls.

Council Vice President Brandau motioned to approve a 5 year term with an option of 2 one year extension. Councilmember Olivier seconded the motion.

APPROVED

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

Aye: 3 - Brandau, Caprioglio and Olivier

No: 2 - Soria and Baines III

Absent: 2 - Chavez and Bredefeld

3-E [ID18-0592](#) Workshop relating to procurement

Sponsors: Finance Department

The above workshop was presented by Purchasing Manager Knittel, Finance Department and Senior Deputy Attorney Collect, City Attorney's Office.

Councilmember Olivier left the meeting at 3:55 P.M.

3-F [ID18-0701](#) Approve a Seventh Amendment to the Professional Consultant Agreement with CH2M HILL Engineers, Inc., for an amount not-to-exceed \$7,450,000 for Fiscal Year 2019 Program Management Services and for extension of the Agreement term by one year, through October 31, 2019 (Citywide)

Sponsors: Department of Public Utilities

THE ABOVE ITEM WAS CONTINUED TO JUNE 21, 2018

3-G [ID18-0650](#) WORKSHOP relating to Alleys

Sponsors: Development and Resource Management Department

The above workshop was presented by Assistant Director Zack, DARM Department.

4-A [ID18-0658](#) BILL - (For introduction) - Amending section 13-218 of the Fresno Municipal Code, Relating to Alleys

Sponsors: City Councilmember Baines III

Councilmember Caprioglio and Councilmember Chavez left the meeting at 4:05 P.M. and Councilmember Oliver returned to the meeting at 4:18 P.M.

The above item was introduced to Council by Councilmember Baines.

Upon call, the following member of the public addressed Council: Jaime Loza

City Manager Quan-Schechter stated she is in full support of the item and supports making the ordinance citywide.

BILL B-35 INTRODUCED AND LAIDOVER

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

Aye: 4 - Soria, Brandau, Baines III and Olivier

Absent: 3 - Caprioglio, Chavez and Bredefeld

4-B [ID18-0563](#) BILL - (for introduction) - Amending various sections of Article 24 of Chapter 14 of the Fresno Municipal Code relating to parades and other special events.

Sponsors: City Councilmember Baines III and Council President Soria

The above item was introduced to Council by Council President Soria.

Councilmember Caprioglio returned to the meeting at 4:24 P.M.

Upon call, the following member of the public addressed Council: Abre Conner, ACLU.

City Attorney Sloan summarizez the changes made to the ordinance. The proposed ordinance has been improved to comply with the first amendment rights.

Council President Soria and Councilmember Baines stated they want to be consistent with events and parades and to comply with the first amendment rights and reduce the cost of the events.

City Attorney Sloan stated the ordinance is to be content, prospective, natural to all parades and events.

BILL B-36 INTRODUCED AND LAID OVER

5. CLOSED SESSION

There was no announcements after closed session.

- 5-A** [ID18-0663](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)
1. Sonia Ramirez et al. v. City of Fresno, et al.; Fresno Superior Court Case No.: 15CECG03551.

Sponsors: City Attorney's Office

DISCUSSED

- 5-B** [ID18-0752](#) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)
1. South Central Neighbors United v. City of Fresno

Sponsors: City Attorney's Office

DISCUSSED

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.

ADJOURNMENT

City Council adjourned at 4:50 P.M.