



City of Fresno

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

Meeting Minutes - Final City Council

President - Paul Caprioglio

Vice President - Sal Quintero

Councilmembers:

Oliver L. Baines, III, Lee Brand, Steve Brandau,

Clinton J. Olivier, Esmeralda Z. Soria

City Manager - Bruce Rudd

City Attorney - Douglas T. Sloan

City Clerk - Yvonne Spence, CMC

Thursday, September 22, 2016

9:00 AM

Council Chambers

Regular Session

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

9:02 A.M. ROLL CALL

Present: 6 - President Paul Caprioglio
Vice President Sal Quintero
Councilmember Lee Brand
Councilmember Steve Brandau
Councilmember Clinton Olivier
Councilmember Esmeralda Soria

Absent: 1 - Councilmember Oliver L. Baines III

Councilmember Soria was absent during Roll Call but entered the Council Chamber at 9:10 A.M.

Invocation by H. Spees

Pledge of Allegiance to the Flag

APPROVE AGENDA

City Clerk Spence announced the following changes to the agenda: Approval of Successor Agency minutes (File ID 16-1120) was removed from the agenda as it was approved at the previous Council meeting; staff moved Consent Calendar item 1-F (File ID 16-1109) to the October 13, 2016 agenda, and; staff removed General Administration item 2-E (File ID 16-1090) from the agenda.

APPROVED AS AMENDED

On motion of Vice President Quintero, seconded by President Caprioglio, the Agenda was adopted as amended. The motion carried by the following vote:

Aye: 5 - Caprioglio, Quintero, Brand, Brandau and Olivier

Absent: 2 - Baines III and Soria

APPROVE MINUTES

[ID16-159](#) Approval of minutes from September 15, 2016

APPROVED

On motion of Councilmember Brandau, seconded by Vice President Quintero, the above Minutes were approved. The motion carried by the following vote:

Aye: 5 - Caprioglio, Quintero, Brand, Brandau and Olivier

Absent: 2 - Baines III and Soria

[ID16-1120](#) Approval of the Successor Agency to the Redevelopment Agency and the Fresno Revitalization Corporation minutes of September 1, 2016

The above Successor Agency minutes were removed from the agenda as they were approved at the previous City Council meeting.

COUNCILMEMBER REPORTS AND COMMENTS

Vice President Quintero asked Council to adjourn the meeting in the memory Avis "Chili" Chilingerman. He was remembered as a leader, pioneer and longtime resident of District 5. Vice President Quintero offered his condolences to Mr. Chilingerman's family.

Vice President Quintero also asked Council to adjourn in the memory of Michael "Blackie" Gejeian. He said the Mr. Gejeian put Fresno on the map when it came to automobiles. He said the celebration for him at the Convention Center was attended by more than 900 people from all over the country. President Caprioglio called Mr. Gejeian a "legend" and said the annual Autorama event was a highlight for anyone that loved cars.

Vice President Quintero invited everyone to attend the annual Carnival at

Mosqueda Community Center. The event was sponsored by District 5, Parks, After School, Recreation and Community Development ("PARCS"), Pacific Gas and Electric Company and Fresno Unified School District. He said Carnival was free and he expected approximately three thousand families to attend. Many information booths would be available and the event would also celebrate and salute law enforcement and fire personnel.

Vice President Quintero thanked City Manager Rudd and city staff for their years of hard work to complete item 2-D (File ID 16-1089) concerning the new Southeast Police Substation and Bus Rapid Transit Station.

Councilmember Brandau wished everyone a good first day of fall. He also reported he and the Council President attended the Crime Stoppers golf fundraiser at Fig Garden Country Club on September 21, 2016. The event was successful even though Councilmember Brandau did not play as well as he had hoped.

Councilmember Brandau reported his attendance at the Fresno County Transportation Authority ("FCTA") on September 21, 2016 with City Manager Rudd and Mayor Swearingin. Together, they requested FCTA staff look into raising \$500,000 locally, to be matched by CalTrans, to help the City get back in control of litter clean up along local freeways.

President Caprioglio thanked Councilmember Brandau, the Administration and the Fresno Police Department for their litter enforcement efforts.

President Caprioglio thanked 93.7 Kiss Country (KSKS FM) and Gnarley Charley & Jody Jo for promoting the "Keep The Support Going..." barbeque fundraiser for wounded Correctional Officers Juanita Davila and Toamalama Scanlan. He said the barbeque would be on the front lawn of City Hall from 11:30 A.M. to 1:30 P.M. and was sponsored by the Fresno Police Officers Association, the Fresno Firefighters Association and the Fresno City Council. He also thanked Table Mountain for the support it provided and thanked Katie T. for providing graphic designs.

President Caprioglio thanked, "Scott, Brian and the excellent Public Works team," for their work at the Discovery Center. The President's office had received many positive phone calls and good feedback about their efforts. President Caprioglio invited everyone to the Discovery Center at 1944 N. Winery for a tour and breakfast from 9:00 A.M. to Noon on September 24, 2016.

President Caprioglio reported his attendance at the State of the County with Chairman Mendes. Both he and Chairman Mendes were eager to continue the relationship between the City and County of Fresno.

1. CONSENT CALENDAR

APPROVAL OF THE CONSENT CALENDAR

On motion of Councilmember Olivier, seconded by Councilmember Brand, the CONSENT CALENDAR was hereby adopted by the following vote:

Aye: 6 - Caprioglio, Quintero, Brand, Brandau, Olivier and Soria

Absent: 1 - Baines III

- 1-A** [ID16-1032](#) Actions pertaining to Resolution of Intention No. 1108-D to vacate a portion of San Benito Street between the "F"- "G" alley and "G" Street, and the "F"- "G" alley between Santa Clara and San Benito Streets. (Council District 3).
1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301 of the California Environmental Quality Act (CEQA) Guidelines, Environmental Assessment No. EA-16-016.
 2. Adopt the attached Resolution of Intention No. 1108-D to vacate a portion of San Benito Street between the "F"- "G" alley and "G" Street, and the "F"- "G" alley between Santa Clara and San Benito Streets.

APPROVED

The above item was approved on the Consent Calendar.

- 1-B** [ID16-1055](#) Approve Workforce Innovation and Opportunity Act Mandated Partner Memorandum of Understanding.

APPROVED

The above item was approved on the Consent Calendar.

- 1-C** [ID16-1038](#) ***RESOLUTION - 6th amendment to Fiscal Year 2017 Salary Resolution No. 2016-120, adding new Supervising Airports Operations Officer, Supervising Airports Building Maintenance Technician, and Landscape Maintenance Superintendent classifications to Exhibit 13-1, Exempt Supervisory and

Professional (CFPEA), and Plans and Permit Technician classification to Exhibit 3, Non-Supervisory White Collar (FCEA); and amending the Plan Examiner I/II and III classification titles and respective salaries in Exhibit 3, Non-Supervisory White Collar (FCEA)

RESOLUTION 2016-176 ADOPTED

The above item was approved on the Consent Calendar.

- 1-D** [ID16-1077](#) Actions Pertaining to the Engineering Services to Evaluate Power Generation and Optimize Energy Credits at the Fresno/Clovis Regional Wastewater Reclamation Facility (Council District 3)
1. ***RESOLUTION - 11th amendment to the Annual Appropriation Resolution (AAR) No. 2016-118 appropriating \$252,700 for engineering services to evaluate power generation and optimize energy credits at the Fresno/Clovis Regional Wastewater Reclamation Facility (Requires 5 affirmative votes)
 2. Award a professional engineering services contract for \$207,713 with a \$25,000 contingency, to CDM Smith of Walnut Creek, California

RESOLUTION 2016-177 ADOPTED

The above item was approved on the Consent Calendar.

- 1-E** [ID16-1085](#) Items related to retaining consultants for discolored water investigation:
1. Affirm the City Manager's determination that Dr. Marc Edwards of Virginia Polytechnic Institute and State University is uniquely qualified to perform consultant services, as required by AO 6-19;
 2. Approve Research Agreement between the City of Fresno and Virginia Polytechnic Institute and State University in an amount not to exceed \$150,000;
 3. Affirm the City Manager's determination that Dr. Vernon Snoeyink of Water Quality & Treatment Solutions, Inc., is uniquely qualified to perform consultant services as required by AO 6-19; and
 4. Approve Consultant Agreement with Water Quality & Treatment Solutions, Inc. in an amount not to exceed \$200,000.

APPROVED

The above item was approved on the Consent Calendar.

- 1-F [ID16-1109](#) Approve a consultant services agreement with Bertz-Rosa Strategy & Creative for an amount not to exceed \$172,757 for community engagement for parks and trails within the City of Fresno.

The above item was removed from the agenda and continued to the October 13, 2016 City Council meeting.

- 1-G [ID16-1037](#) Actions pertaining to the 2016 Edward Byrne Memorial Justice Assistance Grant (JAG) program
1. Authorize the Chief of Police to execute a joint agreement between the City of Fresno and the County of Fresno regarding 2016 JAG program
 2. ***RESOLUTION - 13th amendment to the Annual Appropriation Resolution (AAR) No. 2016-118 appropriating \$205,000 from the 2016 JAG program award from the U.S. Department of Justice, Bureau of Justice Assistance (Requires 5 affirmative votes)

RESOLUTION 2016-178 ADOPTED

The above item was approved on the Consent Calendar.

Councilmember Olivier exited the Council Chamber at 9:16 A.M. and returned at 9:20 P.M.

2. GENERAL ADMINISTRATION

- 2-A [ID16-1035](#) Actions pertaining to a Memorandum of Understanding (MOU) for City employees in Unit 3, Non-Supervisory White Collar employees, represented by FCEA
1. ***Adopt a Memorandum of Understanding between the City of Fresno and the Fresno City Employees Association (FCEA) for Unit 3 - Non-Supervisory White Collar
 2. ***RESOLUTION - 7th amendment to FY 2017 Salary Resolution No. 2016-120, amending salaries in Exhibit 3, Unit 3 - Non-Supervisory White Collar, as required by adoption of the Memorandum of Understanding between the City of Fresno and the Fresno City Employees Association (FCEA)

The above item was introduced to Council by Personnel Services Director Cardell. Fresno City Employee's Association President, Dee Barnes, also spoke during the presentation.

Director Cardell read the following corrections to the Memorandum of Understanding into the record: reference to FY 2011 on sick leave payment relative to H.R.A. on pages 42 and 43 need to be stricken; use of sick leave, consistent with AB 1522, is available after 90 days, not after six months, and; "ID Technicians" should be changed to "Crime Scene Technicians."

RESOLUTION 2016-179 ADOPTED WITH CORRECTIONS TO THE MEMORANDUM OF UNDERSTANDING

On motion of President Caprioglio, seconded by Vice President Quintero, the above item was approved. The motion carried by the following vote:

Aye: 5 - Caprioglio, Quintero, Brand, Brandau and Soria

Absent: 2 - Baines III and Olivier

- 2-B** [ID16-1084](#) WORKSHOP - Agreement Establishing the North Kings Groundwater Sustainability Agency as a Joint Powers Authority

The above workshop was presented to Council by Public Utilities Director Esqueda. City Manager Rudd also spoke on this item.

Councilmember Brandau and Councilmember Olivier each requested meetings with Director Esqueda to further discuss the issue.

Councilmember Soria motioned for Council to reconsider Consent Calendar item 1-E (File ID 16-1085) so the public could hear the presentation. Consent Calendar item 1-E dealt with consultants for the discolored water investigation. The motion failed for lack of a second.

Following the presentation, the Councilmembers discussed the following topics with Director Esqueda: the number of Joint Power Agreements ("JPA") in California; the number of basins in California; prioritization of organizations / agencies; organizations carrying their own weight; the ability to assess fees; bureaucratic commitment to support the new JPA; the JPA impacts to mandates, development, farming and General Plans; implementation dates; aquifer restoration plans and timelines; state enforcement and legal ramifications; incentives to use recycled water for future growth; existing and pending water contracts, and; the Southeast Surface Water Treatment Plant.

WORKSHOP HELD

- 2-E [ID16-1090](#) Award a construction contract in the amount of \$18,204,180 to Floyd Johnston Construction Company, Inc. for the City of Fresno Phase 2 Regional Transmission Mains Segment A2 Project (Bid File 3450) (Council District 1, 3, and 7).

The above item was removed from the agenda by staff.

3. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:00 A.M.

- [ID16-1058](#) 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. 72 (Final Tract Map No. 6124) (second phase of development north and south of E. California Avenue between S. Temperance and Armstrong Avenues) (Council District 5)
1. RESOLUTION - Annexing Territory to Community Facilities District No. 11 and Authorizing the Levy of a Special Tax
 2. RESOLUTION - Calling Special Mailed-Ballot Election
 3. RESOLUTION - Declaring Election Results
 4. ***BILL - (For introduction and adoption) - Levying a Special Tax for the Property Tax Year 2016-2017 and Future Tax Years Within and Relating to Community Facilities District No. 11, Annexation No. 72, Final Tract Map No. 6124

The above hearing was called to order at 10:04 A.M. Public Works Assistant Director Benelli introduced the item to Council.

Upon call for public comment, no members of the public chose to address Council and public comment was closed.

City Clerk Spence announced the resolutions were also subject to mayoral veto.

The hearing was closed at 10:05 A.M.

RESOLUTION 2016-180 ADOPTED
RESOLUTION 2016-181 ADOPTED
RESOLUTION 2016-182 ADOPTED
BILL B-36 INTRODUCED AND ADOPTED AS
ORDINANCE 2016-34

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

Aye: 6 - Caprioglio, Quintero, Brand, Brandau, Olivier and Soria

Absent: 1 - Baines III

Councilmember Soria exited the Council Chamber at 10:06 A.M. and returned following the lunch recess at 1:59 P.M.

10:05 A.M.

- [ID16-1059](#) HEARING to adopt resolutions and ordinance amending Annexation No. 70 of the City of Fresno Community District No. 11, Final Tract Map No. 6067, to change the types of Services, the rate and method of apportionment of the special tax, and the Maximum Special Tax to be levied (east side of N. Locan Avenue between E. Shields and Dakota Avenues) (Council District 4)
1. RESOLUTION - Authorizing the Amendment of Annexation No. 70 of Community Facilities District No. 11 and the Levy of a New Maximum Special Tax
 2. RESOLUTION - Calling Special Mailed-Ballot Election
 3. RESOLUTION - Declaring Election Results
 4. ***BILL - (For introduction and adoption) - Amending Ordinance No. 2016-18 and Levying a Changed Maximum Special Tax for the Property Tax Year 2016-2017 and Future Tax Years Within and Relating to Community Facilities District No. 11, Annexation No. 70, Final Tract Map No. 6067

The above hearing was called to order at 10:05 A.M. Public Works Assistant Director Benelli introduced the item to Council.

Upon call for public comment, no members of the public chose to address Council and public comment was closed.

City Clerk Spence announced the resolutions were also subject to mayoral veto.

The hearing was closed at 10:10 A.M.

**RESOLUTION 2016-183 ADOPTED
RESOLUTION 2016-184 ADOPTED**

*RESOLUTION 2016-185 ADOPTED
BILL B-37 INTRODUCED AND ADOPTED AS
ORDINANCE 2016-35*

On motion of President Caprioglio, seconded by Vice President Quintero, the above item was approved. The motion carried by the following vote:

Aye: 5 - Caprioglio, Quintero, Brand, Brandau and Olivier

Absent: 2 - Baines III and Soria

Councilmember Brand exited the Council Chamber at 10:10 A.M. and returned at 10:11 A.M.

10:10 A.M.

- ID16-1076** HEARING to consider Plan Amendment Application No. A-16-002 and Rezone Application No. R-16-002 and related Environmental Assessment No. A-16-002/R-16-002, filed by Jeffery Roberts on behalf of the Waterford Foundation, for approximately 3.99 acres of property located on the southwest corner of N. Polk and W. Sierra Avenues (Council District 2)
- a. Adopt the Mitigated Negative Declaration prepared for Environmental Assessment No. A-16-002/R-16-002 dated June 3, 2016.
 - b. RESOLUTION - Approving Plan Amendment Application No. A-16-002 proposing to amend the Fresno General Plan and Bullard Community Plan from the Office planned land use designation to the Urban Neighborhood Residential (16-30 du/ac) planned land use designation.
 - c. BILL (For introduction and adoption) - Approving Rezone Application No. R-16-002 requesting authorization to rezone the subject property from O/UGM/cz (Office/Urban Growth Management/conditions of zoning) to the RM-2/UGM (Residential Multi-Family, Urban Neighborhood/Urban Growth Management) zone district. The conditions of zoning will be eliminated since they apply to an office complex and would no longer be applicable should this rezone application be approved.

The above hearing was called to order at 10:10 A.M. Development and Resources Management ("DARM") Project Manager Barnes introduced the item to Council.

Upon call for public comment, the following person addressed Council:

Jeff Roberts with the Waterford Foundation related to Granville Homes - spoke in support of the item and the staff recommendation.

The hearing was closed at 10:11 A.M.

*RESOLUTION 2016-186 ADOPTED
BILL B-38 INTRODUCED AND ADOPTED AS
ORDINANCE 2016-36*

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

Aye: 4 - Caprioglio, Quintero, Brandau and Olivier

Absent: 3 - Baines III, Brand and Soria

2. GENERAL ADMINISTRATION CONTINUED

- 2-C** [ID16-1097](#) Approve Program Year 2015 Consolidated Annual Performance and Evaluation Report (CAPER) and authorize submission to the U.S. Department of Housing and Urban Development (HUD).

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

APPROVED

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

Aye: 5 - Caprioglio, Quintero, Brand, Brandau and Olivier

Absent: 2 - Baines III and Soria

- 2-F** [ID16-1110](#) Documents related to the design phase for the Realignment of "G" Street between E. California Avenue and Santa Clara Street: (Council District 3)
1. ***RESOLUTION - 2nd amendment to the Annual Appropriations Resolution (AAR) No. 2016-118 appropriating \$350,000 for expenses related to the design for the realignment of "G" Street between East California Avenue and Santa Clara Street (Requires 5 affirmative votes)

2. Approve a Reimbursement Cooperative Agreement with the California High Speed Rail Authority (CHSRA) for \$350,000 to reimburse the City for expenses related to the realignment of "G" Street and authorize the Director or his designee to execute an amendment up to a maximum amount of \$3,200,000

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

RESOLUTION 2016-187 ADOPTED

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

Aye: 5 - Caprioglio, Quintero, Brand, Brandau and Olivier

Absent: 2 - Baines III and Soria

- 2-D** [ID16-1089](#) Actions pertaining to a new Southeast Police Substation and Bus Rapid Transit Station:
1. Adopt a finding of conformity prepared for Environmental Assessment No. EA-16-011 dated July 1, 2016, for the construction of a police substation and Bus Rapid Transit station.
 2. Approve a Purchase and Sale Agreement between the City of Fresno and the Housing Authority of the City of Fresno in the amount of \$500,000 for the purchase of certain property at Argyle and Tulare Avenues (Assessor Parcel Numbers 313-021-02T and 313-021-03T).
 3. ***RESOLUTION - 14th amendment to the Annual Appropriations Resolution (AAR) No. 2016-118 appropriating \$553,000 for the purpose of purchasing certain property for the future construction of a police substation and a Bus Rapid Transit station. (Requires 5 affirmative votes)
 4. RESOLUTION - Accepting donation of design development plans for the Southeast Police Substation from Fancher Creek Properties, LLC.
 5. Uphold the City Manager's determination that Scott Beck is uniquely qualified to provide architectural services.
 6. Approve a Professional Consulting Services Agreement with Scott Beck, in the amount of \$52,690 for architectural services.

The above item was introduced to Council by Transportation Director

Marshall.

RESOLUTION 2016-188 ADOPTED

RESOLUTION 2016-189 ADOPTED

On motion of Vice President Quintero, seconded by President Caprioglio, the above item was approved. The motion carried by the following vote:

Aye: 5 - Caprioglio, Quintero, Brand, Brandau and Olivier

Absent: 2 - Baines III and Soria

4. CITY COUNCIL

- 4-A** [ID16-1116](#) RESOLUTION - Amending the Council Rules of Procedure to conform to current practice, and to allow additional time for public comment by members of the public speaking through an interpreter

The above item was introduced to Council by President Caprioglio.

City Attorney Sloan clarified that, in addition to providing more time for people speaking through an interpreter, the item addressed the following subjects: timelines for signing contracts; when quorums are required during meetings; default agenda item locations; ordinance introduction and adoption; friendly amendments, and; the handling of closed session documents. City Attorney Sloan also stated the Council President had discretion to vary from the council procedures.

Councilmember Olivier requested the item be voted upon in two parts: one vote for the interpreter portion of the resolution and one vote for the balance of the resolution. President Caprioglio incorporated the request for bifurcation into his motion to approve the item.

The resolution was approved in its entirety by two separate votes of Council.

RESOLUTION 2016-190 ADOPTED

On motion of President Caprioglio, seconded by Councilmember Olivier, the interpreter portion of the item was approved. The motion carried by the following vote:

Aye: 4 - Caprioglio, Quintero, Brand and Olivier

No: 1 - Brandau

Absent: 2 - Baines III and Soria

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

Aye: 4 - Caprioglio, Quintero, Brand and Brandau

No: 1 - Olivier

Absent: 2 - Baines III and Soria

3. SCHEDULED COUNCIL HEARINGS AND MATTERS
CONTINUED

10:15 A.M.

[ID16-1096](#) RESOLUTION - Opposing Proposition 57
Sponsors: Councilmembers Brandau, Brand, Police Chief Dyer and Council President Caprioglio

The above item was introduced to Council by Councilmembers Brandau, Brand, President Caprioglio and Police Chief Dyer.

Upon call for public comment, the following people addressed Council in support of this item: Harold "H" Spees, former Fresno Mayor Alan Autry, Mike Reynolds, and; Fresno County District Attorney Lisa Smittcamp.

RESOLUTION 2016-191 ADOPTED

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

Aye: 5 - Caprioglio, Quintero, Brand, Brandau and Olivier

Absent: 2 - Baines III and Soria

5:00 P.M.

[ID16-1112](#) (REFERRED BACK TO STAFF - COUNCIL DATE TO BE DETERMINED)
CONTINUED HEARING to consider Plan Amendment Application No. A-16-005, Rezone Application No. R-16-006,

Development Permit Application No. D-16-031 and related Environmental Assessment No. A-16-005/R-16-006/D-16-031, filed by Nick Yovino Jr. of California Land Consulting, on behalf of Marcil Awad of Drew Court LLC. These applications pertain to approximately ±2.27 acres of property located on the south side of E. Shepherd Avenue between N. Millbrook and N. Cedar Avenues.

The above item was removed from the agenda and referred back to staff.

RECESSED 11:10 A.M. to 1:58 P.M.

2. GENERAL ADMINISTRATION CONTINUED

Councilmember Brandau exited the Council Chamber at 2:03 P.M. and returned at 2:30 P.M.

2-G [ID16-899](#) Adoption of the Americans with Disabilities Act (ADA) 2016 Facilities Transition Plan (Citywide)

The above item was introduced to Council by ADA Coordinator Mulhall.

APPROVED

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

Aye: 5 - Caprioglio, Quintero, Brand, Olivier and Soria

Absent: 2 - Baines III and Brandau

1:30 P.M.#1

CONTESTED CONSENT CALENDAR

No items were moved to the Contested Consent Calendar.

1:30 P.M.#2

CEREMONIAL PRESENTATIONS

[ID16-1098](#) Proclamation of "LATINO VOTER REGISTRATION MONTH"

PRESENTED

[ID16-1124](#) Resolution proclaiming “ International Day of Peace and Week of Peace” in the City of Fresno

PRESENTED

UNSCHEDULED COMMUNICATION

No member of the public chose to address Council upon call for Unscheduled Communication.

5. CLOSED SESSION

City Council met in Closed Session in Room 2125 from 2:33P.M. to 2:53 P.M. to discuss the following:

[ID16-878](#) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)
1. Michael Scholl v. City of Fresno, psi, Administered by RISICO Claims Management;
Worker’s Compensation Appeals Board Case No. ADJ9607149; ADJ9564647

The above item was discussed during closed session. No open session announcements were made regarding this item.

[ID16-1067](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)
1. City of Fresno v. James Wambold; Fresno Superior Court Case No. 16CECG00801

The above item was discussed during closed session. No open session announcements were made regarding this item.

[ID16-1119](#) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Government Code Section 54956.9, subdivision (d)(2)
1. State Water Resources Control Board/California Water Fix (Protest to Petition of California Department of Water Resources, U.S. Bureau of Reclamation)

The above item was discussed during closed session. No open session announcements were made regarding this item.

ADJOURNMENT

Adjourned from closed session at 2:53 P.M. in memory of Avis "Chili" Chilingarian and Michael "Blackie" Gejeian.

The above minutes were approved by unanimous vote of the City Council during the October 13, 2016 City Council meeting.