



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, April 28, 2016

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: 7 - President Paul Caprioglio
Vice President Sal Quintero
Councilmember Oliver L. Baines III
Councilmember Lee Brand
Councilmember Steve Brandau
Councilmember Clinton Olivier
Councilmember Esmeralda Soria

Councilmember Olivier was absent during roll call and joined the meeting at 5:50 P.M. President Caprioglio stated, for the record, that Councilmember Olivier was absent because he was protecting and promoting Fresno as the City's representative at the League of California Cities.

Invocation by Monsignor Robert Wenzinger from St. Anthony of Padua

Pledge of Allegiance to the Flag

APPROVE AGENDA

City Clerk Spence announced the following changes to the agenda: City Council item 3-B (ID16-424) was removed from the agenda by staff; the 3:00 P.M. Scheduled matter (ID16-260) should list Marquez as a voting member and Mendez as a non-voting member.

APPROVED AS AMENDED

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

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

Absent: 1 - Olivier

APPROVE MINUTES

[ID16-145](#) Approval of minutes from April 21, 2016

APPROVED

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

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

Absent: 1 - Olivier

COUNCILMEMBER REPORTS AND COMMENTS

Vice President Quintero invited the community to the Second Annual Senior Spring Fling to be held at the Mosqueda Community Center on Friday, May 13, from 9:30 A.M. to 1:00 P.M. The event is an information and resource fair sponsored by the Parks, After School, Recreation and Community Services ("PARCS") Department, the Fresno / Madera Area Agency on Aging and District 5. He noted there were more than 300 people in attendance last year and the event included a free lunch, a raffle and lots of prizes. He was hoping for more than 600 people in attendance for the upcoming event. He asked for people with questions, or anyone interested in donating a raffle prize, to contact his office at 559-621-7850.

Councilmember Soria announced that she attended the eLab event sponsored by Google in Sundance, Utah. The event looked at alternative sources of clean energy to help businesses lower their utility bills. In relation to that event, Councilmember Soria announced she was doing a project called "Power the Tower" in the Tower District and she would be partnering with California State University ("CSU") Fresno to assist with assessments.

Councilmember Soria announced she had a District One community

meeting scheduled at 6:00 P.M. at the Inspiration Park community center and would miss a portion of the 5:00 P.M. Housing Element item.

Councilmember Soria thanked everyone that participated in Denim Day to help raise awareness of sexual assault in the community. She hoped the event would be City wide next year.

Councilmember Soria reported that the "Mall to Mall" bike ride would occur on May 4th and would start at 8:00 A.M. at the Manchester Mall. She noted that Councilmembers Brandau and Olivier participated in the past and she encouraged fellow bike riders to join her at the event this year.

President Caprioglio reported that the mosque health fair was held at the fair grounds the previous Sunday. The event provided services to approximately 600 people. He stated the services ranged from dental, to heart tests and everything in between. The mosque held this event every six months and it was fantastic to see all the medical and non-medical volunteers at the location, all day long, to help those in need.

President Caprioglio reported that he spoke to the Junior Board of the Fresno Chamber of Commerce. He said the Junior Board was made up of around 40 high school students and they were very well informed and would make great future leaders.

President Caprioglio reported that he attended the CSU Fresno Spirit of Service Reception and Awards which recognized students and faculty for donating more than a million hours of time in public service.

1. CONSENT CALENDAR

APPROVAL OF THE CONSENT CALENDAR

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

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

Absent: 1 - Olivier

- 1-A** [ID16-366](#) Actions pertaining to summary vacation of the portion of the northeast side portion of "L" Street southeast of N. Park Avenue (and Amador Street) (Council District 3)
1. Adopt a finding of Categorical Exemption per staff

determination, pursuant to Section 15301(c), Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines, Environmental Assessment No. EA-14-049.

2. RESOLUTION - Ordering the summary vacation of a portion of "L" Street southeast of N. Park Avenue (and Amador Street).

RESO 2016-54 ADOPTED

The above item was approved on the Consent Calendar.

- 1-B [ID16-405](#) Actions pertaining to the award of a sole source service contract to Vigilant Solutions, Inc. ("Vigilant"):
1. Award a purchase agreement with Vigilant Solutions, Inc., for Automatic License Plate Reader (ALPR) software and a one-year subscription, for \$75,000.
 2. ***RESOLUTION - 38th amendment to the Annual Appropriation Resolution (AAR) No. 2015-104 appropriating \$28,000 into the Police Department's FY 2016 budget under the 2014 State Homeland Security Grant Program (Requires 5 affirmative votes).

RESOLUTION 2016-55 ADOPTED

The above item was approved on the Consent Calendar.

- 1-C [ID16-435](#) Actions pertaining to Resolution of Intention No. 1105-D to vacate a portion of N. Ninth Street south of E. Dakota Avenue (Council District 4).
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-16-003
 2. Adopt Resolution of Intention No. 1105-D to vacate a portion of N. Ninth Street south of E. Dakota Avenue

APPROVED

The above item was approved on the Consent Calendar.

- 1-D [ID16-426](#) Actions pertaining to permanent asphalt concrete pavement repairs - Bid File No. 9365 (City-wide)
1. Adopt a finding of Class 1, Class 2, Class 3, and Class 4 Categorical Exemption pursuant to sections 15301, 15302, 15303, and 15304, of the CEQA guidelines, for permanent asphalt concrete pavement repairs
 2. Award a six-month requirements contract with provisions for

five (5) six-month extensions to Dawson-Mauldin Construction, Inc. in the amount of \$409,600 for permanent asphalt concrete pavement repairs and authorize the Public Works Director or designee to sign the contract on behalf of the City

APPROVED

The above item was approved on the Consent Calendar.

- 1-E [ID16-408](#) Approve a consultant services agreement with Live Oak Associates, Inc. for an amount not to exceed \$400,960 to provide Biological Resources Monitoring services for the City of Fresno's Friant-Kern Canal Raw Water Pipeline project (District 6, County).

APPROVED

The above item was approved on the Consent Calendar.

2. GENERAL ADMINISTRATION

- 2-A [ID16-302](#) Actions pertaining to the Request for Proposals for the City of Fresno Weekend Community Recreation, Fitness and Health Program and joint use of school districts green space:
1. Reject all proposals for Weekend Community Recreation, Fitness and Health Program - Bid File 12211GW (Citywide)
 2. Approve Joint Use Agreements with Fresno Unified and Central Unified School Districts

The above item was introduced to Council by PARCS Director Mollinedo. City Manager Rudd and Recreation Specialist Bernal also spoke on this item.

Councilmember Soria stated, for the record, that the City needs to be transparent with the community so everyone understands the green space added by inclusion of the school districts is only available for use two days each week.

Councilmember Baines III directed staff to make an effort to recruit people living in the communities where the new sites are located.

APPROVED

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

following vote:

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

Absent: 1 - Olivier

- 2-I [ID16-490](#) BILL - (For introduction) - Amending Article 7 of Chapter 10 of the Fresno Municipal Code relating to Management of Real Property.

The above item was introduced to Council by Housing and Revitalization Manager Estabrooke. City Manager Rudd and City Attorney Sloan also spoke on this item.

City Manager Rudd announced that the amended version of the Bill received by Council only changed the word "shall" to the word "may."

The following member(s) of the public spoke on this item: Nathan Alonzo of the Fresno Chamber of Commerce; Craig Trizakus of the California Apartment Association; Rick Morse of MedMar Clinic and; Mitch Epperly

Councilmember Soria directed staff to report back to Council in six months regarding the success and unintended consequences of the changes.

BILL B-14 INTRODUCED AND LAID OVER

On motion of Councilmember Brand, seconded by Vice President Quintero, the above Ordinance was introduced and laid over. The motion carried by the following vote:

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

Absent: 1 - Olivier

- 2-G [ID16-478](#) Discuss conceptual terms of a master lease with Outfront Media, and provide direction to return to Council in sixty days with completed contract

The above item was introduced to Council by City Manager Rudd.

Vice President Quintero motioned to approve the item with a condition that the proceeds go towards park improvements.

City Manager Rudd clarified that he brought this item before Council to see if there was support from the Council regarding the concept. City Attorney

Sloan clarified that no vote was actually required on the item.

Councilmember Soria directed staff to negotiate for City use of the electronic billboards for important public notices.

DISCUSSED AND DIRECTION PROVIDED

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

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

No: 2 - Brand and Brandau

Absent: 1 - Olivier

SCHEDULED COUNCIL HEARINGS AND MATTERS

10:00 A.M.

[ID16-345](#) HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community District No. 11, Annexation No. 67 (Final Tract Map No. 6097) (area east of N. Fowler Avenue, between E. Clinton and Princeton Avenues) (Council District 4)

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 2015-2016 and Future Tax Years Within and Relating to Community Facilities District No. 11, Annexation No. 67, Final Tract Map No. 6097

The above hearing was called to order at 10:36 A.M. The item was introduced to Council by Public Works Assistant Director Benelli.

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

Jeff Roberts of Granville Homes - spoke in support of the project and concurred with the staff recommendation.

Public comment was closed at 10:37 A.M.

The hearing was closed at 10:37 A.M.

RESOLUTION 2016-56 ADOPTED
RESOLUTION 2016-57 ADOPTED
RESOLUTION 2016-58 ADOPTED
BILL B-15 INTRODUCED AND ADOPTED AS
ORDINANCE 2016-13

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

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

Absent: 1 - Olivier

10:15 A.M.

[ID16-291](#) HEARING - Regarding the vacation of a public utility easement in the previously vacated E. Geary Avenue, between S. Plumas and S. Walnut Avenues (Council District 3)
1. RESOLUTION - Ordering the vacation of a public utility easement in the previously vacated E. Geary Avenue, between S. Plumas and S. Walnut Avenues

The above hearing was called to order at 10:37 A.M. The item was introduced to Council by Public Works Assistant Director Benelli.

Upon call, no member of the public chose to speak on this item and public comment was closed.

The hearing was closed at 10:38 A.M.

RESOLUTION 2016-59 ADOPTED

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

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

Absent: 1 - Olivier

10:30 A.M. SCHEDULED COMMUNICATION

[ID16-466](#) Appearance by Zoyer Zyndel to invite the City Council to the Fresno Pride Parade Festival event

APPEARED

2. GENERAL ADMINISTRATION CONTINUED

- 2-B [ID16-415](#) Actions pertaining to accepting funds from the California Board of State and Community Corrections (BSCC) and entering into Addendum No. 3 to the Agreement with partner cities and Fresno County:
1. Accept funding of \$849,662 from the BSCC; and
 2. Approve Addendum No. 3 to the Memorandum of Understanding between the City of Fresno, Cities of Clovis, Coalinga, Firebaugh, Fowler, Huron, Kerman, Kingsburg, Mendota, Orange Cove, Parlier, Reedley, Sanger, Selma and the County of Fresno

The above item was introduced to Council by Deputy Chief of Police Nevarez.

APPROVED

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

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

Absent: 1 - Olivier

Councilmember Soria exited the Council Chamber at 10:55 A.M. and returned at 11:05 A.M.

- 2-C [ID16-428](#) Award a consultant agreement in the amount of \$2,466,445 and a contingency of \$120,000 with AECOM Technical Services, Inc. for the design of the Northeast Quadrant Recycled Water Transmission Main (Council District 2 and 6)

The above item was introduced to Council by Supervising Professional Engineer Norgaard.

APPROVED

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

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

Absent: 2 - Olivier and Soria

2-D [ID16-438](#) WORKSHOP - Analysis of Impediments to Fair Housing Choice

The above workshop was presented to Council by Development and Resources Management ("DARM") Director Clark, Housing and Neighborhood Revitalization Manager Trujillo and Consultant Voya from Western Economic Services.

Councilmember Soria requested that, in the future, staff prepare an Analysis of Impediments to Fair Housing Choice for Council before, or at the same time as, the Housing Element.

WORKSHOP HELD

UNSCHEDULED COMMUNICATION

The following member of the public addressed Council during Unscheduled Communication:

Mitch Epperly - clarified that his previous comments about evictions, made during General Administration item 2-I (ID16-490), concerned mobile homes. He noted that behavior is not a legal reason to evict a person from a mobile home park.

RECESSED 12:07 P.M. to 1:36 P.M.

SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED

1:30 P.M.

CEREMONIAL PRESENTATIONS

[ID16-463](#) Presentation of the SPCA Pet of the Month

PRESENTED

[ID16-365](#) ASE Blue Seal Excellence Recognition, Fleet Management

PRESENTED

[ID16-417](#) Proclamation of "PEACE OFFICERS MEMORIAL DAY"

PRESENTED

[ID16-412](#) Recognition of the "City of Fresno RSVP Information Group"

PRESENTED

[ID16-371](#) Proclamation of "NATIONAL SEXUAL ASSAULT AWARENESS MONTH"

PRESENTED

[ID16-393](#) Proclamation of "HISTORIC PRESERVATION WEEK"

PRESENTED

[ID16-347](#) Proclamation of "CRIME VICTIMS' RIGHTS WEEK"

PRESENTED

[ID16-469](#) Proclaiming Forestiere Underground Gardens the #1 America's Best Underground Attraction

PRESENTED

[ID16-411](#) Proclamation of "COLLEGIAN DAY"

PRESENTED

[ID16-537](#) ADD ON CEREMONIAL: Recognition of 100 years of service for Fresno Temple Church of God in Christ

PRESENTED

CONTESTED CONSENT CALENDAR

No items were moved to the Contested Consent Calendar.

2. GENERAL ADMINISTRATION CONTINUED

2-E [ID16-439](#) WORKSHOP - Housing and Community Development Division Quarterly Report, January 1, 2016 - March 31, 2016

The above item was introduced to Council by DARM Director Clark with a statement that there was no additional information beyond what was previously provided to Council in the agenda packet.

WORKSHOP HELD

- 2-F [ID16-440](#) Actions pertaining to the City of Fresno 2016-2017 Annual Action Plan:
1. HEARING to obtain public comments regarding implementation of the City's proposed activities with federal grant funding; and
 2. RESOLUTION - A Resolution Of The Council Of The City Of Fresno, California, Adopting The FY2017 Annual Action Plan; Approving Submission To The U.S. Department Of Housing And Urban Development (HUD) For Application Of Community Development Block Grant (CDBG), Home Investment Partnerships (HOME), Emergency Solutions Grant (ESG), And Housing Opportunities For Persons With Aids (HOPWA) Program Funds; Providing For Subrecipient Agreements; And Authorizing The City Manager To Sign All Implementing Documents Required By HUD As Approved To Form By The City Attorney

The above hearing was called to order at 2:45 P.M. The item was introduced to Council by DARM Director Clark.

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

Laneesha Senegal of H.O.P.E. - spoke in support of the item and said it was a great opportunity to prepare young people for work.

Matthew Grundy of Habitat for Humanity - spoke in support of the item and stated that the focus of Habitat for Humanity would be to develop affordable home ownership opportunities in Council District One.

Yery Olivares of Fresno Area Hispanic Foundation ("FAHF") - spoke in support of the item and said the FAHF would support capitalization improvements of FAHF Downtown Business Hub Incubator.

Public comment was closed at 2:53 P.M.

At 2:55 P.M., the remainder of the hearing was continued to the May 12, 2016 City Council Meeting by consensus of the Council.

CONTINUED TO MAY 12, 2016

3. CITY COUNCIL

- 3-A [ID16-483](#) Council Boards and Commissions Communications, Reports, Assignments and/or Appointments, Reappointments, Removals to/from City and non-City Boards and Commissions:
1. Appoint a Councilmember to the Fresno-Clovis Metropolitan Solid Waste Commission - JPA - Current members: Brandau, Soria, (vacant)

The above item was introduced to Council by President Caprioglio.

President Caprioglio clarified with City Manager Rudd that the Commission was not dissolved a few weeks ago and the additional appointment was needed for the purpose of obtaining a quorum.

President Caprioglio appointed himself to the Fresno-Clovis Metropolitan Solid Waste Commission.

APPOINTMENT OF PRESIDENT CAPRIOGLIO APPROVED

On motion of Councilmember Soria, seconded by Councilmember Baines III, President Caprioglio was appointed to the Fresno-Clovis Metropolitan Solid Waste Commission. The motion carried by the following vote:

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

Absent: 1 - Olivier

- 3-B [ID16-424](#) RESOLUTION - To initiate an amendment to Fresno General Plan Policy RC-9-C pursuant to Fresno Municipal Code Section 15-5803-C

The above item was removed from the agenda by staff.

RECESSED 2:57 P.M. to 3:05 P.M.

SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED

3:00 P.M.

- [ID16-260](#) Approve appointments to the Youth Commission

The above item was introduced to Council by Councilmember Soria.

The following member of the public spoke on this item: Yammilette "Yami" Rodriguez of the Youth Leadership Institute.

APPOINTMENTS APPROVED

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

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

Absent: 1 - Olivier

[ID16-467](#) Swearing-In Ceremony for the City of Fresno Youth Commissioners

City Clerk Spence swore in the newly appointed Youth Commissioners.

CONDUCTED

5. CLOSED SESSION

The City Council met in Closed Session in Room 2125 from 3:40 P.M. to 4:45 P.M. to discuss the following:

[ID16-492](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)
1. Peter Dern v. City of Fresno, et al. EAMS No. ADJ9940299

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

[ID16-493](#) CONFERENCE WITH LEGAL COUNSEL - DECIDING WHETHER TO INITIATE LITIGATION
Government Code Section 54956.9, subdivision (d)(4)
1. City of Fresno, psi, administered by Risico Claims Management vs. State Center Community College District; Fresno City College; Fresno City College Police Academy, et al.

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

- [ID16-494](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Government Code Section 54956.9, subdivision (d)(1)
Case Name: Familias Addams Por Un Mejor Futuro, et al. v. City of Fresno, FCSC No. 16CECG00317

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

RECESSED 4:45 P.M. to 5:12 P.M.

2. GENERAL ADMINISTRATION CONTINUED

- 2-H [ID16-495](#) Approve a consultant services agreement with SafeworkCM for an amount not to exceed \$1,265,000 to provide Construction Safety Oversight Consulting Services for various water infrastructure capital improvement projects (citywide)

City Manager Rudd announced he was continuing the above item to the May 12, 2016 City Council meeting.

CONTINUED TO MAY 12, 2016

SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED

5:00 P.M.

- [ID16-485](#) CONTINUED HEARING to Consider Plan Amendment Application No. A-16-001, filed by the Development and Resources Management Department Director, to amend the text of Chapter 11 of the Fresno General Plan, the Housing Element Consistency Chapter, with an updated Housing Element that would be valid until 2023. The Housing Element is the City's policy document for meeting its housing needs, including housing affordable to low- and moderate-income households and special needs groups. Plan Amendment A-16-001 also includes amendments to the text of Fresno General Plan Chapter 3, Urban Form, Land Use, and Design, to incorporate an analysis of Disadvantaged Unincorporated Communities within or adjacent to the Sphere of Influence, and minor amendments to Chapter 9, the Noise and Safety Element, to comply with Government Code requirements related to the Housing Element.

1. ADOPT the environmental findings of Environmental Assessment No. A-16-001, a Finding of Conformity to the Fresno General Plan Final Master Environmental Impact Report SCH No. 2012111015 (MEIR) certified by the Fresno City Council on December 18, 2014 pursuant to Section 21157.1 of the California Public Resource Code (California Environmental Quality Act) and an Addendum to the Finding of Conformity pursuant to CEQA Guidelines Section 15162 and 15164.
2. RESOLUTION - To adopt Plan Amendment Application No. A-16-001, amending the text of Chapter 11 of the Fresno General Plan to incorporate the Housing Element, including all Text, Policies, Maps, Tables, and Exhibits contained in the Fresno Housing Element Revised Public Draft document dated March 2016, and including revisions recommended by staff and proposed amendments to Chapters 3 and 9 of the General Plan as set forth in the exhibits herein
3. RESOLUTION - To authorize the Director of the Development and Resource Management Department to update the Text, Tables, and Exhibits contained In the 2015-2023 Housing Element to reflect the final action taken by Council to the extent such updates are necessary to maintain consistency and to correct typographical errors

The above hearing was called to order at 5:14 P.M. The item was introduced to Council by DARM Planning Manager Pagoulatos. DARM Director Clark, City Manager Rudd and M.I.G. Inc. Consultant Sharrow also spoke on this item.

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

David Wells of Citizens for Economic Leadership Committee - provided handouts (now attached to File ID 16-485) and requested a minimum of 30 acres of land be set aside, by City Ordinance, for the purpose of establishing and operating a homelessness mitigation project to function as a city wide architectural, housing, building materials and construction building materials research and development testing laboratory in collaboration with CSU Fresno and other universities.

Dominga Duran - spoke in opposition and asked Council to support mobile home parks which seemed to be valued more than the trailers in the parks. She also asked Council to keep rents in the mobile home parks low and affordable.

Francisco Mendez - spoke in opposition and asked Council to support new homes for low income families in the southern part of Fresno.

Rosalina Carson of Comunidad Addams - asked for better housing opportunities for low income people. She said low income rental opportunities do not exist for less than \$800 in the City.

City Attorney Sloan clarified that the procedural rules do not provide more than three minutes for people speaking during "public comment" even if they utilize an English translator.

Estella Ortega - spoke in opposition and asked for help for farm workers and lower income people that can not find housing. She also asked for support for undocumented laborers that could help them to become homeowners.

Sandra Vasquez - spoke in opposition and asked for more programs to help people into affordable housing, especially for undocumented people. She also suggested the "I.T. Number" down payment be 2%.

Rosalba Cardenas of Familias Addams por un Mejar Futuro - spoke in opposition and asked the city to come up with a program to establish affordable, City owned, mobile home parks that allow gardens and trees. She stated the utilities at mobile home parks are charged at high rates. She suggested the many vacant properties in the northern and southern parts of the City as locations for the proposed mobile home parks.

Maria Guzman of Familias Addams por un Mejar Futuro - spoke in opposition and asked Council to help those in need by offering affordable housing and basic services. She said the people and organizations in the community meant to help do not actually help. She noted there was no information about affordable housing because there was no affordable housing.

Enrignetta Garcia of Familias Addams por un Mejar Futuro - spoke in opposition and asked for more affordable apartments to be developed in high quality areas throughout the city. She requested more properties be re-zoned to aid in development of affordable housing. She stated that people working for minimum wage want safe environments for their children at school and would prefer a park on each street corner rather than liquor

stores. She suggested the city apply for funds from the state and federal governments to help maintain affordable housing stock.

Kenneth Paar of the Committee to Counteract and Mitigate Homelessness in Fresno, CA - provided handouts (now attached to File ID 16-485) and spoke in opposition. He asked Council to support the micro housing ideas presented by David Wells using a habitat for humanity model and local universities to eliminate homelessness.

Ashley Werner of Leadership Counsel for Justice and Accountability - spoke in opposition and said that Housing Element Statute 65583(b) requires the Housing Element to be submitted to HCD at least 60 days before adopting and the current version will not be eligible for adoption until May. She said more work needed to be done because 50% of Fresno residents pay more than a third of their income in housing and 25% of Fresno residents pay more than half of their income on housing. She noted that the Spanish to English translation was not always accurate. She also suggested that it would be fair to grant additional time to public speakers using a translator. She said that not grant additional time created Civil Rights issues and Language Act issues.

Claudia Cazares of Granville Homes - stated there was a lack of local private developer participation and involvement in the drafting of the Housing Element. She felt the City should take the lead to assist and offer incentives to local, private developers that apply for local and state funding to build the affordable housing units and mixed income housing. She asked the City to provide data on how many properties received increased zoning density as part of the General Plan amendment.

Jeff Roberts of Granville Homes - was disappointed in the amount of time it took for the City to prepare a draft Housing Element. He also questioned Council about changes to the General Plan including "solutions to pre-existing deficiencies" and the definitions of "high need areas" and "high opportunity areas."

Marty Rodriguez - stated she was formerly homeless and that affordable housing and City programs were lacking and was part of the reason she became homeless.

Public comment was closed at 6:26 P.M.

RECESSED 6:27 P.M. to 6:41 P.M.

Councilmember Brandau motioned to approve the item with an annual review and the following language at the end of the first paragraph under the "Housing Plan" heading on page 6-1 of the March 2016 draft: "Nothing in this element shall be interpreted as creating an inclusionary zoning ordinance or a rent control ordinance." Councilmember Brand seconded the motion.

Councilmember Soria motioned to amend Councilmember Brandau's motion by changing the review timeline for Housing Elements from 8 years to 4 years and removing the proposed inclusionary zoning language.

Councilmember Baines III seconded the motion which failed by a vote of 2 to 5 with President Caprioglio, Vice President Quintero and Councilmembers Brand, Brandau and Olivier voting "No."

Councilmember Soria asked Planning Manager Pagoulatos to clarify, for the record, the Annual Reporting Program found in Objective Three. She explained the Annual Reporting Program was more than a report to HCD and was a community conversation involving stakeholders in the housing area such as developers and advocates. Upon adoption of the Housing Element, the DARM Housing and Planning Division would handle the process of partnering with housing advocates and organizations to provide annual information to the community on housing density and affordable housing. The division would reach out to the community regarding those topics, annually, as part of a Housing Element annual report. Planning Manager Pagoulatos noted developers were recently added to the list of people to reach out too. She said the list of stake holders was a working list of 500 contacts used for other items but would be paired down for Objective Three.

Councilmember Soria stated, for the record, she would like to continue the discussion about furthering policies that provide additional opportunities for affordable housing and would like to bring a workshop to Council in the next two months.

Councilmember Soria stated, for the record, she would not support this item because the inclusionary zoning language added by Councilmember Brandau sends a message that inclusionary zoning is not a policy the Council would support and she feels it is worth discussing.

The hearing was closed at 8:31 P.M.

RESOLUTION 2016-60 ADOPTED AS AMENDED

RESOLUTION 2016-61 ADOPTED

On motion of Councilmember Brandau, seconded by Councilmember Brand, the above item was approved as amended to include an annual review and a statement about inclusionary zoning. The motion carried by the following electronic vote:

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

No: 1 - Soria

ADJOURNMENT

Adjourned in the memory of the great musician "Prince" Rogers Nelson at 8:31 P.M.

The above minutes were approved by unanimous vote of the City Council during the May 12, 2016 City Council meeting.