

RECEIVED

Agenda Item: File ID16-147

Date: 5/19/16

2016 MAY 16 PM 2 00

FRESNO CITY COUNCIL

CITY CLERK, FRESNO CA



Supplemental Information Packet

Agenda Related Items –File ID16-147

Contents of Supplement: Draft minutes of May 12, 2016

Item(s)

Approval of minutes from May 12, 2016

Supplemental Information:

Any agenda related public documents received and distributed to a majority of the City Council after the Agenda Packet is printed are included in Supplemental Packets. Supplemental Packets are produced as needed. The Supplemental Packet is available for public inspection in the City Clerk's Office, 2600 Fresno Street, during normal business hours (main location pursuant to the Brown Act, G.C. 54957.5(2)). In addition, Supplemental Packets are available for public review at the City Council meeting in the City Council Chambers, 2600 Fresno Street. Supplemental Packets are also available on-line on the City Clerk's website.

Americans with Disabilities Act (ADA):

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, sign language interpreters, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650. Please keep the doorways, aisles and wheelchair seating areas open and accessible. If you need assistance with seating because of a disability, please see Security.



City of Fresno

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

Meeting Minutes - Draft 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, May 12, 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.

8:33 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

Invocation by Pastor Kevin Foster of the LifeBridge Community Church

Pledge of Allegiance to the Flag

APPROVE AGENDA

City Clerk Spence announced the following changes to the agenda: an additional Ceremonial item, "College - Making it Happen" had been added to the agenda by Councilmember Baines III and President Caprioglio; the Ceremonial item "Lupus Proclamation" (ID 16-373) had been removed from the agenda by staff.

APPROVED AS AMENDED

On motion of Councilmember Baines III, seconded by Councilmember

Brandau, the agenda was approved as amended. The motion carried by the following vote:

Aye: 7 - Caprioglio, Quintero, Baines III, Brand, Brandau, Olivier and Soria

APPROVE MINUTES

[ID16-146](#) Approval of minutes from April 28, 2016

APPROVED

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

Aye: 7 - Caprioglio, Quintero, Baines III, Brand, Brandau, Olivier and Soria

COUNCILMEMBER REPORTS AND COMMENTS

Councilmember Brandau discussed on the City of Fresno slum housing situation and his comments that were reported in the Fresno Bee. He stated that his comments were not misconstrued but he explained them as follows: he was attempting to bring balance to the situation because public discourse was that the City of Fresno was run by slum lords. He noted the balance was that not all slum housing was the result of slum lords and the problem was only a small part of housing in the City.

Councilmember Soria announced she would be holding a Community Coffee event at Cup of Joy in Council District One, next Wednesday at 7:30 A.M. She was eager to talk to her constituents as budget deliberations for the City were fast approaching. She noted that in addition to budget issues, she was interested in hearing about any other concerns or issues regarding the City or District One.

President Caprioglio announced he and several Councilmembers attended the opening of the Producers Dairy expansion. He said the company had been in the area for seventy-seven years and the new facility was very modern. He noted that the Councilmembers cut the ribbon at the event and enjoyed double chocolate milk.

President Caprioglio reported he had the honor to present a proclamation to Dr. Castro, the California State University Fresno President. Dr. Castro received the Ohtli Award from the government of Mexico for leadership. He

explained that the award was the highest honor given to non-citizens of Mexico.

President Caprioglio reported his attendance at the Fresno County Peace Officers Memorial. He noted it was a moving ceremony that included a release of doves for officers that had given their lives to protect our city, society and country. He said the City of Fresno was blessed to have not lost any Peace Officers over the past year.

President Caprioglio noted that during the Grizzlies game on Friday, May 13, the Pacific Coast League President would be in attendance to help celebrate the Grizzlies 2015 National Championship win. He invited all to attend the game.

Councilmember Baines III exited the Council Chamber at 8:39 A.M. and returned at 8:46 A.M.

Councilmember Brand exited the Council Chamber at 8:41 A.M. and returned at 8:42 A.M.

1. CONSENT CALENDAR

APPROVAL OF THE CONSENT CALENDAR

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

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

Absent: 2 - Baines III and Brand

- 1-A** [ID16-420](#) Approve Second Amendment to the Agreement with AECOM Technical Services Inc., of Fresno, California for professional engineering services for the design modification of existing sewer infrastructure in the H/Broadway Downtown Alley for a net increase of \$6,931 bringing the total fee to \$76,846 (Council District 3)

APPROVED

The above item was approved on the Consent Calendar.

- 1-B** [ID16-458](#) ***RESOLUTION - 39th amendment to the Annual Appropriation Resolution (AAR) No. 2015-104 to appropriate \$303,100 for additional design funding to accommodate the California High

speed Rail (HSR) Authority's track realignment on the Veterans Boulevard/State Route 99 Interchange and Extension project
(Requires 5 affirmative votes)

RESOLUTION 2016-62 ADOPTED

The above item was approved on the Consent Calendar.

- 1-C [ID16-465](#) RESOLUTION - Of Intention to annex Final Tract Map No. 5341, Annexation No. 66, to the City of Fresno Community Facilities District No. 11 (south side of East Clinton Avenue between North Locan and Temperance Avenues) (Council District 4)

RESOLUTION 2016-63 ADOPTED

The above item was approved on the Consent Calendar.

- 1-D [ID16-482](#) Approve the Fourth Amendment to the Cooperative Agreement with the Fresno County Transportation Authority (FCTA) re-allocating funds in the amount of \$60,000 from the Right-of-Way phase to Construction phase of the Willow Avenue Widening Project, 0.25 miles south of Nees to Shepherd Avenue under the Measure "C" Tier 1 Program. (Council District 6)

APPROVED

The above item was approved on the Consent Calendar.

- 1-E [ID16-507](#) RESOLUTION - Authorizing the submission of applications for grant funds from the California Department of Transportation 2016 Statewide Active Transportation Program Cycle 3 Call for Projects (Citywide)

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

- 1-F [ID16-512](#) Approve a two-year contract between Fresno City College ("FCC") and the City of Fresno ("CITY") to provide instruction and assessment services of in-service law enforcement personnel.

APPROVED

The above item was approved on the Consent Calendar.

- 1-G [ID16-513](#) Actions pertaining to construction of the HVAC Modifications at the Airports Department Administration Building (Council District 4)

1. Adopt a finding of Categorical Exemption pursuant to Article 19, Section 15301 (Existing Facilities) Class 1(d) of the California Environmental Quality Act (CEQA) Guidelines for the Airports Department Administration Building HVAC Modifications
2. Award a construction contract to Strategic Mechanical, Inc. of Fresno, California, for the Airports Department Administration Building HVAC Modifications in the amount of \$472,700 (Bid File No. 3441)

APPROVED

The above item was approved on the Consent Calendar.

- 1-H** [ID16-519](#) Approve a consultant agreement with Partners In Control, Inc. dba Enterprise Automation, Inc. for an amount not to exceed \$229,959 to provide software integration services for the City of Fresno's Friant Kern Canal Pipeline Project at the Northeast Surface Water Treatment Facility, (RFP 3407) (District 6 and Fresno County).

APPROVED

The above item was approved on the Consent Calendar.

- 1-I** [ID16-520](#) Approve an amendment to the contract with Brooks-Ransom Associates, in an amount not to exceed \$50,000 for professional engineering services to conduct structural engineering plan check services for Building and Safety customer projects.

APPROVED

The above item was approved on the Consent Calendar.

- 1-J** [ID16-526](#) Actions pertaining to the 2016 Community Oriented Policing Services (COPS) Hiring Program
1. Approve an agreement with the Fresno Unified School District (FUSD) to assign Student Neighborhood Resource Officers to 15 middle schools and their surrounding neighborhoods.
 2. ***RESOLUTION - 33rd amendment to the Annual Appropriation Resolution (AAR) No. 2015-104 appropriating \$128,400 for the COPS Hiring Grant to augment the Police Department's SNRO program (Requires 5 affirmative votes)
 3. ***RESOLUTION - 5th amendment to Position Authorization Resolution (PAR) No. 2015-105, adding five Police Officer

positions to the Fresno Police Department, effective May 1, 2016.

RESOLUTION 2016-64 ADOPTED

RESOLUTION 2016-65 ADOPTED

The above item was approved on the Consent Calendar.

- 1-K [ID16-532](#) RESOLUTION - Approving the reallocation of \$50,000 from contingency in the City Attorney's budget to hire a Budget Consultant

RESOLUTION 2016-66 ADOPTED

The above item was approved on the Consent Calendar.

- 1-L [ID16-549](#) ***BILL NO. B-14 - (Intro. 2/28/2016) (For adoption) - Amending Article 7 of Chapter 10 of the Fresno Municipal Code relating to Management of Real Property.

The above item was moved to the Contested Consent Calendar for further discussion by Vice President Quintero.

2. GENERAL ADMINISTRATION

- 2-A [ID16-547](#) Actions pertaining to the City of Fresno 2016-2017 Annual Action Plan:
1. CONTINUED HEARING regarding implementation of the City's proposed activities with federal grant funding; and (Public comment portion was heard on April 28, 2016 and closed)
 2. RESOLUTION -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 continued hearing was called to order at 8:42 A.M. The item was introduced to Council by Development and Resources Management ("DARM") Director Clark. Director Clark announced that the public comment portion of the hearing had been closed during the previous meeting on April

28, 2016.

President Caprioglio motioned to move the \$163,000 for the Business Incubator Improvements to the Community Development Block Grant ("CDBG") infrastructure portion of the action plan. Councilmember Soria seconded the motion which passed by a vote of 5-2 with Councilmember Baines III and Vice President Quintero voting, "No."

President Caprioglio motioned to move the \$100,000 for the Fulton Corridor Facade Grant to the CDBG infrastructure portion of the action plan. Councilmember Soria seconded the motion which passed by a vote of 5-2 with Councilmember Baines III and Vice President Quintero voting, "No."

RESOLUTION 2016-67 ADOPTED AS AMENDED

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

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

No: 2 - Quintero and Baines III

Councilmember Baines III exited the Council Chamber at 10:35 A.M. and returned at 10:43 A.M.

3. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:00 A.M.

[ID16-509](#) TEFRA HEARING - To hear and consider information concerning the proposed issuance of revenue refunding bonds by California Statewide Communities Development Authority ("CSCDA") for the purpose of financing the acquisition and rehabilitation of El Cazador Apartments by Redwood Housing Partners.

1. ***RESOLUTION - Approving a tax-exempt bond financing to be issued by CSCDA to benefit El Cazador Apartments in the aggregate principal amount not to exceed \$15 million

Councilmember Brand announced that he had a conflict with the above item and recused himself. He exited the Council Chamber at 10:35 A.M. and returned at 10:39 A.M.

The above hearing was called to order at 10:35 A.M. The item was

introduced to Council by Finance Director / City Controller Lima.

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

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

RESOLUTION 2016-68 ADOPTED

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, Brandau, Olivier and Soria

Absent: 1 - Baines III

Recused: 1 - Brand

10:15 A.M.

- [ID16-518](#) HEARING to Consider Plan Amendment Application No. A-15-004, Rezone Application No. R-15-013, Site Plan Review S-15-115, Variance V-15-006 and related Environmental Assessment No. A-15-004/R-15-013/S-15-115/V-15-006, pertaining to approximately 18.5 acres of property on the north side of E. Herndon Avenue between N. Chestnut and N. Willow Avenues (Council District 6)
- a. ADOPT the Mitigated Negative Declaration prepared for Environmental Assessment No. A-15-004/R-15-013/S-15-115/V-15-006 dated April 15, 2016.
 - b. RESOLUTION - Approving Plan Amendment Application No. A-15-004 proposing to amend the Fresno General Plan and Woodward Park Community Plan to change the planned land use designation for the subject property from Community Commercial to the Medium-High Density Residential land use designation.
 - c. BILL (For introduction and adoption) - Repealing the Official Plan Line for N. Winery Avenue from E. Herndon Avenue to N. Willow Avenue (OPL No. 148).
 - d. BILL (For introduction and adoption) - Approving Rezone Application No. R-15-013 to rezone the subject property from the CC/EA/UGM (Community Commercial /Expressway Area Overlay/Urban Growth Management) zone district to the RM-

1/EA/UGM (Residential Multi-Family, Medium High Density/Expressway Area Overlay/Urban Growth Management) zone district.

e. SITE PLAN REVIEW Application No. S-15-115 to facilitate approval of a proposed 296-unit gated multiple family residential development with amenities such as community building, swimming pool, garages, and carports.

f. VARIANCE Application No. V-15-006 for purposes of authorizing (1) an increase in the height of a block wall to a maximum height of up to 8 feet tall; (2) a reduction in the required rear yard setback from twenty feet to ten feet; (3) a reduction in landscaping buffer requirements along interior property lines adjacent to neighboring properties.

The above hearing was called to order at 10:38 A.M. The item was introduced to Council by DARM Planner Noguera.

Upon call for public comment, the following member(s) of the public addressed Council:

Steven Spencer of Spencer Enterprises - spoke in support of the proposed plan amendment.

Bill Robinson representing the Donaghy Trust - spoke in support of the repeal of the Official Plan Line.

No other members of the public chose to address Council and public comment was closed.

The hearing was closed at 10:42 A.M.

**RESOLUTION 2016-69 ADOPTED
BILL B-16 INTRODUCED AND ADOPTED AS
ORDINANCE 2016-14
BILL B-17 INTRODUCED AND ADOPTED AS
ORDINANCE 2016-15**

On motion of Councilmember Brand, seconded by Councilmember Brandau, 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

2. GENERAL ADMINISTRATION CONTINUED

- 2-B [ID16-542](#) RESOLUTION - Adopting Substantial Amendment No. 2015-006 to the FY 2015-2016 Annual Action Plan; approving submission to the U.S. Department of Housing and Urban Development (HUD) for reprogramming 3.5 million of Community Development Block Grant (CDBG) Program Funds; providing for Subrecipient Agreements; and authorizing the City Manager to sign all implementing documents required by HUD approved as to form by the City Attorney.

The above hearing was called to order at 10:42 A.M. The item was introduced to Council by DARM Director Clark.

Councilmember Soria directed staff to provide the applications for WestCare and Marjaree Mason Center.

Upon call for public comment, the following member(s) of the public addressed Council:

Rick Morse - discussed his attempts to communicate with Council and their lack of response to those attempts.

Francisco Mendez - discussed improvements needed for Habitat for Humanity homes including buffer trees beyond the walls, play equipment for children and removal of garbage accumulating outside the area.

Shawn Jenkins of WestCare California - discussed the WestCare application and the services provided by the organization.

Ashley Werner of Leadership Council for Justice and Accountability - stated that the item did not reverse the city's pattern of allocating its federal entitlement dollars for support of subsidized housing in areas of ethnically concentrated poverty. She suggested the City clarify if there would be policy to ensure that funding would be target outside of areas of concentrated poverty for subsidized housing.

No other members of the public chose to address Council and public comment was closed at 10:56 A.M.

By consensus of Council, the remainder of the hearing was continued to

May 19, 2016.

CONTINUED TO MAY 19, 2016

3. SCHEDULED COUNCIL HEARINGS AND MATTERS **CONTINUED**

11:00 A.M.

[ID16-511](#) WORKSHOP - Findings and Recommendations Utilities, Billing and Collection (UBC) Operational Assessment and Evaluation

The above workshop was introduced to Council by Councilmember Brandau, Public Utilities Assistant Director Schuber, and West Monroe Consultant Wayman. Public Utilities Director Esqueda also spoke on this item.

Councilmember Brandau directed staff to begin following through on the recommendations made by the consultant.

WORKSHOP HELD

UNSCHEDULED COMMUNICATION

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

Garry Doesekle - discussed the restroom at the Manchester Center bus stop. He stated the restroom was closed at times when it should be open and asked that the city look into the situation.

2. GENERAL ADMINISTRATION CONTINUED

2-C [ID16-543](#) RESOLUTION - Adopting the Analysis of Impediments to Fair Housing Choice; approving submission to the U.S. Department of Housing and Urban Development (HUD); and authorizing the City Manager to sign all implementing documents required by HUD approved as to form by the City Attorney.

At the request of people in the audience, Council agreed to allow some public comment on this item prior to the report to Council.

Upon call for public comment, the following people addressed Council on this item: Margarita Villasenor; Isabel Vargas; Hilda Villa; Earl White and; Francisco Mendez.

President Caprioglio announced there would be an additional opportunity for public comment on this item after the report to Council and continued the remainder of the item to later in the afternoon.

RECESSED 12:10 P.M. to 1:38 P.M.

CEREMONIAL PRESENTATIONS

[ID16-373](#) Proclamation of "LUPUS AWARENESS MONTH"

The above ceremonial presentation was removed from the agenda by staff.

[ID16-561](#) Recognition of "The Feather Online" Staff for the 2015-2016 School Year

PRESENTED

[ID16-413](#) Proclamation of "WATER AWARENESS MONTH"

PRESENTED

[ID16-503](#) Recognition of "Pacific Gas & Electric and Tree, Inc."

PRESENTED

[ID16-536](#) Proclamation honoring Marilyn Jost Former Vice Chair of the City of Fresno ADA Council.

PRESENTED

[ID16-560](#) Proclamation of "NATIONAL BIKE MONTH"

PRESENTED

[ID16-594](#) ADD ON CEREMONIAL: College - Making it Happen

PRESENTED

Councilmember Baines III exited the Council Chamber at 2:39 P.M. and returned at 2:42 P.M.

Councilmember Brand exited the Council Chamber at 2:39 P.M. and returned at 2:44 P.M.

3. SCHEDULED COUNCIL HEARINGS AND MATTERS **CONTINUED**

1:30 P.M.

CONTESTED CONSENT CALENDAR

- 1-E [ID16-507](#) RESOLUTION - Authorizing the submission of applications for grant funds from the California Department of Transportation 2016 Statewide Active Transportation Program Cycle 3 Call for Projects (Citywide)

The above item was introduced to Council by Public Works Director Mozier. Parks, After School, Recreation and Community Service ("PARCS") Director Mollinedo also spoke on this item.

The following member(s) of the public also spoke on this item: Reverend Sophia DeWitt of Better Blackstone Project and; Ashley Werner of Leadership Counsel for Justice and Accountability.

RESOLUTION 2016-70 ADOPTED

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

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

Absent: 2 - Baines III and Brand

- 1-L [ID16-549](#) ***BILL NO. B-14 - (Intro. 2/28/2016) (For adoption) - 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 Councilmember Baines III.

The following members of the public addressed Council regarding this item: Andy Levine of Faith in Community; Reverend Sophia DeWitt of Better Blackstone Project; Noe Paramo of California Rural Legal Assistance; Jim Grant of the Roman Catholic Diocese of Fresno (handout received and now attached to file); Greg Terzakis of the California Apartment Association; Barbara Fisk; Nathan Alonso of the Fresno Chamber of Commerce; Ashley Werner of Leadership Counsel for Justice and Accountability; M. J. Borelli of Fair Housing Counsel of Central California and; Patience Milrod.

Councilmember Baines III motioned to approve the item with the following eight amendments to the previously introduced Bill (Bill B-14). The first amendment was to allow tenants to have representation at the appeal hearings. The second amendment was to state that the ordinance was not

intended to supplant, and had nothing to do with, standards for interior design. The third amendment was to expand criminal activities to include cultivation. The fourth amendment was to eliminate domestic violence calls for police service as a count against the tenant for nuisance behavior. The fifth amendment was to ensure that people would not be cited without being identified. The sixth amendment was to ensure that all relevant parties would be given notice of unlawful activities as opposed to just the property owners. The seventh amendment was to provide the hearing officer with the discretion to identify the party at fault. The eight amendment directed the City Attorney to provide a city wide, uniform, process regarding "ability to pay" administrative fines and citations. Councilmember Soria seconded the motion.

Pursuant to a request from Councilmember Brandau, Councilmember Baines III and Councilmember Soria agreed to remove the eighth amendment (regarding ability to pay) from the motion.

City Attorney Sloan clarified that the amendments proposed by Councilmember Baines III would require the Bill to be considered re-introduced at this meeting and could be adopted as an ordinance at the next Council Meeting.

BILL B-14 RE-INTRODUCED AS AMENDED AND LAID OVER

On motion of Councilmember Baines III, seconded by Councilmember Soria, BILL B-14 was amended, re-introduced and laid over. The motion carried by the following vote:

Aye: 7 - Caprioglio, Quintero, Baines III, Brand, Brandau, Olivier and Soria

2. GENERAL ADMINISTRATION CONTINUED

Councilmember Soria exited the Council Chamber at 3:38 P.M. and returned at 4:12 P.M.

- 2-D** [ID16-429](#) Actions Pertaining to the Kings River Pipeline Project (Bid File 3433), (District 5, Fresno County):
1. *** RESOLUTION - 40th amendment to the Annual Appropriation Resolution (AAR) No. 2015-104 to appropriate \$48,246,900 in the State Revolving Fund Kings River Pipeline Loan Fund for the award of the construction contract and to fund related project support costs for the raw water pipeline from the Kings River to the Southeast Surface Water Treatment Facility

(Requires 5 affirmative votes)

2. Award a construction contract in the amount of \$45,583,750 to Garney Pacific Inc. for the City of Fresno Kings River Pipeline Project - Bid File 3433

The above item was introduced to Council by Water Operations Manager Carbajal.

RESOLUTION 2016-71 ADOPTED

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

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

Absent: 1 - Soria

- 2-E** [ID16-430](#) Approve the Fifth Amendment to the Professional Engineering Consulting Services Agreement with Carollo Engineers, Inc., in the amount of \$656,175 for a Supplemental Services Task and additional design services associated with a cost savings configuration change of the Treated Water Reservoirs on the City of Fresno's 80-million gallon per day Southeast Surface Water Treatment Facility project; and for full, complete, and comprehensive Engineering Services During Construction for the City of Fresno's Kings River Raw Water Pipeline project (citywide).

The above item was introduced to Council by Water Operations Manager Carbajal.

APPROVED

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

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

Absent: 1 - Soria

Councilmember Baines exited the Council Chamber at 3:42 P.M. and returned at 3:45 P.M.

- 2-F** [ID16-515](#) Actions Pertaining to the Recycled Water Transmission Main, Northwest Quadrant, Project (Council District 1, 2 and Fresno

County)

- 1. ***RESOLUTION - Adopt the 41st Amendment to the Annual Appropriation Resolution No. 2015-14 appropriating \$3,175,800 for the Northwest Recycled Water Distribution System (Requires affirmative 5 votes)
- 2. Award a consultant agreement in the amount of \$4,491,000 and a contingency of \$225,000 with Blair, Church & Flynn for the Northwest Recycled Water Distribution System

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

RESOLUTION 2016-72 ADOPTED

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

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

Absent: 2 - Baines III and Soria

2-H [ID16-516](#) Actions related to Supplemental Reimbursements for the Urban Growth Management (UGM) and Development Impact Fee Programs.

- 1. ***RESOLUTION - 43rd amendment to the Annual Appropriation Resolution (AAR) No. 2015-104 to appropriate \$605,000 for supplemental refunds and reimbursements to approved developers in the Urban Growth Management (UGM) and Development Impact Fee Programs (Requires five affirmative votes)

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

RESOLUTION 2016-73 ADOPTED

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

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

Absent: 1 - Soria

2-C [ID16-543](#) RESOLUTION - Adopting the Analysis of Impediments to Fair Housing Choice; approving submission to the U.S. Department

of Housing and Urban Development (HUD); and authorizing the City Manager to sign all implementing documents required by HUD approved as to form by the City Attorney.

The above item was introduced to Council by DARM Director Clark.

Public comment was resumed and the following members of the public addressed Council: Barbara Fisk and; Graciela Lenes (on behalf of Ashley Werner) of Leadership Counsel for Justice and Accountability.

RESOLUTION 2016-74 ADOPTED

On motion of Councilmember Baines III, 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 Olivier

Absent: 1 - Soria

4. CITY COUNCIL

- 4-A** [ID16-554](#) ***RESOLUTION - Amending the Economic Expansion Act requirements for abatement of development impact fees

The above item was introduced to Council by Councilmember Brand.

The following member of the public spoke on this item: Jeff Roberts of Granville Homes.

Councilmember Brandau inquired as to whether the Granville Homes project consisting of twenty units (one building with 16 units and one building with 4 units) qualified under this amendment. Councilmember Brand and City Attorney Sloan stated the project was covered by the amendment and City Attorney Sloan stated his office could provide a legal opinion stating as much.

RESOLUTION 2016-75 ADOPTED

On motion of Councilmember Brand, 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 Olivier

Absent: 1 - Soria

2. GENERAL ADMINISTRATION CONTINUED

2-G [ID16-510](#) WORKSHOP regarding Recharge Fresno Program

The above workshop was introduced to Council by Water Operations Manager Carbajal.

WORKSHOP HELD

Prior to entering Closed Session, President Caprioglio invited the public and his fellow Councilmembers to the Grizzlies Game on Friday, May 13, 2016. He stated the President of the Pacific Coast League would be in attendance and would be honored with a proclamation.

Vice President Caprioglio announced that the meeting would be adjourned in memory of Marilyn Jost, original member and former Vice Chair of the City of Fresno ADA Council.

5. CLOSED SESSION

The City Council met in Closed Session in Room 2125 from 4:34 P.M. to 4:43 P.M. to discuss the following:

- [ID16-496](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)**
1. City of Fresno v. AIG Financial Products Corporation, et al
U.S. District Court Case No.: 08 MDL No. 1950

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

ADJOURNMENT

Adjourned from Closed Session at 4:43 P.M. in memory of Marilyn Jost.