



City of Fresno

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

Meeting Minutes - Final City Council

President - Oliver L. Baines, III

Vice President - Paul Caprioglio

Councilmembers:

Lee Brand, Steve Brandau, Clinton J. Olivier,

Sal Quintero, Esmeralda Z. Soria

City Manager - Bruce Rudd

City Attorney - Douglas T. Sloan

City Clerk - Yvonne Spence, CMC

Monday, November 30, 2015

9:00 AM

Council Chambers

Special Meeting

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

9:11 A.M. ROLL CALL

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

Absent: 1 - Councilmember Steve Brandau

Pledge of Allegiance to the Flag

9:00 A.M.#1 CLOSED SESSION

Following roll call and the Pledge of Allegiance, the City Council adjourned to closed session in Room 2125 from 9:12 A.M. to 11:00 A.M. to discuss the following:

ID#15-110

4

CONFERENCE WITH LEGAL COUNSEL - DECIDING
WHETHER TO INITIATE LITIGATION

Government Code Section 54956.9, subdivision (d)(4)

1. City of Fresno v. Chris Henry (an individual) and 2103 N
Angus Street, LLC, et al.

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

RECESSED 11:00 A.M. to 11:10 A.M.

9:00 A.M.#2

[ID#15-110](#)
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***RESOLUTION - proclaiming and ratifying a Local Emergency as a result of the inoperable and dangerous gas line at 2103 N. Angus Street, Fresno, California

***RESOLUTION - Declaring an urgent necessity for the preservation of life, health, property, and authorizing the City Manager to contract for the repair of natural gas line at 2103 N. Angus Street, Fresno, California

City Manager Rudd introduced the above item to Council.

The following member(s) of the public spoke on this item:

Blong Xiong, former Fresno City Councilmember; William Leifer, Legal Counsel for property owner Chris Henry; Zachary Darrah, Executive Director of Fresno Interdenominational Refugee Ministries ("FIRM"), and; Gary Jensen of Fresno Central Seventh Day Adventist Community Services.

City Attorney Sloan recommended the following change to the resolution authorizing the City Manager to contract for the repair of natural gas lines: delete the words "at a cost not to exceed \$_____" found at the end of numbered paragraph three.

Councilmember Olivier motioned to approve the item with the modified language suggested by City Attorney Sloan. Councilmember Brand seconded the motion.

President Baines asked Zachary Darrah of FIRM if his organization would try to determine if the families in the 41 units with interior gas leaks have relocated.

As suggested by other Councilmembers, President Baines directed City Manager Rudd to contact the lender to discuss habitability covenants that could be in the lending documents.

President Baines directed City Manager Rudd to further evaluate the possibility of relocating residents with organizations such as FIRM and to report back to the Council with suggested actions the City could take to support such efforts.

President Baines directed City Manager Rudd to provide an updated timeline for repairs considering a best case and worst case scenario.

RESOLUTION 2015-212 ADOPTED

RESOLUTION 2015-213 ADOPTED AS AMENDED

On motion of Councilmember Olivier, seconded by Councilmember Brand, the above item was adopted as amended to remove the words "at a cost not to exceed \$_____". The motion carried by the following vote:

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

Absent: 1 - Brandau

ADJOURNMENT

Adjourned at 12:23 P.M.

These minutes were approved by unanimous vote of the City Council, with Councilmembers Brand and Brandau absent, during the December 10, 2015 Council Meeting.