



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, February 4, 2016

1:30 PM

Council Chambers

Regular Session

1:31 P.M. ROLL CALL

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

Absent: 1 - Councilmember Steve Brandau

President Caprioglio introduced Larry Salinas, the new Executive Director of Government Relations at California State University, Fresno ("CSUF").

Invocation by Reverend Larry Arce of the Fresno Rescue Mission

Pledge of Allegiance to the Flag

APPROVE AGENDA

*City Clerk Spence announced the following changes to the agenda:
Consent Calendar item 1-G (File ID16-176) was subject to Mayoral Veto,
and; there was no General Administration item 2-A on the agenda.*

APPROVED AS AMENDED

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, Olivier and Soria

Absent: 1 - Brandau

4. SCHEDULED COUNCIL HEARINGS AND MATTERS

1:30 P.M. CEREMONIAL PRESENTATIONS

[ID16-170](#) Presentation of the SPCA Pet of the Month

PRESENTED

APPROVE MINUTES

[ID16-064](#) Approval of City Council minutes from January 28, 2016

APPROVED

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

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

Absent: 1 - Brandau

COUNCILMEMBER REPORTS AND COMMENTS

Vice President Quintero asked the City Manager to pass his thanks to Lt. Salazar and his team at the South East police station for their response and continued follow up to homelessness and trash in the Sunnyside area. He stated the Department did a tremendous job and even called property owners to follow up.

Councilmember Soria welcomed Larry Salinas from CSUF and expressed her excitement that a local was the Executive Director of Government Relations.

Councilmember Soria reported on her visit to the CSUF Health and Human Service ("HHS") Department where she learned about resources, like free hearing exams, available to students and the public. Councilmember Soria hoped to partner with the HHS Department to provide services in District One through the Mobile Health Unit. She noted the HHS Department was going to have a lecture aimed at Latino families about communicative disorders such as deafness. The lecture was set for February 26 in the north gym from 7:30 A.M. to 1:00 P.M.

Councilmember Soria reported she held an evening of appreciation for her appointees on the District One Implementation Committee, Tower District Design Review Committee and B-PAC members. The event was held on February 1 and recognized the volunteers for their service to the community.

Councilmember Soria announced there would be a Mardi Gras parade in the Tower District on Sunday, February 7 at 1:00 P.M. She said the parade was usually very well attended and was always lots of fun. She noted she would be on her bike at the parade and invited everyone to attend.

Councilmember Soria announced she was in San Diego for the Latino Caucus League of Cities Executive Board retreat. She stated the retreat was productive and she expressed her excitement at being able to provide a Fresno perspective on the issues tackled by the board.

Councilmember Baines III asked that the meeting be adjourned in the memory of Armelia O. Harrison Green who recently succumbed to cancer after a long fight. Ms. Green was the aunt to District Three Chief of Staff Gregory Barfield.

Councilmember Baines III welcomed Larry Salinas from CSUF.

Councilmember Baines III noted he had received calls about lead in the city's water supply and asked the City Manager to comment. City Manager Rudd stated the case was isolated to the Woodward Lake area in northeast Fresno and said water was regularly tested throughout the City. He explained the problem was discovered to be rust from corrosion of galvanized pipes. He further explained that the discoloration was from the iron, not lead, and noted that lead would not leave discoloration in the water. He said the problem appeared to be associated with age of the pipeline somewhere between the affected homes water meter and taps. As a result of the testing on the discoloration issue, two homes tested were discovered to have lead levels above the approved threshold. Mr. Rudd stated the City was following up with the homeowners and additional tests would be conducted in the short term. He also said the source of the contamination was not believed to be the surface water treatment plant or the underlining infrastructure because the infrastructure was relatively new and he recalled that galvanized pipes and black iron were not used. He clarified that the northeast plant was shut down to eliminate it as a potential source of the contamination. Mr. Rudd stated the Department of Public Utilities and Water

Resource Board staff each suggested affected homeowners let the water run from the tap to purge the system before using it. He stressed the discoloration had nothing to do with lead, which was only discovered in two homes when testing on the discoloration issue. Mr. Rudd said people with concerns could reach out to the Public Utilities Department.

Communications and Public Affairs Director Standriff reiterated that the problem was isolated inside the affected homes and said the city system tested clean from the treatment plants and groundwater wells, through the pipes, through the street mains, and even from the meters into the house. Mr. Standriff said the City was checking to see if there was something in the corrosion chemical mixture from the surface water that could be accelerating corrosion. He noted that Public Utilities Director Esqueda asked people with concerns to contact him directly at 559-621-8610.

With regards to the water issue, Councilmember Baines III asked staff to ensure there would be an aggressive information campaign to all constituent bases, including the non-English speakers, through mainstream and ethnic media.

Councilmember Baines III noted there was a recent opinion piece in the Fresno Bee written by the consultant hired by the City to work on the Fresno Police Department Ethics review. He recalled that some of the statements in the opinion piece were factually incorrect. In particular, he noted the piece laid blame with the City Council for some of the problems with the Police Department. City Attorney Sloan stated Michael Josephson was hired to perform a survey to aid in ethics training in the Police Department and was not authorized to write the opinion piece. Mr. Sloan discussed his subsequent contact with Mr. Josephson. He explained that Mr. Josephson wrote the piece to correct the record based upon an earlier story. City Attorney Sloan informed Mr. Josephson that under the City's charter form of government, the Council would not be able to fix the operational issues of the Police Department. Mr. Josephson agreed with the City Attorney's assessment and offered to correct the statement. Councilmember Baines III wanted to reassure the public that the Council worked cooperatively with the administration with regards to the Police Department and noted that approximately 775 positions were authorized by Council in the previous city budget.

Councilmember Brand thanked Public Utilities Director Esqueda and his staff for their responsiveness to the recent city water issues in the news.

Councilmember Brand reiterated his previous request that trees at parks like Woodward and Roeding be given special attention for preservation during the drought. He noted that water from the reclamation center could be utilized to help preserve the irreplaceable trees that ranged from 20 to 50 years old.

Councilmember Soria asked for an update on the Parks Master Plan. City Manager Rudd stated that four proposals were received and he expected to bring a recommendation to Council around the first or second week of March.

1. CONSENT CALENDAR

APPROVAL OF THE CONSENT CALENDAR

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

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

Absent: 1 - Brandau

- 1-A** [ID16-083](#) ***RESOLUTION - 31st Amendment to the Annual Appropriation Resolution (AAR) No. 2015-104 to appropriate \$26,000 in developer contribution for final reimbursement of right-of-way acquisition deposit for Tract 5273 (Requires 5 affirmative votes)

RESOLUTION 2016-18 APPROVED

The above item was approved on the Consent Calendar.

- 1-B** [ID16-119](#) Actions pertaining to the Traffic Signal Improvements at the intersection of Palm Avenue and McKinley Avenue - Project Bid File No. 3411 (Council Districts 1 and 3)
1. Adopt finding of a Categorical Exemption pursuant to Class 1 Section 15301(c) (existing facilities) of the California Environmental Quality Act (CEQA) Guidelines for the Traffic Signal Protected Left-Turn Phasing Improvements at the intersection of Palm Avenue and McKinley Avenue
 2. Award a construction contract to Madco Electric, Inc. of Fresno, California, in the amount of \$335,740 for the Traffic Signal Improvements at the intersection of Palm Avenue and McKinley Avenue

APPROVED

The above item was approved on the Consent Calendar.

- 1-C [ID16-123](#) Actions pertaining to the Fresno Priority 2 Regional Transmission Water Mains Pipeline Project:
1. Adopt findings for the Fresno Priority 2 Regional Transmission Water Mains Pipeline Project, Mitigated Negative Declaration (MND), State Clearing House No. 2015101105.
 2. Approve an Amended Exhibit (Figure 1) to the Fresno Metropolitan Water Resources Management Plan Update, reflecting a minor pipeline routing change (citywide).

APPROVED

The above item was approved on the Consent Calendar.

- 1-D [ID16-124](#) Approval of a Purchase Agreement between Westervelt Ecological Services, LLC and the City of Fresno, for the purchase of habitat conservation credits from the Dutchman Creek Conservation Bank in the amount of \$399,500, in support of construction of a turnout/diversion facility associated with the Friant-Kern Canal Raw Water Pipeline, to be constructed in the United States Bureau of Reclamation's Friant-Kern Canal.

APPROVED

The above item was approved on the Consent Calendar.

- 1-E [ID16-131](#) Approve an agreement between the City of Fresno and the Economic Development Corporation serving Fresno County to assist in implementing and administering local economic development business attraction activities, in the amount of \$50,000.

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

- 1-F [ID16-139](#) Consider alignment and width of public streets for a revised 28-lot industrial parcel map and initiation of annexation of the Church-East No.1 Reorganization for property located on the north side of East Church Avenue between South East and South Orange Avenues. (HSR Impacted Property)
1. Adopt the Addendum to the Finding of Conformity for Environmental Assessment (EA) No. R-07-002/TPM-2007-02 for Rezone Application No. R-07-002 and Vesting Tentative Parcel

Map No. 2007-01, pursuant to CEQA Guidelines Sections 15162 and 15164.

2. RESOLUTION - For the proposed street alignments and widths as shown on the revised Vesting Tentative Parcel Map No. 2007-01, dated September 28, 2015.

3. RESOLUTION - Authorizing the City Manager to initiate annexation of the "Church-East No. 1 Reorganization" with the Fresno Local Agency Formation Commission (LAFCo) for the detachment of an approximately 24.34 net acre site from the Fresno County Fire Protection District and the Kings River Conservation District in order to annex the same territory to the City of Fresno.

RESOLUTION 2016-19 ADOPTED

RESOLUTION 2016-20 ADOPTED

The above item was approved on the Consent Calendar.

- 1-G [ID16-176](#) BILL NO. B-1 - (Intro. 1/28/2016) (For adoption) - Approving Text Amendment Application No. TA-15-001A, to adopt Pedestrian Access and Façade Design Development Standards in the Residential Multiple Family and Mixed Use zones of the Citywide Development Code (Sections 15-1004-E, 15-1005, 15-1104-F, and 15-1105)

ORDINANCE 2016-1 ADOPTED

The above item was approved on the Consent Calendar.

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

10:00 A.M. (Continue to 2:00 P.M. as File ID16-174)

- [ID16-114](#) HEARING to consider Plan Amendment Application No. A-15-002, Rezone Application No. R-15-009, and related Environmental Assessment No. A-15-002/R-15-009/C-15-167/T-6108, pertaining to approximately 6.56 acres of property located at the northeast corner of the intersection of North Fowler and East Clinton Avenues and approximately 14.37 acres of property located at the southeast corner of the intersection of East Shields and North Bliss Avenues (Council District 4)
1. Adopt the Mitigated Negative Declaration prepared for Environmental Assessment No. A-15-002/R-15-009/C-15-167/T-

6108, dated November 25, 2015.

2. RESOLUTION - Approving Plan Amendment Application No. A-15-002 to amend the Fresno General Plan and the McLane Community Plan to change the planned land use designation for an approximately 6.56 acre portion of the subject property from Community Commercial (2.09 ac.) and Medium-Low Density Residential (4.47 ac.) to Medium Density Residential; and, to change the planned land use designation for an approximately 14.37 acre portion of the subject property from Urban Neighborhood to Medium Density Residential.

3. BILL (For introduction and adoption) - Approving Rezone Application No. R-15-009 proposing to amend the Official Zone Map to rezone the approximately 2.09 acre portion of the subject property from the C-1/UGM/cz (Neighborhood Shopping Center/Urban Growth Management/with conditions of zoning) zone district to the RS-5/UGM (Single Family Residential/Urban Growth Management) zone district; and, to rezone the approximately 14.37 acre portion of the subject property from the C-M/UGM/cz (Commercial and Light Manufacturing/Urban Growth Management/with conditions of zoning) zone district to the RS-5/UGM (Single Family Residential/Urban Growth Management) zone district.
(CONTINUE TO 2:00 P.M.)

Continued to 2:00 P.M. as File ID16-174

10:15 A.M. (Continue to 2:15 P.M. as File ID16-175)

ID16-135

HEARING to Consider Rezone Application No. R-15-011, and related Environmental Assessment No.

R-15-011/C-15-149/T-6079, pertaining to approximately 3.07 acres of property located on the south side of East Princeton Avenue between North Fowler and North Bliss Avenues.
(Council District 4)

1. Adopt the Finding of Conformity to the Fresno General Plan Master Environmental Impact Report (SCH#2012111015) as prepared for Environmental Assessment (EA) No. R-15-011/C-15-149/T-6079 dated November 06, 2015.

2. BILL (For introduction and adoption) - Approving Rezone Application No. R-15-011 proposing to amend the Official Zone Map to rezone the subject property from the C-M/UGM/cz (Commercial and Light Manufacturing/Urban Growth

Management/with conditions of zoning) zone district to the R-1/RS-5/UGM (Single Family Residential/Urban Growth Management) zone district.
(CONTINUE to 2:15 P.M.)

Continued to 2:15 P.M. as File ID16-175

2:00 P.M.

ID16-174

CONTINUED HEARING to consider Plan Amendment Application No. A-15-002, Rezone Application No. R-15-009, and related Environmental Assessment No. A-15-002/R-15-009/C-15-167/T-6108, pertaining to approximately 6.56 acres of property located at the northeast corner of the intersection of North Fowler and East Clinton Avenues and approximately 14.37 acres of property located at the southeast corner of the intersection of East Shields and North Bliss Avenues (Council District 4)

1. Adopt the Mitigated Negative Declaration prepared for Environmental Assessment No. A-15-002/R-15-009/C-15-167/T-6108, dated November 25, 2015.
2. RESOLUTION - Approving Plan Amendment Application No. A-15-002 to amend the Fresno General Plan and the McLane Community Plan to change the planned land use designation for an approximately 6.56 acre portion of the subject property from Community Commercial (2.09 ac.) and Medium-Low Density Residential (4.47 ac.) to Medium Density Residential; and, to change the planned land use designation for an approximately 14.37 acre portion of the subject property from Urban Neighborhood to Medium Density Residential.
3. BILL (For introduction and adoption) - Approving Rezone Application No. R-15-009 proposing to amend the Official Zone Map to rezone the approximately 2.09 acre portion of the subject property from the C-1/UGM/cz (Neighborhood Shopping Center/Urban Growth Management/with conditions of zoning) zone district to the RS-5/UGM (Single Family Residential/Urban Growth Management) zone district; and, to rezone the approximately 14.37 acre portion of the subject property from the C-M/UGM/cz (Commercial and Light Manufacturing/Urban Growth Management/with conditions of zoning) zone district to the RS-5/UGM (Single Family Residential/Urban Growth Management) zone district.

The above hearing was called to order at 2:00 P.M. The item was introduced to Council by Development and Resources Management ("DARM"), Supervising Planner Tackett. Mr. Tackett announced that the wrong community plan was referenced in the title block of the resolution attached to this item. A corrected resolution was dispersed (and subsequently attached to File ID16-174 by the Clerk's Office).

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

Jeff Roberts on behalf of Fowler Development - concurred with the staff recommendation and the Planning Commission recommendation.

The above hearing was closed at 2:02 P.M.

**RESOLUTION 2016-21 ADOPTED
BILL B-2 INTRODUCED AND ADOPTED AS
ORDINANCE 2016-2**

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, Olivier and Soria

Absent: 1 - Brandau

2. GENERAL ADMINISTRATION

- 2-B** [ID16-126](#) RESOLUTION - Authorizing execution of a contract for temporary water service with the United States Bureau of Reclamation (USBR) to accept possible non-storable flood flows from Millerton Lake during water year 2016-2017

The above item was introduced to Council by Department of Public Utilities, Water Operation Manager Carbajal.

RESOLUTION 2016-22 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, Olivier and Soria

Absent: 1 - Brandau

- 2-C [ID16-132](#) Approve an agreement in the amount of \$75,000 between the City of Fresno and the Fresno Business Council, Inc., acting as fiscal agent for the Advanced Manufacturing Cluster Initiative, to develop and grow local manufacturing businesses utilizing cross-sector collaboration, enhance competitive economic development among local businesses, and attract new companies.

The above item was introduced to Council by Economic Development Director Westerlund. Director Westerlund introduced Michael Betts, CEO of Betts Company who also spoke on this item and provided two handouts to the council. The handouts were attached to File ID16-132 by the Clerk's Office.

Councilmember Baines III directed City Attorney Sloan to look into the eligible uses for enterprise fund dollars.

APPROVED.

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

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

Absent: 1 - Brandau

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

2:15 P.M.

- [ID16-175](#) CONTINUED HEARING to Consider Rezone Application No. R-15-011, and related Environmental Assessment No. R-15-011/C-15-149/T-6079, pertaining to approximately 3.07 acres of property located on the south side of East Princeton Avenue between North Fowler and North Bliss Avenues. (Council District 4)
1. Adopt the Finding of Conformity to the Fresno General Plan Master Environmental Impact Report (SCH#2012111015) as prepared for Environmental Assessment (EA) No. R-15-011/C-15-149/T-6079 dated November 06, 2015.
 2. BILL (For introduction and adoption) - Approving Rezone

Application No. R-15-011 proposing to amend the Official Zone Map to rezone the subject property from the C-M/UGM/cz (Commercial and Light Manufacturing/Urban Growth Management/with conditions of zoning) zone district to the R-1/RS-5/UGM (Single Family Residential/Urban Growth Management) zone district.

The above hearing was called to order at 2:30 P.M. The item was introduced to Council by DARM, Supervising Planner Tackett.

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

Jeff Roberts on behalf of the applicant - concurred with the staff recommendation and the Planning Commission recommendation.

The hearing was closed at 2:31 P.M.

**BILL B-3 INTRODUCED AND ADOPTED AS
ORDINANCE 2016-3**

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

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

Absent: 1 - Brandau

1:30 P.M. CONTESTED CONSENT CALENDAR (if any)

- 1-E** [ID16-131](#) Approve an agreement between the City of Fresno and the Economic Development Corporation serving Fresno County to assist in implementing and administering local economic development business attraction activities, in the amount of \$50,000.

The above item was introduced to Council by Economic Development Director Westerlund. Councilmember Baines III asked additional questions of Fresno Economic Development Corporation President, Lee Ann Eager.

Councilmember Baines III directed staff to look into larger investments on the expansion side the next time this item was before council.

APPROVED

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

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

Absent: 1 - Brandau

3. CITY COUNCIL

- 3-A** [ID16-133](#) Award a Consulting Services Agreement in an amount not to exceed \$50,000 annually, for the term of two years to the Youth Leadership Institute to facilitate and manage the implementation of the Fresno Youth Commission (RFP No. 102915)

The above item was introduced to Council by Councilmembers Soria and Baines III.

The following member(s) of the public spoke to Council on this item: She Moua; Francisco Espinoza and Yammilette Rodriguez of the Youth Leadership Institute.

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, Olivier and Soria

Absent: 1 - Brandau

UNSCHEDULED COMMUNICATION

Upon call, no member of the public addressed Council with unscheduled communication.

RECESSED 2:46 P.M. to 2:58 P.M.

5. CLOSED SESSION

The City Council met in Closed Session in Room 2125 from 2:58 P.M. to 3:23 P.M. to discuss the following:

- [ID16-104](#) 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.

[ID16-167](#) CONFERENCE WITH LABOR NEGOTIATOR - Government Code Section 54957.6
City Negotiator(s): Jeffrey Cardell, Ken Phillips
Employee Organizations: Fresno City Employees Association (FCEA)

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

RECESSED 3:23 P.M. to 5:01 P.M.

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

5:00 P.M.

[ID16-130](#) HEARING to consider Plan Amendment Application No. A-15-007, Rezone Application No. R-15-016 (also known as the "Zoning Map Update"), and related environmental finding filed by the Development and Resource Management Department Director pertaining to the following:

1. Adopt the environmental findings for Environmental Assessment No. A-15-007, R-15-016, an Addendum to Final Master Environmental Impact Report SCH No. 2012111015 (MEIR) certified by the Fresno City Council on December 18, 2014 for the Fresno General Plan and Development Code, pursuant to California Environmental Quality Act Guidelines Sections 15162 and 15164;
2. RESOLUTION - Approving Plan Amendment Application No. A-15-007 to amend the Fresno General Plan (Figure LU-1: Land Use and Circulation Map, and Figure LU-2: Dual Designation Diagram), the Bullard, Fresno High, McLane, Roosevelt, West Area, and Woodward Park Community Plans, the Tower District Specific Plan, the Fresno Yosemite Airport Land Use Compatibility Plan and the Sierra Sky Park Land Use Policy Plan, as described in Exhibit A (including errata indicated on Table 1); and

3. BILL - (for introduction and adoption) approving Rezone Application No. R-15-016 to update the Zoning Map of the City of Fresno by adopting the Proposed Zoning Map and Overlay District Map consistent with the City of Fresno General Plan Land Use and Circulation Map adopted on December 18, 2014, and as subsequently amended, as described in Exhibit B. All conditions of zoning will remain in effect.

The above hearing was called to order at 5:01 P.M. The item was introduced to Council by DARM Assistant Director Zack.

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

Jeffrey Reid for Robertson Property Group - would like the zoning of APN 456-030-15 at the southwest corner of Clovis and Olive Avenues to remain as CMX until the property owners come forward with development plans.

Doug Jensen for Jenko Farms - did not find out about the proposed rezoning of property at the southwest and southeast corners of Herndon and Hayes Avenues (APNs 504-090-30, 31, 32, 33 and 34) until Monday, February 1, 2016 and would like to see the zoning remain unchanged.

Ashley Werner of Leadership Counsel for Justice and Accountability - stated the Zoning Map Update would not satisfy the city's obligation under the 2008 housing element as well as state and federal housing element laws. The laws require sights be made available for affordable housing, including housing element program 2.1.6(a)

Loran Harding - stated the Zoning Map Update would diminish property values and damage the neighborhood at Browning and Valentine Avenues. He suggested neighbors might sue the city and elected officials to prevent a rezoning of the neighborhood.

Mark Kalchik - opposed to the lot size change for the University Portal neighborhood at Millbrook and Browning Avenues. He said the proposed medium density RS4 designation with 5,000 square foot lots was a misinterpretation of the General Plan and the neighbor should be re-zoned to RS3 with 9,000 square foot lots.

Doug Vagim - discussed arbitrary density changes and impacts to older neighborhoods. Suggested a baseline for new development rather than

language allowing within 10% of the neighborhood average because the 10% average would result in increases over time.

Dirk Poeschel for the Hudson Family Trust - asked that the 1 acre parcel on the corner of Clovis and Olive be designated for general commercial uses (C-5). Mr. Poeschel displayed a map that is now attached to File ID16-130.

Jeff Roberts of Granville Homes - Would like to continue using the Master Conditional Use Permit (application number C-04153) as a tool to define aspects of the Copper River Ranch project, a master planned community. Also stated that the bundle of applications referred to as number "9" in the list of plan amendments were no longer at issue due to a vote taken earlier in the day by Council.

Public comment was concluded at 5:40 P.M.

Senior Deputy City Attorney Kolluri clarified that Mr. Jensen, on behalf of Jenko Farms, was asking for something that would require a change in the land use designation which would require a further environmental review for the impacts of that change.

Councilmember Brand directed staff to perform an additional environmental review for the change requested for the Jenko Farms property at the southwest and southeast corners of Herndon and Hayes Avenues (APNs 504-090-30, 31, 32, 33 and 34). He stated the review should be at no cost to the property owner and the item should be back to council within 180 days.

City Manager Rudd clarified with staff that owners would have the right, under the non-conforming provisions, to reconstruct their homes as they existed, prior to the Zoning Map Update, in the event the home was destroyed.

Councilmember Brand motioned to amend the staff recommendation to continue the Hudson Family Trust property (1 acre parcel on the corner of Clovis and Olive) to allow for a plan amendment and rezone consistent with what the property owner requested. He stated the review should be at no cost to the property owner and the item should be back to council within 180 days. President Caprioglio seconded the motion.

Councilmember Soria and Director Clark clarified that if a member of the

public had a property that had been assigned a certain zoning prior to the General Plan effective date and that person wanted their land use designation to revert to what it was prior to updating the General Plan, then staff would review going back to the earlier land use designation to see if that reversion would come under the umbrella of the MEIR and would bring that back to Council for consideration at no charge to the applicant.

Councilmember Soria directed staff to send future notices in Spanish. Councilmember Soria also directed staff to change the city website to make the Zoning Map Update and the interactive zoning comparison map easier to find.

Vice President Quintero directed Assistant Director Zack to meet with him at a later date to discuss District Five.

President Caprioglio directed staff to work with Mr. Kalchik regarding updating his neighborhood to RS3 rather than to RS4 through a General Plan amendment.

President Caprioglio motioned to remove APN 456-030-15 from the proposed General Plan amendment. A-15-007 and application R-15-016 zone the property consistent with the adopted General Plan land use to CMX, Corridor Mixed Use. Councilmember Brand seconded the motion.

The above hearing was closed at 6:27 P.M.

Councilmember Brand motioned to approve the entire item as amended. Councilmember Olivier seconded the motion.

**BILL B-4 INTRODUCED AND ADOPTED AS
ORDINANCE 2016-4
RESOLUTION 2016-23 ADOPTED AS AMENDED**

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

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

Absent: 1 - Brandau

ADJOURNMENT

Adjourned in the loving memory of Armelia O. Harrison Green at 6:28 P.M.

The above minutes were approved by a unanimous vote of the City Council during the February 25, 2016 City Council Meeting.