

City of Fresno

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



Meeting Agenda - Final-revised

Thursday, February 16, 2017

1:30 PM

Regular Meeting

Council Chambers

City Council

President - Clinton J. Olivier

Vice President - Esmeralda Z. Soria

Councilmembers:

Oliver L. Baines, III, Steve Brandau, Garry Bredefeld,

Paul Caprioglio, Luis Chavez

City Manager - Bruce Rudd

City Attorney - Douglas T. Sloan

City Clerk - Yvonne Spence, CMC

The Fresno City Council welcomes you to City Council Chambers, located in City Hall, 2nd Floor, 2600 Fresno Street, Fresno, California 93721.

The City of Fresno's goal is to comply with the Americans with Disabilities Act (ADA) in all respects. The meeting room is physically accessible. If, as an attendee or participant at the meeting, you need additional accommodations such as interpreters, signers, assistive listening devices, or the services of a translator, please contact the Office of the City Clerk at (559) 621-7650 or clerk@fresno.gov. To ensure availability, you are advised to make your request at least 48 hours prior to the meeting. The agenda and related staff reports are available at www.fresno.gov, as well as in the Office of the City Clerk.

The Council meeting can be viewed live on Comcast Channel 96 and AT&T Channel 99 from 9:00 a.m. and is re-played beginning at 8:00 p.m.. The meeting can also be viewed online at <https://fresno.legistar.com>.

PROCESS: For each matter considered by the Council there will first be a staff presentation followed by a presentation from the involved individuals, if present. Testimony from those in attendance will then be taken. All testimony will be limited to three minutes per person. If you would like to speak fill out a Speaker Request Form available from the City Clerk's Office and in the Council Chambers. The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker.

The green light on the podium will be turned on when the speaker begins. The yellow light will come on with one minute remaining. The speaker should be completing the testimony by the time the red light comes on and tones sound, indicating that time has expired. A countdown of time remaining to speak is also displayed on the large screen behind the Council dais.

No documents shall be accepted for Council review unless they are submitted to the City Clerk at least 24 hours prior to the Council Agenda item being heard.

Following is a general schedule of items for Council consideration and action. The City Council may consider and act on an agenda item in any order it deems appropriate. Actual timed items may be heard later but not before the time set on agenda. Persons interested in an item listed on the agenda are advised to be present throughout the meeting to ensure their presence when the item is called.

AGENDA ITEMS MARKED WITH AN ASTERISK (*) ARE SUBJECT TO MAYORAL VETO OR RECONSIDERATION**

El Consejo de la Ciudad de Fresno da la bienvenida al City Council Chambers, ubicado en la Alcaldía (City Hall), do piso, 2600 Fresno Street, Fresno, California 93721.

El objetivo de la Ciudad de Fresno es cumplir con la Ley de Americanos con Discapacidades (ADA) en todo aspecto. La sala para juntas es físicamente accesible. Si usted, como asistente o participante de la junta, necesita acomodaciones adicionales coma intérpretes, lenguaje de señas, aparatos auditivos, o los servicios de un traductor, por favor comuníquese con la Oficina del Secretario Municipal llamando al (559) 621-7650 o al clerk@fresno.gov. Para asegurarse de la disponibilidad, se le recomienda llamar y hacer su petición por lo menos 48 horas antes de la junta. La agenda y los reportes de personal correspondientes están disponibles en el www.fresno.gov, o en la Oficina del Secretario Municipal.

Las juntas del Municipio se pueden ver en el Canal 96 de Comcast y el Canal 99 de AT&T a las 9:00 a.m. y otra vez empezando a las 8:00 p.m. La junta también se puede ver en el internet en el <https://fresno.legistar.com>

PROCESO: Por cada asunto que escuche el Consejo Municipal, habrá una presentación del personal seguida por una presentación de los individuos involucrados, si están presentes. El testimonio de los presentes se escuchará entonces. Todo testimonio se limitará a tres minutos por persona. Si usted desea hablar, llene la hoja para pedir hablar disponibles en la oficina del Secretario Municipal y en la Sala Consistorial. Las tres luces en el atril junto al micrófono indicarán cuanto tiempo le queda al orador.

La luz verde en el atril se prenderá cuando el orador comience. La luz amarilla se prenderá cuando quede un minuto. El orador debería estar concluyendo su testimonio cuando la luz roja prenda y ci sonido indique que se acabo su tiempo. La cantidad del tiempo que queda también aparecerá en la pantalla grande atrás del Consejo Municipal.

No se aceptarán documentos para que repase el Consejo Municipal a menos que se sometan al Secretario Municipal por lo menos 24 horas antes de que se escuche la Agenda del Consejo Municipal.

Este es el horario general de temas para la consideración y acción del Consejo Municipal. El consejo Municipal pudiera considerar y tomar acción en un artículo de la Agenda en el orden que considere adecuado. Artículos con una hora fijada se pueden escuchar después de la hora indicada pero no antes de la hora

indicada en la agenda. Se les recomienda a las personas que estén interesadas en un artículo de la agenda, que estén presentes durante toda la junta para asegurar su presencia cuando se presente ese artículo.

LOS ARTICULOS MARCADOS CON TRES ASTERISCOS (*) ESTAN SUJETOS A
UN VETO POR PARTE DEL ALCALDE O UNA RECONSIDERACION**

Tso Fresno City Council tos txais koj rau City Council Chambers, nyob rau hauv City Hall, 2nd Floor, 2600 Fresno Street, Fresno, California 93721.

Lub hom phiaj ntawm nroog Fresno yuav ua kom tau txhua yam raw li txoj cai American with Disabilities Act (ADA) kom fwm txhua tus. Lub rooj sab laj txhua tus yuav tsum muaj feem koom kom tau, txawm yog cov tuaj koom, cov muaj feem rau lub rooj sab laj, yuav tsum kom muaj kev pab rau sawv daws xws li txhais lus, piav tes, tej twj mloog pob ntseg los yog ib tug txhais lus, thov hu rau Office of the City Clerk ntawm (559) 621-7650 los sis clerk@fresno.gov. Yuav kom paub tseeb tias npaj tau rau koj, koj yuav tsum tau hais ua ntej 48 xuab moos ntawm lub rooj sab laj. Daim ntawv kom tswj thiab tej ntaub ntawv cov ua dej num yuav coj los ceeb tshaj muaj nyob rau ntawm www.fresno.gov, los sis ntawm Office of the City Clerk.

Council lub rooj sab laj saib pom rau hauv Comcast tshooj 96 thiab AT&T tshooj 99 thaum 9:00 teev sauv ntxoov thiab rov tso tawm thaum 8:00 teev tsaus ntuj. Lub rooj sab laj kuj saib tau online at <https://fresno.legistar.com>.

TXUAS NTXIV: Txhua nqe laj txheej yuav tau pom zoo los ntawm cov council ua ntej thiab yuav tau muaj ib tug staff los cej luam dhau ntawd cov uas muaj feem cuam mam los cej luam ib tug zuj zus, yog tuaj nyob rau ntawd. Dhau ntawd yuav tso rau sawv daw los tawrn suab, ib leeg twg yuav los tawm suab tsuas pub peb(3) nas this xwb. Yog koj xav los tawm suab, mus sau rau daim ntawv (Speaker Request Form) muaj nyob rau hauv City Clerk's Office thiab nyob rau huav Council Chambers. muaj peb(3) lub teeb nyob rau ntawm lub podium uas puab rau ntawm lub (microphone) qhia tias tus neeg hais lus muaj sij haum ntev li cas xwb.

Lub teeb ntsuab ntawm lub podium yuav cig thaum tus hais lus pib hais. Lub teeb daj yuav cig thaum tshuav ib(1) nas this. Tus hais lus yuav tsum hais kom tas rau thaum lub teeb liab cig thiab lub tswb nrov, qhia tias sij haum tas lawm. Ib qhov ntxiv nyob rau saum daim (screen) loj loj dai rau tom cov council nrob qarn yuav pom lub sij hawm dhia qis zuj zus los mus.

Cov council yuav tsis txais ib yam ntaub ntawv los saib ntxiv tshwj tsis yog twb muab xa rau City Clerk 24 teev thiab muab tso rau hauv daim kom tswj ua ntej council yuav los mloog tej xwm txheej.

Dhau ntawd yuav muab sij hawm rau cov council los soj ntsuam thiab ua tes dej num, Coy tswv zos (City Council) yuav los ntsuam xyuas thiab leg raws tej nqe hauv daim kom tswj yog pom tias yam twg yuav tsim nyog. Mam muab lub sij hawm los xyuas raws tej txheej txheem tom qab tiam si yuav tsis yog ua ntej raws li daim kom tswj tau teev tseg. Cov uas txaus siab rau tei laj txheej uas tau teev tseg rau hauv daim kom tswj, xav kom nyob kom dhau lub rooj sab laj kom thaum hu txog nws thiaj nyob rau ntawd

YOG QHOV MUAJ PEB LUB HNUB QUB (*) NYOB RAU HAUV DAIM KOM TSWJ
YUAV RAUG MAYORAL VETO LOS SIS ROV SOJ NTSUAM DUA**

1:30 P.M. ROLL CALL

Invocation by Pastor Jerry Voss of the Millbrook Presbyterian Church

Pledge of Allegiance to the Flag

APPROVE AGENDA

CEREMONIAL PRESENTATIONS

[ID17-148](#) Proclamation of "CENTRAL VALLEY HONOR FLIGHT DAY"

Sponsors: City Councilmember Bredefeld and City Councilmember Caprioglio

[ID17-228](#) Proclamation of "Fresno County Grand Jurors' Association Day"

Sponsors: Council President Olivier

APPROVE MINUTES

[ID17-90](#) Approval of minutes from February 9, 2017

COUNCILMEMBER REPORTS AND COMMENTS

1. CONSENT CALENDAR

All Consent Calendar items are considered to be routine and will be treated as one agenda item. The Consent Calendar will be enacted by one motion. Public comment on the Consent Calendar is limited to three (3) minutes per speaker. There will be no separate discussion of these items unless requested by a Councilmember, in which event the item will be removed from the Consent Calendar and will be considered as time allows.

1-A [ID17-137](#) *** RESOLUTION - 12th amendment to Fiscal Year 2017 Salary Resolution No. 2016-120: (1) amending Exhibit 2, Unit 2, Non-Represented Management and Confidential Classes, to add one unrepresented Management Analyst II position (Job Code 150032e), and increase the salary range for Payroll Accountant; (2) amending Exhibit 3, Unit 3, Non-Supervisory White Collar, (FCEA) to add the new classification of Crime Data Specialist; and (3) amending Exhibit 6, Unit 6, Bus Drivers (ATU) to show an F step for the

Bus Driver classification for the sole purpose of retirement benchmark calculations.

Sponsors:

Personnel Services Department

1-B [ID17-171](#)

Annual update of Priority Ranking Lists for new traffic signal installations and traffic signal left turn phasing modifications.

Sponsors:

Public Works Department

1-C [ID17-153](#)

RESOLUTION - Of Intention to annex Final Parcel Map No. 2012-06, Annexation No. 14, to City of Fresno Community Facilities District No. 9 (northwest corner of East Central and South Orange Avenues); and setting the public hearing for March 16, 2017 at 2:00 p.m. (Council District 3)

Sponsors:

Public Works Department

1-D [ID17-172](#)

Approve an agreement between Provost & Pritchard Engineering Group, Inc. dba Provost & Prichard Consulting Group (Provost & Pritchard) in the amount of \$69,500 plus a contingency of \$5,000 for design and preparation of construction documents for the Blackstone Avenue Overlay Project from Shaw Avenue to Ashlan Avenue (Council Districts 4 and 7)

Sponsors:

Public Works Department

1-E [ID17-184](#)

Actions pertaining to an award of a construction contract to Strategic Mechanical, Inc. of Fresno, CA, for \$211,520 for the Police Department Headquarters Boiler Replacement Project (Bid File 3514) (Council District 3)

1. Adopt finding of a Categorical Exemption pursuant to Section 15303 of the California Environmental Quality Act (CEQA) Guidelines
2. Award a construction contract with Strategic Mechanical, Inc. of Fresno, CA, for \$211,520 for the Police Department Headquarters Boiler Replacement Project

Sponsors:

Public Works Department

1-F [ID17-191](#)

Actions pertaining to the dedication of a portion of a City-owned property for the purpose of a Public Trail and Pedestrian easement, to accommodate the rehabilitation of the Fairview Trail located on the East Belgravia Alignment between South Fairview Avenue and South Lee Avenue.

(Council District 3)

1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301, Section 15302, and Section 15304 of the California Environmental Quality Act (CEQA) Guidelines, Environmental Assessment No. EA-16-039.

2. RESOLUTION - Dedicating a portion of a City-owned property for the purpose of a Public Trail and Pedestrian Easement, to accommodate the rehabilitation of the Fairview Trail located on the East Belgravia Alignment between South Fairview Avenue and South Lee Avenue.

Sponsors:

Public Works Department

1-G [ID17-247](#)

RESOLUTION - Amending the Council Rules of Procedure to clarify and conform to current practice.

Sponsor: Councilmember Olivier

Sponsors:

Council President Olivier

1-H [ID17-253](#)

Approve the reappointments of James Poptanich and Rodney Ashley, and the appointment of Edward S. Saliba to the Fresno Madera Area Agency on Aging Board

Sponsors:

Mayor's Office

CONTESTED CONSENT CALENDAR

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

2:00 P.M.

[ID17-157](#)

HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community Facilities District No. 11, Annexation No. 73 (Final Tract Map No. 6163) (south of East Dakota Avenue along the east and west side of North Saddleback Avenue) (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 2016-2017 and Future
Tax Years Within and Relating to Community Facilities
District No. 11, Annexation No. 73

Sponsors: Public Works Department

3. GENERAL ADMINISTRATION

3-A-1 [ID17-132](#) WORKSHOP - Radio System Needs Evaluation Project

Sponsors: Information Services Department

3-A-2 [ID17-267](#) Approve Fire Ground Radio Communications Improvement

Sponsors: City Councilmember Brandau

3-B [ID17-254](#) Approve the renewal of the Oracle Public Sector Technical Support Services Agreement for \$303,285.75 per year and authorize the Chief Information Officer to execute related documents.

Sponsors: Information Services Department

4. CITY COUNCIL

4-A [ID17-252](#) RESOLUTION - Supporting the introduction of the Gaining Responsibility on Water Act

Sponsors: Council President Olivier

4-B [ID17-262](#) BILL - (For introduction) - Amending Resolution No. 2004-88 relating to reimbursement of expenses for elected officials.

Sponsors: City Councilmember Bredefeld

4-C [ID17-265](#) BILL - (For Introduction) - Adding Section 3-125 to Chapter 3 of the Fresno Municipal Code relating to Stipends for City Council Interns. (All Council Districts)

Sponsors: City Councilmember Soria

5. CLOSED SESSION

5-A [ID17-244](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)

1. HH-Fresno LLC v. City of Fresno, et al.; Federal Court for the Eastern District of California Case No.:

1:17-CV-00163-LJO-BAM.

Sponsors:

City Attorney's Office

5-B [ID17-250](#)

CONFERENCE WITH LEGAL COUNSEL - DECIDING WHETHER TO INITIATE LITIGATION - Government Code Section 54956.9, subdivision (d)(4)
1. City of Fresno v. Barbara J. Davis (496 E. Sample)

Sponsors:

City Attorney's Office

JOINT CLOSED SESSION OF THE CITY OF FRESNO AND THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF FRESNO

5-C [ID17-258](#)

CONFERENCE WITH LEGAL COUNSEL - DECIDING WHETHER TO INITIATE LITIGATION
Government Code Section 54956.9, subdivision (d)(4)
1. City of Fresno v. Simon Thaler and Michael Thaler

Sponsors:

City Attorney's Office

PLEASE NOTE: UNSCHEDULED COMMUNICATION IS NOT SCHEDULED FOR A SPECIFIC TIME AND MAY BE HEARD ANY TIME DURING THE MEETING

UNSCHEDULED COMMUNICATION

Members of the public may address the Council regarding items that are not listed on the agenda and within the subject matter jurisdiction of the Council. Each person is limited to a three (3) minute presentation. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk's Office at least ten (10) days prior to the desired date. Council action on unscheduled items, if any, shall be limited to referring the item to staff for a report and possible scheduling on a future Council agenda.

ADJOURNMENT

UPCOMING SCHEDULED COUNCIL HEARINGS AND MATTERS

March 2, 2017

10:00 AM #1 - HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community Facilities District No. 11, Annexation No. 74 (Final Tract Map No. 6139) (northeast corner of North Polk Avenue and West Olive Avenue) (Council District 3)

March 2, 2017

10:00 AM #2 - CONTINUED HEARING to consider Plan Amendment Application No. A-16-015, and related environmental finding filed by the Development and Resource Management Department Director pertaining to the Active Transportation Plan (ATP)

March 2, 2017

10:05 AM - HEARING re: Rezone Application No. R-17-001, Vesting Tentative Tract Map No. 6153 and Conditional Use Permit No. C-16-045, filed by Gary Giannetta, on behalf of McDonald Homes, pertaining to approximately 13.49 acres of property located within Copper River Ranch.

March 2, 2017

10:15 AM - HEARING re: Weed Abatement for 2017.

March 16, 2017

2:00 PM - HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community District No. 9, Annexation No. 14 (Final Parcel Map No. 2012-06) (northwest corner of East Central and South Orange Avenues) (Council District 3)

March 16, 2017

2:05 P.M. - TEFRA HEARING To hear and consider information concerning the proposed issuance of Revenue Bonds by California Statewide Communities Development Authority (the "Authority") for the purpose of financing the acquisition, construction and equipping of King's Canyon Apartments by King's Canyon Affordable Housing, LP

March 16, 2017

2:10 PM - Appearance by Fresno Youth Commission

March 23, 2017

10:00 A.M. - HEARING - Regarding the vacation of a portion of Arroyo Avenue and an alley northeast of North "H" Street between Freeway 180 and the Dry Creek Canal. (Council District 3).

April 6, 2017

10:00 AM - HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community Facilities District No. 11, Annexation No. 75 (Final Tract Map No. 5449) (north side of East Butler Avenue between South Villa and Minnewawa Avenues) (Council District 5)

UPCOMING EMPLOYEE CEREMONIES

APRIL 5, 2017

2:00 P.M. - Presentation of Employee Service Awards (Reception immediately following - 2nd floor foyer)

APRIL 27, 2017

8:30 A.M. - Presentation of Employee of the Quarter Awards (Reception immediately following - 2nd floor foyer)

JULY 20, 2017

8:30 A.M. - Presentation of Employee of the Quarter Awards (Reception immediately following - 2nd floor foyer)

OCTOBER 12, 2017

8:30 A.M. - Presentation of Employee of the Quarter Awards (Reception immediately following - 2nd floor foyer)

NOVEMBER 1, 2017

2:00 P.M. - Presentation of Employee Service Awards (Reception immediately following - 2nd floor foyer)

2017 CITY COUNCIL MEETING SCHEDULE

February 23, 2017 - NO MEETING

March 2, 2017 - MEETING

March 9, 2017- MEETING

March 16, 2017 - 1:30 P.M.

March 23, 2017 - MEETING

March 30, 2017 - NO MEETING