

City of Fresno

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



Meeting Agenda - Final

Thursday, October 8, 2015

8:30 AM

Regular Session

Council Chambers

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

The meeting room is accessible to the physically disabled. If you require special assistance to participate in the meeting, notify the Office of the City Clerk at 559-621-7650 at least three business days prior to the meeting. Please keep the doorways, aisles and wheelchair seating areas open and accessible. If you need assistance with seating because of a disability, contact Security.

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

The agenda and related staff reports are available on (www.fresno.gov) as well as in the Office of the City Clerk. The Council meeting can also be heard live at the same web site address, and viewed live on Comcast Channel 96 and AT&T Channel 99 from 8:30 a.m. and re-played beginning at 8:00 p.m.

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**

8:30 A.M. ROLL CALL

Invocation by Lead Pastor Kevin Foster of the Lifebridge Community Church

Pledge of Allegiance to the Flag

CEREMONIAL PRESENTATIONS

[ID#15-890](#) Proclamation of "ARTS AND HUMANITIES MONTH"

Sponsors: City Councilmember Soria

[ID#15-898](#) Proclamation of "NATIONAL DAY OF WRITING"

Sponsors: Council President Baines III

[ID#15-895](#) PRESENTATION OF THE EMPLOYEE RECOGNITION PROGRAM
- FALL QUARTER 2015

Sponsors: City Clerk's Office

APPROVE MINUTES

[ID#15-894](#) Approval of City Council minutes from September 24, 2015

COUNCILMEMBER REPORTS AND COMMENTS

APPROVE AGENDA

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 [ID#15-768](#)

Actions pertaining to right-of-way acquisition for the Roy Avenue and Almy Avenue street improvement project. (Council District 3)

1. Approve the acquisition of 9,164 square feet of right-of-way for public street purposes from property owned by Maria C. Magdaleno in the amount of \$36,000 for the construction of Roy Avenue and Almy Avenue street improvements near Fig Avenue.

2. Authorize the Public Works Director, or his designee, authority to sign all documents necessary to complete the transaction.

Sponsors:

Public Works Department

1-B [ID#15-777](#)

Approve the acquisition of 35,046.6 square feet of easement and 48,352 square feet of temporary construction easement of property owned by Barry B. Tayian, Trustee of Barry B. Tayian Trust in the amount of \$88,400 (APN 158-181-18) for the construction of thirteen miles of 72-inch diameter pipeline that will convey river water from the Kings River to the City's new Southeast Surface Water Treatment Facility. (City Council District 5)

Sponsors:

Public Works Department

1-C [ID#15-810](#)

Actions pertaining to the 2015 Off-Highway Vehicle (OHV) grant:

1. Authorize the Chief of Police to accept \$17,485 in grant funding for the 2015 Off-Highway Vehicle grant awarded to the Fresno Police Department from the State of California Department of Parks and Recreation
2. Authorize the Chief of Police to execute the agreement and all related documents applicable to the 2015 OHV grant
3. ***RESOLUTION - 13th amendment to the Annual Appropriation Resolution (AAR) No. 2015-104 appropriating \$17,500 for the Police Department's OHV grant program (Requires 5 affirmative votes)

Sponsors:

Police Department

1-D [ID#15-824](#)

Approve agreement with Jones and Madhavan Architecture Engineering in the amount of \$92,000 for the aquatics analysis and design of plans for designated PARCS aquatics facilities

Sponsors:

Parks, After School and Recreation and Community Services Department

1-E [ID#15-836](#)

Approve the Substitution of a listed Subcontractor, Dansa Construction, for emergency generator upgrade at City Hall - Project ID SC00003 - Council District 3

Sponsors:

Public Works Department

1-F [ID#15-837](#)

Actions pertaining to the street improvements for Campus Homesites Neighborhood, Townsend and Heaton Avenues - Bid File 3392 (Council District 3)

1. Adopt a finding of a Categorical Exemption per staff determination, pursuant to Section 15301(c) of the CEQA Guidelines for the street improvements for Campus Homesites Neighborhood, Townsend and Heaton Avenues
2. Award a Construction Contract with AJ Excavation Inc. of Fresno, California in the amount of \$289,473 for the street improvements for Campus Homesites Neighborhood, Townsend and Heaton Avenues project

Sponsors:

Public Works Department

1-G [ID#15-862](#)

Adopt Resolution of Intention No. 1101-D to vacate portions of public street easement at the northwest corner of E. San Gabriel and N. Chestnut Avenues (Council District 4)

Sponsors:

Public Works Department

1-H [ID#15-864](#)

RESOLUTION - Approving the Final Map of Tract No. 6103 and accepting dedicated public uses offered therein-south side of E. Fancher Creek Drive, between S. Purdue Avenue and S. Bundy Avenue (Council District 5)

Sponsors:

Public Works Department

1-I [15-886](#)

Actions pertaining to the Fresno/Clovis Regional Wastewater Reclamation Facility (RWRF), new Recycled Water Pump Station for the Tertiary Treatment and Disinfection Facility (Council District 3)

1. ***RESOLUTION - 14th amendment to the Annual Appropriation Resolution (AAR) No. 2015-104 appropriating \$209,600 for the design of a new Recycled Water Pump Station for the Tertiary Treatment and Disinfection Facility (Requires 5 affirmative votes)
2. Approve an amendment to the contract with Parsons Water and Infrastructure, Inc., a Delaware Corporation for the design of a new Recycled Water Pump Station for the Tertiary Treatment and Disinfection Facility for a net increase of \$209,524.

Sponsors:

Department of Public Utilities

1-J [ID#15-868](#)

Approve an Agreement with the California High Speed Rail Authority to reimburse the City for expenses related to High Speed Rail project impacts on Roeding Park (Council District 3)

Sponsors:

Public Works Department

1-K [ID#15-871](#)

Reject all proposals received for the 2-Megawatt Solar Energy Facility at the Fresno-Clovis Regional Wastewater Reclamation Facility (Bid File 3380) (Council District 3)

Sponsors:

Department of Public Utilities

1-L [ID#15-873](#)

Actions pertaining to test hole drilling and monitoring well construction at various locations:

1. Adopt a finding of Categorical Exemption pursuant to Article 19, Section 15306/Class 6 for Information Collection, of the California Environmental Quality Act (CEQA) Guidelines to authorize an agreement between the City of Fresno and Bradley and Sons, Inc. to drill test holes and construct monitoring wells.
2. Approve a Requirements Contract to Bradley and Sons, Inc., in the amount of \$454,800 to drill test holes and construct monitoring wells at various locations. (Bid File 9328) (Citywide).

Sponsors:

Department of Public Utilities

1-M [ID#15-880](#)

Actions pertaining to Senior Hot Meals Program:

1. Authorize renewal of Senior Hot Meals Program Site Management Contract with Fresno Madera Agency on Aging
2. ***RESOLUTION - 17th amendment to the Annual Appropriation Resolution (AAR) No. 2015-104 appropriating \$20,000 of Older Americans Act Title III C1 Grant Funds from the Fresno Madera-Area Agency on Aging (FMAAA) for the Senior Hot Meals (SHM) Program (Requires 5 affirmative votes)

Sponsors:

Parks, After School and Recreation and Community Services Department

1-N [ID#15-881](#)

Actions pertaining to a License Agreement with California Interscholastic Federation (CIF) for use of Woodward Park for a Cross Country Special Event (District 6)

1. Authorize the Fresno/Clovis Convention and Visitors Bureau (FCCVB) to submit a proposal to California Interscholastic Federation (CIF) on behalf of the City of Fresno to host the CIF

Cross Country Championships at Woodward Park for 2016-2021
2. Authorize a six (6) year License Agreement with California Interscholastic Federation (CIF) for use of Woodward Park for a Cross Country Special Event two days per year

Sponsors:

Parks, After School and Recreation and Community Services Department

1-O [ID#15-882](#)

Action related to acquisition of real property to construct a well head treatment facility:

1. Adopt environmental finding as provided in Environmental Assessment No. EA-15-021 of Categorical Exemption pursuant to CEQA Guidelines Sections 15301 and 15332; and
2. Approve acquisition of one parcel located at 6027 North Glenn Avenue (APN 407-152-07) from Daniel J. Gonzalez and Julia R. Gonzalez for the amount of \$150,000 to construct a well head treatment facility (County Island within Council District 2)

Sponsors:

Department of Public Utilities

1-P [ID#15-883](#)

***BILL NO. B-35 - (Intro. 9/24/2015) (For adoption) - Amending Sections 1-405, 1-408, 1-510, and adding Section 1-412 to the Fresno Municipal Code relating to code enforcement hearings

Sponsors:

City Councilmember Brand

1-Q [ID#15-885](#)

***BILL NO. B-36 - (Intro. 9/24/2015) (For adoption) - Adding Section 105.6.49 to Chapter 10, Article 5 of the Fresno Municipal Code relating to storage of tires

Sponsors:

City Councilmember Quintero

1-R [ID#15-886](#)

***BILL NO. B-37 - (Intro. 9/24/2015) (For adoption) - Adding Subsection (d) to Section 3-277 of the Fresno Municipal Code to Coordinate Council Assistants' Removal from City Service with the Successor Councilmembers' Assumption of Office

Sponsors:

Council President Baines III

CONTESTED CONSENT CALENDAR

2. GENERAL ADMINISTRATION

2-A [ID#15-788](#)

Actions pertaining to processing of green waste materials and co-mingled recyclable materials (Citywide)

1. Negotiate and execute a Ten-Year Agreement with Mid Valley Recycling, LLC ("MVR") for co-mingled recyclable material

processing as outlined in the Request for Proposal (RFP) issued by the City (Bid File 3405)

2. Negotiate and execute a Ten-Year Agreement with Kochergen Farms Composting, Inc. of Fresno for green waste material processing as outlined in the RFP issued by the City (Bid File 3405)

Sponsors: Department of Public Utilities

- 2-B [ID#15-838](#) Award a purchase contract in the amount of \$2,298,049.65 to Clean Energy for the purchase of liquid natural gas (LNG) fuel - Bid File 9294

Sponsors: Department of Public Transportation (FAX)

- 2-C [ID#15-843](#) Approve the Fourth Amendment, in substantially the form presented, to the Measure "C" Cooperative Agreement with Fresno County Transportation Authority (FCTA) for Short-Term Regional Transportation Program Project N-1 Urban, Veterans Boulevard SR-99 Interchange and Grade Separation and authorize the Public Works Director or his designee to execute the amendment on behalf of the City.

Sponsors: Public Works Department

- 2-D [ID#15-849](#) Actions pertaining to Santa Fe Avenue Widening from Palo Alto Avenue to Blythe Avenue, Bid File No. 3323 (Council District 2)
1. Approve the addendum to Environmental Assessment No. EA-13-003;
 2. Award a construction contract to Emmett's Excavation, Inc. of Clovis, California in the amount of \$1,038,423.

Sponsors: Public Works Department

2-E [ID#15-877](#)

Actions pertaining to funding and construction of the Commercial West Ramp Reconstruction project at Fresno Yosemite International Airport (Council District 4)

1. ***RESOLUTION - 7th amendment to the Annual Appropriations Resolution (AAR) No. 2015-104 appropriating \$6,041,100 for the Commercial West Ramp Reconstruction project at Fresno Yosemite International Airport (Requires 5 affirmative votes)
2. Award a construction contract to A. Teichert & Son, Inc., dba Teichert Construction, of Sacramento, California, for the Commercial West Ramp Reconstruction project at Fresno Yosemite International Airport in the amount of \$10,091,945 (Bid File 3402)
3. Approve a consulting agreement with BSK Associates, of Fresno, California, to provide geotechnical quality assurance testing and inspection services for the Commercial West Ramp Reconstruction project at Fresno Yosemite International Airport in the amount of \$297,194

Sponsors: Airports Department

3. CITY COUNCIL**3-A** [ID#15-887](#)

BILL - (For Introduction) Amending Subsection 10(c) of Section 6-205 of the Fresno Municipal Code relating to Container in View Requirements for trash containers

Sponsors: Council President Baines III

4. CLOSED SESSION[ID#15-892](#)

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)

1. Citizens for the Restoration of L Street v. City of Fresno; Fresno County Superior Court Case No. 11CECG04172

Sponsors: City Attorney's Office

5. SCHEDULED COUNCIL HEARINGS AND MATTERS**10:30 A.M.**[ID#15-818](#)

Welcome Kochi Sister City Delegation to Fresno on the Occasion of the 50th Anniversary of the Sister City Relationship Between Fresno and Kochi, Japan

Sponsors: City Councilmember Brand

SCHEDULED COMMUNICATION

11:00 A.M.

[ID#15-865](#)

Appearance by Sean Sanchez to discuss the process and the authority of Code Enforcement issuing assessments on property

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

OCTOBER 15, 2015 - NO MEETING

OCTOBER 22, 2015 - 8:30 A.M.

10:00 A.M. - HEARING to consider Rezone Application No. R-14-010 filed by Jeffrey T. Roberts, on behalf of C&A Farms. The application pertains to an approximately 414.8 acres property generally bounded by W. Whites Bridge Avenue, S. Hughes Avenue, W. Church Avenue, and S. Marks Avenue.

October 29, 2015 - 8:30 A.M.

10:00 A.M. - HEARING - Regarding the vacation of portions of public street easement at the northwest corner of E. San Gabriel and N. Chestnut Avenues (Council District 4)

NOVEMBER 5, 2015 - 8:30 A.M.

NOVEMBER 12, 2015 - NO MEETING

NOVEMBER 19, 2015 - 1:30 P.M.

2:00 P.M. - HEARING - Regarding the vacation of the Lorena-Geary Alley, E. Geary Avenue, and the Geary-Florence Alley, all between S. Plumas Street and S. Walnut Street (Council District 3)

NOVEMBER 26, 2015 - NO MEETING

DECEMBER 3, 2015 - 8:30 A.M.

10:00 AM - HEARING to consider the Formation of a Special Tax District (Community Facilities District No. 15 – E. Copper River Ranch Maintenance District) (Eastern portion of the Copper River Ranch Development located northwest of N. Willow and E. Copper Avenues) (Council District 6)

DECEMBER 10, 2015 - 8:30 A.M.

DECEMBER 17, 2015 - 1:30 P.M.

DECEMBER 24, 2015 - NO MEETING

DECEMBER 31, 2015 - NO MEETING

UPCOMING EMPLOYEE CEREMONIES

OCTOBER 27, 2015 (Tuesday)

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

2015 CITY COUNCIL MEETING SCHEDULE

OCTOBER 15, 2015 - NO MEETING

OCTOBER 22, 2015 - 8:30 A.M.

OCTOBER 29, 2015 - 8:30 A.M.