

City of Fresno

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



Meeting Agenda - Final-revised

Thursday, December 17, 2015

1:30 PM

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**

1:30 P.M. ROLL CALL

Invocation by Pastor Vickie Healy of the Wesley United Methodist Church

Pledge of Allegiance to the Flag

CEREMONIAL PRESENTATIONS

[ID#15-1142](#) Recognition of Linda Amparano as the Clovis Unified School District's Employee of the Year

Sponsors: City Councilmember Brandau

1:30 P.M.#1

[ID#15-1112](#) Approve acceptance of donation of approximately 0.28 acre property by Mr. William Collins, for the future construction of a new trailhead at E. Tulare Avenue and N. Argyle Avenue (Council District 5)

Sponsors: Parks, After School and Recreation and Community Services Department

1:30 P.M.#2

[ID#15-1064](#) WORKSHOP - Election Update by Brandi Orth, Fresno County Clerk/Registrar of Voters

Sponsors: Council President Baines III

1:30 P.M.#3

[ID#15-1157](#) WORKSHOP - Update on the Status of High Speed Rail activities and construction projects in the City of Fresno.

Sponsors: Council President Baines III

APPROVE MINUTES

[ID#15-1156](#) Approval of City Council minutes from December 3, 2015

[ID#15-1172](#) Approval of City Council minutes from December 10, 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#15-1005](#) Award a contract for an Information Technology (IT) Strategic Plan in the amount of \$174,800 with NexLevel Information Technology, Inc. (Bid File 91815) (Citywide)
- Sponsors:** Information Services Department
- 1-B** [ID#15-1061](#) Approve the updated Controlled Substances and Alcohol Testing Policies for Safety-Sensitive Employees/Individuals Subject to the Federal Transit Administration and the Federal Motor Carrier Safety Administration Regulations.
- Sponsors:** Personnel Services Department
- 1-C** [ID#15-1089](#) Approve a Cooperate Agreement with the County of Fresno for a maximum City contribution of \$78,500 to construct a traffic signal at the intersection of Shaw and Grantland Avenues (Council Districts 1 and 2)
- Sponsors:** Public Works Department
- 1-D** [ID#15-1092](#) Approve an amendment to the agreement with Mark Thomas & Company Inc. (MTCO) for additional professional engineering services for the Veterans Boulevard Grade Separation and State Route 99 Freeway Interchange project for a net increase of \$401,572 (Council District 2).
- Sponsors:** Public Works Department
- 1-E** [ID#15-1095](#) ***RESOLUTION - 23rd amendment to the Annual Appropriation Resolution (AAR) No. 2015-104 to appropriate \$64,500 for two State-funded railroad crossing safety improvement projects (Requires 5 affirmative votes) (Council Districts 1 and 7)
- Sponsors:** Public Works Department

- 1-F [ID#15-1105](#) Authorize the Personnel Services Director to execute an Agreement with Occu-Med to provide medical examinations and related medical and drug/alcohol testing services to the City.
- Sponsors:** Personnel Services Department
- 1-G [ID#15-1110](#) Approve a Utility Agreement (No. 06-1398.15) with the California Department of Transportation (Caltrans) for Caltrans to relocate City water and sewer utilities associated with the State Route 99 Relocation Project and to reimburse City staff in the amount of \$112,500.00 for wet tie connections to the City water system (Council Districts 1 and 3).
- Sponsors:** Public Works Department
- 1-H [ID#15-1126](#) Approve First Amendment to Agreement with Provost & Pritchard Engineering Group, Inc., in the amount of \$13,055 for design modifications of the City of Fresno's Nielsen Groundwater Recharge Facility
- Sponsors:** Department of Public Utilities
- 1-I [ID#15-1127](#) Actions pertaining to a new Parking and Revenue Control System at Fresno Yosemite International Airport (FAT) (Council District 4)
1. ***RESOLUTION - 28th Amendment to the Annual Appropriations Resolution (AAR) No. 2015-104 appropriating \$106,900 for the Parking and Revenue Control System at Fresno Yosemite International Airport (Requires 5 affirmative votes)
 2. Adopt a finding of Categorical Exemption pursuant to Article 19, Section 15301(a) and (d)/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines for actions related to Amendment No. 1 to Parking Lot Management Agreement at Fresno Yosemite International Airport.
 3. Approve Amendment No. 1 to Parking Lot Management Agreement between the City and SP Plus Corporation (SP Plus) for the purchase, deployment and maintenance of a Parking and Revenue Control System at Fresno Yosemite International Airport in the amount of \$356,900.

Sponsors: Airports Department

- 1-J [ID#15-1129](#) Approve an agreement with Fehr & Peers in the amount of \$202,000 plus \$25,000 for contingencies to provide professional services for the City of Fresno Active Transportation Plan including the Bicycle, Pedestrian & Trails Master Plan Update (Citywide)

Sponsors: Public Works Department

- 1-K [ID#15-1130](#) Approve a two-year agreement with Central California Baseball Academy for the Al Radka Park youth baseball fields and the adoption of the park. (Council District 5)

Sponsors: Parks, After School and Recreation and Community Services Department

- 1-L [ID#15-1131](#) Approve Drainage Facility Development Agreement No. 1770(D)-BQ-13 between the City of Fresno and the Fresno Metropolitan Flood Control District related to construction of the City of Fresno's Southeast Surface Water Treatment Facility (Citywide)

Sponsors: Department of Public Utilities

- 1-M [ID#15-1159](#) First Amendment to the existing consulting services agreement with USONA Development, LLC. in the amount of \$21,200, and an extension of time to December 30, 2016 for an expanded scope of services pertaining to Housing and Urban Development (HUD) grants management and the timely submission of the FY 2016-2017 Annual Action Plan.

Sponsors: Development and Resource Management Department

- 1-N [ID#15-1151](#) Authorize amendments to Non-Exclusive Agreements for Roll-Off Collection Services between the City of Fresno and franchisees to extend terms for five years to June 30, 2021.

Sponsors: Department of Public Utilities

- 1-O [ID#15-1152](#) Approve Amended and Restated Agreement for Purchase Option and Right of Access between Cesar Chavez Foundation and the City of Fresno

Sponsors: City Manager's Office

- 1-P [ID#15-1154](#) Consider adopting minor changes to the Citywide

Development Code contained in Chapter 15 of the Fresno Municipal Code, as introduced by the Fresno City Council at the December 3, 2015 adoption hearing for Bill No. B-43 relating to Recycling Centers, Mobile Vendors and Small Scale Entertainment Centers in Mixed Use Districts

1. ***BILL - (Intro. as amended 12/3/2015) (For adoption) Adopting minor changes to the Citywide Development Code, Chapter 15 of the Fresno Municipal Code Section 15-2750 relating to Recycling Centers, Section 15-2740 relating to Mobile Vendors and Table 15-1102 relating to Small Scale Entertainment Centers

Sponsors:

Development and Resource Management Department

1-Q [ID#15-1167](#)

Actions pertaining to emergency response at Summerset Village Apartments:

1. Approve an MOU with the American Red Cross for services provided for residents of the Summerset Village Apartments

2. ***RESOLUTION - 29th amendment to the Annual Appropriations Resolution (AAR) No. 2015-104 appropriating \$25,000 from PG&E for reimbursement of expenses incurred due to emergency response (Requires 5 affirmative votes)

Sponsors:

City Manager's Office

1-R [ID#15-1170](#)

***BILL NO. B-47- (Introduction 12/10/2015) (For adoption) - Adopting an ordinance adding Article 4.14 to Chapter 12 of the Fresno Municipal Code relating to the exemption of development impact fees for certain projects in economically disadvantaged neighborhoods

Sponsors:

City Councilmember Soria and City Councilmember Olivier

1-S [ID#15-1171](#)

***BILL NO. B-48 - (Intro. 12/10/2015) (For adoption) - Adopting an ordinance adding Article 4.15 to Chapter 12 of the Fresno Municipal Code relating to the exemption of development impact fees for the replacement or reconstruction of existing commercial structures

Sponsors:

City Councilmember Soria and City Councilmember Olivier

1-T [ID#15-1184](#)

RESOLUTION - Calling Special Mailed Ballot Election for CFD 15 and Setting New Election Date for February 19, 2016

CONTESTED CONSENT CALENDAR**2. GENERAL ADMINISTRATION**

- 2-A [ID#15-1138](#) Acceptance of a \$2,932,600 State Revolving Fund Low-Interest Loan through the State Water Resources Control Board Consolidation Incentive Program for construction of water main pipelines for connection of the Orange Center School District to the City of Fresno's water distribution system.
- Sponsors:** Department of Public Utilities
- 2-B [ID#15-1101](#) WORKSHOP: Workers' Compensation Alternative Dispute Resolution Carve Out - FPOA 1st Quarter Update
- Sponsors:** Personnel Services Department
- 2-C [ID#15-1125](#) Authorize the Director of the Development and Resource Management Department to sign the Master Service Agreement and Contract Work Authorization Agreement between the City of Fresno and Pacific Gas and Electric Company until December 31, 2017 and receive \$5,694,000 in funding from the California Public Utilities Commission for energy efficiency programs.
- Sponsors:** Development and Resource Management Department
- 2-D [ID#15-1155](#) Review need for continuing local emergency related to the Summerset Apartments declared on November 25, 2015, and ratified on November 30, 2015, pursuant to Government Code 8630.
- Sponsors:** City Manager's Office
- 2-E [ID#15-1153](#) Approve the Second Amendment to Amended and Restated Stadium Sublease Agreement
- Sponsors:** City Manager's Office
- 2-F [ID#15-1162](#) Actions Pertaining to the FY 2016 Budget Update for the General Fund and the Measure "C" -PW Allocation Street Maintenance Fund
1. ***RESOLUTION - 24th amendment to the Annual Appropriation Resolution (AAR) No. 2015-104 to appropriate \$6,730,000 for operating programs and capital improvement

projects citywide (Requires 5 affirmative votes)
2. ***RESOLUTION -3rd amendment to the Position Authorization Resolution (PAR) No. 2015-105 entitled "A Resolution of the Council of the City of Fresno establishing the number of positions authorized in the various departments and offices of the City for Fiscal Year 2016"

Sponsors: Finance Department

JOINT MEETING OF THE CITY OF FRESNO, THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF FRESNO AND THE FRESNO REVITALIZATION CORPORATION

[ID#15-1164](#) Approve Fiscal Year 2015-2016 program income budget for the Housing Successor to the Redevelopment Agency of the City Fresno (Council action only)

Sponsors: Successor Agency to the Redevelopment Agency of the City of Fresno

ADJOURN AGENCY

3. CITY COUNCIL

3-A [ID#15-1166](#) RESOLUTION - Initiating a text amendment to the Zoning Ordinance of the City of Fresno pursuant to FMC sections 12-402 and 15-5803 to amend zoning and use regulations for the sale of alcoholic beverages for offsite consumption within the City of Fresno

Sponsors: Council President Baines III and Vice President Caprioglio

3-B [ID#15-1173](#) RESOLUTION - Seek adoption of a Sister City relationship with Chateauroux France

Sponsors: City Councilmember Soria

4. CLOSED SESSION

[ID#15-1146](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)
1. Louie Aguilar v. City of Fresno, Administered by RISICO Claims Management
Workers' Compensation Appeals Board Case No.

ADJ7615571

Sponsors:

City Attorney's Office

ID#15-1147CONFERENCE WITH LEGAL COUNSEL-EXISTING
LITIGATION - Government Code Section 54956.9,
subdivision (d)(1)1. Timothy Murray v. City of Fresno, Administered by
RISICO Claims Management
Workers' Compensation Appeals Board Case No.
ADJ9871041, ADJ10120925**Sponsors:**

City Attorney's Office

ID#15-1182PUBLIC EMPLOYEE PERFORMANCE EVALUATION -
Government Code Section 54957

Title: City Clerk

Sponsors:

Council President Baines III

ID#15-1183CONFERENCE WITH LABOR NEGOTIATOR - Government
Code Section 54957.6

City Negotiator(s): Council President Baines III

Unrepresented: City Clerk

Sponsors:

Council President Baines III

5. SCHEDULED COUNCIL HEARINGS AND MATTERS**2:00 P.M.#1****ID#15-1087**HEARING to adopt resolutions and ordinance to annex
territory and levy a special tax regarding City of Fresno
Community District No. 11, Annexation No. 63 (Final Tract
Map No. 6036) (west side of N. Grantland Avenue between
W. Shaw and Barstow Avenues) (Council District 2)

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 2015-2016 and future
tax years within and relating to Community Facilities District
No. 11, Annexation No. 63, Final Tract Map No. 6036

Sponsors: Public Works Department

2:00 P.M.#2

[ID#15-1106](#) RESOLUTION - Approving the Final Map of Tract No. 6036 and accepting dedicated public uses offered therein - west side of N. Grantland Avenue between W. Shaw Avenue and W. Barstow Avenue (Council District 2)

Sponsors: Public Works Department

2:15 P.M.

[ID#15-1128](#) HEARING to consider Rezone Application No. R-15-005 and Environmental Assessment No. R-15-005/C-15-025, filed by Dirk Poeschel of Land Development Services, Inc., on behalf of Gary Chester, which pertains to approximately ±2.7 acres of a ±8.73 acre property located on the west side of N. Brawley Avenue between W. Herndon and W. Palo Alto Avenues (Council District 2)

1. Adopt the environmental Finding of Conformity prepared for Environmental Assessment No. R-15-005/C-15-025, dated November 6, 2015.
2. BILL (For introduction and adoption) - Approving Rezone Application No. R-15-005 requesting authorization to reclassify the ±2.7 acre portion of the ±8.73 acres from the AE-5/UGM (Exclusive Five Acre Agricultural/Urban Growth Management) zone district to the C-5/UGM (General Commercial/Urban Growth Management) zone district.

Sponsors: Development and Resource Management Department

2:30 P.M.

[ID#15-1133](#) HEARING to consider Text Amendment No TA-15-001A and related environmental finding for adoption of Pedestrian Access and Façade Design Development Standards and related items in the Residential Multiple Family and Mixed Use zones of the Citywide Development Code (Sections 15-1004-C-1, 15-1004-E, 15-1005, 15-1104-D-1, 15-1104-F, 15-1105, and 15-5602-A)

1. ADOPT the environmental finding of Environmental Assessment No. TA-15-001A, that Text Amendment TA-15-

001A is within the scope of the Final Master Environmental Impact Report SCH No. 2012111015 ("MEIR") certified by the Fresno City Council on December 18, 2014 and the related Addendum adopted by the Fresno City Council on November 19, 2015 for the Citywide Development Code 2. BILL - (For introduction and 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-C-1, 15-1004-E, 15-1005, 15-1104-D-1, 15-1104-F, 15-1105, and 15-5602-A)

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

DECEMBER 24, 2015 - NO MEETING

DECEMBER 31, 2015 - NO MEETING

JANUARY 7, 2016

10:00 AM - CONTINUED HEARING to consider 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)

FEBRUARY 4, 2016

10:00 AM - HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community District No. 11, Annexation No. 65 (Final Tract Map No. 6104) (parcels bounded by East Fancher Creek Drive,

South Purdue Avenue, South Bundy Avenue, and East Beck Avenue) (Council District 5)

UPCOMING EMPLOYEE CEREMONIES

JANUARY 28, 2016 - Employee of the Winter Quarter Ceremony

APRIL 14, 2016 - Employee of the Spring Quarter Ceremony

APRIL 27, 2016 - Employee Service Awards Ceremony

JULY 28, 2016 - Employee of the Summer Quarter Ceremony

OCTOBER 13, 2016 Employee of the Fall Quarter Ceremony

OCTOBER 19, 2016 - Employee Service Awards Ceremony

2016 CITY COUNCIL MEETING SCHEDULE

JANUARY 7, 2016 - 8:30 A.M.

JANUARY 14, 2016 - 8:30 A.M.

JANUARY 21, 2016 - NO MEETING

JANUARY 28, 2016 - 8:30 A.M.

FEBRUARY 4, 2016 - 8:30 A.M.

FEBRUARY 11, 2016 -NO MEETING

FEBRUARY 18, 2016 - NO MEETING - PRESIDENT'S DAY

FEBRUARY 25, 2016 - 8:30 A.M.