

City of Fresno

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



Meeting Agenda - Final-revised

Thursday, March 17, 2016

1:30 PM

Regular Session

Council Chambers

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

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 Reverend Michele Racusin of an Episcopal Church located on Alluvial Avenue

Pledge of Allegiance to the Flag

CEREMONIAL PRESENTATIONS

[ID16-300](#)

Fresno City Council "2016 Women of the Year"
Proclamations

Council District 1: Josephine Kiran - Sponsor
Councilmember Soria

Council District 2: Ann Kloose - Sponsor Councilmember
Brandau

Council District 3: Felicia Quarles Treadwell - Sponsor
Councilmember Baines

Council District 4: Mary Castro- Sponsor Council President
Caprioglio

Council District 5: Dorothy Manjarrez- Sponsor Vice
President Quintero

Council District 6: Nancy Walker- Sponsor Councilmember
Brand

Council District 7: Pastor Ann Lopez- Sponsor
Councilmember Olivier

Sponsors:

City Council

[ID16-306](#)

Proclamation of "WOMEN'S HISTORY MONTH"

Sponsors:

City Councilmember Soria

[ID16-215](#)

Proclamation of "NATIONAL NUTRITION MONTH"

Sponsors:

Mayor's Office

[ID16-219](#)

Fresno EOC Sanctuary and Youth Services celebrates a
Proclamation of "NATIONAL SAFE PLACE WEEK" - March
20-26, 2016

Sponsors:

City Councilmember Baines III and City Councilmember
Soria

[ID16-307](#) Recognition of Central High School Boys Basketball Team - Division I Valley Champions; and Central High School Girls Golf Team Valley Champions

Sponsors: City Councilmember Soria

APPROVE AGENDA

APPROVE MINUTES

[ID16-142](#) Approval of minutes from March 3, 2016

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 [ID16-191](#) RESOLUTION - Of Intention to annex Final Tract Map No. 6097, Annexation No. 67, to the City of Fresno Community Facilities District No. 11 (an area located near the east of North Fowler Avenue between East Clinton and Princeton Avenues) (Council District 4)

Sponsors: Public Works Department

1-B [ID16-209](#) Adopt Resolution of Intention No. 1103-D to vacate alleys south of East Franklin Avenue between North Broadway Avenue and State Route Freeway 180 (Council District 3)

Sponsors: Public Works Department

1-C [ID16-288](#) Approve a three-year License Agreement with Cumulus Media Inc. for use of Rotary Amphitheater for ten events each year

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

1-D [ID16-180](#) Actions pertaining to the City's Housing Opportunities for Persons with AIDS (HOPWA) Program:

1. Approve Agreement with WestCare California for HOPWA Program funding in the amount of \$371,645; and
2. Approve Agreement with Fresno Housing Authority for HOPWA Program funding in the amount of \$11,494

Sponsors:

Development and Resource Management Department

1-E [ID16-193](#)

Actions pertaining to Right-of-Way Acquisition for the Copper Avenue Trail Project;

1. Adopt the Categorical Exemption Environmental Assessment No. EA 12-012, dated February 2, 2016.
2. Approve the acquisition of 16,088 square feet of a pedestrian easement and 6,534 square feet of temporary construction easement from property owned by the Petrosino family (APN 579-074-30S) in the amount of \$82,200 for the construction of a multi-purpose trail along Copper Avenue from Maple to Chestnut Avenues. (Council District 6)

Sponsors:

Public Works Department

1-F [ID16-238](#)

Award a Requirements Contract for linen & dust control services at Various City Facilities in the amount of \$108,707.77 for three (3) years with an option for one (1) three-year (3) year extension to Aramark Uniform & Career Apparel, LLC. Of Fresno, CA (Citywide) Bid File No. 9354

Sponsors:

Finance Department

1-G [ID16-262](#)

RESOLUTION - Approving the Final Map of Tract No. 6104 and accepting dedicated public uses offered therein-south side of E. Fancher Creek Drive, between S. Sunnyside Avenue and S. Purdue Avenue (Council District 5)

Sponsors:

Public Works Department

1-H [ID16-273](#)

RESOLUTION - Authorizing submittal of applications for payment programs and related authorizations for California Department of Resources Recycling and Recovery (CalRecycle), for which the City of Fresno is eligible

Sponsors:

Department of Public Utilities

1-I [ID16-275](#)

Approve a contract with Elite Maintenance and Tree Service in the amount of \$304,795.69 to provide median island landscape maintenance services (Citywide)

Sponsors: Public Works Department

- 1-J [ID16-276](#) Approve Lease Amendment No. 2 between the City of Fresno and John Tomaino an individual D.B.A. American Helicopters at Fresno Chandler Executive Airport (FCH) (Council District 3)

Sponsors: Airports Department

- 1-K [ID16-281](#) RESOLUTION - Authorizing the submission of an application for grant funds from the California Department of Transportation 2016 Systemic Safety Analysis Report Program "Call for Applications" and authorizing the execution of all application related documents by the Public Works Director or designees (Citywide)

Sponsors: Public Works Department

- 1-L [ID16-282](#) Approve License Amendment No. 4 between the City of Fresno and Bank of America, National Association, for automated teller services at Fresno Yosemite International Airport (FAT). (Council District 4)

Sponsors: Airports Department

- 1-M [ID16-284](#) Approve Amendment No. 8 to Agreement between City of Fresno and ERM-West, Inc., (ERM) to provide ongoing engineering, environmental and remedial actions concerning groundwater contamination at Fresno Yosemite International Airport (FAT) for an amount not to exceed \$254,700

Sponsors: Airports Department

- 1-N [ID16-286](#) Actions pertaining to updating proprietary hardware and software on passenger boarding bridges at Fresno Yosemite International Airport (Council District 4)
1. Adopt a finding of Categorical Exemption pursuant to Article 19, Section 15301(d) (Existing Facilities), Class 1 of the California Environmental Quality Act (CEQA) Guidelines for the Fresno Yosemite International Airport - Passenger Boarding Bridge Update Project.
 2. RESOLUTION - Authorizing the Director of Aviation to execute a contract with John Bean Technologies Corporation, dba JBT AeroTech, for the purchase and installation of HMI controller upgrade kits for six (6)

passenger boarding bridges at Fresno Yosemite International Airport without advertised competitive bidding under the sole source exception.

3. Award a contract to John Bean Technologies Corporation, dba JBT AeroTech, to update six (6) passenger boarding bridges at Fresno Yosemite International Airport, in the amount of \$368,950.24.

Sponsors: Airports Department

1-O [ID16-312](#) Approve Amended Employment Agreement of City Clerk

Sponsors: Council President Caprioglio

1-P [ID16-313](#) Approve Amended Employment Agreement of City Attorney.

Sponsors: Council President Caprioglio

2. GENERAL ADMINISTRATION

2-A [ID16-241](#) Submission and Acceptance of City of Fresno Comprehensive Annual Financial Report (CAFR) and the Comprehensive Annual Debt Report (CADR) for Fiscal Year 2015

Sponsors: Finance Department

2-B [ID16-228](#) Award a Contract to Steve Dovali Construction in the amount of \$976,329.45 to construct well site improvements at Pump Stations (PS) 250A, 236A and 52A (Citywide)

Sponsors: Department of Public Utilities

2-C [ID16-244](#) Award a purchase contract in the amount of \$356,060.25 to Herwaldt Automotive for the purchase of OEM police motorcycles - City-wide bid file 9340

Sponsors: Department of Public Transportation

2-D [ID16-243](#) Actions pertaining to the Fort Washington Neighborhood 8" Water Main Project in the vicinity of N. Millbrook Avenue and E. Plymouth Way - Bid File 3353 (County of Fresno)
1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15302(c) Class 2 of the CEQA Guidelines, for the Fort Washington Neighborhood 8" Water Main Project in the vicinity of N. Millbrook Avenue and

E. Plymouth Way

2. Award a Construction Contract to West Valley Construction Company of San Jose, California in the amount of \$2,748,788 as the lowest responsive, responsible bidder for the Fort Washington Neighborhood 8" Water Main Project in the vicinity of N. Millbrook Avenue and E. Plymouth Way and authorize the Public Works Director or designee to sign a contract on behalf of the City

Sponsors:

Public Works Department

2-E [ID16-257](#)

Authorize the Public Works Director to enter into Sixth and Seventh Amendments to a Reimbursement Agreement with the California High-Speed Rail Authority (CHSRA) in substantially the form presented, for the purposes of increasing the contract amount to develop and implement a series of cooperative agreements, and extending the contract end date by twelve months to December 31, 2017. (Council Districts 1, 2 & 3)

Sponsors:

Public Works Department

2-F [ID16-285](#)

Actions pertaining to an award of a construction contract to Davis Moreno Construction, Inc. of Fresno, CA in the amount of \$1,163,973 including the base bid plus add alternates 1 and 2 for the Cultural Arts District Park Project (Bid File 3440) (Council District 3)

1. Adopt finding of a Categorical Exemption pursuant to Sections 15303 and 15332 of the California Environmental Quality Act Guidelines

2. Award a construction contract with Davis Moreno Construction, Inc. of Fresno, CA in the amount of \$1,163,973 including the base bid plus add alternates 1 and 2 for the Cultural Arts District Park Project

Sponsors:

Public Works Department, Parks, After School and Recreation and Community Services Department

3. CITY COUNCIL

3-A [ID16-274](#)

BILL - (For introduction) - Amending Section 9-907 and Section 9-918 of the Fresno Municipal Code, relating to taxicabs

Sponsors:

City Councilmember Olivier

- 3-B [ID16-309](#) Actions pertaining to the Economic Expansion Act:
1. ***RESOLUTION - Adopting the Economic Expansion Act
 2. BILL (For introduction) - Amending subsection (a) of Section 12-4.1404 of the Fresno Municipal Code relating to the exemption from payment of fees for certain types of businesses
 3. ***RESOLUTION - Amending a policy to reduce or eliminate selected citywide impact fees for industrial and large office development projects that create new jobs, increase assessed property valuation, and promote economic development

Sponsors:

City Councilmember Brand

- 3-C [ID16-315](#) BILL (for introduction) - Amending Section 3-102 of the Fresno Municipal Code concerning employment outside city service.

Sponsors:

City Councilmember Soria

4. SCHEDULED COUNCIL HEARINGS AND MATTERS

2:00 P.M.

[ID16-237](#)

HEARING to consider Rezone Application No. R-15-010 and related Environmental Assessment No. R-15-010 filed by Brandon Broussard of Yamabe & Horn Engineering, on behalf of Leland Parnagian of G3 Development Company, for approximately 95.02 acres of property located on the northwest corner of S. East and E. Central Avenues (Council District 3)

- a. Adopt a Finding of Conformity to the Fresno General Plan Master Environmental Impact Report as Environmental Assessment No. R-15-010 dated December 18, 2015.
- b. BILL (For introduction and adoption) - Approving Rezone Application No. R-15-010 requesting authorization to prezone the entirety of the subject property from the AL-20 (Agricultural Limited, 20 Acres - Fresno County) and AE-20 (Agricultural Exclusive, 20 Acres - Fresno County) zone districts to the IL/UGM (Light Industrial/Urban Growth Management) and IH/UGM (Heavy Industrial/Urban Growth Management) zone districts.

Sponsors: Development and Resource Management Department

2:30 P.M.#1

[ID16-299](#) Appearance by Jeffrey T. Roberts on behalf of Granville Homes to request two impact fee waivers for S-15-109 (1752 "L" Street) and S-15-108 (1743 "L" Street)

2:30 P.M.#2

[ID16-304](#) Request Council prepare a letter of support for the proposed mixed use project located at the southwest corner of N. Blackstone Avenue and E. Clinton Avenue (3.5 acres)

3:00 P.M.**CONTESTED CONSENT CALENDAR****5. CLOSED SESSION**

[ID16-199](#) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Government Code Section 54956.9, subdivision (d)(2)
Significant Exposure to Litigation:

1. Sierra Mountain Construction, Inc. v. City of Fresno

Sponsors: City Attorney's Office

[ID16-314](#) CONFERENCE WITH LABOR NEGOTIATOR - Government Code Section 54957.6

City Negotiator(s): Ken Phillips, Jeff Cardell

Employee Organization(s):

1. IUOE, Stationary Engineers, Local 39 (L39)
2. Fresno City Employees Association (FCEA)
3. Fresno Police Officers Association (FPOA Basic)
4. International Association of Firefighters, Local 753 (Fire Basic)
5. Amalgamated Transit Union, Local 1027 (ATU)
6. International Brotherhood of Electrical Workers, Local 100 (IBEW)
7. Fresno Police Officers Association (FPOA Management)
8. International Association of Firefighters, Local 753 (Fire Mgmt)

- 9. City of Fresno Professional Employees Association (CFPEA)
 - 10. City of Fresno Management Employees Association (CFMEA)
 - 11. Fresno Airport Public Safety Supervisors (FAPSS)
- Personnel Services Department

Sponsors:[ID16-316](#)

CONFERENCE WITH LABOR NEGOTIATORS -
Government Code Section 54957.6
City Negotiator(s): Paul Caprioglio, Bruce Rudd, Jeffrey Cardell. Douglas Sloan, Yvonne Spence
Unrepresented Employees in Unit 2 (Non-Represented Management and Confidential Classes):
Airport Public Safety Manager
Assistant City Attorney
Assistant City Manager
Assistant Controller
Assistant Director
Assistant Director of Personnel Services
Assistant Director of Public Utilities
Assistant Director of Public Works
Assistant Police Chief
Assistant Retirement Administrator
Budget Analyst
Budget Manager
Chief Assistant City Attorney
Chief Information Officer
Chief of Staff to the Mayor
City Attorney
City Clerk
City Engineer
City Manager
Community Coordinator
Community Outreach Specialist
Controller
Council Assistant
Deputy City Attorney II
Deputy City Attorney III
Deputy City Manager
Director
Director of Aviation

Director of Development
Director of Personnel Services
Director of Public Utilities
Director of Transportation
Economic Development Coordinator
Economic Development Director
Executive Assistant to Department Director
Executive Assistant to the City Manager
Fire Chief
Governmental Affairs Manager
Human Resources Manager
Independent Reviewer
Internal Auditor
Labor Relations Manager
Labor Relations Secretary
Payroll Accountant
Payroll Manager
Police Chief
Principal Budget Analyst
Principal Internal Auditor
Public Affairs Officer
Public Works Director
Redevelopment Administrator
Retirement Administrator
Risk/Safety Manager
Senior Budget Analyst
Senior Deputy City Attorney
Senior Human Resources/Risk Analyst
Supervising Deputy City Attorney
Sponsors: Personnel Services Department

Sponsors: Personnel Services Department

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 24, 2016 - NO MEETING

APRIL 14, 2016

10:00 A.M.#1 HEARING - Regarding the vacation of the alleys south of E. Franklin Avenue between N. Broadway Avenue and State Route 180 (Council District 3)

APRIL 14, 2016

5:00 P.M. - HEARING regarding the - Housing Element - Plan Amendment No. A-16-001

APRIL 28, 2016

10:00 A.M. - HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community District No. 11, Annexation No. 67 (Final Tract Map No. 6097) (area east of N. Fowler Avenue, between E. Clinton and Princeton Avenues) (Council District 4)

APRIL 28, 2016

10:15 A.M.- HEARING - Regarding the vacation of a public utility easement in the previously vacated East Geary Avenue, between S. Plumas and S. Walnut Avenues (Council District 3)

UPCOMING EMPLOYEE CEREMONIES

APRIL 14, 2016 -1:30 P.M. - Employee of the Spring Quarter Ceremony

APRIL 27, 2016 - 2:00 P.M. - Employee Service Awards Ceremony

JULY 28, 2016 - 1:30 P.M.- Employee of the Summer Quarter Ceremony

OCTOBER 13, 2016 - 1:30 P.M. - Employee of the Fall Quarter Ceremony

OCTOBER 19, 2016 - 2:00 P.M. - Employee Service Awards Ceremony

2016 CITY COUNCIL MEETING SCHEDULE

MARCH 24 - 2016 - NO MEETING

MARCH 31 - 2016 - 8:30 A.M. MEETING