

City of Fresno

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



Meeting Agenda - Final

Thursday, May 2, 2019

1:30 PM

Regular Meeting

Council Chambers

City Council

President - Paul Caprioglio

Vice President - Miguel Angel Arias

Councilmembers:

*Esmeralda Z. Soria, District 2 - Vacant, Luis Chavez, Garry Bredefeld, Nelson
Esparza*

City Manager - Wilma Quan

City Attorney - Douglas T. Sloan

City Clerk - Yvonne Spence, MMC

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 amarilia 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 qaurn 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**

1:32 P.M. ROLL CALL

Invocation given by Deputy Police Chief Patrick Farmer, Fresno Police Department.

Pledge of Allegiance to the Flag

APPROVE AGENDA

APPROVE MINUTES

[ID19-1393](#) Approval of minutes for April 25, 2019.

Sponsors: City Clerk's Office

CEREMONIAL PRESENTATIONS

[ID19-1614](#) Proclamation of "Municipal Clerk's Week"

Sponsors: Council President Caprioglio

[ID19-1219](#) Proclamation of "Vietnam Veterans Committee Members Day"

Sponsors: Council President Caprioglio

[ID19-1599](#) Proclamation of the "10th Anniversary of CFDI Day"

Sponsors: Councilmember Soria

[ID19-1537](#) Proclamation of "Norman "JR" Norwood Jr. Day"

Sponsors: Mayor's Office

[ID19-1540](#) Proclamation of "Peace Officers Memorial Day" and May 12 through May 18, 2019 as "National Police Week"

Sponsors: Mayor's Office

[ID19-1280](#) Announcement of Marisol Baca as Fresno's Poet Laureate

Sponsors: Mayor's Office

[ID19-1627](#) Proclamation of "Camp Kesem Day"

Sponsors: Council President Caprioglio

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** [ID19-1592](#) Authorize First Amendment to the November 9, 2017 Memorandum of Understanding between the City of Fresno and Fresno Building Healthy Communities regarding the BMX project at Mary Ella Brown Community Center Park approving project scope, timeline, and budget and authorizing an additional \$135,140 for city-initiated project augmentation (District 3)

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

- 1-B** [ID19-1596](#) Actions pertaining to 10-Inch Sewer Main Installation in South Willow Avenue (Bid File 3651) (County of Fresno):
1. Adopt a finding of Categorical Exemption pursuant to Class 3, Section 15303(d) (New Construction) of the California Environmental Quality Act Guidelines
 2. Award a Construction Contract to Haydon Construction, Inc., in the amount of \$271,537
 3. Authorize the Director of Public Utilities, or designee, to sign the contract on behalf of the City of Fresno

Sponsors: Department of Public Utilities

- 1-C** [ID19-1616](#) ***RESOLUTION - Creating Roles and Responsibilities for the Citywide Records Management Program (Subject to Mayor's veto)

Sponsors: City Clerk's Office

- 1-D** [ID19-1621](#) Actions pertaining to the Perrin Avenue and Liberty Hill Road Traffic Signal Modification - Bid File No. 3656 (Council District 6)
1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301(c) of the CEQA guidelines.
 2. Award a construction contract in the amount of \$207,309

to Sturgeon Electric, LLC., of Chino, CA.

Sponsors: Public Works Department

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:00 A.M. (HEARING CONTINUED TO 1:35 P.M.)

[ID19-1583](#)

HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community Facilities District No. 9, Annexation No. 39 (Assessor's Parcel Number 505-281-21) (east side of North Grantland Avenue between West Barstow and Roberts Avenue) (Council District 2)

1. *** RESOLUTION - Annexing Territory to Community Facilities District No. 9 and Authorizing the Levy of a Special Tax (Subject to Mayor's Veto)
2. *** RESOLUTION - Calling Special Mailed-Ballot Election (Subject to Mayor's Veto)
3. *** RESOLUTION - Declaring Election Results (Subject to Mayor's Veto)
4. *** BILL - (For introduction and adoption) - Levying a Special Tax for the Property Tax Year 2018-2019 and Future Tax Years Within and Relating to Community Facilities District No. 9, Annexation No. 39 (Subject to Mayor's Veto)

Sponsors: Public Works Department

1:30 P.M.#1 CONTESTED CONSENT CALENDAR

1:30 P.M.#2

[ID19-1420](#)

HEARING to Consider Acceptance of the Southern Blackstone Avenue Smart Mobility Strategy

1. ADOPT a finding that there is no possibility that acceptance of the Southern Blackstone Avenue Smart Mobility Strategy will have a significant effect on the environment and is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3);
2. RESOLUTION - Accepting the Southern Blackstone Avenue Smart Mobility Strategy.

Sponsors: Development and Resource Management Department

1:35 P.M.#1[ID19-1615](#)

CONTINUED HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community Facilities District No. 9, Annexation No. 39 (Assessor's Parcel Number 505-281-21) (east side of North Grantland Avenue between West Barstow and Roberts Avenue) (Council District 2)

1. *** RESOLUTION - Annexing Territory to Community Facilities District No. 9 and Authorizing the Levy of a Special Tax (Subject to Mayor's Veto)
2. *** RESOLUTION - Calling Special Mailed-Ballot Election (Subject to Mayor's Veto)
3. *** RESOLUTION - Declaring Election Results (Subject to Mayor's Veto)
4. *** BILL - (For introduction and adoption) - Levying a Special Tax for the Property Tax Year 2018-2019 and Future Tax Years Within and Relating to Community Facilities District No. 9, Annexation No. 39 (Subject to Mayor's Veto)

Sponsors:

Public Works Department

1:35 P.M. #2 HEARING CONTINUED TO 3:30 P.M.[ID19-1612](#)

CONTINUED HEARING to consider Conditional Use Permit Application Nos. P18-03222 and P18-03223, located on the northwest corner of North Cedar Avenue and East Tulare Street (Council District 7)

1. ADOPT Environmental Assessment Nos. P18-03222 and P18-03223 dated February 20, 2019, a determination that the proposed project is exempt from the California Environmental Quality Act (CEQA) through a Class 32 Categorical Exemption.
2. ADOPT findings pursuant to Government Code Section 65863(b)(2) that there is substantial evidence in the record that remaining sites identified in the Housing Element can accommodate the City of Fresno's share of the Regional Housing Needs Assessment (RHNA).
3. APPROVE Conditional Use Permit Application No. P18-03222 requesting authorization to develop a 3,052

-square-foot convenience store and service station with eight fueling positions, subject to compliance with the Conditions of Approval dated February 20, 2019.

4. DENY Conditional Use Permit Application No. P18-03223 requesting authorization to establish a State of California Alcoholic Beverage Control (ABC) Type 20 (Package Store - sale of beer and wine for consumption off the premises where sold) license for the proposed convenience market.

Sponsors:

Development and Resource Management Department

3:30 P.M.

[ID19-1618](#)

CONTINUED HEARING to consider Conditional Use Permit Application Nos. P18-03222 and P18-03223, located on the northwest corner of North Cedar Avenue and East Tulare Street (Council District 7)

1. ADOPT Environmental Assessment Nos. P18-03222 and P18-03223 dated February 20, 2019, a determination that the proposed project is exempt from the California Environmental Quality Act (CEQA) through a Class 32 Categorical Exemption.

2. ADOPT findings pursuant to Government Code Section 65863(b)(2) that there is substantial evidence in the record that remaining sites identified in the Housing Element can accommodate the City of Fresno's share of the Regional Housing Needs Assessment (RHNA).

3. APPROVE Conditional Use Permit Application No. P18-03222 requesting authorization to develop a 3,052 -square-foot convenience store and service station with eight fueling positions, subject to compliance with the Conditions of Approval dated February 20, 2019.

4. DENY Conditional Use Permit Application No. P18-03223 requesting authorization to establish a State of California Alcoholic Beverage Control (ABC) Type 20 (Package Store - sale of beer and wine for consumption off the premises where sold) license for the proposed convenience market.

Sponsors:

Development and Resource Management Department

3. GENERAL ADMINISTRATION

- 3-A [ID19-1555](#) ***RESOLUTION - Adopting the City of Fresno's (City) 2019-2020 Annual Action Plan; approving submission to the U.S. Department of Housing and Urban Development (HUD) for application of Community Development Block Grant (CDBG), Home Investment Partnerships (HOME), Emergency Solutions Grant (ESG), and Housing Opportunities for Persons With Aids/HIV (HOPWA) Program Funds; and providing for subrecipient agreements. (Subject to Mayor's veto)

Sponsors:

Development and Resource Management Department

- 3-B [ID19-1584](#) ***RESOLUTION - 39th Amendment to the Annual Appropriation Resolution (AAR) No. 2018-157 to appropriate \$2,010,000 for Supplemental Refunds and Reimbursements to approved Developers in the Urban Growth Management and Development Impact Fee Programs (Requires 5 affirmative votes) (Subject to Mayor's veto)

Sponsors:

Public Works Department

4. CITY COUNCIL

- 4-A [ID19-1620](#) Council Boards and Commissions Communications, Reports, Assignments and/or Appointments, Reappointments, Removals to/from City and non-City Boards and Commissions:
1. Association for the Beautification of Highway 99 - Soria
 2. Budget Sub-Committee - Soria, Chavez, Caprioglio
 3. Cannabis Ad Hoc Committee - Soria
 4. Council of Governments - Mayor Brand-Ex-Officio (Caprioglio)
 5. Council Sub-committee on Homelessness - Chavez (Chair), Bredefeld, Arias
 6. CDBG Sub-committee - (Pertaining to Housing and addressing the allocation of Funds) - Caprioglio, Soria, Arias
 7. Code Enforcement Sub-Committee - Bredefeld, Caprioglio, Soria
 8. Economic Development Corporation Serving Fresno

County - Caprioglio-Ex-Officio, City Manager Wilma Quan and (Chavez - Alternate)

9. Enterprise and Construction Management Oversight Board - Chavez, Bredefeld-Alternate

10. Finance and Audit Committee - Bredefeld, Esparza-Chair, Vice Chair-Vacant

11. Fresno Area Workforce Investment Corporation - Soria

12. Fresno County Transportation Authority (FCTA) - Mayor Brand-Ex-Officio, (Caprioglio - Alternate)

13. Fresno Regional Workforce Development Board - Soria

14. Fresno County Zoo Authority - Mayor Brand-Ex-Officio, (Arias-Alternate)

15. Fresno Madera Area Agency on Aging Board - Esparza

16. Joint Powers Financing Authority - Mayor Brand, Soria, Caprioglio

17. League of California Cities (Annual Meeting) - Soria, Vacant, (Caprioglio - Alternates)

18. Litigation Exposure Reduction Ad Hoc Committee - Vacant, Caprioglio

19. North Kings Groundwater Sustainability Agency (GSA) Joint Powers Authority - Mayor Brand (Michael Carbajal, Tim Orman - Alternates)

20. San Joaquin River Conservancy Board - Mayor Brand-Ex-Officio, (Bredefeld-Alternate)

21. School Liaison Sub-Committee - Esparza-Chair, Chavez, Arias

22. Sub-Committee on Transportation - Arias, Caprioglio, Soria

23. Upper Kings Basin Integrated Regional Water Management JPA - Vacant (Michael Carbajal and Chavez - Alternates)

Sponsors:

Council President Caprioglio

5. CLOSED SESSION

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

May 16, 2019

10:00 A.M. - HEARING re: Vacation of a portion of West Devlan Avenue and a portion of North Weber Avenue north of the Southern Pacific Railroad (Council District 2).

May 16, 2019

5:00 P.M. - HEARING on accepting the Initiation of the Specific Plan of the West Area

FY 2020 SCHEDULED BUDGET HEARINGS

June 3, 2019 - 9:00 A.M.

Mayor's Presentation, GF Overview, Police Department, Fire Department, PARCS

June 6, 2019 - 9:00 A.M.

ISD, Personnel Services Department, Convention Center, DPU

June 10, 2019 - 10:00 A.M. (Or shortly thereafter)

Public Works Department, Airports Department, DARM, Transportation Department (FAX)

June 11, 2019 - 9:00 A.M.

City Attorney's Office, City Clerk's Office, GCP (Includes Retirement), City Council Offices, Mayor and City Manager's Office

June 18, 2019 - 9:00 A.M.

Vote on Motions

*June 20, 2019 - 9:00 A.M. (Budget hearing is part of the regular Council meeting)
Vote on Budget*

*June 27, 2019 - 9:00A.M. (Budget hearing is part of the regular Council meeting)
(Reserved for Final Vote, if needed)*

UPCOMING EMPLOYEE CEREMONIES

May 16, 2019 – Employee of the Spring Quarter

July 25, 2019 - Employee of the Summer Quarter

October 24, 2019 – Employee of the Fall Quarter

November 20, 2019 (Wednesday) – Employee Service Awards

2019 CITY COUNCIL MEETING SCHEDULE

MAY 9 - NO MEETING

MAY 16 - 9:00 A.M. MEETING

MAY 23 - NO MEETING

MAY 30 - NO MEETING

JUNE 6 - NO MEETING

JUNE 13 - 9:00 A.M. MEETING

JUNE 20 - 9:00 A.M. MEETING

JUNE 27 - 9:00 A.M. MEETING