

City of Fresno

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



Meeting Agenda - Final-revised

Thursday, March 9, 2017

8:30 AM

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 qaurm 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**

8:30 A.M. ROLL CALL

Invocation by H Spees, City of Fresno

Pledge of Allegiance to the Flag

APPROVE AGENDA

CEREMONIAL PRESENTATIONS

[ID17-358](#) Proclamation of "National Agriculture Week"

Sponsors: Vice President Soria

APPROVE MINUTES

[ID17-92](#) Approval of minutes from March 2, 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 [ID17-284](#) Award of a Consultant Services Agreement not to exceed \$139,000 to Clements Environmental Corporation, pertaining to a feasibility study relating to the siting and planning of a residential convenience center drop-off location (Bid File 9388) (Citywide)

Sponsors: Department of Public Utilities

1-B [ID17-275](#) Approve the purchase of network equipment from AMS.NET for \$429,441.38 for the Departments of Public Utilities and Information Services, in accordance with purchasing procedures from cooperative agreements as set forth in Administrative Order 3-1.

Sponsors: Information Services Department

- 1-C [ID17-287](#) Actions pertaining to a United States Soccer Federation Foundation, Inc. grant:
1) Authorize the Parks, After School, Recreation and Community Services (PARCS) Department to accept a grant for \$96,900 from the United States Soccer Federation Foundation, Inc. to provide soccer fundamentals and physical fitness enhancement to youth within identified PARCS programming at designated sites throughout the community
2) ***RESOLUTION - 34th amendment to the Annual Appropriation Resolution (AAR) No. 2016 - 118 appropriating \$34,600 from the United States Soccer Federation Foundation, Inc. to provide soccer fundamentals and physical fitness enhancement to youth (Requires 5 affirmative votes.)

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

- 1-D [ID17-349](#) ***BILL NO. B-12 - (Intro.3/2/2017) (For adoption) - Relating to the 2017 Weed Abatement Program

Sponsors: Development and Resource Management Department

CONTESTED CONSENT CALENDAR

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:00 A.M.#1

[ID17-336](#) RESOLUTION - In support of Assembly Bill 301, related to third party testing for commercial driver's license skill tests

Sponsors: Council President Olivier

10:00 A.M.#2

[ID17-286](#) CONTINUED HEARING to consider adoption of resolutions related to the designation of properties to the Local Register of Historic Resources

- 1.*** RESOLUTION - Designating the C.J. Ryland Home located at 573 E. Terrace Avenue, Fresno, California to the Local Register of Historic Resources (Council District 1).
- 2.*** RESOLUTION - Designating the J.B. Inderrieden

Company Building located at 2721 Ventura Street, Fresno, California to the Local Register of Historic Resources (Council District 3).

Sponsors:

Development and Resource Management Department

10:15 A.M.#1

[ID17-0013](#)

Actions pertaining to proposed water capacity fees (Citywide):

1. Hold a public hearing regarding the proposed Water Capacity Fees.
2. Adopt findings that the proposed Water Capacity Fees and Municipal Code amendments are exempt from environmental review under a Statutory Exemption to the California Environmental Quality Act (CEQA) for rates, tolls, fares, and charges (pursuant to Public Resources Code section 21080(b)(8) and CEQA Guidelines section 15273(a) (4).
3. BILL - (For introduction) - Amending Article 5 of Chapter 6 of the Fresno Municipal Code and Article 4.5 of Chapter 12 to repeal various fees associated with providing water capacity for new and expanded connections to the water system and create a new Water Capacity Fee classification, and to adopt Water Capacity Fees as proposed by and justified in the nexus study prepared by Bartle Wells Associates.
4. ***RESOLUTION - 530th amendment to the Master Fee Resolution No. 80-420 adopting Water Capacity Fees under the Public Utilities Section.

Sponsors:

Department of Public Utilities

10:15 A.M.#2

[ID17-333](#)

***RESOLUTION - Amending the Economic Expansion Act

Sponsors:

City Manager's Office

3. GENERAL ADMINISTRATION

3-A [ID17-279](#)

Actions pertaining to International Union of Operating Engineers, Stationary Engineers, Local 39 for Unit 1 -

Non-Supervisory Blue Collar (Local 39)

1. ***Adopt a Memorandum of Understanding between the City of Fresno and the International Union of Operating Engineers, Stationary Engineers, Local 39 for Unit 1 - Non-Supervisory Blue Collar (Local 39)
2. ***RESOLUTION: 13th amendment to FY 2017 Salary Resolution No. 2016-120, amending salaries in Exhibit 1, Unit 1 - Non-Supervisory Blue Collar (Local 39), as required by the Memorandum of Understanding between the City of Fresno and the International Union of Operating Engineers, Stationary Engineers, Local 39

Sponsors:

Personnel Services Department

3-B [ID17-300](#)

BILL - (For Introduction) - Amending subsection (f) of Section 3-402 and adding Section 3-427 to Article 4 of Chapter 3 of the Fresno Municipal Code (FMC), of Tier 2 of the Fire and Police Retirement System to allow the election to redeposit retirement contributions upon reemployment with the City

Sponsors:

Personnel Services Department

3-C [ID17-323](#)

RESOLUTION - Approving the reallocation of \$3,000,000 from the Liability Self-Insurance Fund Contingency to fund refunds and claims

Sponsors:

Personnel Services Department

4. CITY COUNCIL

4-A [ID17-337](#)

***RESOLUTION - Delegating contracting authority to individual councilmembers for contracts funded with Council District funds.

Sponsors:

City Councilmember Caprioglio

5. CLOSED SESSION

5-A [ID17-319](#)

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Government Code Section 54956.9, subdivision (d)(2)

1. Significant Exposure to Litigation: North Central Fire Protection District v. City of Fresno

Sponsors:

City Attorney's Office

5-B [ID17-352](#)

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

1. Chris Willis, et al. v. City of Fresno, et al.; United States
District Court Case No.: 09-CV-01766-LJO-DLB

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 16, 2017

2:00 P.M.#1 - Citizen's Public Safety Advisory Board

March 16, 2017

2:00 P.M.#2 - 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

2:15 PM - HEARING to consider adoption of a resolution related to the designation

of property to the Local Register of Historic Resources

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).

March 23, 2017

3:00 P.M. - WORKSHOP presented by the League of Cities to discuss Proposition 64

March 23, 2017

4:00 P.M. - RESOLUTION of Intiation for a text amendment to prohibt recreational marijuana operations, dispensaries, and sales within the City of Fresno

March 30, 2017

9:00 A.M. - SPECIAL MEETING NOTICE- CANCELED

April 6, 2017

10:00 A.M. - 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)

April 6, 2017

10:05 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. 76 (Final Tract Map No. 5971) (west side of North Locan Avenue between East Ashlan and Dakota Avenues, adjacent to the Gould Canal) (Council District 4)

April 13, 2017

10:00 AM - HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community District No. 9, Annexation No. 15 (Conditional Use Permit No. 2015-191 Development) (southeast corner of North Brawley and West Herndon Avenues) (Council District 2)

April 20, 2017 - NO MEETING

April 27, 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. 77 (Final Tract Map No. 5537) (west side of North Polk Avenue between West Shields and Dakota Avenues) (Council District 1)

April 27, 2017

10:05 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. 79 (Final Tract Map No. 6091) (east side of North Cornelia between West McKinley and Clinton Avenues) (Council District 3)

April 27, 2017

10:10 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. 78 (Final Tract Map No. 6090) (north side of West Bullard Avenue between North Grantland Avenue and State Highway 99) (Council District 2)

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

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

March 23, 2017 - 8:30 A.M. MEETING

March 30, 2017 - 9:00 A.M. SPECIAL MEETING NOTICE - CANCELED

APRIL 6, 2017 - 8:30 A.M. MEETING

APRIL 13, 2017 - 8:30 A.M. MEETING

APRIL 20, 2017 - NO MEETING

APRIL 27, 2017 - 8:30 A.M. MEETING