

City of Fresno

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



Meeting Agenda - Final

Thursday, December 10, 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 Pastor Jim Mattix of the Northeast Assembly of God

Pledge of Allegiance to the Flag

CEREMONIAL PRESENTATIONS

[ID#15-1136](#) Presentation of a Resolution Honoring Grace's Place

Sponsors: Council President Baines III

[ID#15-960](#) Appearance by Residents of the Golden Living Center to share in their Christmas Caroloke Tour

Sponsors: Council President Baines III

[ID#15-1076](#) Presentation to the Sponsors of Make a Difference Day

Sponsors: City Councilmember Brandau

[ID#15-1107](#) Announcing the City of Fresno as being re-certified a bronze-level Bicycle Friendly Community by the League of American Bicyclists

Sponsors: Council President Baines III

[ID#15-1134](#) Proclamation of "COMUNIDAD UNIDA, Informa, Opina, Pregunta, Avisa! (559 area) DAY"

Sponsors: City Councilmember Olivier

APPROVE MINUTES

[ID#15-1140](#) Approval of City Council minutes from November 30, 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#15-1054](#) Approve the acquisition of 32,948 square feet of easement on property owned by Orange Avenue Disposal Company, Inc., a California corporation in the amount of \$65,900 (APN 330-021-09) for the construction of new sanitary sewer lines within East Avenue, Orange Avenue, Cedar Avenue, Malaga Avenue and Central Avenue. (Council District 3)

Sponsors: Public Works Department

- 1-B [ID#15-1077](#) RESOLUTION - Authorizing the First Amendment to the Equipment Lease-Purchase Agreement with Community First National Bank, as Lessor, for the acquisition, purchase, financing and leasing of certain equipment for the Fresno Fire Department for Fiscal Years 2016 and 2017; authorizing the execution and delivery of documents required in connection therewith; and authorizing all other actions necessary to the consummation of the transactions contemplated by this resolution

Sponsors: Finance Department

- 1-C [ID#15-1098](#) Authorize staff to request an extension of time for the unspent grant funds for the Temperance and North Avenue Official Plan Lines

Sponsors: Public Works Department

- 1-D [ID#15-947](#) Annual review and acceptance of the Fiscal Year 2015 Impact Fee Annual Report (the "Annual Audited Financial Report") as required by California Government Code

Sponsors: Public Works Department

- 1-E [ID#15-1109](#) Approve the 2016 City Council Meeting Schedule

Sponsors: City Clerk's Office

- 1-F [ID#15-1084](#) Award a contract to Ray Morgan Company in the amount of \$319,494, per year to provide copier leasing services for three (3) years with an option to renew for an additional two (2) years.

Sponsors: Finance Department

- 1-G [ID#15-1115](#) Approve First Amendment to Sales Manager Position Agreement between the City of Fresno ("City"), the

Fresno/Clovis Convention & Visitors Bureau ("FCCVB"), and SMG ("SMG").

Sponsors:

City Manager's Office

1-H [ID#15-1116](#)

***BILL NO. B-44 - (Intro. 12/3/2015) (For adoption) - Amending Subsection (f) to Section 1-304 of the Fresno Municipal Code relating to Code violations, also known as "Ben's Bill" in honor of Benjamin Rash, former Code Enforcement staff member who worked on this matter until his passing.

Sponsors:

Development and Resource Management Department

CONTESTED CONSENT CALENDAR

2. GENERAL ADMINISTRATION

2-A [ID#15-1042](#)

Award a contract for an amount not to exceed \$230,833 to West Monroe Partners for Consulting Services for the Department of Public Utilities, Utility Billing & Collection (RFP No. 072915).

Sponsors:

Department of Public Utilities

2-B [ID#15-1048](#)

***RESOLUTION - 525th amendment to the Master Fee Schedule (MFS) Resolution No. 80-420 addressing fee changes and annual routine revisions to various City departments

Sponsors:

Finance Department

2-C [ID#15-1079](#)

***RESOLUTION - Authorizing City's Parks, After School, Recreation and Community Services (PARCS) Department to administratively update the Master Fee Schedule fees annually for Camp Fresno and Camp Fresno Jr. to reflect the twelve month percentage change in the U.S. Bureau of Labor Statistics Consumer Price Index.

Sponsors:

Parks, After School and Recreation and Community Services Department

2-D [ID#15-1093](#)

RESOLUTION - Authorizing the submission of applications for grant funds from the Fresno Council of Governments (COG) 2015/16 Congestion Mitigation and Air Quality (CMAQ) improvement program and the Regional Surface Transportation Program (RSTP) "Call for Projects" and

authorizing the execution of all application related documents by the Public Works Director and the Transportation Director or their designees (Citywide)

Sponsors:

Public Works Department and Department of Public Transportation (FAX)

2-E [ID#15-1103](#)

WORKSHOP regarding the Evaluation of Naming Rights-Fresno Convention & Entertainment Center

Sponsors:

City Manager's Office

3. CITY COUNCIL

3-A [ID#15-1113](#)

Council Boards and Commissions Communications, Reports, Assignments and/or Appointments, Reappointments, Removals to/from City and non-City Boards and Commissions:

1. Council of Governments - Swearingin-Ex-Officio (Olivier-Alternate)
2. Finance and Audit Committee - Brand, Olivier, Brandau
3. Fresno Area Workforce Investment Corporation - Baines
4. Fresno County Transportation Authority (FCTA) - Swearingin, Brandau
5. Fresno Regional Workforce Investment Board - Baines, Renena Smith
6. Fresno County Zoo Authority - Swearingin (Baines-Alternate)
7. Fresno Madera Area Agency on Aging Board - Olivier
8. Joint Powers Financing Authority - Baines, Brandau, Swearingin
9. San Joaquin River Conservancy Board - Swearingin (Brandau-Alternate)
10. Association for the Beautification of Highway 99 - Baines
11. Upper Kings Basin Integrated Regional Water Management JPA - Brandau (Soria, Georgeanne White and Thomas Esqueda - Alternates)
12. Economic Development Corporation Serving Fresno County - Brandau-Ex-Officio, City Manager Bruce Rudd and (Baines - Alternate)
13. Fresno/Clovis Convention & Visitors Bureau (CVB) -

Vacant

14. League of California Cities (Annual Meeting) -
Swearengin (Olivier-Alternate)

15. San Joaquin Valley Air Pollution Control District -
Baines

16. Litigation Exposure Reduction Ad Hoc Committee -
Brandau, Caprioglio

17. Convention Center Oversight Advisory Board - Baines,
(Brand-Alternate), City Manager, SMG

General Manager and one representative from each of
SMG's organizations

18. Sub-Committee on Transportation - Baines,
Caprioglio, Soria

19. Code Enforcement Sub-Committee - Baines, Olivier,
and Caprioglio

Sponsors:

Council President Baines III

3-B [ID#15-1119](#)

BILL - (For introduction) - 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

3-C [ID#15-1120](#)

BILL - (For introduction) - 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

3-D [ID#15-1135](#)

RESOLUTION - Encouraging Congress and the President of
the United States to pass Comprehensive Immigration
Reform -

Sponsors:

Council President Baines III and City Councilmember Soria

4. CLOSED SESSION

[ID#15-1083](#)

PUBLIC EMPLOYEE PERFORMANCE EVALUATION -
Government Code Section 54957
Title: City Clerk

Sponsors: Council President Baines III
[ID#15-1114](#) CONFERENCE WITH LABOR NEGOTIATOR - Government Code Section 54957.6
City Negotiator(s): Council President Baines III
Unrepresented: City Clerk

Sponsors: Council President Baines III
[ID#15-1139](#) PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Government Code Section 54957
Title: City Attorney

Sponsors: Council President Baines III
[ID#15-1137](#) CONFERENCE WITH LABOR NEGOTIATOR - Government Code Section 54957.6
City Negotiator(s) Council President Baines III
Unrepresented: City Attorney

Sponsors: Council President Baines III

5. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:00 A.M.#1

[ID#15-1062](#) HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community District No. 11, Annexation No. 64 (Final Tract Map No. 5571) (east side of North Armstrong Avenue between East Dakota and Shields Avenues) (Council District 4)

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 2014-2015 and Future Tax Years Within and Relating to Community Facilities District No. 11, Annexation No. 64, Final Tract Map No. 5571

Sponsors: Public Works Department

10:00 A.M.#2[ID#15-1078](#)

RESOLUTION - Approving the Final Map of Tract No. 5571 and accepting dedicated public uses offered therein -east side of N. Armstrong Avenue between E. Dakota Avenue and E. Shields Avenue (Council District 4)

Sponsors:

Public Works Department

10:15 A.M.[ID#15-1063](#)

HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community District No. 9, Annexation No. 9 (Site Plan Review Application no. 2015-064, Assessor's Parcel Number 567-030-7S) (Southeast corner of East Champlain and North Hickory Hill Drives) (Council District 6)

1. RESOLUTION - Annexing Territory to Community Facilities District No. 9 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. 9, Annexation No. 9, Assessor's Parcel Number 567-030-7S

Sponsors:

Public Works Department

10:30 A.M.[ID#15-1070](#)

TEFRA Hearing as required by Section 147(f) of the Internal Revenue Code of 1986, as amended, to hear and consider information concerning the proposed plan of finance providing for the issuance of Health Facility Revenue Bonds in an aggregate principal amount not to exceed \$1,100,000,000 by the Michigan Finance Authority to (i) refinance the costs of acquisition, construction, furnishing and equipping of certain health care facilities owned and operated by Saint Agnes Medical Center (or an affiliate thereof) and (ii) pay certain expenses incurred in connection with the issuance of the bonds.

1. ***RESOLUTION - Approving the issuance of the Michigan Finance Authority revenue bonds (CHE Trinity Health Credit Group), in one or more series, for the purpose of refinancing the costs of acquisition, construction, improvement and equipping of health care facilities owned and operated by Saint Agnes Medical Center (or an affiliate thereof) in an aggregate principal amount not to exceed \$25,000,000 and certain other matters relating thereto.

Sponsors: Finance Department

11:00 A.M.

[ID#15-1081](#)

- Actions pertaining to processing of green waste materials and co-mingled recyclable materials (Citywide)
1. Negotiate and execute agreement(s) for co-mingled recyclable material processing.
 2. Negotiate and execute agreement(s) for green waste material processing
 3. Authorize Director of Public Utilities to execute the agreement(s)

Sponsors: City Councilmember Brandau

1:30 P.M.

[ID#15-955](#)

WORKSHOP regarding Asset Management

Sponsors: City Manager's Office and City Councilmember Brand

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 17, 2015 - 1:30 P.M.

2:00 PM#1 - 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 North Grantland Avenue between West Shaw and Barstow Avenues) (Council District 2)

2:00 P.M.#2 - Approving Tract Map No. 6036

2:15 P.M. HEARING re: R-15-005; Gary Chester/Blosser Property

2:30 P.M. HEARING- to consider Text Amendment Application No. TA-15-001A, and related environmental finding for the adoption of Pedestrian Access and Façade Design Development Standards in the Residential Multiple Family and Mixed Use zones of the Citywide Development Code

DECEMBER 24, 2015 - NO MEETING

DECEMBER 31, 2015 - NO MEETING

JANUARY 7, 2017

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)

UPCOMING EMPLOYEE CEREMONIES**2015 CITY COUNCIL MEETING SCHEDULE**

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

DECEMBER 24, 2015 - NO MEETING

DECEMBER 31, 2015 NO MEETING