

# City of Fresno

2600 Fresno Street  
Fresno, CA 93721  
[www.fresno.gov](http://www.fresno.gov)



## Meeting Agenda - Final

Thursday, October 30, 2014

8:30 AM

Regular Session

Council Chambers

### City Council

*Council President - Steve Brandau*

*Acting President - Oliver Baines, III*

*Councilmembers:*

*Lee Brand, Paul Caprioglio, Clinton J. Olivier,*

*Sal Quintero, Blong Xiong*

*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](http://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 District 4

Pledge of Allegiance to the Flag

## **CEREMONIAL PRESENTATIONS**

### **APPROVE CITY COUNCIL MINUTES**

[ID#14-537](#)

Approval of City Council minutes from October 23, 2014

## **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#14-410](#)

RESOLUTION - Authorizing the submittal of a grant application to the San Joaquin Valley Air Pollution Control District and acceptance of Public Benefit Grant funds and execution of necessary program documents

**Sponsors:**

Parks, After School and Recreation and Community Services Department

#### 1-B [ID#14-464](#)

\*\*\*RESOLUTION - Granting authority to the Public Works Director or designee to sign routine right-of-way agreements where the cost will not exceed \$10,000 to acquire property that has been previously approved and funded either through the adopted fiscal budget or by separate prior City Council approval (All Council Districts)

**Sponsors:**

Public Works Department

#### 1-C [ID#14-471](#)

Actions pertaining to a water well parcel on Wilson Avenue south of E. Lansing at the Herndon Canal

1. Adopt finding of no possibility of significant effect pursuant

to CEQA Guidelines Section 15061(b) (3) and Categorical Exemption pursuant to CEQA Guidelines Section 15312 for the sale of a small abandoned water well parcel

2. Approve the quitclaim sale of a small abandoned water well parcel on Wilson Avenue south of E. Lansing at the Herndon Canal APN 434-230-01t, to adjacent property owners Wilson Avenue Properties, LLC and Leif Haneborg, Trustee of The Mangen Trust created March 11, 2003 (located in Fresno County)

**Sponsors:**

Public Works Department

1-D [ID#14-483](#)

Authorize the Chief of Police to enter into an agreement with Fresno County to reimburse the City of Fresno \$176,996 for the cost of one full time Fresno Police Officer assigned to the Fresno County Adult Compliance Team (ACT)

**Sponsors:**

Police Department

1-E [ID#14-493](#)

Approval of items related to the renewal of a tourism business improvement district upon verification of a sufficient number of valid petitions collected to support the renewal of the district

1. RESOLUTION - Declaring its intention to renew the Fresno-Clovis Tourism Business Improvement District (FCTBID) and establishing the time and place of a public meeting and a public hearing thereon and giving notice thereof

2. RESOLUTION - Requesting consent of the City of Clovis to renew the FCTBID

**Sponsors:**

City Manager's Office

1-F [ID#14-495](#)

Actions pertaining to the traffic signal installation at the intersection of Shields and Sunnyside Avenues - Project Bid File No. 3346 (Council District 4)

1. Adopt finding of a Categorical Exemption pursuant to Class 1 Section 15301(c) (existing facilities) of the California Environmental Quality Act Guidelines for the traffic signal installation at the intersection of Shields and Sunnyside Avenues

2. Award a construction contract to Kertel Communications, Inc. dba Sebastian of Fresno, California in the amount of \$310,470 for the traffic signal installation at the intersection of Shields and Sunnyside Avenues

**Sponsors:** Public Works Department

- 1-G [ID#14-507](#) Award a service contract in the amount of \$77,546.90 to Shier Aviation Corporation DBA Corporate Helicopters, of San Diego, CA, for the mandated 12 year inspection of a Fresno Police Department EC-120B Airbus Helicopter

**Sponsors:** Police Department

- 1-H [ID#14-532](#) Authorize the City Manager to enter into an Agreement with the County of Fresno for landfill disposal services at Fresno County's American Avenue Landfill

**Sponsors:** Department of Public Utilities

## **CONTESTED CONSENT CALENDAR**

### **2. GENERAL ADMINISTRATION**

- 2A [ID#14-381](#) RESOLUTION - For the Substantial Amendment No. 2012-002, No. 2013-001, and No. 2014-002 to the Fiscal Years 2012, 2013, and 2014 Annual Action Plans to incorporate the planned use of the Emergency Solutions Grant funds

**Sponsors:** Development and Resource Management Department

- 2B [ID#14-518](#) Approve the selection of, and award a contract to, SP Plus Corporation to provide Parking Facilities Management Services in Fresno

**Sponsors:** Development and Resource Management Department

### **3. CITY COUNCIL**

### **4. CLOSED SESSION**

- [ID#14-535](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)  
Case Name: City of El Centro, et al. v. David Lanier, in his official capacity as the Secretary of the State of California Labor & Workforce Development Agency, et al. San Diego County Superior Court Case No. 37-2014-00003824-CU-WM-CTL Court of Appeal 4th District (Division 1) Case No. D066755

**Sponsors:** City Attorney's Office

## **5. SCHEDULED COUNCIL HEARINGS AND MATTERS**

### **10:00 A.M. #1**

[ID#14-457](#)

Hold a public hearing and approve items related to the granting of a Non-Exclusive Franchise for Roll-Off Collection Services

1. HEARING in accordance with Fresno City Charter Section 1301 related to ordinance and adoption of ordinance
2. \*\*\*BILL NO. B-45 (Intro. 10/23/2014) (For adoption) of the City of Fresno, which grants to Katch Environmental Inc., and Mini dumpsters of Fresno a non-exclusive franchise for roll-off collection services within the City of Fresno
3. Authorize the Director of Public Utilities or his designee, to execute an agreement of non-exclusive franchise for roll-off collection services with the City of Fresno

**Sponsors:** Department of Public Utilities

### **10:00 A.M.#2**

[ID#14-491](#)

CONTINUED HEARING to consider Rezone Application No. R-13-014 and related Environmental Assessment No. R-13-014/TPM 2013-03 filed by Mike Hamzy on behalf of Niko Real Estate Fund, LLC for property located on the west side N. Winery Avenue between E. Washington and E. McKenzie Avenues (Council District 7)

(Continued from October 9, 2014 Council meeting)

1. Consider the Finding of Conformity for Environmental Assessment No. R-13- 014/TPM 2013-03
2. BILL- (For introduction and adoption) - Amending the Official Zone Map to reclassify the subject property from the R-A (Single Family Residential Agricultural) zone district to the R-1 (Single Family Residential) zone district

**Sponsors:** Development and Resource Management Department

### **10:15 A.M.**

[ID#14-497](#)

HEARING to consider Street Name Change No. SNC-14-001 and related Environmental Assessment No. SNC-14-001, requested to rename the portion of E. Home

Avenue between N. Maple Avenue and N. Backer Avenue; the portion of E. Pine Avenue between N. Maple Avenue and N. Backer Avenue; the portion of N. Backer Avenue between E. Home Avenue and E. Pine Avenue, to N. Irritec Way (Council District 7)

1. ADOPT the environmental finding of No Possibility of Significant Adverse Effect through Environmental Assessment No. SNC-14-001 dated July 24, 2014
2. RESOLUTION - Street Name Change Application No. SNC-14-001 to rename the portion of E. Home Avenue between N. Maple Avenue and N. Backer Avenue; the portion of E. Pine Avenue between N. Maple Avenue and N. Backer Avenue; the portion of N. Backer Avenue between E. Home Avenue and E. Pine Avenue, to N. Irritec Way

**Sponsors:**

Development and Resource Management Department

**10:30 A.M.**

**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#14-524](#)

Approve Selection for the South Stadium RFQ/P

[ID#14-533](#)

BILL - (For Introduction) - Amending Section 4-605 of the Fresno Municipal Code Relating to Regulation of Communications During Competitive Procurement Process

**Sponsors:**

City Councilmember Baines

**1:30 P.M.**

[ID#14-432](#)

WORKSHOP relating to Clovis Unified School District - presented by Superintendent Janet Young

**PLEASE NOTE: UNSCHEDULED COMMUNICATIONS 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**

NOVEMBER 6

10:00 A.M. WORKSHOP re: Public Art

NOVEMBER 6

10:30 A.M. Recycling Policy Consideration

NOVEMBER 6

10:45 A.M. To consider an appeal filed by Councilmember Caprioglio appealing the Planning Commission's action to approve CUP No. 13-092 filed by Jeffrey T. Roberts of Granville, Inc.

NOVEMBER 20

10:00 A.M. Joint Powers Financing Authority Meeting

DECEMBER 4

10:00 A.M. HEARING to consider a Resolution of Public Use and Necessity requiring acquisition of permanent street easements and rights-of-way for public street purposes over, under, through and across real property owned by Forest Sunrise, LLC, (APN 496-192-10s) for intersection improvements at Shields Avenue and Fowler Avenue in the City of Fresno

DECEMBER 18

2:00 P.M. HEARING re:Final Tract Map No. 6051 annexed to CFD No. 11 (southeast corner of N. Garfield and W. Barstow Avenues) (Council District 2)

**UPCOMING EMPLOYEE CEREMONIES**

JANUARY 29, 2015

8:30 A.M. Presentation of Employee of the Quarter Awards (Reception immediately following - 2nd floor foyer)

APRIL 8, 2015 (Weds.)

2:00 P.M. Presentation of Employee Service Awards (Reception immediately following - 2nd floor foyer)



*APRIL 30, 2015*

*8:30 A.M. Presentation of Employee of the Quarter Awards (Reception immediately following - 2nd floor foyer)*

*JULY 16, 2015*

*8:30 A.M. Presentation of Employee of the Quarter Awards (Reception immediately following - 2nd floor foyer)*

*OCTOBER 1, 2015*

*8:30 A.M. Presentation of Employee of the Quarter Awards (Reception immediately following - 2nd floor foyer)*

*OCTOBER 21, 2015 (Weds.)*

*2:00 P.M. Presentation of Employee Service Awards (Reception immediately following - 2nd floor foyer)*

**2014 CITY COUNCIL MEETING SCHEDULE**

*NOVEMBER 6 - 8:30 A.M.*

*DECEMBER 4 - 8:30 A.M.*

*NOVEMBER 13 - NO MEETING*

*DECEMBER 11 - 8:30 A.M.*

*NOVEMBER 20 - 8:30 A.M.*

*DECEMBER 18 - 1:30 P.M.*

*NOVEMBER 27 - NO MEETING*

*DECEMBER 25 - NO MEETING*