



City of Fresno

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

Meeting Agenda - Final 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

Thursday, September 10, 2015

8:30 AM

Council Chambers

Regular Session

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 Carolyn French, Children's Pastor at Living Grace Fellowship Church

Pledge of Allegiance to the Flag

CEREMONIAL PRESENTATIONS

- [ID#15-791](#) Presentation of the SPCA Pet of the Month
Sponsors: City Councilmember Quintero
- [ID#15-736](#) Proclamation of "MANUFACTURING AWARENESS AND APPRECIATION MONTH"
Sponsors: Mayor's Office
- [ID#15-749](#) Proclamation of "ROBOTICS DAY"
Sponsors: Mayor's Office
- [ID#15-811](#) Proclamation of "205th ANNIVERSARY OF MEXICAN INDEPENDENCE"
Sponsors: City Councilmember Soria
- [ID#15-804](#) Recognition of the Fresno Grizzlies
Sponsors: Council President Baines III and Vice President Caprioglio

APPROVE MINUTES

- [ID#15-784](#) Approval of City Council minutes from August 20, 2015
- [ID#15-785](#) Approval of City Council minutes from August 27, 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#15-428](#) Actions pertaining to an award of a construction contract to Maxwell Smart Construction of Clovis, CA in the amount of \$154,125 for the Police Department Headquarters (PDHQ) parking lot fence and gates (Bid File No. 3383) (Council District 3)
1. Adopt finding of a Categorical Exemption per staff determination, pursuant to Section 15303(e) of the California Environmental Quality Act (CEQA) Guidelines
 2. Award a construction contract with Maxwell Smart Construction of Clovis, CA in the amount of \$154,125 for the PDHQ parking lot fence and gates

Sponsors:

Public Works Department

- 1-B [ID#15-688](#) ***RESOLUTION - 2nd Amendment to Salary Resolution No. 2015-108, adding the new classifications and assigned salary ranges for Community Revitalization Technician and Traffic Signal Operations Specialist to Exhibit 3, Unit 3, Non-Supervisory White Collar, represented by the Fresno City Employees Association (FCEA), and Supervising Traffic Signal Operations Specialist to Exhibit 13-1, Unit 13, Management Non-Confidential (CFPEA, effective September 10, 2015)

Sponsors:

Personnel Services Department

- 1-C [ID#15-753](#) ***RESOLUTION - 10th amendment to the Annual Appropriation Resolution (AAR) No. 2015-104 appropriating \$418,000 for City salaries, contractor costs and miscellaneous expenses related to completion of projects for the U.S. Department of Housing and Urban Development (HUD) 2011 Lead-Based Hazard Control Grant Program (Requires 5 affirmative votes)

Sponsors:

Development and Resource Management Department

- 1-D [ID#15-774](#) Approve the appointment of Wilma Quan-Schecter to the City of Fresno Deferred Compensation Board

Sponsors:

City Manager's Office

**JOINT MEETING OF THE CITY OF FRESNO, THE SUCCESSOR
AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF
FRESNO AND THE FRESNO REVITALIZATION CORPORATION**

CONSENT CALENDAR

[ID#15-787](#)

Successor Agency to the Redevelopment Agency of the City of Fresno and Fresno Revitalization Corporation (FRC) consider adopting:

- 1 RESOLUTION - Approving the Recognized Obligation Payment Schedule 15-16B

CONTESTED CONSENT CALENDAR

2. GENERAL ADMINISTRATION

2-A [ID#15-755](#)

RESOLUTION - Amending the Enterprise Accountability and Oversight Act

Sponsors:

City Manager's Office

2-B [ID#15-757](#)

Action pertaining to the Recycled Water Transmission Main, Southwest Quadrant, Project SW1A (Bid File 3410) (Council District 3 and Fresno County)

1. ***RESOLUTION - 8th amendment to the Annual Appropriation Resolution (AAR) No. 2015-104 appropriating \$7,100,200.00 for the Recycled Water Transmission Main, Southwest Quadrant, Project SW1A (Requires 5 affirmative votes)
2. Award a construction contract in the amount of \$7,877,153.25 to Floyd Johnston Construction Company, Inc. of Clovis, California
3. Authorized the Director of Public Utilities or his designee to sign the construction contract on behalf of the City

Sponsors:

Department of Public Utilities

2-C [ID#15-758](#)

Actions pertaining to the design of the sewer rehabilitation in Church Avenue (Council District 3 and parts of Fresno County)

1. Approve a consultant agreement in the amount of \$68,400 and a contingency of \$2,000 with Provost & Pritchard Consulting Group for the professional engineering services

2. Authorize Director of Public Utilities or designee to sign on behalf of the City

Sponsors:

Department of Public Utilities

2-D [ID#15-759](#)

Actions pertaining to the Capital Project Management of the Urban Water Management Plan Annual Contract between DPU and CH2MHILL Engineers, Inc.

1. ***RESOLUTION - 12th amendment to the Annual Appropriation Resolution (AAR) No. 2015-104 appropriating \$1,140,000 for Construction Management Services for the Wastewater Management Recycled Water Distribution Project (Requires 5 affirmative votes)

2. Approval the Fourth Amendment to the Professional Consultant Agreement with CH2M HILL Engineers, Inc., in the amount of \$1,140,000 increasing the approved fiscal year compensation from \$7,100,000 to a revised not-to-exceed amount of \$8,240,000 for Fiscal Year 2016 Program Management Services (Citywide)

Sponsors:

Department of Public Utilities

2-E [ID#15-763](#)

Approval of Memorandum of Understanding with Building Healthy Communities (BHC) and Street League Skateboarding Foundation (SLSF) to construct a permanent skate park at Romain Park (District 7)

Sponsors:

Parks, After School and Recreation and Community Services Department

2-F [ID#15-765](#)

Approve an extension of a five year lease/purchase financing agreement with Kansas State Bank in the amount of \$2,957,066 to acquire police vehicles and hardware

Sponsors:

Department of Public Transportation (FAX)

2-G [ID#15-770](#)

WORKSHOP on the Consolidated Annual Performance and Evaluation Report (CAPER)

Sponsors:

Development and Resource Management Department

2-H [ID#15-803](#)

Acceptance of a \$195,489,000 State Revolving Fund Low Interest Loan through the State Water Resources Control Board for construction of the City of Fresno's Southeast Surface Water Treatment Facility and authorize the Director of Public Utilities, or designee, to sign on behalf of the City of Fresno (Citywide).

Sponsors: Department of Public Utilities

3. CITY COUNCIL

- 3-A [ID#15-792](#) 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, Vacant, 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 (Baines - Alternate)
 13. Fresno/Clovis Convention & Visitors Bureau (CVB) - Amy Fuentes
 14. League of California Cities (Annual Meeting) - Swearingin (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

4. CLOSED SESSION

[ID#15-762](#)

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

1. City of Fresno v. Dae Song Lee, et al.; Fresno Superior Court Case No. 12CECG04049

Sponsors: City Attorney's Office

[ID#15-802](#)

CONFERENCE WITH LABOR NEGOTIATOR - Government Code Section 54957.6

City Negotiator(s): Jeffrey Cardell and Kenneth Phillips.

Employee Organization(s):

Airport Public Safety Officers

Sponsors: Personnel Services Department

5. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:15 A.M. SCHEDULED COMMUNICATION

[ID#15-778](#)

Appearance by George Aguilar, Al Makki, Mario Soto and Juan Bejar to discuss revisiting the disparity between non-regulated ride sharing companies and traditional taxis regulated by the City of Fresno

2:00 P.M.

[ID#15-731](#)

WORKSHOP on the Office of Independent Review

Sponsors: City Manager'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.

Adjourn in Memory of Mr. Charlie Waters

UPCOMING SCHEDULED COUNCIL HEARINGS AND MATTERS

SEPTEMBER 17, 2015 - NO MEETING

SEPTEMBER 24 2015

10:00 AM - HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding CFD No. 11, Annexation No. 62 (Final Tract Map No. 6103) (parcels bounded by E. Fancher Creek Drive, S.Purdue Ave., S.Bundy Ave., and E.Beck Ave.) (Council District 5)

OCTOBER 1, 2015 - NO MEETING

OCTOBER 8, 2015 - 8:30 A.M. MEETING

OCTOBER 15, 2015 - NO MEETING

OCTOBER 22, 2015 - 8:30 A.M. MEETING

October 29, 2015

10:00 A.M. - HEARING - Ordering the vacation of portions of public street easement at the northwest corner of East San Gabriel and North Chestnut Avenues (Council District 4)

UPCOMING EMPLOYEE CEREMONIES

OCTOBER 8, 2015

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

OCTOBER 27, 2015 (Tuesday)

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

2015 CITY COUNCIL MEETING SCHEDULE

SEPTEMBER 17, 2015 - NO MEETING

SEPTEMBER 24, 2015 - 8:30 A.M.

OCTOBER 1, 2015 - NO MEETING

OCTOBER 8, 2015 - 8:30 A.M.

OCTOBER 15, 2015 - NO MEETING

OCTOBER 22, 2015 - 8:30 A.M.

OCTOBER 29, 2015 - 8:30 A.M.

