

City of Fresno

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



Meeting Agenda - Final-revised

Thursday, November 5, 2015

1:30 PM

Regular Session (2nd revision)

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**

1:30 P.M. ROLL CALL

Invocation by Pastor Roderick Cochran of the Friendship Missionary Baptist Church, Merced California

Pledge of Allegiance to the Flag

CEREMONIAL PRESENTATIONS

[ID#15-981](#) Presentation of the SPCA Pet of the Month

Sponsors: City Councilmember Olivier

[ID#15-967](#) Proclamation of "National Runaway Prevention Month"

Sponsors: Council President Baines III

[ID#15-996](#) Proclamation of "National Apprenticeship Week"

Sponsors: Council President Baines III

[ID#15-1003](#) Resolution of Commendation for "Healthy Eating Active Living City Campaign"

Sponsors: City Councilmember Soria

[ID#15-1004](#) Proclamation Declaring November as "Prematurity Awareness Month" and Declaring November 17, 2015 "World Prematurity Day"

Sponsors: City Councilmember Soria

APPROVE MINUTES

[ID#15-1002](#) Approval of City Council minutes from October 29, 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#15-920](#) RESOLUTION - Of Intention to annex the territory associated with Site Plan Review Application No. 2015-064, Assessor's Parcel Number 567-030-7S, as Annexation No. 9 to the City of Fresno Community Facilities District No. 9 (Southeast corner of E. Champlain and N. Hickory Hill Drives) (Council District 6)

Sponsors: Public Works Department

1-B [ID#15-923](#) Actions pertaining to right-of-way acquisition for Herndon Avenue auxiliary lane between Fresno Street and Freeway 41 (Council District 6)

1. Adoption of environmental finding of Conformity for Environmental Assessment No. EA-13-001 for Herndon Avenue auxiliary lane between Fresno Street and Freeway 41
2. Acquisition of a 2,651 square-foot easement and right-of-way for public street purposes and the acquisition of a 10,461 square-foot pedestrian, bike path, and landscape easement from property owned by Harvender Singh on a portion of APN 303-180-55 in the negotiated amount of \$195,000

Sponsors: Public Works Department

1-C [ID#15-949](#) RESOLUTION - Of Intention to annex Final Tract Map No. 5571, Annexation No. 64, to City of Fresno Community Facilities District No. 11 (east side of N. Armstrong Avenue between E. Dakota and Shields Avenues) (Council District 4)

Sponsors: Public Works Department

1-D [ID#15-956](#) Approve a Right of Entry (ROE) Permit related to the Fresno Veterans Home project

Sponsors: Public Works Department

1-E [ID#15-963](#) ***RESOLUTION - 18th amendment to the Annual Appropriations Resolution (AAR) No. 2015-104 appropriating \$146,100 from the State of California Department of Parks and Recreation, the State of California Department of Transportation, and the San Joaquin Valley Air Pollution

Control District (SJVAPCD) to the City of Fresno Parks, After School, Recreation and Community Services (PARCS) Department (Requires 5 affirmative votes)

Sponsors:

Parks, After School and Recreation and Community Services Department

CONTESTED CONSENT CALENDAR

2. GENERAL ADMINISTRATION

2-A [ID#15-860](#) Approve a consultant agreement in the amount of \$241,984.20 with SZS Consulting Group, LLC, a Palo Alto-based California limited liability corporation, for the preparation of an Americans with Disabilities Act (ADA) bus stop survey, self-evaluation, and transition plan.

Sponsors:

Department of Public Transportation (FAX)

2-B [ID#15-953](#) Award a contract to Todd Companies in the amount of \$522,000 to construct well head treatment improvements at Pump Station 171-2 (PS 171-2).

Sponsors:

Department of Public Utilities

2-C [ID#15-962](#) Actions pertaining to alteration of the Fresno Yosemite International Airport Rental Car Facility (Council District 4)

1. Adopt a finding of Categorical Exemption pursuant to Article 19, Section 15301(I)(3)/Class1 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines for the Fresno Yosemite International Airport Rental Car Facility - Counter Improvements Project and the Ready Return Lot Reconfiguration Project
2. Award a construction contract to Corporate Project Management, Inc. of Fresno, California, for the Fresno Yosemite International Airport Rental Car Facility - Counter Improvements Project in the amount of \$250,000 (Bid File 3417)
3. Approve a request from American Construction Engineers of Tollhouse, California, for relief from their bid in the amount of \$195,767 for construction of the Fresno Yosemite International Airport Rental Car Facility - Ready Return Lot Reconfiguration Project
4. Award a construction contract to Davis Moreno

Construction, Inc. of Fresno, California, as the second lowest bidder, for the Fresno Yosemite International Airport Rental Car Facility - Ready Return Lot Reconfiguration Project in the amount of \$412,659 (Bid File 3416)

Sponsors:

Airports Department

2-D [ID#15-975](#)

Actions pertaining to adoption of the Model Water Efficient Landscape Ordinance

1. Adopt a finding of Categorical Exemption pursuant to Article 19, Section 15307/Class7 (Actions by regulatory agencies for protection of natural resources) of the California Environmental Quality Act (CEQA) Guidelines for adoption of the Model Water Efficient Landscape Ordinance.
2. Adopt the State's Model Water Efficient Landscape Ordinance, as may be amended.
3. BILL - (For introduction) - Adding Section 11-112 to Article 1, Chapter 11 of the Fresno Municipal Code, entitled "Model Water Efficient Landscape Ordinance."

Sponsors:

Development and Resource Management Department

2-E [ID#15-985](#)

WORKSHOP - Housing and Community Development Division Quarterly Report, July 1, 2015 through September 30, 2015

Sponsors:

Development and Resource Management Department

3. CITY COUNCIL**3-A** [ID#15-968](#)

WORKSHOP regarding the Fresno Police Department's use of the Intrado Beware Incident Intelligence Program

Sponsors:

Council President Baines III

3-B [ID#15-1006](#)

Approve appointments to the School Liaison Subcommittee.

Sponsors:

Council President Baines III

4. CLOSED SESSION[ID#15-983](#)

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

1. Leonard Myles v. Sloan Danette Mambrini, et al. Fresno County Superior Court 13CECG03943

- Sponsors:** City Attorney's Office
- ID#15-994** 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

5. SCHEDULED COUNCIL HEARINGS AND MATTERS

5:30 P.M.

- ID#15-982** WORKSHOP on the Citywide Development Code
- Sponsors:** Development and Resource Management Department

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

*NOVEMBER 12, 2015 - SPECIAL MEETING
5:30 P.M. - HEARING regarding the Citywide Development Code*

*NOVEMBER 19, 2015 - 1:30 P.M.
2:00 P.M. - HEARING - Regarding the vacation of the Lorena-Geary Alley, E. Geary Avenue, and the Geary-Florence Alley, all between S. Plumas Street and S. Walnut Street (Council District 3)
5:30 P.M. - CONTINUED HEARING regarding the Citywide Development Code (Public testimony closed)*

NOVEMBER 26, 2015 - NO MEETING

DECEMBER 3, 2015 - 8:30 A.M.

10:00 AM - HEARING to consider the Formation of 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)
CONTINUED HEARING regarding the Citywide Development Code (If Necessary) (Time to be announced)

DECEMBER 10, 2015 - 8:30 A.M.

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. 9 (Site Plan Review Application No. 2015-064, Assessor's Parcel Number 567-030-7S) (Southeast corner of E. Champlain and N. Hickory Hill Drives) (Council District 2)

10:15 A.M. - 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 N. Armstrong Avenue between E. Dakota and Shields Avenues) (Council District 4)

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

2:00 PM - 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)

DECEMBER 24, 2015 - NO MEETING

DECEMBER 31, 2015 - NO MEETING

UPCOMING EMPLOYEE CEREMONIES

2015 CITY COUNCIL MEETING SCHEDULE

NOVEMBER 12, 2015 - SPECIAL MEETING

NOVEMBER 19, 2015 - 1:30 P.M.

NOVEMBER 26, 2015 - NO MEETING

DECEMBER 3, 2015 - 8:30 A.M.

DECEMBER 10, 2015 - 8:30 A.M.

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

DECEMBER 24, 2015 - NO MEETING

DECEMBER 31, 2015 NO MEETING