

# City of Fresno

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



## Meeting Agenda - Final-revised

Thursday, March 31, 2016

8:30 AM

Regular Session

Council Chambers

### City Council

*President - Paul Caprioglio*

*Vice President - Sal Quintero*

*Councilmembers:*

*Oliver L. Baines, III, Lee Brand, Steve Brandau, Clinton J. Olivier,  
Esmeralda Z. Soria*

*City Manager - Bruce Rudd*

*City Attorney - Douglas T. Sloan*

*City Clerk - Yvonne Spence, CMC*

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 Pastor Tirso Gonzales

Pledge of Allegiance to the Flag

## **APPROVE AGENDA**

## **APPROVE MINUTES**

[ID16-143](#)

Approval of minutes from March 17, 2016

## **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 [ID16-290](#) Adopt Resolution of Intention No. 1104-D to vacate a public utility easement in the previously vacated E. Geary Avenue, between S. Plumas and S. Walnut Avenues (Council District 3)

**Sponsors:** Public Works Department

- 1-B [ID16-333](#) Reject all bids received for the purchasing of a NexION 350D Inductively Coupled Plasma Mass Spectrometry instrument for the Wastewater Management Division Laboratory (Bid File No. 3424) (Council District 3)

**Sponsors:** Department of Public Utilities

- 1-C [ID16-334](#) Approve the Agreement for the pre-purchase of a Granulated Activated Carbon Filter Odor Control System from Pure Air Filtration in the amount of \$349,900 for future installation for the Headworks Facility at the Fresno-Clovis Regional Wastewater Reclamation Facility (Bid File 3442) (Council District 3)

**Sponsors:** Department of Public Utilities

- 1-D [ID16-348](#) Action pertaining to the Economic Expansion Act:  
1. \*\*\*BILL NO. B-9 - (Intro. 3/17/2016) (For adoption) - Amending subsection (a) of Section 12-4.1404 of the Fresno Municipal Code relating to the exemption from payment of fees for certain types of businesses

**Sponsors:** City Councilmember Brand

- 1-E [ID16-350](#) \*\*\*BILL NO. B-10 - (Intro. 3/17/2016) (For adoption) - Amending Section 3-102 of the Fresno Municipal Code concerning employment outside city service

**Sponsors:** City Councilmember Soria

- 1-F [ID16-357](#) Approve the appointments of Stacy Vaillancourt to the Fresno Housing Authority and Marina Harutyunyan to the Housing and Community Development Commission

**Sponsors:** Mayor's Office

- 1-G [ID16-289](#) Approve an agreement with TAM+CZ, Architecture, Planning, Interiors, LLP, of Fresno, CA in the amount of \$51,000 with a contingency amount not to exceed \$5,500 for the design of plans, cost estimates and general construction documents for the Veterans Memorial Auditorium Stage Rigging Linesets and Grid Framing project (Council District 3)

**Sponsors:** Public Works Department

- 1-H [ID16-311](#) Annual update of citywide priority ranking lists for new traffic signal installations and traffic signal left turn phasing modifications.

**Sponsors:** Public Works Department

- 1-I [ID16-337](#) Actions related to storm water runoff and recharge evaluation in the Downtown Cultural Arts District (Council District 3)  
1. Approve a professional service agreement with Blair, Church and Flynn to evaluate storm water runoff and groundwater recharge potential in the Downtown Cultural Arts District.  
2. \*\*\*RESOLUTION - 35th amendment to the Annual

Appropriation Resolution (AAR) No. 2015-104 to appropriate \$50,000 to fund the storm water and recharge evaluation (Requires 5 affirmative votes).

**Sponsors:** Public Works Department

- 1-J [ID16-360](#) Approve the reappointments of Councilmember Baines, Paul Bauer, Fely Guzman, Richard Keyes, Scott Miller, Tommie Nellon, Aric Olson and Tom Richards to the Fresno Regional Workforce Development Board

**Sponsors:** Mayor's Office

- 1-K [ID16-361](#) Approve the public sector member to the Fresno Regional Workforce Development Board to be concurrently appointed by both the City of Fresno and the Council of Fresno.

Approve the following appointments:

Lydia Zabrycki, Tom Abshere, Lacy Barnes, Tony Canales, David Mercer, Chuck Riojas, Bret Slusser, Frank Gornick, Andre Pecina, Lee Ann Eager, Adrianna Kuhnle, Aracelli Holland and Delfino Neira

**Sponsors:** Council President Caprioglio

## **2. GENERAL ADMINISTRATION**

- 2-A [ID16-233](#) Approve construction Change Order No. 1 for the City of Fresno's 80-Million Gallon per Day Southeast Surface Water Treatment Facility to reduce the lump sum scope of work by \$1,153,313, establish a \$1,000,000 Supplemental Work Payment line item, and add a value-engineering procedure to the Contract (Citywide).

**Sponsors:** Department of Public Utilities

- 2-B [ID16-331](#) Action pertaining to the construction of South Industrial Collection System Infrastructure Project (Bid File 3435) (Council District 3 and Fresno County)
1. \*\*\*RESOLUTION - 34th Amendment to the Annual Appropriation Resolution No. 2015-104 appropriating \$1,860,000 for the Construction of South Industrial Collection System Infrastructure Project (Requires 5 affirmative votes)
  2. Award a construction contract in the amount of \$5,089,853 to Emmett's Excavation Inc. of Fresno, California
  3. Approve the Agreement for Repair of Fresno County

roads for the Construction of South Industrial Collection System Infrastructure Project

**Sponsors:**

Department of Public Utilities

**2-C** [ID16-332](#)

Approve the Agreement for the pre-purchase of a Biotrickling Filter Odor Control System from Evoqua Water Technologies in the amount of \$2,543,000 for future installation for the Headworks Facility at the Fresno-Clovis Regional Wastewater Reclamation Facility (Bid File 3443) (Council District 3)

**Sponsors:**

Department of Public Utilities

**2-D** [ID16-265](#)

Actions pertaining to the award of a sole source service contract to Intrado, Inc. ("Intrado") (Citywide):

1. Award a contract in the amount of \$132,000 over five years to Intrado, Inc., for Beware browser-based software to extract information from public and commercial sources applicable to 9-1-1 calls, providing law enforcement with location-based, incident-related information.
2. \*\*\* RESOLUTION - 32nd Amendment to the Annual Appropriation Resolution (AAR) No. 2015-104 appropriating \$28,000 into the Police Department's FY 2016 budget under the 2014 State Homeland Security Grant Program (Requires 5 affirmative votes).

**Sponsors:**

Police Department

**2-E** [ID16-280](#)

Award a three-year contract in the amount of \$508,640 to Turbo Data Systems, Inc. for parking citation services with the option of up to four (4) two-year extensions.

**Sponsors:**

Development and Resource Management Department

**2-F** [ID16-283](#)

Award a sole source contract for predictive policing software to PredPol, Inc. ("PredPol"), for a term of one year in the amount of \$80,000, with options for two one-year extensions.

**Sponsors:**

Police Department

### **3. CITY COUNCIL**

**3-A** [ID16-356](#)

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. League of California Cities (Annual Meeting) - Swearingin (Olivier-Alternate)
14. San Joaquin Valley Air Pollution Control District - Baines
15. Litigation Exposure Reduction Ad Hoc Committee - Brandau, Caprioglio
16. Convention Center Oversight Advisory Board - Baines, (Brand-Alternate), City Manager, SMG General Manager and one representative from each of SMG's organizations
17. Sub-Committee on Transportation - Baines, Caprioglio, Soria
18. Code Enforcement Sub-Committee - Baines, Olivier, and Caprioglio

19. Enterprise and Construction Management Oversight Board - Councilmember Soria
20. Fresno- Clovis Metropolitan Solid Waste Commission- JPA - Brandau, Soria, (vacant - appoint one more member)
21. School Liaison Sub-Committee - Soria - Chair, Olivier, Baines

**Sponsors:** Council President Caprioglio

- 3-B [ID16-362](#) BILL - (For introduction) - Amending Subsection (b) and adding Subsection (c) to Section 4-113 of the Fresno Municipal Code, relating to utilization of apprentices.

**Sponsors:** City Councilmember Baines III

- 3-C [ID16-363](#) BILL - (For introduction) - Adding Section 4-117 to the Fresno Municipal Code relating to National Targeted Hiring in contracts for any Public Work of Improvement

**Sponsors:** City Councilmember Baines III

- 3-D [ID16-369](#) RESOLUTION - To initiate an amendment to Fresno General Plan Policy RC-9-C pursuant to Fresno Municipal Code Section 15-5803-C

**Sponsors:** City Councilmember Brandau

**1:30 P.M.**

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

##### **CONTESTED CONSENT CALENDAR**

##### **CEREMONIAL PRESENTATIONS**

[ID16-189](#) Proclamation Recognizing Brigadier General Robert F. Titus.

**Sponsors:** Mayor's Office and Council President Caprioglio

[ID16-336](#) "Recognition of BNCP Neighborhood Participants"

**Sponsors:** Mayor's Office

[ID16-346](#) Proclamation Recognizing Brigadier General Clay L. Garrison .

**Sponsors:** Council President Caprioglio and Mayor's Office

[ID16-354](#) Proclamation of "CESAR CHAVEZ DAY"

**Sponsors:** City Councilmember Soria

[ID16-359](#) Proclamation of "Transgender Day of Visibility"

**Sponsors:** City Councilmember Soria

## **5. CLOSED SESSION**

[ID16-367](#) CONFERENCE WITH LABOR NEGOTIATOR - Government Code Section 54957.6

City Negotiator(s): Ken Phillips, Jeff Cardell

Employee Organization(s):

1. IUOE, Stationary Engineers, Local 39 (L39)
2. Fresno City Employees Association (FCEA)
3. Fresno Police Officers Association (FPOA Basic)
4. International Association of Firefighters, Local 753 (Fire Basic)
5. Amalgamated Transit Union, Local 1027 (ATU)
6. International Brotherhood of Electrical Workers, Local 100 (IBEW)
7. Fresno Police Officers Association (FPOA Management)
8. International Association of Firefighters, Local 753 (Fire Mgmt)
9. City of Fresno Professional Employees Association (CFPEA)
10. City of Fresno Management Employees Association (CFMEA)
11. Fresno Airport Public Safety Supervisors (FAPSS)

**Sponsors:** Personnel Services Department

[ID16-368](#) CONFERENCE WITH LABOR NEGOTIATORS - Government Code Section 54957.6

City Negotiator(s): Paul Caprioglio, Bruce Rudd, Jeffrey Cardell, Douglas Sloan, Yvonne Spence

Unrepresented Employees in Unit 2 (Non-Represented Management and Confidential Classes):

Airport Public Safety Manager

Assistant City Attorney

Assistant City Manager

Assistant Controller

Assistant Director  
Assistant Director of Personnel Services  
Assistant Director of Public Utilities  
Assistant Director of Public Works  
Assistant Police Chief  
Assistant Retirement Administrator  
Budget Analyst  
Budget Manager  
Chief Assistant City Attorney  
Chief Information Officer  
Chief of Staff to the Mayor  
City Attorney  
City Clerk  
City Engineer  
City Manager  
Community Coordinator  
Community Outreach Specialist  
Controller  
Council Assistant  
Deputy City Attorney II  
Deputy City Attorney III  
Deputy City Manager  
Director  
Director of Aviation  
Director of Development  
Director of Personnel Services  
Director of Public Utilities  
Director of Transportation  
Economic Development Coordinator  
Economic Development Director  
Executive Assistant to Department Director  
Executive Assistant to the City Manager  
Fire Chief  
Governmental Affairs Manager  
Human Resources Manager  
Independent Reviewer  
Internal Auditor  
Labor Relations Manager  
Labor Relations Secretary  
Payroll Accountant

Payroll Manager  
Police Chief  
Principal Budget Analyst  
Principal Internal Auditor  
Public Affairs Officer  
Public Works Director  
Redevelopment Administrator  
Retirement Administrator  
Risk/Safety Manager  
Senior Budget Analyst  
Senior Deputy City Attorney  
Senior Human Resources/Risk Analyst  
Supervising Deputy City Attorney  
Sponsors: Personnel Services Department

**Sponsors:** Personnel Services 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**

*APRIL 14, 2016 - NO MEETING*

*APRIL 21, 2016 - MEETING START AT 10:00 A.M.*

*10:00 A.M. - CONTINUED HEARING - Regarding the vacation of the alleys south of E. Franklin Avenue between N. Broadway Avenue and State Route 180 (Council District 3) (Continued from April 14, 2016)*

*APRIL 21, 2016*

*5:00 P.M. - CONTINUED HEARING regarding the - Housing Element - Plan*

*Amendment No. A-16-001 (Continued from April 14, 2016)*

*APRIL 28, 2016*

*10:00 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. 67 (Final Tract Map No. 6097) (area east of N. Fowler Avenue, between E. Clinton and Princeton Avenues) (Council District 4)*

*APRIL 28, 2016*

*10:15 A.M.- HEARING - Regarding the vacation of a public utility easement in the previously vacated East Geary Avenue, between S. Plumas and S. Walnut Avenues (Council District 3)*

*May 19, 2016*

*2:00 P.M.#1 - HEARING re: City of Fresno Community District No. 11, Annexation No. 68 (Final Tract Map No. 6095) (east side of S. Armstrong Avenue between E Church and California Avenues)*

*MAY 19, 2016*

*2:00 P.M.#2 - HEARING - Re City of Fresno Community District No. 11, Annexation No. 69 (Final Tract Map No. 5595) (area bounded by W. Spruce Avenue, N. Thiele Avenue and W. Farrington Avenue, north of W. Herndon Avenue) (Council District 2)*

*May 19, 2016*

*2:00 P.M.#3 - HEARING - Regarding City of Fresno Community District No. 11, Annexation No. 70 (Final Tract Map No. 6067) (east side of N. Locan Avenue between E. Shields and Dakota Avenues) (Council District 4)*

*May 19, 2016*

*2:00 P.M.#4 - HEARING 2:00 PM - Re: City of Fresno Community District No. 9, Annexation No. 10 (Conditional Use Permit Application No. 2015-137) (Southeast corner of North Fresno and East Herndon Avenues ) (Council District 6)*

*May 19, 2016*

*2:15 P.M. - HEARING - Regarding the vacation of a portion of North Ninth Street south of East Dakota Avenue (Council District 4)*

#### **UPCOMING EMPLOYEE CEREMONIES**

*APRIL 21, 2016 -1:30 P.M. - Employee of the Spring Quarter Ceremony*

*APRIL 27, 2016 - 2:00 P.M. - Employee Service Awards Ceremony*

*JULY 28, 2016 - 1:30 P.M.- Employee of the Summer Quarter Ceremony*

*OCTOBER 13, 2016 - 1:30 P.M. - Employee of the Fall Quarter Ceremony*

*OCTOBER 19, 2016 - 2:00 P.M. - Employee Service Awards Ceremony*

**2016 CITY COUNCIL MEETING SCHEDULE**

*APRIL 7, 2016 - NO MEETING*

*APRIL 14, 2016 - NO MEETING*

*APRIL 21, 2016 - 8:30 A.M. MEETING*

*APRIL 28, 2016 - 8:30 A.M. MEETING*