

City of Fresno

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



Meeting Agenda - Final

Thursday, June 22, 2017

8:30 AM

Regular Meeting

Council Chambers

City Council

President - Clinton J. Olivier

Vice President - Esmeralda Z. Soria

Councilmembers:

Oliver L. Baines, III, Steve Brandau, Garry Bredefeld,

Paul Caprioglio, Luis Chavez

City Manager - Bruce Rudd

City Attorney - Douglas T. Sloan

City Clerk - Yvonne Spence, CMC

The Fresno City Council welcomes you to City Council Chambers, located in City Hall, 2nd Floor, 2600 Fresno Street, Fresno, California 93721.

The City of Fresno's goal is to comply with the Americans with Disabilities Act (ADA) in all respects. The meeting room is physically accessible. If, as an attendee or participant at the meeting, you need additional accommodations such as interpreters, signers, assistive listening devices, or the services of a translator, please contact the Office of the City Clerk at (559) 621-7650 or clerk@fresno.gov. To ensure availability, you are advised to make your request at least 48 hours prior to the meeting. The agenda and related staff reports are available at www.fresno.gov, as well as in the Office of the City Clerk.

The Council meeting can be viewed live on Comcast Channel 96 and AT&T Channel 99 from 9:00 a.m. and is re-played beginning at 8:00 p.m.. The meeting can also be viewed online at <https://fresno.legistar.com>.

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**

El Consejo de la Ciudad de Fresno da la bienvenida al City Council Chambers, ubicado en la Alcaldía (City Hall), do piso, 2600 Fresno Street, Fresno, California 93721.

El objetivo de la Ciudad de Fresno es cumplir con la Ley de Americanos con Discapacidades (ADA) en todo aspecto. La sala para juntas es físicamente accesible. Si usted, como asistente o participante de la junta, necesita acomodaciones adicionales como intérpretes, lenguaje de señas, aparatos auditivos, o los servicios de un traductor, por favor comuníquese con la Oficina del Secretario Municipal llamando al (559) 621-7650 o al clerk@fresno.gov. Para asegurarse de la disponibilidad, se le recomienda llamar y hacer su petición por lo menos 48 horas antes de la junta. La agenda y los reportes de personal correspondientes están disponibles en el www.fresno.gov, o en la Oficina del Secretario Municipal.

Las juntas del Municipio se pueden ver en el Canal 96 de Comcast y el Canal 99 de AT&T a las 9:00 a.m. y otra vez empezando a las 8:00 p.m. La junta también se puede ver en el internet en el <https://fresno.legistar.com>

PROCESO: Por cada asunto que escuche el Consejo Municipal, habrá una presentación del personal seguida por una presentación de los individuos involucrados, si están presentes. El testimonio de los presentes se escuchará entonces. Todo testimonio se limitará a tres minutos por persona. Si usted desea hablar, llene la hoja para pedir hablar disponibles en la oficina del Secretario Municipal y en la Sala Consistorial. Las tres luces en el atril junto al micrófono indicarán cuanto tiempo le queda al orador.

La luz verde en el atril se prenderá cuando el orador comience. La luz amarilla se prenderá cuando quede un minuto. El orador debería estar concluyendo su testimonio cuando la luz roja prenda y el sonido indique que se acabo su tiempo. La cantidad del tiempo que queda también aparecerá en la pantalla grande atrás del Consejo Municipal.

No se aceptarán documentos para que repase el Consejo Municipal a menos que se sometan al Secretario Municipal por lo menos 24 horas antes de que se escuche la Agenda del Consejo Municipal.

Este es el horario general de temas para la consideración y acción del Consejo Municipal. El consejo Municipal pudiera considerar y tomar acción en un artículo de la Agenda en el orden que considere adecuado. Artículos con una hora fijada se pueden escuchar después de la hora indicada pero no antes de la hora indicada en la agenda. Se les recomienda a las personas que estén interesadas

en un artículo de la agenda, que estén presentes durante toda la junta para asegurar su presencia cuando se presente ese artículo.

LOS ARTICULOS MARCADOS CON TRES ASTERISCOS (*) ESTAN SUJETOS A UN VETO POR PARTE DEL ALCALDE O UNA RECONSIDERACION**

Tso Fresno City Council tos txais koj rau City Council Chambers, nyob rau hauv City Hall, 2nd Floor, 2600 Fresno Street, Fresno, California 93721.

Lub hom phiaj ntawm nroog Fresno yuav ua kom tau txhua yam raw li txoj cai American with Disabilities Act (ADA) kom fwm txhua tus. Lub rooj sab laj txhua tus yuav tsum muaj feem koom kom tau, txawm yog cov tuaj koom, cov muaj feem rau lub rooj sab laj, yuav tsum kom muaj kev pab rau sawv daws xws li txhais lus, piav tes, tej twj mloog pob ntseg los yog ib tug txhais lus, thov hu rau Office of the City Clerk ntawm (559) 621-7650 los sis clerk@fresno.gov. Yuav kom paub tseeb tias npaj tau rau koj, koj yuav tsum tau hais ua ntej 48 xuab moos ntawm lub rooj sab laj. Daim ntawv kom tswj thiab tej ntaub ntawv cov ua dej num yuav coj los ceeb tshaj muaj nyob rau ntawm www.fresno.gov, los sis ntawm Office of the City Clerk.

Council lub rooj sab laj saib pom rau hauv Comcast tshooj 96 thiab AT&T tshooj 99 thaum 9:00 teev sauv ntxoov thiab rov tso tawm thaum 8:00 teev tsaus ntuj. Lub rooj sab laj kuj saib tau online at <https://fresno.legistar.com>.

TXUAS NTXIV: Txhua nqe laj txheej yuav tau pom zoo los ntawm cov council ua ntej thiab yuav tau muaj ib tug staff los cej luam dhau ntawd cov uas muaj feem cuam mam los cej luam ib tug zuj zus, yog tuaj nyob rau ntawd. Dhau ntawd yuav tso rau sawv daw los tawrn suab, ib leeg twg yuav los tawm suab tsuas pub peb(3) nas this xwb. Yog koj xav los tawm suab, mus sau rau daim ntawv (Speaker Request Form) muaj nyob rau hauv City Clerk's Office thiab nyob rau huav Council Chambers. muaj peb(3) lub teeb nyob rau ntawm lub podium uas puab rau ntawm lub (microphone) qhia tias tus neeg hais lus muaj sij haum ntev li cas xwb.

Lub teeb ntsuab ntawm lub podium yuav cig thaum tus hais lus pib hais. Lub teeb daj yuav cig thaum tshuav ib(1) nas this. Tus hais lus yuav tsum hais kom tas rau thaum lub teeb liab cig thiab lub tswb nrov, qhia tias sij haum tas lawm. Ib qhov ntxiv nyob rau saum daim (screen) loj loj dai rau tom cov council nrob qaurm yuav pom lub sij hawm dhia qis zuj zus los mus.

Cov council yuav tsis txais ib yam ntaub ntawv los saib ntxiv tshwj tsis yog twb muab xa rau City Clerk 24 teev thiab muab tso rau hauv daim kom tswj ua ntej council yuav los mloog tej xwm txheej.

Dhau ntawd yuav muab sij hawm rau cov council los soj ntsuam thiab ua tes dej num, Coy tswv zos (City Council) yuav los ntsuam xyuas thiab leg raws tej nqe hauv daim kom tswj yog pom tias yam twg yuav tsim nyog. Mam muab lub sij hawm los xyuas raws tej txheej txheem tom qab tiam si yuav tsis yog ua ntej raws li daim kom tswj tau teev tseg. Cov uas txaus siab rau tei laj txheej uas tau teev tseg rau hauv daim kom tswj, xav kom nyob kom dhau lub rooj sab laj kom thaum hu txog nws thiaj nyob rau ntawd

YOG QHOV MUAJ PEB LUB HNUB QUB (*) NYOB RAU HAUV DAIM KOM TSWJ
YUAV RAUG MAYORAL VETO LOS SIS ROV SOJ NTSUAM DUA**

8:30 A.M. ROLL CALL

Invocation

Pledge of Allegiance to the Flag

APPROVE AGENDA

CEREMONIAL PRESENTATIONS

[ID17-886](#) Proclamation of "Immigrant Heritage Month"

Sponsors: Council President Olivier and Vice President Soria

APPROVE MINUTES

[ID17-103](#) Approval of minutes from June 8, 13, 14 and 15, 2017

Sponsors: City Clerk's Office

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 [ID17-757](#) ***RESOLUTION - 15th amendment to Fiscal Year 2017 Salary Resolution No. 2016-120 to implement a scheduled 2% wage increase in Exhibit 3, Unit 3, Non-Supervisory White Collar (FCEA), pursuant to the successor MOU with the Fresno City Employees Association (FCEA), effective June 30, 2017

Sponsors: Personnel Services Department

1-B [ID17-817](#) RESOLUTION - Approving the Final Map of Tract No. 6163 and accepting dedicated public uses offered therein - southwest corner of North Temperance Avenue and East Dakota Avenue (Council District 4)

Sponsors: Public Works Department

- 1-C [ID17-789](#) Approve a substitution of a listed subcontractor Steven's Electrical Contracting, of Madera, CA for the 2 MW Emergency Generator Installation at the Northeast Surface Water Treatment Facility, Project ID WC00021 (Council District 6)

Sponsors: Public Works Department

- 1-D [ID17-874](#) Approve the Third Amendment, in the amount of \$42,200, to the agreement with FirstCarbon Solutions for environmental construction monitoring services on the Fulton Street Reconstruction Project (Council District 3)

Sponsors: Public Works Department

- 1-E [ID17-885](#) Actions pertaining to the Fairview Trail Rehabilitation Project - Bid File 3542 (Council District 3)

1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301(c) Class 1 of the California Environmental Quality Act Guidelines (CEQA) for the Fairview Trail Rehabilitation Project
2. ***RESOLUTION - 61st amendment to the Annual Appropriations Resolution (AAR) No. 2016-118, to appropriate \$200,600 in Measure "C" Flexible funding for Fairview Trail Reconstruction and Repairs (Requires 5 affirmative votes)
3. Award a Construction Contract with F. Loduca Co., in the amount of \$484,010 for the Fairview Trail Rehabilitation Project and authorize the Public Works Director or designee to sign a contract on behalf of the City

Sponsors: Public Works Department

- 1-F [ID17-901](#) Actions pertaining to Initiating Proceedings and Declaring Intention to Levy the Annual Assessment for the City of Fresno Landscaping and Lighting Maintenance District No. 1; and setting the public hearing for July 20, 2017 at 10:00 a.m. (Citywide)
1. RESOLUTION - Initiating proceedings for the annual levy of assessment
 2. RESOLUTION - of Intention to levy and collect the annual assessment

Sponsors: Public Works Department

- 1-G [ID17-778](#) Authorize the Chief of Police to approve the 2nd Amendment to the original agreement for forensic interview services with Family Healing Center, Inc., to extend the term of the agreement for one (1) year and to increase the total contract dollar amount to \$105,000.

Sponsors: Police Department

- 1-H [ID17-856](#) Actions pertaining to the approval of a cooperative purchasing agreement between the City of Fresno and Musco Sports Lighting, LLC, for the installation of LED sports field lighting at Melody Park (Council District 4)

Sponsors: Parks, After School and Recreation and Community Services Department

- 1-I [ID17-863](#) Award a requirements contract in the amount of \$143,930.68 to Metron Farnier, LLC., for single jet water meters for an one-year contract with provisions for two one-year extensions, total amount not to exceed \$429,545.04 - Bid File 9396 (Citywide)

Sponsors: Department of Public Utilities

- 1-J [ID17-864](#) Approve a Change Order for Clark Brothers Inc., in the amount of (\$3,739.70) and a time extension of 31 calendar days for the Recycled Water Pump Station at the Fresno-Clovis Regional Wastewater Reclamation Facility (Council District 3)

Sponsors: Department of Public Utilities

- 1-K [ID17-907](#) Consider Plan Amendment Application No. A-17-004, Rezone Application No. R-17-006, Development Code Text Amendment Application No. TA-17-004 and related environmental finding filed by the Development and Resource Management Department Director pertaining to 174.6 acres of property as follows: (Citywide)
1. BILL NO. B-31 - (Intro. 6/8/2017) (For adoption) - Approving Text Amendment Application No. TA-17-004 for minor changes to the Development Code in order to improve functionality, clarity, internal consistency, and consistency with State law. Proposed amendments affect the following standards and/or procedures: abandonment of private right-of-way; calculation of residential density; rear yard

setback reduction; determining lot frontage; applicability of multi-family frontage coverage and front setback requirements; the allowed locations of auto sales and leasing, caretaker residences, family day care, parks, and schools; applicability of sidewalk configuration; allowed locations of accessory structures and pool equipment; safety standards for electric fences; intersection visibility; applicability of TOD Height and Density Bonus; landscape buffers; temporary parking lots; signs; child care centers and family child care homes operational requirements; drive-throughs; mobile vendors; amateur (ham) radios; Airport Land Use Commission review of text amendments; planned developments; tasting rooms, among others. The affected sections are 15-108-B-5, 15-310-B, 15-312-A, 15-904-A-7, Table 15-1003, Table 15-1102, 15-1104-B, Table 15-1202, Table 15-1504-K-2, 15-2004-D-2-b-ii, 15-2005, Figure 15-2006-C, 15-2010-J, Figure 15-2018, Table 15-2018-A, 15-2102-B, 15-2305-C-1, Table 15-2305-C-1, 15-2431, 15-2605-B, Table 15-2608, Table 15-2608-B-5, 15-2609-H, 15-2612-A, 15-2612-D, Section 15-2725, 15-2728-B-2, 15-2728-B-2, 15-2759, 15-5808, 15-5903-D, 15-5904-B-3, 15-6707, and 15-6802.

Sponsors: Development and Resource Management Department

CONTESTED CONSENT CALENDAR

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

9:00 A.M.

Actions on the Fiscal Year 2017 Budget and related items - CONTINUED FROM JUNE 20, 2017

[ID17-803](#) ***RESOLUTION - Council adoption of the Fiscal Year 2017-2018 City of Fresno Budget including the Annual Appropriations Resolution (AAR)

Sponsors: Finance Department

[ID17-802](#) ***RESOLUTION - Adopt the FY 2018 Position Authorization Resolution

Sponsors: Finance Department

[ID17-899](#)

*** RESOLUTION - of the Council of the City of Fresno adopting the 537th Amendment to the Master Fee Scheduled Resolution No. 80-420 increasing the Convention Center Art, Park Entertainment and Sports (APES) Fee

Sponsors:

Finance Department

[ID17-801](#)

***BILL - (For introduction and Adoption) - Adoption of property Tax Override Ordinance

Sponsors:

Finance Department

[ID17-809](#)

RESOLUTION - FY2017 Gann Appropriation Limit Resolution

Sponsors:

Finance Department

[ID17-810](#)

Approve the City of Fresno (the "City") Investment Policy for Fiscal Year 2017-2018

Sponsors:

Finance Department

10:00 A.M.

[ID17-849](#)

HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community Facilities District No. 2, Annexation No. 137 (Final Tract Map No. 5513) (south of East Church Avenue between South Minnewawa and Clovis Avenues) (Council District 5)

1. ***RESOLUTION - Annexing Territory to Community Facilities District No. 2 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 2017-2018 and Future Tax Years Within and Relating to Community Facilities District No. 2, Annexation No. 137

Sponsors:

Public Works Department

10:05 A.M.**SCHEDULED COMMUNICATION**[ID17-882](#)

Appearance by Mary Esther Correa to dispute the fines she has incurred by Code Enforcement on her Iowa Street property (Property located in District 7)

10:10 A.M.**JOINT MEETING OF THE FRESNO REVITALIZATION CORPORATION AND HOUSING SUCCESSOR TO THE REDEVELOPMENT AGENCY OF THE CITY OF FRESNO**[ID17-916](#)

Receive Annual Report and Approve FY 17-18 Program Income Budget for the Housing Successor to the Redevelopment Agency of the City Fresno (Fresno Revitalization Corp./City of Fresno)

Sponsors:

Successor Agency to the Redevelopment Agency of the City of Fresno

10:30 A.M.[ID17-911](#)

Actions related to Kaiser Park (Council District 6):

1. Adopt a finding of Categorical Exemption pursuant to Section 15301, 15304, 15311, and 15332 of the California Environmental Quality Act (CEQA) Guidelines.
2. Approve a ground lease with River Park Little League, Inc.
3. Approve an Amendment and Extension of Agreement for Recreational Use of Basin "CN" between the City, Fresno Metropolitan Flood Control District, and River Park Little League, Inc.
4. RESOLUTION - Finding River Park Little League is uniquely qualified to provide recreational programming at Kaiser Park and Inspiration Park.
5. Approve a service contract with River Park Little League, Inc., to provide recreational programming at Kaiser Park and Inspiration Park.
6. Approve Third Amendment to Agreement with Resources for Independence Central Valley regarding use of Inspiration

Park.

Sponsors:

City Manager's Office

4:00 P.M.

[ID17-908](#)

Actions relating to marijuana within the City of Fresno

1. BILL - (for Introduction) - Amending Sections 12-2104 and 12-2105 of the Fresno Municipal Code relating to cultivation of marijuana
2. RESOLUTION - Initiating a Text Amendment to the Zoning Ordinance of the City of Fresno pursuant to FMC Section 15-5803-A (1) to establish zoning and use regulations for recreational Marijuana Activities within the City of Fresno

Sponsors:

Mayor Brand and City Councilmember Bredefeld

3. GENERAL ADMINISTRATION

3-A [ID17-850](#)

Approve a consultant services agreement with Raimi + Associates for an amount not to exceed \$550,000 to prepare the Central Southeast Area Specific Plan. (District 5)

Sponsors:

Development and Resource Management Department

3-B [ID17-857](#)

Actions pertaining to Sewer Rehabilitation in Abby Street and Hammond Avenue (Bid File 3485) (Council District 7)

1. Adopt findings of Categorical Exemption Class 1, pursuant to Section 15301(d) (Existing Facilities) and Categorical Exemption Class 2, pursuant to Section 15302(c) (Replacement or Reconstruction) of the California Environmental Quality Act Guidelines
2. Award a contract in the amount of \$702,673.50 to NU-Line Technologies of Encinitas, California
3. Authorize the Director of Public Utilities, or designee, to sign all documents on behalf of the City of Fresno.

Sponsors:

Department of Public Utilities

3-C [ID17-884](#)

Actions pertaining to the installation of water mains in Maroa Avenue from Olive Avenue to McKinley Avenue - Bid File 3357 (Council District 1)

1. Adopt a finding of Class 2 Categorical Exemption as set forth in California Environmental Quality Act (CEQA) Guidelines, Section 15302(c)
2. Award a construction contract in the amount of \$549,690

to West Valley Construction Company, Inc., of Fresno, California as the lowest responsive and responsible bidder for the construction of the Maroa Avenue water main and authorize the Public Works Director or designee to sign the standardized construction contract on behalf of the City of Fresno

Sponsors: Public Works Department

4. CITY COUNCIL

4-A [ID17-909](#) RESOLUTION - Initiating a text amendment to Fresno Municipal Code sections 15-2009(F) and 15-2010(I), relating to security and electric fences

Sponsors: City Councilmember Brandau

5. CLOSED SESSION

5-A [ID17-932](#) CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Government Code Section 54956.8
Property: 1800 Tulare Street
Negotiating Parties: City Manager Bruce Rudd; Fresno Baseball Club, LLC
Under Negotiation: Price and Terms of Payment
Sponsors: City Attorney's Office and City Manager's Office

Sponsors: City Attorney's Office and 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.

ADJOURNMENT

UPCOMING SCHEDULED COUNCIL HEARINGS AND MATTERS

June 29, 2017

10:00 A.M. - HEARING to obtain public comments regarding implementation of the City's proposed activities with federal grant funding; and adopting the FY2018 Annual Action Plan; approving submission to the U.S. Department of Housing and Urban Development (HUD) for application of Community Development Block Grant (CDBG), Home Investment Partnerships (HOME), Emergency Solutions Grant (ESG), and Housing Opportunities for Persons With Aids/HIV (HOPWA) Program Funds

June 29, 2017

10:10 A.M. - HEARING pertaining to Initiating Proceedings and Declaring Intention to Levy the Annual Assessment for the City of Fresno Landscaping and Lighting Maintenance District No. 1; and setting the public hearing for July 20, 2017 at 10:00 a.m. (Citywide)

JUNE 29, 2017

10:15 A.M. - WORKSHOP relating to Shinzen Japanese Gardens - PARCS
August 24, 2017

AUGUST 24, 2017

10:00 AM #1- HEARING to adopt resolutions and ordinance amending the City of Fresno Community Facilities District No. 9, Final Tract Map No. 5717, to change the types of Services, the rate and method of apportionment of the special tax, and the Maximum Special Tax (southeast corner of North Fowler and East Shields Avenue) (Council District 4)

AUGUST 24, 2017

10:00 AM #2 - HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community Facilities District No. 11, Annexation No. 81 (Final Tract Map No. 6110) (southeast corner of North Bliss and East Shields Avenue) (Council District 4)

UPCOMING EMPLOYEE CEREMONIES

JULY 20, 2017

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

OCTOBER 12, 2017

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

NOVEMBER 1, 2017

2:00 P.M. - Presentation of Employee Service Awards (Reception immediately

following - 2nd floor foyer)

2017 CITY COUNCIL MEETING SCHEDULE

JUNE 29, 2017 - 8:30 A.M. MEETING

JULY 6, 2017 - COUNCIL VACATION

JULY 13, 2017 - COUNCIL VACATION

JULY 20, 2017 - 8:30 A.M. MEETING

JULY 27, 2017 - 8:30 A.M. MEETING