

City of Fresno

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



Meeting Agenda - Final

Thursday, September 26, 2019

9:00 AM

Regular Meeting

Council Chambers

City Council

President - Paul Caprioglio

Vice President - Miguel Angel Arias

Councilmembers:

*Esmeralda Z. Soria, Mike Karbassi, Luis Chavez, Garry Bredefeld, Nelson
Esparza*

City Manager - Wilma Quan

City Attorney - Douglas T. Sloan

City Clerk - Yvonne Spence, MMC

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 coma 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 amarilia se prenderá cuando quede un minuto. El orador debería estar concluyendo su testimonio cuando la luz roja prenda y ci 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 qaurn 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**

9:00 A.M. ROLL CALL

Invocation by Reza Nekumanesh of the Islamic Cultural Center

Pledge of Allegiance to the Flag

APPROVE AGENDA

APPROVE MINUTES

[ID19-11329](#) Approval of Minutes for September 19, 2019

Sponsors: City Clerk's Office

CEREMONIAL PRESENTATIONS

[ID19-11091](#) Proclamation of "Walk to School Month"

Sponsors: Council President Caprioglio

[ID19-11175](#) Honoring Fresno & Münster Student Ambassadors

Sponsors: Councilmember Bredefeld

[ID19-11240](#) Proclamation to "The American Red Cross"

Sponsors: Councilmember Bredefeld

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 [ID19-11224](#) Approve a Second Amendment to the Consultant Services Agreement with SDI Presence LLC., in the amount of \$10,000 and extending the completion date to May 1, 2020

Sponsors: Information Services Department

- 1-B [ID19-11232](#) Approve a Service Agreement with Granicus, Inc., for the 2019-2020 annual subscription renewal for software suites and services in the amount of \$80,857.85
- Sponsors:** Information Services Department
- 1-C [ID19-11288](#) RESOLUTION - Approving the Final Map of Tract No. 5493 and accepting dedicated public uses offered therein except for dedications offered subject to City acceptance of developer installed required improvements - Northeast corner of West Gettysburg Avenue and North Bryan Avenue (Council District 1)
- Sponsors:** Public Works Department
- 1-D [ID19-11299](#) Adopt Resolution of Intent Number 1133-D to vacate a portion of North Colonial Avenue and West San Jose Avenue (Council District 2)
- Sponsors:** Public Works Department
- 1-E [ID19-11319](#) BILL (For introduction) - Amending the uncodified ordinance to adopt changes and additions to the official list of designated special speed zones for various streets within the City of Fresno pursuant to Section 14-1501 of the Fresno Municipal Code (Citywide)
- Sponsors:** Public Works Department
- 1-F [ID19-11316](#) Action pertaining to Fresno County Airport Land Use Compatibility Plan:
1. ***BILL NO. B-30 - (Intro. 9/19/2019) (For adoption) - Approving Text Amendment Application No. P19-01036 amending sections 15-104-B-4; 15-5206; 15-5306; 15-5506 -D; 15-5811-A; 15-5905-A; 15-6006-A; and 15-6104-B of the Fresno Municipal Code (FMC), which gives the December 2018 Fresno County Airport Land Use Compatibility Plan priority over all other local land use plans and regulations in the event of a conflict (Subject to Mayor's veto)
- Sponsors:** Planning and Development Department
- 1-G [ID19-11297](#) Actions pertaining to the Mission Ranch Municipal Well Agreement (Council District 3):

1. Adopt findings of Categorical Exemption under California Environmental Quality Act 15061(b)(3) General Rule
2. Approve Municipal Well and Exclusive License Agreements between C & A Farms, LLC, and the City of Fresno for the construction of a municipal public water supply well to serve the Mission Ranch Project Area
3. Waive the requirements of Fresno Municipal Code Section 15-2716-11
4. Authorize the City Manager, or designee, to execute all documents on behalf of the City of Fresno

Sponsors: Department of Public Utilities

- 1-H [ID19-11315](#) Approve the appointment of Brian Whelan to the Capital Project Oversight Board; and Evelyn Gamble to the Fresno Youth Commission

Sponsors: Council Member Karbassi

- 1-I [ID19-11318](#) ***BILL NO. B-32 - (Intro. 9/19/2019) (For adoption) Adding Section 7-1249 to the Fresno Municipal Code relating to short-term rentals. (Subject to Mayor's veto)

Sponsors: Councilmember Bredefeld and Council President Caprioglio

- 1-J [ID19-11320](#) ***BILL NO. B-31- (Intro. 9/19/2019) (For adoption) - Amending Sections 1-308 and 11-307 of the Fresno Municipal Code relating to Code Enforcement administrative citations and serial violators. (Subject to Mayor's veto)

Sponsors: Vice President Arias

- 1-K [ID19-11326](#) Approve the appointment of Lourdes Monica Diaz to the Planning Commission

Sponsors: Mayor's Office

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:00 A.M.

- [ID19-11256](#) Actions pertaining to the acquisition of an easement and right of way to construct a public sidewalk on East Ashlan Avenue between North Effie Street and State Route 41 (Council District 7)

1. HEARING to consider a resolution of public use and necessity for acquisition of an easement and right of way for public purposes over, under, through and across a portion of the real property located at 1929 East Ashlan Avenue in the City of Fresno (APN: 428-233-18), owned by the Estate of Adalberto Zuniga, for the purpose of constructing a public sidewalk on the north and south side of East Ashlan Avenue between North Effie Street and State Route 41.
2. Adopt a finding of Categorical Exemption Class 1 pursuant to CEQA Guidelines Section 15301
3. ***RESOLUTION - Determining that public interest and necessity require acquisition of an easement and right-of-way for public purposes over, under, through and across a portion of the real property located at 1929 E. Ashlan Avenue in the City of Fresno (APN: 428-233-18), owned by the Estate of Adalberto Zuniga, for the purpose of constructing a public sidewalk on the north and south side of Ashlan Avenue between North Effie Street and State Route 41 and authorizing eminent domain proceedings for public use and purpose (Requires 5 affirmative votes) (Subject to Mayor's Veto)

Sponsors:

Public Works Department

10:05 A.M.

[ID19-11344](#)

- CONTINUED 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. 100 (Final Tract Map No. 5587) (northwest corner of West McKinley and North Brawley Avenues) (Council District 3)
1. ***RESOLUTION - to Annex Territory to Community Facilities District No. 11 and Authorizing the Levy of a Special Tax for Annexation No. 100 (Subject to Mayor's Veto)
 2. ***RESOLUTION - Calling Special Mailed-Ballot Election (Subject to Mayor's Veto)
 3. ***RESOLUTION - Declaring Election Results (Subject to Mayor's Veto)
 4. ***BILL - (For introduction and adoption) - Levying a Special Tax for the Property Tax Year 2018-2019 and Future

Tax Years Within and Relating to Community Facilities
District No. 11, Annexation No. 100 (Subject to Mayor's Veto)

Sponsors: Public Works Department

1:30 P.M.#1 CONTESTED CONSENT CALENDAR

1:30 P.M.#2

[ID19-11321](#) RESOLUTION - Of support, petitioning the California State Legislature to designate State Route 168, beginning at the interchange with State Route 180, to honor and commemorate the legacy of Former City Councilwoman Esther Padilla.

Sponsors: Councilmember Soria and Councilmember Chavez

3. GENERAL ADMINISTRATION

3-A [ID19-11280](#) Award a five-year requirements contract, with two one-year options, to Bridgestone American Tire Operations, LLC, of Nashville, Tennessee, for the leasing of transit radial tires to the Department of Transportation/FAX in the amount of \$1,596,904.88 (Bid File No. 9512)

Sponsors: Department of Transportation

3-B [ID19-11292](#) RESOLUTION - Authorizing Submission of Applications for Grant Funds From the 2019/2020 Congestion Mitigation and Air Quality Improvement Program and the Surface Transportation Block Grant Program Call for Projects from the Fresno Council of Governments and Authorizing the Execution of all Application Related Documents by the Public Works Director, Director of Transportation, or designees (Citywide)

Sponsors: Department of Transportation and Public Works Department

3-C [ID19-11290](#) WORKSHOP - Energy Efficiency and the Path to Sustainability

Sponsors: Public Works Department

- 3-D** [19-11292](#) WORKSHOP - Keep Fresno Beautiful
- Sponsors:** Mayor's Office, City Manager's Office and Public Works Department
- 3-E** [ID19-11170](#) Actions pertaining to Shared Mobility Devices:
1. BILL - (For Introduction) - Amending the Fresno Municipal Code Relating to Shared Mobility Devices
2. Authorize the City Manager or designee to sign a six-month pilot Franchise Agreement on behalf of the City of Fresno
- Sponsors:** City Manager's Office
- 3-F** [ID19-11295](#) Actions pertaining to the Northeast Surface Water Treatment Facility 4.5-Million Gallon Tank and Improvements Project (Council District 6) (Bid File 3626-2):
1. RESOLUTION - Closing Resolution for execution of a \$14,000,000 Drinking Water State Revolving Fund low interest loan
2. ***RESOLUTION - 6th Amendment to the Annual Appropriation Resolution No. 2019-133 in the amount of \$3,770,600 to fully fund the construction of the Northeast Surface Water Treatment Facility 4.5-Million Gallon Tank and Improvements Project (Requires 5 affirmative votes) (Subject to Mayor's veto)
3. Award a construction contract to W.M. Lyles Co., in the amount of \$14,063,940
4. Approve a consultant services agreement with Jacobs Engineering Group in the amount of not to exceed \$437,800, for Services During Construction
5. Authorize the Director of Public Utilities, or designee, to execute all documents on behalf of the City of Fresno
- Sponsors:** Department of Public Utilities
- 3-G** [ID19-11082](#) WORKSHOP - Sustainable Groundwater Management Act (SGMA) and North Kings Groundwater Sustainability Plan (NKGSP)
- Sponsors:** Department of Public Utilities

4. CITY COUNCIL

5. CLOSED SESSION

- 5-A [ID19-11325](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)
1. Pamela Motley, et al. v. Fresno Police Officer Joseph Smith, et al.; United States District Court Case No.: 15 CV-00905 BAM (Police Department).

Sponsors: City Attorney'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**

October 10, 2019

10:00 A.M. - HEARING - For the proposed public street vacation for a portion of North Colonial Avenue and a portion of West San Jose Avenue

October 10, 2019

10:05 A.M. - HEARING re: The Elm Ave Revitalization Strategy

October 24, 2019

10:00 A.M. - HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community Facilities District No. 9, Annexation No. 41 (Assessor's Parcel Number 404-071-48, Villages at the River) (north side of East Alluvial Avenue between North Chestnut and Maple Avenues) (Council District 1)

October 24, 2019

10:05 A.M. - Copper River Nexus

NOVEMBER 7, 2019

10:00 A.M.#1 - 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. 105 (Final Tract Map No. 6100) (west side of North Armstrong Avenue between East Ashlan and Dakota Avenues) (Council District 4)

NOVEMBER 7, 2019

10:00 A.M. #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. 102 (Final Tract Map No. 6191) (north side of Fancher Creek Drive west of North Armstrong Avenue) (Council District 5)

December 5, 2019

10:00 A.M. - 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. 106 (Final Tract Map No. 6210) (west side of North Armstrong Avenue between East Shields and Clinton Avenues) (Council District 4)

December 12, 2019

10:00 A.M. - HEARING - Ordering the vacation of a portion of South Golden State Boulevard, south of San Benito Street between "G" Street and "F" Street (Council District 3).

The Resolution of Intent will be a consent item on November 14, 2019.

UPCOMING EMPLOYEE CEREMONIES

October 23, 2019 (Wednesday) – 2:00 P.M. - Employee of the Fall Quarter

November 20, 2019 (Wednesday) – 2:00 P.M. - Employee Service Awards

2019 CITY COUNCIL MEETING SCHEDULE

OCTOBER 3 - NO MEETING

OCTOBER 10 - 9:00 A.M. MEETING

OCTOBER 17 - NO MEETING

OCTOBER 24, 2019 - 9:00 A.M. MEETING

OCTOBER 31, 2019 - NO MEETING