

City of Fresno

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



Meeting Agenda - Final-revised

Thursday, August 9, 2018

1:30 PM

Regular Meeting

Council Chambers

City Council

President - Esmeralda Z. Soria

Vice President - Steve Brandau

Councilmembers:

Oliver L. Baines, III, Paul Caprioglio, Luis Chavez, Garry Bredefeld, Clinton J.

Olivier

City Manager - Wilma Quan-Schecter

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 amarilla 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**

Councilmember Caprioglio may be present via conference call from the Conoco Gas Station: 90 Lone Mountain Trail, Big Sky, MT 59716

1:39 P.M. ROLL CALL

Invocation by Reza Nekumanesh from the Islamic Culture Center of Fresno.

Pledge of Allegiance to the Flag

APPROVE AGENDA

1. CLOSED SESSION

- 1-A [ID18-0925](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)
Veronica Nelson, et al. v. City of Fresno, et al.
United States District Court Case No.:
1:16-CV-01754-DAD-BAM;
Darren Noble, et al. v. City of Fresno, et al.
United States District Court Case No.:
1:16-CV-01690-DAD-BAM.

Sponsors:

City Attorney's Office

- 1-B [ID18-0913](#) CONFERENCE WITH LABOR NEGOTIATOR - Government Code Section 54957.6
City Negotiator(s): Jeffrey Cardell, Ken Phillips
Employee Organization:
International Association of Firefighters, Local 753, Unit 5
(Non-Management Fire)

Sponsors:

Personnel Services Department

2. 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.

- 2-A [ID18-0843](#) Award three consultant agreements for Certified Access Specialist (CASp) Inspection Services for the Accessible Fresno Small Business Initiative to Lars Andersen & Associates, Inc., SZS Engineering Access, Inc., and The Taylor Group Architects for an amount not to exceed \$105,000 (Citywide).

Sponsors: Public Works Department and Development and Resource Management Department

- 2-B [ID18-0934](#) Approve the reappointment of Paul J. Bauer to the Fresno Workforce Development Board

Sponsors: Mayor's Office

CEREMONIAL PRESENTATIONS

- [ID18-0927](#) Certificate of Recognition to Meghan Kelly - Environmental Defense Fund Climate Corps Fellow
Certificate of Recognition to Richard McCoy - City of Fresno 2018 Summer Youth Intern
Certificate of Recognition to Eliza Guzman - City of Fresno 2018 Summer Youth Intern

Sponsors: Council President Soria

- [ID18-0935](#) Special Presentation in Honor of Barbara Hunt

Sponsors: Council President Soria

APPROVE MINUTES

- [18-0034](#) Approval of minutes from July 26, 2018.

Sponsors: City Clerk's Office

COUNCILMEMBER REPORTS AND COMMENTS

CONTESTED CONSENT CALENDAR

3. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:15 A.M.

[ID18-0915](#)

(CONTINUE TO 2:15 P.M.)

CONTINUED HEARING to consider adoption of resolution related to the designation of a property to the Local Register of Historic Resources

Sponsors:

Development and Resource Management Department

2:10 P.M. SCHEDULED COMMUNICATION[ID18-0911](#)

Appearance by Mary Esther Correa to discuss the fines she has received from Code Enforcement (Speaker resides in District 7)

2:15 P.M.[ID18-0936](#)

CONTINUED HEARING to consider adoption of resolution related to the designation of a property to the Local Register of Historic Resources

1.*** RESOLUTION - Designating the Herndon Substation Control Building located at 7430 N Weber Avenue, Fresno, California to the Local Register of Historic Resources (Council District 2) (Subject to Mayor's veto)

Sponsors:

Development and Resource Management Department

3:00 P.M.[ID18-0902](#)

Actions pertaining to Fresno Clean and Safe Neighborhood Parks Tax Ordinance Initiative Measure:

1. RESOLUTION - Accepting Election Official's Certificate of Sufficiency for the Fresno Clean and Safe Neighborhood Parks Tax Initiative Petition; and

2. Take one of the following actions:

a. ***RESOLUTION - Adopting the Fresno Clean and Safe Neighborhood Parks Tax Ordinance and Submitting the Measure to City Voters at the Next Regular Municipal Election to be Held on November 6, 2018; Requesting the County to Conduct the Election; and Requesting Consolidation of the Election with any Other Election held on that Date (Subject to Mayor's Veto); or

b. ***RESOLUTION - Submitting the Initiative Ballot Measure Proposal to Impose a Fresno Clean and Safe Neighborhood

Parks Tax at the Next Regular Municipal Election to be Held on November 6, 2018; Requesting the County to Conduct the Election; and Requesting Consolidation of the Election with any Other Election held on that Date (Subject to Mayor's Veto); or

c. Order a report pursuant to Elections Code Sections 9215(c) and 9212 relating to the impacts or effects of the Proposed Ordinance, to be presented to Council within 30 days.

Sponsors: City Clerk's Office

4. GENERAL ADMINISTRATION

4-A [ID18-0845](#) Award a Requirements Contract for Custodial Services at Various City Facilities in the amount of \$491,286.12 per year for three years with an option for two one-year year extensions to Scrubcan Inc., of Fresno, CA, Bid File No. 9444 (Citywide)

Sponsors: Public Works Department

4-B [ID18-0877](#) RESOLUTION - Authorizing the submission of grant applications to the California Department of Transportation (Caltrans) Highway Safety Improvement Program (HSIP) Cycle 9 and authorizing the execution of all application related documents by the Public Works Director or designee (Citywide)

Sponsors: Public Works Department

4-C [ID18-0914](#) Actions related to introducing and adopting an Emergency Ordinance for public health, amending Fresno Municipal Code subsection 6-520(a) to allow watering public median islands serving a community purpose:

1. Adopt a finding of Categorical Exemption pursuant to Class 1 Section 15301 (existing facilities) of the California Environmental Quality Act Guidelines for the Emergency Ordinance;
2. ***BILL (For introduction and adoption) - Emergency Ordinance Of The City Of Fresno, California Amending Subsection (a) of Section 6-520 of the Fresno Municipal

Code Relating to Regulations for Urban Water Conservation
(Requires 5 affirmative votes) (Districts 1, 2 and 7).

Sponsors:

Public Works Department and Council President Soria

4-D [ID18-0938](#)

***RESOLUTION - Submitting to City Electors a proposal to amend the Charter to modify or eliminate provision that are contrary to and preempted by state or federal law and providing for the placement of the measure on the November 6, 2018, General Election ballot. (Subject to Mayor's Veto.)

Sponsors:

Council President Soria

4-E [ID18-0939](#)

***RESOLUTION - Submitting to the City electors a Balanced Budget Charter Amendment. (Subject to Mayor's veto)

Sponsors:

Mayor's Office and Vice President Brandau

5. CITY COUNCIL

5-A [ID18-0937](#)

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 - Mayor Brand-Ex-Officio (Olivier-Alternate)
2. Finance and Audit Committee - Bredefeld, Olivier, Brandau
3. Fresno Area Workforce Investment Corporation - Soria
4. Fresno County Transportation Authority (FCTA) - Mayor Brand-Ex-Officio, (Brandau-Alternate)
5. Fresno Regional Workforce Development Board - Baines
6. Fresno County Zoo Authority - Mayor Brand-Ex-Officio, (Baines-Alternate)
7. Fresno Madera Area Agency on Aging Board - Olivier
8. Joint Powers Financing Authority - Mayor Brand, President Soria, Councilmember Caprioglio
9. San Joaquin River Conservancy Board - Mayor Brand-Ex-Officio, (Brandau-Alternate)
10. Association for the Beautification of Highway 99 - Baines

11. Upper Kings Basin Integrated Regional Water Management JPA - Brandau (Olivier, Michael Carbajal and Vacant - Alternates)
12. Economic Development Corporation Serving Fresno County - Caprioglio-Ex-Officio, City Manager Wilma Quan-Schechter and (Chavez - Alternate)
13. League of California Cities (Annual Meeting) - Mayor Brand, (Olivier-Alternate)
14. Litigation Exposure Reduction Ad Hoc Committee - Brandau, Caprioglio
15. Sub- Committee on Transportation - Baines, Caprioglio, Soria
16. Code Enforcement Sub-Committee - Baines, Caprioglio, Soria
17. Enterprise and Construction Management Oversight Board - Councilmember Chavez, Bredefeld-Alternate
18. School Liaison Sub-Committee - Soria - Chair, Olivier, Baines
19. North Kings Groundwater Sustainability Agency (GSA) Joint Powers Authority - Mayor Brand (Michael Carbajal, Tim Orman - Alternates)

Council President Soria

Sponsors:

5-B [ID18-0944](#)

BILL - (For introduction) - Amending sections 1-302 and 1-308 of the Fresno Municipal Code, relating to General Enforcement Authority

Sponsors: Vice President Brandau and Councilmember Chavez

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

(Date and time to be determined)

CONTINUED HEARING to consider Supplemental Environmental Impact Report (SEIR) No. 10151 (State Clearinghouse (SCH) No. 2017031030), Rezone Application No. R 17 021, Development Permit No. D 16 088 and Variance Application No. V 17 01 for the Producers Dairy Project located on the south side of E. Belmont Avenue between N. Ferger and N. Roosevelt Avenues in the City of Fresno. (Council District 3)

August 16, 2018

10:00 AM - HEARING Actions pertaining to a Resolution of the Council of the City of Fresno, California, establishing Underground Utility District No. FRE-96, ("UUD FRE-96") (Council Districts 3).

August 23, 2018

10:00 AM #1- 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. 32 (Assessor's Parcel Number 458-270-01) (southwest corner of South West Avenue and West Nielsen Avenue) (Council District 3)

August 23, 2018

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. 9, Annexation No. 31 (Assessor's Parcel Number 504-091-14S) (southeast corner of North Riverside Avenue and West Herndon Avenue) (Council District 2)

August 30, 2018

10:00 AM - HEARING - North Avenue (Marks Avenue to Elm Avenue) Official Plan Line (Council District 3 and County)

August 30, 2018

10:15 AM - CONTINUED HEARING to consider the Official Plan Line (OPL) for the North Temperance Avenue alignment from State Route 180 to East Clinton

Avenue, and, related Environmental Assessment No. EA-17-018. (Council District 4, Council District 5)

SEPTEMBER 6, 2018 - NO MEETING

SEPTEMBER 13, 2018 - NO MEETING

SEPTEMBER 20, 2018

10:00 AM #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. 89 (Final Tract Map No. 6216) (southwest corner of North Temperance and East Dakota Avenues) (Council District 4)

SEPTEMBER 20, 2018

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. 93 (Final Tract Map No. 6217) (a portion of the southeast corner of North Bryan and West Gettysburg Avenues) (Council District 1)

SEPTEMBER 20, 2018

10:00 AM #3 - 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. 33 (Assessor's Parcel Number 326-160-41) (south side of West Nielsen Avenue west of South Marks Avenue) (Council District 3)

SEPTEMBER 20, 2018

10:00 AM #4 - 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. 34 (Assessor's Parcel Number 408-062-07 and 27) (southeast corner of East Herndon Avenue (Frontage) and North Howard Avenue) (Council District 6)

SEPTEMBER 20, 2018

10:05 AM - HEARING - Regarding the vacation of a street, pipeline and utility easement in Lot 8 of Tract No. 4043. (Council District 1).

UPCOMING EMPLOYEE CEREMONIES

OCTOBER 18, 2018 - Employee of the Fall Quarter

NOVEMBER 7, 2018 (Wednesday) - Employee Service Awards

2018 CITY COUNCIL MEETING SCHEDULE

AUGUST 16 - 2018 - 9:00 A.M. MEETING

AUGUST 23 - 2018 - 9:00 A.M. MEETING

AUGUST 30 - 2018 - 9:00 A.M. MEETING

SEPTEMBER 6, 2018 - NO MEETING

SEPTEMBER 13, 2018 - NO MEETING

SEPTEMBER 20, 2018 - 9:00 A.M. MEETING

SEPTEMBER 27, 2018 - 9:00 A.M. MEETING