

# City of Fresno

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



## Meeting Agenda - Final

Thursday, February 25, 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 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](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 Reverend K.C. Dickie of Operation Heal Our Lord

Pledge of Allegiance to the Flag

**APPROVE AGENDA****APPROVE MINUTES**

[ID16-140](#) Approval of minutes from February 4, 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** [ID16-128](#) Adoption of the 2016 Updates and revisions to the Americans with Disabilities Act (ADA) Transition Plan for the Public Right of Way

**Sponsors:** Public Works Department

**1-B** [ID16-168](#) Action relating to declaring the Election Results for Community Facilities District No. 15 (East Copper River Ranch Maintenance District) and Authorizing the Levy of a Special Tax and Appropriations Limit (Eastern portion of the Copper River Ranch Development located northwest of North Willow and East Copper Avenues) (Council District 6)

1. RESOLUTION - Declaring Election Results for Community Facilities District No. 15
2. \*\*\*BILL - (For introduction and adoption) - Levying a Special Tax for the Property Tax Year 2015-2016 and future Tax Years Within and Relating to Community Facilities District No. 15 - East Copper River Ranch Maintenance District

**Sponsors:** Public Works Department

- 1-C**    [ID16-178](#)    \*\*\*RESOLUTION - 5th amendment to Salary Resolution No. 2015-108 adding the new classifications of Industrial Electrician to Exhibit 7, Non-Supervisory Groups and Crafts (IBEW) and Payroll Accountant to Exhibit 2, Non-Represented Management and Confidential with Unit 2 annual leave and deferred compensation benefits; and modifying the salary of Airport Maintenance Leadworker in Exhibit 1, Non-Supervisory Blue Collar (Local 39).
- Sponsors:**    Personnel Services Department
- 1-D**    [ID16-182](#)    RESOLUTION - Approving the Final Map of Tract No. 6075 and accepting dedicated public uses offered therein-Northwest corner of North Hayes Avenue and West Herndon Avenue (Council District 2)
- Sponsors:**    Public Works Department
- 1-E**    [ID16-188](#)    Approve first amendment to Professional Services Agreement between Mariotto Resolutions and the City of Fresno (City) for services as the Ombudsperson for the Workers' Compensation Alternative Dispute Resolution with the Fresno Police Officers Association (FPOA), amending the term of the agreement and increasing total compensation
- Sponsors:**    Personnel Services Department
- 1-F**    [ID16-194](#)    \*\*\*RESOLUTION - 4th amendment to Position Authorization Resolution No. 2015-105, adding one position to the Information Services Department in Fiscal Year 2016
- Sponsors:**    Personnel Services Department
- 1-G**    [ID16-211](#)    Actions pertaining to the traffic signal installation at the intersection of Blackstone and Fedora Avenues - Bid File No. 3425 (Council District 7)
1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301(c) Class 1 of the CEQA guidelines for the traffic signal installation at the intersection of Blackstone and Fedora Avenues
  2. Award a construction contract in the amount of \$303,567 to American Construction Engineers of Tollhouse, California
- Sponsors:**    Public Works Department

- 1-H [ID16-217](#) Approve a five-year agreement with Fresno Senior Softball League for the use and maintenance of the Quigley softball field
- Sponsors:** Parks, After School and Recreation and Community Services Department
- 1-I [ID16-226](#) RESOLUTION - Providing for publication of Fresno Municipal Code Amendments
- Sponsors:** City Clerk's Office
- 1-J [ID16-234](#) Approve the appointment of Ted Semonious to the Fire and Police Retirement Board
- Sponsors:** Mayor's Office
- 1-K [ID16-227](#) Approve an agreement with BKF Engineers in the amount of \$60,170, with a contingency amount of \$10,000 (total not to exceed \$70,170), to provide consultant services for Shields Avenue Bankside Trail from Fresno Street to First Street (Council District 7)
- Sponsors:** Public Works Department

## **2. GENERAL ADMINISTRATION**

- 2-A [ID16-091](#) Approve the Index-Based Rate Adjustments (Rate Period 5) for Commercial Solid Waste Franchise Services as Requested by Mid Valley Disposal ("Mid Valley") and Allied Waste ("Allied") for Disposal of Multi-Family, Commercial Solid Waste, Recyclable and Organic Material.
- Sponsors:** Department of Public Utilities
- 2-B [ID16-218](#) Actions pertaining to Revising the Zoning Designation Translation Table for the Downtown Planning Area for an interim period
1. Adopt the environmental findings of Environmental Assessment No. EA-16-002, an Addendum to Final Master Environmental Impact Report SCH No. 2012111015 for the Fresno General Plan and Citywide Development Code pursuant to CEQA Guidelines Section 15162 and 15164
  2. RESOLUTION - Revising the Zoning Designation Translation Table for the Downtown Planning Area for the interim period between adoption of the Zoning Map Update

and adoption of the Downtown Plans and Code.

**Sponsors:**

Development and Resource Management Department

**2-C** [ID16-213](#)

Actions pertaining to Almy and Roy Park and 41 and North Corridor Coalition

1. Adopt a finding of Categorical Exemption under CEQA Guidelines section 15301/Class 1
2. Approve Agreement for Transfer of Real Property from Habitat For Humanity Fresno, Inc.
3. Approve an Adopt-A-Park Agreement with Cargill Fresno

**Sponsors:**

City Manager's Office and City Councilmember Baines III

**2-D** [ID16-171](#)

Actions pertaining to an award of a construction contract to Davis Moreno Construction, Inc. of Fresno, CA in the amount of \$1,163,973 including the base bid plus add alternates 1 and 2 for the Cultural Arts District Park Project (Bid File 3440) (Council District 3)

1. Adopt finding of a Categorical Exemption pursuant to Sections 15303 and 15332 of the California Environmental Quality Act Guidelines
2. Award a construction contract with Davis Moreno Construction, Inc. of Fresno, CA in the amount of \$1,163,973 including the base bid plus add alternates 1 and 2 for the Cultural Arts District Park Project

**Sponsors:**

Public Works Department, Parks, After School and Recreation and Community Services Department

**2-E** [ID16-181](#)

Actions pertaining to the Vinland Park Splash Play Area - Bid File 3430 (Council District 4)

1. Adopt a finding of Categorical Exemption pursuant to Section 15303(e) of the CEQA Guidelines for the Vinland Park Splash Play Area Project
2. Award a construction contract with American Construction Engineers of Tollhouse, California in the amount of \$334,950 for the Vinland Park Splash Play Area project

**Sponsors:**

Public Works Department, Parks, After School, Recreation and Community Services Department and Council President Caprioglio

2-F [ID16-252](#) WORKSHOP - Housing and Community Development Division Quarterly Report, October 1, 2015 - December 31, 2015

**Sponsors:**

Development and Resource Management Department

2-G [ID16-120](#) Actions Pertaining to the Fresno County Measure "C" Transit Oriented Development (TOD) Program:

1. RESOLUTION - Authorizing the City Manager or Designee to Negotiate an Amendment to the Program Eligibility and Funding Agreement, dated December 5, 2012, with The Fresno County Transportation Authority Relating to the Reallocation of Program Funds to the Measure C Transit Oriented Development Program and Authorizing the Execution of Amendment Related Documents by the City Manager Or Designee

2. RESOLUTION - Authorizing the Submission of Applications for Grant Funds from the Fresno County Measure C Transit Oriented Development (TOD) Program and Authorizing the Execution of Application-Related Documents by the City Manager or Designee

**Sponsors:**

Development and Resource Management Department

### **3. CITY COUNCIL**

3-A [ID16-206](#) Actions pertaining to processing of Green Waste (Citywide):

1. Adopt a finding pursuant to CEQA Guideline 15061(b)(3) of No Possibility these actions may have a significant effect on the environment.

2. Award a ten year agreement to Kochergen Farms Composting, Inc. (Kochergen), to process 50 percent of the City's Green Waste (green waste) at a cost to the City of \$16.75 per ton.

3. Award a ten year agreement to West Coast Waste, Inc. (West Coast), to process 50 percent of the City's Green Waste at a cost to the City of \$16.75 per ton.

**Sponsors:**

City Councilmember Brandau

**3-B** [ID16-207](#)

Actions pertaining to processing of Co-mingled Recyclables (Citywide):

1. Adopt a finding pursuant to CEQA Guideline 15061(b)(3) of No Possibility these actions may have a significant effect on the environment.
2. Award a ten year agreement to Mid Valley Recycling, LLC (Mid Valley), to process 50 percent of the City's Co-mingled Recyclables (recyclables) at an indexed rate paid per ton to the City.
3. Award a ten year agreement to Cedar Avenue Recycling and Transfer Station, LP (CARTS), to process 50 percent of the City's recyclables at an indexed rate paid per ton to the City.

**Sponsors:**

City Councilmember Brandau

**4. SCHEDULED COUNCIL HEARINGS AND MATTERS****9:45 A.M.****JOINT MEETING OF SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY, CITY (IN ITS CAPACITY AS HOUSING SUCCESSOR), AND FRESNO REVITALIZATION CORPORATION**[ID16-105](#)

Actions pertaining to the sale of excess property at Fulton and Inyo Streets:

1. Approve a Purchase and Sale Agreement between the Successor Agency and the City of Fresno, for property located on 829 Fulton (APN 468-282-05T), 835 Fulton (APN 468-282-22T), and the Parking Lot on the northwest corner of Fulton/Inyo Streets (APN APN 468-282-23T).
2. Approve a Disposition and Development Agreement between the City of Fresno, the City as the Housing/Successor Agency to the City of Fresno, and Noyan Frazier Capital, LLC.

**Sponsors:**

Successor Agency to the Redevelopment Agency of the City of Fresno



[ID16-225](#)

Approval of a Purchase and Sale Agreement between the City of Fresno and APEC International, LLC, for the Sale of a portion of an abandoned street right-of-way on the east side of "H" Street at the Broadway Street alignment in Downtown Fresno (Council action)

**Sponsors:**

Successor Agency to the Redevelopment Agency of the City of Fresno

## **ADJOURN JOINT MEETING**

### **10:00 A.M.#1**

[ID16-205](#)

Presentation by Associated Students, Inc. (ASI) of California State University Fresno (CSUF) to discuss Sierra Madre

**Sponsors:**

Council President Caprioglio

### **10:00 A.M.#2**

[ID16-179](#)

HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community District No. 11, Annexation No. 65 (Final Tract Map No. 6104) (parcels bounded by E. Fancher Creek Drive, S. Purdue Avenue, S. Bundy Avenue, and E. Beck Avenue) (Council District 5)

1. RESOLUTION - Annexing Territory to Community Facilities District No. 11 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 2015-2016 and Future Tax Years Within and Relating to Community Facilities District No. 11, Annexation No. 65, Final Tract Map No. 6104

**Sponsors:**

Public Works Department

### **10:15 A.M.**

[ID16-109](#)

HEARING to consider the 2016 Weed Abatement Program and Adoption of an Ordinance approving the 2016 Weed Abatement Program (City wide)

1. BILL - (For introduction) - Relating to the Annual Weed Abatement Program

**Sponsors:** Development and Resource Management Department

### **11:00 A.M.**

[ID16-212](#) CONTINUED HEARING to consider adoption of resolution designating the Parkside Dairy/Golden State Company (Central Valley Cheese Buildings) located at 450 E. Belmont Avenue, Fresno to the Local Register of Historic Resources (Council District 3) Continued from January 28, 2016  
1. \*\*\* RESOLUTION - Designating the Parkside Dairy/Golden State Company (Central Valley Cheese) Buildings located at 450 E. Belmont Avenue, Fresno, California to the Local Register of Historic Resources.

**Sponsors:** Development and Resource Management Department

### **1:30 P.M.#1**

[ID16-245](#) Appearance by J.D. McCubbin to discuss whether or not the Fresno Police Department's record system is working and the consequences

## **CONTESTED CONSENT CALENDAR**

### **CEREMONIAL PRESENTATIONS**

[ID16-195](#) Recitation of the Declaration of Independence by Nathan Bond  
1. Proclamation of "NATHAN BOND" Day

**Sponsors:** City Councilmember Olivier

[ID16-208](#) Proclamation of "NATIONAL ENTREPRENEURSHIP WEEK"

**Sponsors:** Mayor's Office

[ID16-220](#) Proclamation of "BLACK HISTORY MONTH"

**Sponsors:** City Councilmember Baines III

[ID16-224](#) Proclamation of "SUPPORT BLUE FRESNO DAY"

**Sponsors:** Council President Caprioglio

[ID16-239](#) Proclamation of "Haron Jaguar 70th Anniversary"

**Sponsors:** Vice President Quintero

[ID16-253](#)

Proclamation of "FRESNO HIGH SCHOOL CHEER DAY"

**Sponsors:**

City Councilmember Soria

**5. CLOSED SESSION**

**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**

*MARCH 3, 2016 - 8:30 A.M. - MEETING*

*MARCH 10, 2016 - NO MEETING*

*MARCH 17, 2016 - 1:30 P.M. MEETING*

*2:00 P.M. - HEARING to consider Rezone Application No. R-15-010 filed by Brandon Broussard of Yamabe & Horn Engineering, on behalf of Leland Parnagian of G3 Development Company, for approximately 95.02 acres of property located on the northwest corner of South East and East Central Avenues (Council District 3) – Development and Resource Management Department*

*MARCH 24, 2016 - NO MEETING*

*March 31, 2016*

*10:00 A.M. HEARING - Regarding the vacation of the alleys south of East Franklin Avenue between North Broadway Avenue and State Route 180 (Council District 3)*

*APRIL 14, 2016*

*10:00 A.M. HEARING - Regarding the vacation of a public utility easement in the previously vacated East Geary Avenue, between South Plumas and South Walnut Avenues (Council District 3)*

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 North Fowler Avenue, between East Clinton and Princeton Avenues) (Council District 4)

**UPCOMING EMPLOYEE CEREMONIES**

APRIL 14, 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**

MARCH 3 - 2016 - 8:30 A.M. MEETING

MARCH 10 - 2016 - NO MEETING

MARCH 17 - 2016 - 1:30 P.M. MEETING

MARCH 24 - 2016 - NO MEETING

MARCH 31 - 2016 - 8:30 A.M. MEETING