

City of Fresno

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



Meeting Agenda - Final

Thursday, November 2, 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 - Wilma Quan-Schechter

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 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 sau ntawv ntawv 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 nrov 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**

8:30 A.M. ROLL CALL

Invocation by Pastor Brian Wiebe from Bethany Church

Pledge of Allegiance to the Flag

APPROVE AGENDA

CEREMONIAL PRESENTATIONS

[ID17-1480](#) Presentation of the SPCA Pet of the Month

Sponsors: City Councilmember Baines III

[ID17-1458](#) Proclamation of "Ambassador Phillip V Sanchez Day"

Sponsors: City Councilmember Brandau, Vice President Soria and Mayor's Office

[ID17-1449](#) Proclamations of "Cregg Jerri and Jimmy Turner Day"

Sponsors: City Councilmember Bredefeld and City Councilmember Brandau

[ID17-1500](#) Welcome Certificates for three exchange students from Chateauroux France:
Romance Lesage
Diem Damien Etieve
Adele Leroy

Sponsors: Vice President Soria

[ID17-1501](#) Proclamation for "National Runaway Prevention Month"

Sponsors: Vice President Soria

APPROVE MINUTES

[ID17-116](#) Approval of minutes from October 26, 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** [ID17-1321](#) Actions related to the sale of abandoned water well property on APN 460-323-24T (PS-19A) to Mr. Jiwan Kumar: (District 7)
1. Adopt a finding of Categorical Exemption pursuant to CEQA Guidelines Section 15312(b) for the sale of a small abandoned water well property.
 2. Approve the sale of a small abandoned water well property known as APN 460-323-24T (PS-19A) in the amount of \$ 100.00 in the Maple Avenue alley south of East Iowa Avenue to adjacent property owner Mr. Jiwan Kumar.

Sponsors:

Public Works Department

- 1-B** [ID17-1431](#) Approve a substitution of a listed Subcontractor DSA, Inc., for the Frank H. Ball Swimming Pool Renovation Project ID PC00150 (Council District 3)

Sponsors:

Public Works Department

- 1-C** [ID17-1457](#) RESOLUTION - Of Consideration to change the rate and method of apportioning the special tax and establishing a new maximum special tax for Final Tract Map No. 6073, Annexation No. 54, of the City of Fresno Community Facilities District No. 11 (north side of East Church Avenue between South Chestnut and Willow Avenues) (Council District 5)

Sponsors:

Public Works Department

- 1-D** [ID17-1461](#) Actions pertaining to amending Sections 3-107 and 3-264 of the Fresno Municipal Code
1. BILL - (For introduction) - Amending Section 3-107 of Chapter 3, Article 1 of the Fresno Municipal Code Relating to Sick Leave and Special Leave
 2. BILL - (For introduction) - Amending Section 3-264 of Chapter 3, Article 2 of the Fresno Municipal Code Relating to Special Provisions for the Fireman Trainee Class

Sponsors:

Personnel Services Department

- 1-E [ID17-1487](#) Approve First Amendment to the Amended and Restated Disposition and Development Agreement between Cesar Chavez Foundation and the City of Fresno
- Sponsors:** City Manager's Office
- 1-F [ID17-1451](#) ***RESOLUTION - 539th amendment to the Master Fee Schedule (MFS) Resolution No. 80-420 to add, adjust, revise or delete various fees (Subject to Mayor's veto)
- Sponsors:** City Manager's Office
- 1-G [ID17-1485](#) Approve the First Amendment to the Amended and Restated Memorandum of Understanding between the County of Fresno and the City of Fresno, dated January 6, 2003, relating to annexation, development, and property and sales tax allocation.
- 1-H [ID17-1473](#) ***BILL NO. B-59 - (Intro. 10/26/2017) (For adoption) - Granting a non-exclusive roll-off franchise for roll-off collection within the City of Fresno to Eagle Transportation and North Cal Hauling Company in preparation for a public hearing on the matter and final vote to approve the non-exclusive roll-off franchise on November 30, 2017 (Citywide) (Subject to Mayor's Veto)
- Sponsors:** Department of Public Utilities
- 1-I [ID17-1474](#) ***BILL NO. B-62 - (Intro. 10/26/2017) (For adoption) - Approving the Disposition Agreement and Development Agreement by and between the City of Fresno and Darling Ingredients Inc., pertaining to the relocation and the transfer and development of real property on the southwest corner of Jensen and Cornelia Avenues. (Subject to Mayor's Veto)
- Sponsors:** Development and Resource Management Department
- 1-J [ID17-1475](#) ***BILL NO. B-63 - (Intro. 10/26/2017) (For adoption) - Approving Text Amendment Application No. TA-17-08 which proposes amendments to the Citywide Development (Fresno Municipal Code Chapter 15) to incorporate the Kearney Boulevard Historic Corridor (KB) Overlay District and the California Avenue Transit Corridor (CA) Overlay District (Subject to Mayor's veto)

Sponsors: Development and Resource Management Department

- 1-K [ID17-1476](#) ***BILL NO. B-60 - (Intro. 10/26/2017) (For adoption) -
Amending Section 14-2010 of the Fresno Municipal Code
relating to lost or stolen residential parking permits. (Subject
to Mayor's veto)

Sponsors: City Councilmember Baines III

- 1-L [ID17-1497](#) Approve Appointment of Kacey Auston to the Fresno
Metropolitan Flood Control District

Sponsors: Mayor's Office

CONTESTED CONSENT CALENDAR

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:00 A.M.

- [ID17-1420](#) HEARING to Consider Supplemental Environmental Impact
Report (SEIR) No. 10151 (State Clearinghouse (SCH) No.
2017031030), Development Permit No. D-16-088 and
Variance Application No. V-17-01 for the Producers Dairy
Project located on the south side of East Belmont Avenue
between North Ferger and North Roosevelt Avenues in the
City of Fresno. (Council District 3 - Baines)
1. RESOLUTION -Certifying Supplemental Final EIR No.
10151 (SCH No. 2017031030), for the Producers Dairy
Project located at 450 East Belmont Avenue; and,
 - a. ADOPT Findings of Fact as required by Public Resources
Code Section 21081(a) and CEQA Guidelines, Section
15091; and
 - b. ADOPT the Statement of Overriding Considerations as
required by Public Resources Code, Section 21081(b) and
CEQA Guidelines, Section 15093.
 - c. APPROVE a Mitigation Monitoring and Reporting Program
as required by Public Resources Code Section 21081.6 and
CEQA Guidelines Section 15097; and,
 2. APPROVE Development Permit Application No. D-16-088
(subject to the attached Conditions of Approval dated
October 4, 2017).

3. APPROVE Variance Application No. V-17-001.

Sponsors:

Development and Resource Management Department

10:15 A.M. SCHEDULED COMMUNICATION

[ID17-1479](#)

Appearance by Mary Esther Correa to discuss the Code Enforcement fines she has incurred. (Speaker resided in District 7)

3. GENERAL ADMINISTRATION

3-A [ID17-1445](#)

Approve a Memorandum of Understanding Regarding Coordination, Cooperation, and Cost Sharing On Preconstruction Activities Related to the Temperance Flat Reservoir Project for a Total of \$500,000 to be Expended During Fiscal Years 2018, 2019, and 2020.

Sponsors:

Department of Public Utilities

3-B [ID17-1456](#)

Approve the annual Index-Based Rate Adjustments (Rate Period 7) for Commercial Solid Waste Franchise Services as Requested by Allied Waste Services and Mid Valley Disposal for Disposal of Multi-Family, Commercial Solid Waste, Recyclable and Organic Material (Citywide)

Sponsors:

Department of Public Utilities

4. CITY COUNCIL

4-A [ID17-1491](#)

BILL (for introduction) - Amending Section 2-1104 of the Fresno Municipal Code relating to off-year contribution prohibition.

Sponsors:

Vice President 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

NOVEMBER 9, 2017

10:00 AM #1- Fresno Regional Workforce Development Board Workshop

NOVEMBER 9, 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. 9, Annexation No. 20 (Assessor's Parcel Number 403-021-03, Development Permit Application No. 2016-031) (south side of E. Shepherd between N. Millbrook and Cedar Avenues) (Council District 6)

NOVEMBER 9, 2017

10:10 AM - TEFRA HEARING - To hear and consider information concerning the proposed issuance of Revenue Bonds by Independent Cities Finance Authority (the "Authority") for the purpose of financing the refinancing and improvements to Westlake Mobilehome Park and the acquisition, and renovation of Millbrook Mobilehome Park

NOVEMBER 9 2017

2:00P.M. - WORKSHOP regarding High Speed Rail and Workforce Development

NOVEMBER 16, 2017 - NO MEETING

NOVEMBER 30, 2017 - NO MEETING

DECEMBER 7, 2017

10:00 AM #1 - HEARING to adopt resolutions and ordinance amending Annexation No. 74 of the City of Fresno Community District No. 11, Final Tract Map No. 6139, to change the rate and method of apportionment of the special tax, and the Maximum Special Tax to be levied (northeast corner of N. Polk Avenue and W. Olive Avenue) (Council District 3)

DECEMBER 7, 2017

10:00 AM #2 - HEARING to adopt resolutions and ordinance amending Annexation No. 54 of the City of Fresno Community District No. 11, Final Tract Map No. 6073, to change the rate and method of apportionment of the special tax, and the Maximum Special Tax to be levied (southeast corner of N. Fowler and E. Hamilton Avenues) (Council District 5)

DECEMBER 7, 2017

10:05 AM - HEARING re: granting a Non-Exclusive Franchise for roll-off collection services within the City of Fresno

DECEMBER 14, 2017

10:00 AM - HEARING - Regarding the vacation of a public water main easement and an emergency access easement south of Previously vacated E. Hamilton Avenue between S. Parallel Avenue and S. Third Avenue (Lyons Magnus). (Council District 5).

DECEMBER 21, 2017 - NO MEETING

DECEMBER 28, 2017 - NO MEETING

JANUARY 4, 2018 - NO MEETING

JANUARY 11, 2018

10:00 AM - 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. 85 (Final Tract Map No. 5538) (northwest corner of North Polk and East Dakota Avenues) (Council District 1)

UPCOMING EMPLOYEE CEREMONIES

2018 Ceremonies to be announced

2017 CITY COUNCIL MEETING SCHEDULE

NOVEMBER 9, 2017 - 8:30 A.M.

NOVEMBER 16, 2017 - NO MEETING

NOVEMBER 23, 2017 - NO MEETING

NOVEMBER 30, 2017 - NO MEETING