

# City of Fresno

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



## Meeting Agenda - Final

Thursday, February 26, 2015

8:30 AM

Regular Session

Council Chambers

### City Council

*President - Oliver L. Baines, III*

*Vice President - Paul Caprioglio*

*Councilmembers:*

*Lee Brand, Steve Brandau, Clinton J. Olivier,*

*Sal Quintero, Esmeralda Z. Soria*

*City Manager - Bruce Rudd*

*City Attorney - Douglas T. Sloan*

*City Clerk - Yvonne Spence, CMC*

The meeting room is accessible to the physically disabled. If you require special assistance to participate in the meeting, notify the Office of the City Clerk at 559-621-7650 at least three business days prior to the meeting. Please keep the doorways, aisles and wheelchair seating areas open and accessible. If you need assistance with seating because of a disability, contact Security.

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 Reza Nekumanesh of the Islamic Cultural Center of Fresno

Pledge of Allegiance to the Flag

## **CEREMONIAL PRESENTATIONS**

[ID#15-110](#) Proclamation of Multiple Sclerosis Awareness Week March 2nd - 8th

**Sponsors:** City Councilmember Brand

[ID#15-047](#) Proclamation of "Michael Webb Day"

**Sponsors:** City Councilmember Baines

[ID#15-119](#) Special Black History Reflection- Fannie Lou Hamer

**Sponsors:** City Councilmember Baines

[ID#15-146](#) Recognition/farewell to James Tate Hill II, New Executive Director of the California State Black Chamber of Commerce"

**Sponsors:** City Councilmember Baines

## **APPROVE MINUTES**

[ID#15-147](#) Approval of City Council minutes from January 29, 2015

[ID#15-148](#) Approval of City Council minutes from February 5, 2015

[ID#15-149](#) Approval of Successor Agency minutes from January 29, 2015

**Sponsors:** City Clerk's Office

[ID#15-150](#) Approval of Successor Agency minutes from February 5, 2015

**Sponsors:** City Clerk's Office

[ID#15-151](#) Approval of Fresno Revitalization Corporation minutes from February 5, 2015

## **COUNCILMEMBER REPORTS AND COMMENTS**

## **APPROVE AGENDA**

## **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**    [ID#15-045](#)            \*\*\*RESOLUTION - 35th amendment to the Annual Appropriation Resolution (AAR) No. 2014-95 appropriating \$360,000 in developer contributions for the acquisition of right-of-way for public street and public utility easements for Tract Map 5531 on Armstrong Avenue between Church Avenue and Butler Avenue (Council District 5) (Requires five affirmative votes)
- Sponsors:**            Public Works Department
- 1-B**    [ID#15-057](#)            RESOLUTION - Dedicating certain City-owned property as an easement for public street purposes at Pump Station No. 250A located on the west side of N. Effie Avenue north of E. Gettysburg Avenue (Council District 4)
- Sponsors:**            Public Works Department
- 1-C**    [ID#15-074](#)            Award a requirements contract for custodial services at Fresno City Hall in the amount of \$323,736 for three years with an option for two one-year increment extensions to Lincoln Training Center of Fresno, CA (Council District 3) Bid File No. 9289
- Sponsors:**            Public Works Department
- 1-D**    [ID#15-084](#)            Adopt the 2015 Emergency Operations Plan for the City of Fresno
- Sponsors:**            Fire Department
- 1-E**    [ID#15-111](#)            Reject all bids for the requirements contract for bulk liquid oxygen - Bid File 9308 (Citywide)
- Sponsors:**            Department of Public Utilities
- 1-F**    [ID#15-112](#)            Actions pertaining to the new sewer main in Peach Avenue between North and Annadale Avenues (Bid File No. 3347) (Sphere of Influence in County of Fresno)

1. Adopt a finding of Categorical Exemption of Class 4, pursuant to Section 15304(f) (Minor trenching and backfilling where the surface is restored) and Statutory Exemption pursuant to Section 15282(k) (The installation of new pipeline or maintenance, repair, restoration, removal, or demolition of an existing pipeline as set forth in Section 21080.21 of the Public Resources Code, as long as the project does not exceed one mile in length) of the California Environmental Quality Act Guidelines
2. Award a \$83,299.00 contract to Haydon Construction, Inc. of Fresno, California

**Sponsors:**

Department of Public Utilities

**1-G** [ID#15-117](#)

Approve the appointments of R. Renena Smith to the City of Fresno Employees Retirement Board and Barry Falke to the Housing and Community Development Commission

**Sponsors:**

Mayor's Office

**1-H** [ID#15-131](#)

\*\*\*Adopt a Side Letter of Agreement between the City and the International Association of Fire Fighters, Local 753 - Unit 5, Non-Management Fire regarding the accelerant detection canine assignment

**Sponsors:**

Personnel Services Department

**1-I** [ID#15-135](#)

RESOLUTION - Approving the Final Map of Tract No. 6033 and accepting dedicated public uses offered therein - northeast corner of N. Fowler Avenue and E. Clinton Avenue (Council District 4)

**Sponsors:**

Public Works Department

**1-J** [ID#15-143](#)

1. Authorize acceptance of fiscal year 2014 Cycle State Homeland Security Funds Subgranted from the State of California Office of Emergency Services (CALOES) in the amount of \$110,700
2. \*\*\*RESOLUTION - 39th amendment to the Annual Appropriations Resolution (AAR) No. 2014-95, appropriating \$110,700 into the Police Department's budget for the 2014 State Homeland Security Grant Program (Requires 5 affirmative votes)

**Sponsors:**

Police Department

**CONTESTED CONSENT CALENDAR****2. GENERAL ADMINISTRATION**

- 2-A [ID#15-012](#) Approve the selection of, and award a contract to PlaceWorks in the amount of \$789,094 for the Southwest Specific Plan and Program Environmental Impact Report
- Sponsors:** Development and Resource Management Department
- 2-B [ID#15-083](#) Actions pertaining to the award of the sole source repair and rewind of one 2500kw ideal electric brushless AC generator for \$260,712.69:
1. RESOLUTION - Authorizing the Purchasing Manager of the Finance Department or designee to award the repair and rewind of one 2500KW Ideal Electric Brushless AC Generator without advertised competitive bidding utilizing the sole source exception in the Fresno City Charter
  2. Authorize the Purchasing Manager of the Finance Department or designee to issue a contract for said service to Stanley Electric Motor Company, Inc., without advertised competitive bidding
- Sponsors:** Department of Public Utilities
- 2-C [ID#15-097](#) Actions pertaining to the acquisition of three acres of property owned by J & M Avila Properties, LLC, a California Limited Liability Company:
1. Approve the acquisition of three acres of property owned by J & M Avila Properties, LLC, a California Limited Liability Company, in the amount of \$1,536,325, for the construction of Veterans Boulevard overcrossing near Golden State and Bullard Avenue (Council District 2)
  2. Authorize the Public Works Director, or his designee, to sign all documents necessary to complete the transaction as delegated by City Manager
- Sponsors:** Public Works Department
- 2-D [ID#15-109](#) Approve amendment to agreement with Fresno Unified School District ("FUSD"), adding two (2) additional School Resource Officers ("SROs") to be assigned to FUSD middle schools
- Sponsors:** Police Department

**3. CITY COUNCIL**

[ID#15-134](#) Request scheduling a joint meeting with the City of Fresno, County of Fresno and City of Clovis to discuss planning

**Sponsors:** City Councilmember Brandau

**4. CLOSED SESSION**

[ID#15-129](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)  
1. Richard Briskin v. City of Fresno Fresno County Superior Court Case No.: 14CECG00322

**Sponsors:** City Attorney's Office

[ID#15-165](#) CONFERENCE WITH LABOR NEGOTIATOR - Government Code Section 54957.6

City Negotiator(s): Jeffrey Cardell, Ken Phillips

Employee Organizations:

1. International Union of Operating Engineers, Stationary Engineers, Local 39 (Local 39)
2. Fresno City Employees Association (FCEA)
3. Fresno Police Officers Association (FPOA Basic)
4. International Association of Firefighters, Local 753, Unit 5 (Fire Basic)
5. Amalgamated Transit Union, Local 1027 (ATU)
6. International Brotherhood of Electrical Workers, Local 100 (IBEW)
7. Fresno Police Officers Association (FPOA Management)
8. International Association of Firefighters, Local 753, Unit 10 (Fire Management)
9. City of Fresno Professional Employees Association (CFPEA)
10. City of Fresno Management Employees Association (CFMEA)
11. Operating Engineers, Local Union No. 3, Fresno Airport Public Safety Supervisors (FAPSS)

**Sponsors:** Personnel Services Department

**5. SCHEDULED COUNCIL HEARINGS AND MATTERS****10:00 A.M. #1****ID#15-136**

HEARING to consider Rezone Application No. R-15-001 and Related Environmental Assessment which were filed by Christina Husbands of the City of Fresno Housing Authority, and pertains to ±0.37 acre of vacant property located on the east side of N. Glenn Avenue between E. Divisadero Street and E. McKenzie Avenue (Council District 3) (Referred back to staff)

1. Adopt the Class 32 Categorical Exemption prepared for Environmental Assessment No. R-15-001/S-15-001
2. BILL - (For introduction and adoption) - Approving Rezone Application No. R-15-001 requesting authorization to reclassify APN 459-322-18 from the R-1 (Single Family Residential) zone district to the R-4 (High Density Multiple Family Residential) zone district

**Sponsors:**

Development and Resource Management Department

**10:00 A.M.#2****JOINT MEETING OF THE CITY OF FRESNO, THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF FRESNO AND THE FRESNO REVITALIZATION CORPORATION**[ID#15-167](#)

Approve a Second Reformation of Disposition and Development Agreement among the City of Fresno, in its capacity as Housing Successor Agency to the Redevelopment Agency of the City of Fresno, Edison Plaza Partners, L.P., Fresno Edison Apartments, L.P., and Fresno Edison Apartments, II, L.P. (Successor Agency, Council, FRC and Housing Successor action)

ADJOURNMENT

**10:15 A.M.**[ID#15-092](#)

HEARING to consider the 2015 Weed Abatement Programs and Adoption of an Ordinance approving the 2015 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.**

[ID#15-166](#)

RESOLUTION - Adopt the Enterprise Capital Management and Citizen Oversight Act

**Sponsors:**

City Councilmember Brand and City Councilmember Olivier

**5:30 P.M.**

[ID#15-123](#)

Actions pertaining to adopting a five year plan for water rates, pursuant to Proposition 218

1. \*\*\*RESOLUTION - Adopting a Five Year Water Rate Plan in Compliance with Proposition 218
2. \*\*\*RESOLUTION - 522nd amendment to the Master Fee Schedule ("MFS") Resolution No. 80-420 to adjust water fees in the Public Utilities Water Fee Section according to Proposition 218
3. \*\*\*RESOLUTION - Adopting a Water Affordability Credit Program ("Water ACP")

**Sponsors:**

Department of Public Utilities

**PLEASE NOTE: UNSCHEDULED COMMUNICATIONS 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 5, 2015 - 8:30 A.M. MEETING

MARCH 12, 2015 - NO MEETING

MARCH 19, 2015 - NO MEETING

*MARCH 26, 2015 - 8:30 A.M. MEETING*

*APRIL 9, 2015*

*10:00 AM - HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community District No. 9, Annexation No. 7 (Final Parcel Map No. 2014-05) (east side of North Maple Avenue south of East McKinley Avenue) (Council District 7)*

**UPCOMING EMPLOYEE CEREMONIES**

*APRIL 8, 2015 (Weds.)*

*2:00 P.M. Presentation of Employee Service Awards (Reception immediately following - 2nd floor foyer)*

*APRIL 30, 2015*

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

*JULY 16, 2015*

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

*OCTOBER 1, 2015*

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

*OCTOBER 21, 2015 (Weds.)*

*2:00 P.M. Presentation of Employee Service Awards (Reception immediately following - 2nd floor foyer)*

**2014 CITY COUNCIL MEETING SCHEDULE**

*MARCH 5 2015 - 8:30 A.M.*

*MARCH 12 2015 - NO MEETING*

*MARCH 19 2015 - NO MEETING*

*MARCH 26 2015 - 8:30 A.M.*