

City of Fresno

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



Meeting Agenda - Final-revised

Thursday, August 27, 2015

1:30 PM

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) 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**

1:30 P.M. ROLL CALL

Invocation by District 7

Pledge of Allegiance to the Flag

CEREMONIAL PRESENTATIONS

[ID#15-706](#) Presentation of Certificate of Recognition of Shari Boggess

Sponsors: Mayor's Office

[ID#15-748](#) Proclamation of "AT&T'S DIGITAL LIFE WATER
DETECTION PROGRAM"

Sponsors: City Councilmember Brandau

[ID#15-710](#) Presentation of DPU Golf Tournament Check to Fresno
Community Food Bank and DPU Golf Tournament Trophy to
Water Division

Sponsors: Department of Public Utilities

[ID#15-751](#) Proclamation of "STEPHEN A. HOGG DAY"

Sponsors: Council President Baines III

APPROVE MINUTES

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#15-675](#) Authorize the City Manager and the Chief of Police to enter into the annual participation in the Federal Equitable Sharing Agreement Program for the disposition of funds forfeited in

connection with a crime and authorize the City Manager and the Chief of Police to execute related documents

Sponsors:

Police Department

1-B [ID#15-687](#)

Actions related to acquisition of property owned by Pangthong Aphayvong:

1. Adoption of environmental finding of Categorically Exempt from Environmental Assessment No. EA-14-023 (Council District 3)
2. Acquisition of right-of-way for public street purposes from property owned by Pangthong Aphayvong in the amount of \$16,600
3. Authorizing to give Public Works Director, or his designee, authority to sign all documents necessary to complete the transaction as delegated by City Manager

Sponsors:

Public Works Department

1-C [ID#15-689](#)

RESOLUTION - Of Intention to amend Annexation Map No. 14, Final Tract Map No. 5232, of the City of Fresno Community Facilities District No. 11 (northwest of the intersection of E. Kings Canyon Road and N. Fowler Avenue) (Council District 5)

Sponsors:

Public Works Department

1-D [ID#15-690](#)

RESOLUTION - Of Intention to annex Final Tract Map No. 6103, Annexation No. 62, to the City of Fresno Community Facilities District No. 11 (parcels bounded by E. Fancher Creek Drive, S. Purdue Avenue, S. Bundy Avenue, and E. Beck Avenue) (Council District 5)

Sponsors:

Public Works Department

1-E [ID#15-726](#)

RESOLUTION - Approving the Final Map of Tract No. 6052 and accepting dedicated public uses offered therein - northwest corner of N. Hayes Avenue and W. Herndon Avenue (Council District 2)

Sponsors:

Public Works Department

1-F [ID#15-727](#)

RESOLUTION - Approving the Final Map of Tract No. 5994 and accepting dedicated public uses offered therein - northerly corner of L Street and San Joaquin Street) (Council District 3)

Sponsors: Public Works Department

- 1-G [ID#15-728](#) RESOLUTION - Approving the Final Map of Tract No. 5626 and accepting dedicated public uses offered therein-southeast corner of S. Fowler Avenue and E. Hamilton Avenue (Council District 5)

Sponsors: Public Works Department

- 1-H [ID#15-735](#) ***RESOLUTION - 524th amendment to the Master Fee Schedule (MFS) Resolution No. 80-420 to apply a Consumer Price Index adjustment to Green Fees at the Airways Golf Course, Fresno Yosemite International Airport (Council District 4)

Sponsors: Airports Department

- 1-I [ID#15-737](#) Actions pertaining to Digester 2 and 9 Cleaning at the Fresno/Clovis Regional Wastewater Reclamation Facility (Bid File 3391) (Council District 3)
1. Adopt a finding of Categorical Exemption of Class 1, pursuant to Section 15301(b) (Existing facilities) of the California Environmental Quality Act Guidelines
 2. Award a \$249,690 construction contract to Wastewater Solids Management Inc., of Yachats, Oregon

Sponsors: Department of Public Utilities

- 1-J [ID#15-738](#) Actions pertaining to the design of the sewer rehabilitation/replacement in North Central Downtown (Council District 3)
1. Approve a consultant agreement in the amount of \$75,100 with Blair, Church & Flynn Consulting Engineers
 2. Authorize Director of Public Utilities or designee to sign on behalf of the City

Sponsors: Department of Public Utilities

- 1-K [ID#15-750](#) RESOLUTION - Authorizing the submittal of a grant application to the State of California Natural Resources Agency and acceptance California River Parkways Program grant funds in the amount of \$500,000 and authorizing execution of documents by the Parks, After School, Recreation and Community Services Director, or designee (District 5).

Sponsors: Parks, After School and Recreation and Community Services Department

- 1-L [ID#15-752](#) Approve an amendment to the agreement with Fresno Metropolitan Flood Control District for the operation of two additional flood control basins as public parks (Council District 2)

Sponsors: Parks, After School and Recreation and Community Services Department

- 1-M [ID#15-754](#) Approve the re-appointments of Bret Slusser and David Mercer to the Fresno Regional Workforce Investment Board (Labor Representatives)

Sponsors: Council President Baines III

CONTESTED CONSENT CALENDAR

2. GENERAL ADMINISTRATION

- 2-A [ID#15-715](#) Actions pertaining to the Fresno/Clovis Regional Wastewater Reclamation Facility (RWRf) 2-Megawatt Solar Energy Facility (Bid File 3380) (Council District 3)

1. ***RESOLUTION - 4th amendment to Annual Appropriation Resolution (AAR) No. 2015-104 appropriating \$1,367,500 in the Sewer Enterprise State Revolving Loan Fund for the Regional Wastewater Reclamation Facility 2 -Megawatt Solar Energy Facility (Requires 5 affirmative votes)
2. Award a \$10,024,426.24 contract as negotiated, to MD Energy Inc. of Rancho Cucamonga, California for the design and construction thereof

Sponsors: Department of Public Utilities

3. CITY COUNCIL

- 3-A [ID#15-761](#) BILL - (For introduction and adoption) - Adopt an Emergency Ordinance amending Section 6-520 of the Fresno Municipal Code to provide water conservation exemption for food gardens (requires five affirmative votes)

Sponsors: City Councilmember Soria

4. CLOSED SESSION

- [ID#15-629](#) CONFERENCE WITH SECURITY OFFICIALS - Government Code Section 54957(a)
Topic: Security Assessment
Sponsor: Information Services Department
- Sponsors:** Information Services Department

5. SCHEDULED COUNCIL HEARINGS AND MATTERS**10:00 A.M. (Continued to 3:00 P.M.)**

- [ID#15-733](#) HEARING pertaining to a Resolution of the Council of the City of Fresno, California, establishing Underground Utility District No. FRE-94, ("UUD FRE-94") (Council Districts 1, 3 and 7)
1. RESOLUTION - Establishing Underground Utility District No. FRE-94, ("UUD FRE-94")
- Sponsors:** Public Works Department

10:15 A.M. (Continued to 3:15 P.M.)

- [ID#15-724](#) HEARING to consider Rezone Application No. R-15-008, related Environmental Assessment No. R-15-008/S-15-068/ANX-15-001 and a Resolution of Application to annex said territory to the City of Fresno and detach said territory from the Fresno County Fire Protection District and the Kings River Conservation District which were filed by Dirk Poeschel on behalf of John Brelsford (Council District No. 3)
1. Consider adoption of an environmental finding of a Finding of Conformity with Fresno General Plan Master Environmental Impact Report as Environmental Assessment No. R-15-008/S-15-068/ANX-15-001 dated July 2, 2015
2. BILL - (For introduction and adoption) - Consider Rezone Application No. R-15-008 which proposes to amend the Official Zone Map and prezone an approximately 19.54 acre subject site located on the east side of S. Cherry Avenue, south of E. North Avenue in the County of Fresno from the AL-20 (Limited 20-Acre Agricultural [Fresno County]) zone district to the M-3/UGM (Heavy Industrial/Urban Growth

Management) zone district

3. ***RESOLUTION - Of application to annex said territory to the City of Fresno and detach said territory from the Fresno County Fire Protection District and the Kings River Conservation District

Sponsors: Development and Resource Management Department

10:30 A.M. (Continued to 3:30 P.M.)

[ID#15-729](#) WORKSHOP to offer a briefing of LAFCo in general and to address any questions the Council may have regarding the Fresno Municipal Service Review which is tentatively scheduled to be considered by the LAFCo at its Sept. 9, 2015 hearing

Sponsors: Council President Baines III

10:45 A.M. SCHEDULED COMMUNICATION (Continued to 3:45 P.M.)

[ID#15-739](#) Appearance by Sandy Yellowfeather Noriega to provide copies of the documentary "Our Lives: Surviving the Streets of Fresno" and to share stories about being homeless in Fresno

3:00 P.M. (CONTINUED HEARING from 10:00 A.M.)

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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**

SEPTEMBER 3, 2015- NO MEETING

SEPTEMBER 10, 2015 - 8:30 A.M. MEETING

SEPTEMBER 17, 2015 - NO MEETING

SEPTEMBER 24 2015

10:00 AM - HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding CFD No. 11, Annexation No. 62 (Final Tract Map No. 6103) (parcels bounded by E. Fancher Creek Drive, S.Purdue Ave., S.Bundy Ave., and E.Beck Ave.) (Council District 5)

OCTOBER 1, 2015 - 8:30 A.M. MEETING

OCTOBER 8, 2015 - NO MEETING

OCTOBER 15, 2015 - NO MEETING

OCTOBER 22, 2015

10:00 A.M. - HEARING - Adopt the attached resolution ordering the vacation of portions of public street easement at the northwest corner of East San Gabriel and North Chestnut Avenues (Council District 4)

OCTOBER 29, 2015 - 8:30 A.M. MEETING

UPCOMING EMPLOYEE CEREMONIES

OCTOBER 1, 2015

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

OCTOBER 27, 2015 (Tuesday)

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

2015 CITY COUNCIL MEETING SCHEDULE

SEPTEMBER 3, 2015 - NO MEETING
SEPTEMBER 10, 2015 - 8:30 A.M.
SEPTEMBER 17, 2015 - NO MEETING
SEPTEMBER 24, 2015 - 8:30 A.M.
OCTOBER 1, 2015 - 8:30 A.M.
OCTOBER 8, 2015 - NO MEETING
OCTOBER 15, 2015 - NO MEETING
OCTOBER 22, 2015 - 8:30 A.M.
OCTOBER 29, 2015 - 8:30 A.M.