

City of Fresno

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



Meeting Agenda - Final

Thursday, May 19, 2016

1:30 PM

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 meeting room is accessible to the physically disabled. Services of an interpreter and additional accommodations, including assistive listening devices, can be made available. Requests for accommodations should be made three days prior to the scheduled meeting. Please contact the City Clerk's Office at 559-621-7650.

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 Council District 2

Pledge of Allegiance to the Flag

CEREMONIAL PRESENTATIONS

- [ID16-287](#) Special Appearance by Members of the Cast from NEW WRINKLES
and Presentation of a Proclamation of "NEW WRINKLES DAY"
- Sponsors:** City Councilmember Baines III
- [ID16-372](#) Proclamation of "TEEN PREGNANCY PREVENTION"
- Sponsors:** City Councilmember Soria
- [ID16-479](#) Proclamation of "MASJID FRESNO ISLAMIC CENTER DAY"
- Sponsors:** Council President Caprioglio
- [ID16-564](#) Proclamation for "LARRY ARCE DAY," Chief Executive Officer of the Fresno Rescue Mission.
- Sponsors:** City Councilmember Brandau
- [ID16-576](#) Proclamation of "NATIONAL PUBLIC WORKS WEEK"
- Sponsors:** Council President Caprioglio and City Manager's Office
- [ID16-590](#) Presentation by SOUL Charter School Students on the need for a four-way stop at Calaveras and N Streets
- Sponsors:** City Councilmember Baines III

APPROVE AGENDA

APPROVE MINUTES

- [ID16-147](#) Approval of minutes from May 12, 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** [ID16-506](#) Actions pertaining to Amendment No. 2 to the Rimini Street, Inc. Services Agreement
1. ***RESOLUTION - 45th amendment to the Annual Appropriation Resolution (AAR) No. 2015-104 appropriating \$100,800 for an increase to the Rimini Street, Inc. Services Agreement fee (Requires 5 affirmative votes)
 2. Approve Amendment No. 2 to the Rimini Street, Inc. Services Agreement.

Sponsors: Information Services Department

- 1-B** [ID16-521](#) RESOLUTION - Approving the Final Map of Tract No. 6087 and accepting dedicated public uses offered therein - northwest corner of North Chestnut Avenue and East Copper Avenue (Council District 6)

Sponsors: Public Works Department

- 1-C** [ID16-525](#) Approve Amendment to the Agreement with Partners in Control, Inc., dba Enterprise Automation for work required to successfully complete the upgrade to City of Fresno's Northeast Surface Water Treatment Facility Vijeo CitectSCADA in the amount not to exceed \$340,280 which includes a \$50,000 contingency (Citywide).

Sponsors: Department of Public Utilities

- 1-D** [ID16-539](#) Actions pertaining to Community Facilities District No. 11 as it relates to Final Tract Map 5595
1. RESOLUTION - Rescinding Resolution No. 2016-45 to annexing territory to Community Facilities District No. 11 as it relates Final Tract Map No. 5595 (area bounded by W. Spruce Avenue, N. Thiele Avenue and W. Farrington Avenue, north of W. Herndon Avenue) (Council District 2)
 2. RESOLUTION - Of Intention to annex Final Tract Map No. 5595, Annexation No. 69, to the City of Fresno Community Facilities District No. 11 (area bounded by W. Spruce Avenue, N. Thiele Avenue and W. Farrington Avenue, north of W. Herndon Avenue) (Council District 2)

Sponsors: Public Works Department

- 1-E [ID16-544](#) Approve Amendment No. I to the HOME Investment Partnerships (HOME) Program, Community Housing Development Organization (CHDO) Agreement with Habitat for Humanity Fresno, Inc., granting a time extension for the completion of the Laval/Belgravia Single-Family Housing project

Sponsors: Development and Resource Management Department

- 1-F [ID16-546](#) Approve a Joint Use Agreement with Fresno Unified School District pertaining to the City's Weekend Community Open Space Program

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

- 1-G [ID16-551](#) Second Amendment to Consultant Service Agreement with Highland Consulting in the amount of \$42,000 for ongoing and new railroad related Public Works projects.

Sponsors: Public Works Department

- 1-H [ID16-552](#) Approval of a Purchase Agreement between Westervelt Ecological Services, LLC and the City of Fresno, for the purchase of wetland conservation credits from the Grasslands Mitigation Bank in the amount of \$153,000, in support of construction of a turnout/diversion facility associated with the Kings River Pipeline project, to be constructed in Fresno Irrigation District's Fresno Canal (Council District 5, County).

Sponsors: Department of Public Utilities

- 1-I [ID16-562](#) ***RESOLUTION - 42nd Amendment to the Annual Appropriation Resolution (AAR) No. 2015-104 to appropriate \$103,900 for preliminary costs related to the Orange Center School and Daleville water line connection projects (Council Districts 3 and 5) (Requires 5 affirmative votes)

Sponsors: Department of Public Utilities

- 1-J [ID16-565](#) ***RESOLUTION -47th amendment to the Annual Appropriation Resolution (AAR) No. 2015-104 appropriating \$60,000 for topographic survey and initial design work for three Midtown Trail segments including Clovis Avenue,

McKinley Avenue and the Herndon Canal (Requires 5 affirmative votes)

Sponsors:

Public Works Department

1-K [ID16-593](#)

***BILL NO. B-14 - (Re-Introduced as amended on 5/12/2016) (For adoption) - Amending Article 7 of Chapter 10 of the Fresno Municipal Code relating to Management of Real Property.

Sponsors:

City Manager's Office and City Attorney's Office

2. GENERAL ADMINISTRATION

2-A [ID16-548](#)

Approve a consultant services agreement with SafeworkCM for an amount not to exceed \$1,265,000 to provide Construction Safety Oversight Consulting Services for various water infrastructure capital improvement projects (Citywide)

Sponsors:

Department of Public Utilities

2-B [ID16-481](#)

Actions pertaining to the Installation of 8" and 12" Water Mains in the Vicinity of N. Forkner Avenue and W. Barstow Avenue - Bid File 3393 (Council District 2 and Fresno County)

1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Class 2 Section 15302(c) (Replacement or Restoration) of the California Environmental Quality Act Guidelines for the installation of 8" and 12" Water Mains in the Vicinity of N. Forkner Avenue and W. Barstow Avenue

2. Award a construction contract in the amount of \$1,374,986 to West Valley Construction Company, Inc., of Campbell, California as the lowest and responsible bidder for the Installation of 8" and 12" Water Mains in the Vicinity of N. Forkner Avenue and W. Barstow Avenue

Sponsors:

Public Works Department

2-C [ID16-555](#)

Actions pertaining to the Fresno Street (from "B" Street to Divisadero Street) and Van Ness Avenue (from Ventura Street to Divisadero Street) Intelligent Transportation System (ITS) Traffic Signals Synchronization Project - Bid File 3447 (Council District 3)

1. Adopt a finding of Categorical Exemption per staff

determination, pursuant to Section 15301(c) of the CEQA Guidelines for the Fresno Street and Van Ness Avenue ITS Traffic Signals Synchronization Project

2. Award a Construction Contract to Kertel Communications, Inc. dba Sebastian of Fresno, California (Sebastian) in the amount of \$1,108,755 for construction of the Fresno Street and Van Ness Avenue ITS Project

Sponsors: Public Works Department

2-D [ID16-557](#) Approve Amendment No. 5 to the Professional Consultant Agreement with CH2M HILL Engineers, Inc., for an amount not-to-exceed \$11,950,000 for Fiscal Year 2017 Program Management Services and for extension of the Agreement term by one year, through October 31, 2017 (Citywide).

Sponsors: Department of Public Utilities

2-E [ID16-535](#) Approve a consultant services agreement with Wallace Roberts and Todd, LLC for an amount not to exceed \$449,995 to lead the Fresno Parks Master Plan Update. (citywide)

Sponsors: Development and Resource Management Department

2-F [ID16-589](#) RESOLUTION - Adopting Substantial Amendment No. 2015-006 to the FY 2015-2016 Annual Action Plan; approving submission to the U.S. Department of Housing and Urban Development (HUD) for reprogramming 3.5 million of Community Development Block Grant (CDBG) Program Funds; providing for Subrecipient Agreements; and authorizing the City Manager to sign all implementing documents required by HUD approved as to form by the City Attorney.
(Public comment portion was heard on May 12, 2016 and closed)

Sponsors: Development and Resource Management Department

3. SCHEDULED COUNCIL HEARINGS AND MATTERS

2:00 P.M.#1

[ID16-418](#) WORKSHOP regarding Economic Development Corporation (EDC)

Sponsors: Council President Caprioglio

2:00 P.M.#2

[ID16-499](#)

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. 68 (Final Tract Map No. 6095) (east side of South Armstrong Avenue between East Church and California Avenues) (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. 68, Final Tract Map No. 6095

Sponsors: Public Works Department

2:00 P.M.#3

[ID16-501](#)

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. 70 (Final Tract Map No. 6067) (east side of N. Locan Avenue between E. Shields and Dakota Avenues) (Council District 4)

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. 70, Final Tract Map No. 6067

Sponsors: Public Works Department

2:00 P.M.#4[ID16-523](#)

RESOLUTION - Approving the Final Map of Tract No. 6067 and accepting dedicated public uses offered therein - east side of North Locan Avenue between East Shields Avenue and East Dakota Avenue Alignment (Council District 4)

Sponsors:

Public Works Department

2:00 P.M.#5[ID16-502](#)

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. 10 (Conditional Use Permit Application No. 2015-137) (Southeast corner of N. Fresno Street and E. Herndon Avenue) (Council District 6)

1. RESOLUTION - Annexing Territory to Community Facilities District No. 9 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. 9, Annexation No. 10, Conditional Use Permit Application No. 2015-137

Sponsors:

Public Works Department

2:15 P.M.[ID16-437](#)

HEARING - Regarding the vacation of a portion of North Ninth Street south of East Dakota Avenue (Council District 4)

1. RESOLUTION - Ordering the vacation of a portion of North Ninth Street south of East Dakota Avenue

Sponsors:

Public Works Department

2:30 P.M.[ID16-579](#)

WORKSHOP regarding Business Friendly Fresno

Sponsors:

Development and Resource Management Department

3:00 P.M.

CONTESTED CONSENT CALENDAR

4. CITY COUNCIL

4-A [ID16-580](#) BILL - (For Introduction) - Adding Section 9-2518 to the Fresno Municipal Code, relating to unlawful criminal street gang activity

Sponsors: Vice President Quintero

5. CLOSED SESSION

[ID16-508](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)
1. Doris Ray Knox, et al. v. City of Fresno, et al.; United States District Court Case No. 13-CV-01987 SAB

Sponsors: City Attorney's Office

[ID16-566](#) CONFERENCE WITH LEGAL COUNSEL - DECIDING WHETHER TO INITIATE LITIGATION
Government Code Section 54956.9, subdivision (d)(4)
1. City of Fresno v. U.S. Department of Interior, Bureau of Reclamation

Sponsors: City Attorney's Office

[ID16-577](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)
1. City of Fresno v. 21st District Agricultural Association, et al; Fresno County Superior Court Case No. 14CECG02830

Sponsors: City Attorney's Office

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

May 26, 2016 - NO MEETING

JUNE 2, 2016 - 8:30 A.M. MEETING

JUNE 9, 2016

10:00 A.M. - HEARING - Regarding City of Fresno Community Facilities District No. 11, Annexation No. 66 (Final Tract Map No. 5341) (south side of E. Clinton Avenue between N. Locan and Temperance Avenues

JUNE 9, 2016

10:15 A.M.- hearing regarding City of Fresno Community Facilities District No. 11, Annexation No. 69 (Final Tract Map No. 5595) (area bounded by W. Spruce Avenue, N. Thiele Avenue and W. Farrington Avenue, north of W. Herndon Avenue)

UPCOMING BUDGET HEARINGS: (Subject to Change)

JUNE 2, 2016 (TBA)

Mayor's Presentation of the Budget to Council

JUNE 7, 2016 - 9:30 A.M.

DARM, City Attorney's Office, Personnel, Finance, City Clerk & ISD

JUNE 8, 2016 - 9:30 A.M.

Airports, Dept. of Transportation, DPU, Mayor/City Manager's Office & Council

JUNE 14, 2016 - 9:30 A.M.

PARCS, Police & Fire

JUNE 15, 2016 - 9:30 A.M.

Convention Center, GCP & Public Works Dept

JUNE 23, 2016 - (TBA) - Budget Adoption

JUNE 30, 2016 - Budget Adoption Deadline

UPCOMING EMPLOYEE CEREMONIES

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

May 26, 2016 - NO MEETING

JUNE 2, 2016 - 8:30 A.M. MEETING