

# City of Fresno

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



## Meeting Agenda - Final

Thursday, April 21, 2016

10:00 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 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**

**10:00 A.M. ROLL CALL**

Invocation

Pledge of Allegiance to the Flag

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

[ID16-144](#)

Approval of minutes from March 31, 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** [ID16-328](#) RESOLUTION - Of Intention to annex Final Tract Map No. 6095, Annexation No. 68, to the City of Fresno Community Facilities District No. 11 (east side of S. Armstrong Avenue between E. Church and California Avenues) (Council District 5)

**Sponsors:** Public Works Department

**1-B** [ID16-339](#) 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-C** [ID16-341](#) RESOLUTION - In support of realigning water service boundaries for the City of Fresno Department of Public Utilities Water Division (City) and the Pinedale County Water District (District) (Citywide)

**Sponsors:** Department of Public Utilities

1-D [ID16-344](#) RESOLUTION - Of Intention to annex Final Tract Map No. 6067, Annexation No. 70, to the City of Fresno Community Facilities District No. 11 (east side of N. Locan Avenue between E. Shields and Dakota Avenues) (Council District 4)

**Sponsors:** Public Works Department

1-E [ID16-381](#) RESOLUTION - Of Intention to annex territory, Assessor's Parcel Numbers 408-070-23, 32 and 33, as Annexation No. 10, to City of Fresno Community Facilities District No. 9 (Southeast corner of N. Fresno Street and E. Herndon Avenue) (Council District 6)

**Sponsors:** Public Works Department

1-F [ID16-387](#) RESOLUTION - Approving the Final Map of Tract No. 5967 and accepting dedicated public uses offered therein - east side of N. Polk Avenue between W. Shaw Avenue and W. Gettysburg Avenue (Council District 1)

**Sponsors:** Public Works Department

1-G [ID16-399](#) Approve a contract change order in the amount of \$262,730 for change order work associated with the Recycled Water Transmission Main, Southwest Quadrant, Project SW1A (BF3410) (Council District 3 and Fresno County)

**Sponsors:** Department of Public Utilities

1-H [ID16-400](#) Actions pertaining to utility cover rehabilitation on Jensen Avenue and Harrison Avenue (Bid File 3426) (Council District 1 and Fresno County)

1. Adopt a finding of Categorical Exemption of Class 1, pursuant to Section 15301(d) (Existing facilities) and Class 2, pursuant to Section 15302(c) (Replacement or reconstruction) of the California Environmental Quality Act Guidelines

2. Award a construction contract in the amount of \$107,424 to National Coating & Lining Company of Murrieta, California

**Sponsors:** Department of Public Utilities

1-I [ID16-402](#) Approve a consulting agreement with Unison Consulting, Inc., for preparation of a Passenger Facility Charges Application at Fresno Yosemite International Airport, in an amount not to exceed \$79,752. (Council District 4).

**Sponsors:** Airports Department

- 1-J [ID16-387](#) RESOLUTION - Approving the Final Map of Tract No. 5967 and accepting dedicated public uses offered therein - east side of N. Polk Avenue between W. Shaw Avenue and W. Gettysburg Avenue (Council District 1)

**Sponsors:** Public Works Department

- 1-K [ID16-427](#) Approve the first amendment to the contract with Moore, Iacofano Goltsman (MIG), Inc., a California Corporation, in an amount not to exceed \$17,000 for consulting services to complete the Housing Element

**Sponsors:** Development and Resource Management Department

- 1-L [ID16-321](#) Approve a service contract agreement for Homeless Outreach and Assessment in the amount of \$420,000 with WestCare California, Inc.

**Sponsors:** Development and Resource Management Department

## **2. GENERAL ADMINISTRATION**

- 2-A [ID16-223](#) Actions pertaining to Lease Agreement for a Central District Police Substation
1. Adopt a finding of Categorical Exemption Class 1/Section 15301 (Existing Facilities) of the California Environmental Quality Act Guidelines
  2. Approve a lease between the City of Fresno and Omninet Properties Manchester Center, LLC, for lease of space at Manchester Center for use by Police Department's Central Policing District

**Sponsors:** Police Department

- 2-B [ID16-383](#) RESOLUTION - Approving Master Agreement for Federal-Aid Local Transportation Projects between the City of Fresno (City) and the State of California, acting through its Department of Transportation (Caltrans) and authorizing execution of documents

**Sponsors:** Public Works Department

- 2-C**    [ID16-384](#)            Actions pertaining to an agreement for parking citation services:
1. Adopt a finding of Categorical Exemption of Class 1, pursuant to Section 15301 of the California Environmental Quality Act Guidelines
  2. Award a three-year contract in the amount of \$508,640 to Turbo Data Systems, Inc. with the option of up to four (4) two-year extensions
- Sponsors:**            Development and Resource Management Department
- 2-D**    [ID16-390](#)            Actions pertaining to the Requirements Contract to Furnish and Install Slurry Seal on Various Streets, Project Bid File 9343 (Various Council Districts)
1. Adopt a finding of Categorical Exemption pursuant to Class 1 Section 15301(c) (Existing Facilities) of the CEQA Guidelines for the Requirements Contract to Furnish and Install Slurry Seal on Various Streets
  2. Award a requirements contract to Roy Allan Slurry Seal, Inc. with an annual budgeted allocation of \$700,000 to Furnish and Install Slurry Seal on Various Streets
- Sponsors:**            Public Works Department
- 2-E**    [ID16-407](#)            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-F**    [ID16-409](#)            Award a construction contract in the amount of \$15,157,862 to Mountain Cascade Inc. for the City of Fresno Friant-Kern Canal Pipeline Project - Bid File 3372-2 (District 6, County).
- Sponsors:**            Department of Public Utilities
- 2-G**    [ID16-421](#)            WORKSHOP regarding Joint Facility Assessment
- Sponsors:**            Public Works Department
- 2-H**    [ID16-455](#)            BILL - (For introduction and adoption) - An emergency ordinance of the City of Fresno, California, amending Subsection (f) of Section 1-409 of the Fresno Municipal Code relating to Hearing Officer authority (Requires 5

affirmative votes)

**Sponsors:**

City Manager's Office and City Attorney's Office

2-I

[ID16-464](#)

BILL - (For Introduction) - Amending Article 7 of the Fresno Municipal Code relating to Management of Real Property.

**Sponsors:**

City Manager's Office and City Attorney's Office

### **3. CITY COUNCIL**

3-A

[ID16-422](#)

\*\*\*BILL NO. B-11 - (Intro. 3/31/2016) (For adoption) - Amending Subsection (b) and adding Subsection (c) to Section 4-113 of the Fresno Municipal Code, relating to utilization of apprentices.

**Sponsors:**

City Councilmember Baines III

3-B

[ID16-423](#)

\*\*\*BILL NO. B-12 - (Intro. 3/31/2016) (For adoption) - Adding Section 4-117 to the Fresno Municipal Code relating to National Targeted Hiring in contracts for any Public Work of Improvement

**Sponsors:**

City Councilmember Baines III

### **SCHEDULED COUNCIL HEARINGS AND MATTERS**

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

[ID16-210](#)

CONTINUED HEARING - Regarding the vacation of the alleys south of E. Franklin Avenue between N. Broadway Avenue and State Route Freeway 180 (Council District 3)  
1. RESOLUTION - Ordering the vacation of the alleys south of E. Franklin Avenue between N. Broadway Avenue and State Route Freeway 180

**Sponsors:**

Public Works Department

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

### **CONTESTED CONSENT CALENDAR**

**1:30 P.M.#2****CEREMONIAL PRESENTATIONS**

[ID16-451](#) Employee Recognition Program Spring Quarter 2016  
(Reception immediately following - 2nd floor foyer)

**Sponsors:** City Clerk's Office

**3:00 P.M.#1**

[ID16-401](#) Actions pertaining to the Recycled Water Pump Station, Tertiary Treatment and Disinfection Facility, located at the Fresno-Clovis Regional Wastewater Reclamation Facility (Bid File 3448) (Council District 3 and Fresno County)

1. \*\*\*RESOLUTION - 37th Amendment to the Annual Appropriation Resolution (AAR) No. 2015-104 appropriating \$2,300,000 for the Recycled Water Pump Station (Requires 5 affirmative votes)
2. Award a construction contract in the amount of \$1,833,967 to Clark Bros., Inc. of Fresno, California, for the construction of the Recycled Water Pump Station.
3. Approve an amendment to the professional services contract with Carollo Engineers, Inc., a Delaware corporation of Walnut Creek, California, in the amount of \$165,384 to provide construction management services for the Recycled Water Pump Station.
4. Approve an amendment to the professional services contract with Moore Twining Associates, Inc. in the amount of \$171,134.23 for materials testing and special inspection services for the Recycled Water Pump Station.

**Sponsors:** Department of Public Utilities

**3:00 P.M.#2**

[ID16-403](#) Actions pertaining to the Recycled Water Transmission Main, Southwest Quadrant, Project SW1C (Bid File 3439) (Council District 3 and Fresno County)

1. \*\*\*RESOLUTION - 36th amendment to the Annual Appropriation Resolution (AAR) No. 2015-104 appropriating \$4,303,100 for the Southwest Recycled Water Distribution System (Requires affirmative 5 votes)



2. Award a construction contract in the amount of \$4,198,175 to Garney Construction of Livermore, California  
Department of Public Utilities

**Sponsors:**

**5:00 P.M.**

[ID16-404](#)

CONTINUED HEARING to Consider Plan Amendment Application No. A-16-001, filed by the Development and Resources Management Department Director, to amend the text of Chapter 11 of the Fresno General Plan, the Housing Element Consistency Chapter, with an updated Housing Element that would be valid until 2023. The Housing Element is the City's policy document for meeting its housing needs, including housing affordable to low- and moderate-income households and special needs groups. Plan Amendment A-16-001 also includes amendments to the text of Fresno General Plan Chapter 3, Urban Form, Land Use, and Design, to incorporate an analysis of Disadvantaged Unincorporated Communities within or adjacent to the Sphere of Influence, and minor amendments to Chapter 9, the Noise and Safety Element, to comply with Government Code requirements related to the Housing Element.

1. ADOPT the environmental findings of Environmental Assessment No. A-16-001, a Finding of Conformity to the Fresno General Plan Final Master Environmental Impact Report SCH No. 2012111015 (MEIR) certified by the Fresno City Council on December 18, 2014 pursuant to Section 21157.1 of the California Public Resource Code (California Environmental Quality Act) and an Addendum to the Finding of Conformity pursuant to CEQA Guidelines Section 15162 and 15164.
2. RESOLUTION - To adopt Plan Amendment Application No. A-16-001, amending the text of Chapter 11 of the Fresno General Plan to incorporate the Housing Element, including all Text, Policies, Maps, Tables, and Exhibits contained in the Fresno Housing Element Revised Public Draft document dated March 2016, and including revisions recommended by staff and proposed amendments to Chapters 3 and 9 of the General Plan as set forth in the exhibits herein
3. RESOLUTION - To authorize the Director of the Development and Resource Management Department to

update the Text, Tables, and Exhibits contained In the 2015-2023 Housing Element to reflect the final action taken by Council to the extent such updates are necessary to maintain consistency and to correct typographical errors

**Sponsors:** Development and Resource Management Department

#### **4. CLOSED SESSION**

[ID16-410](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)

1. Peter Dern v. City of Fresno, et al. EAMS No. ADJ9940299

**Sponsors:** City Attorney's Office

[ID16-425](#) CONFERENCE WITH LEGAL COUNSEL - DECIDING WHETHER TO INITIATE LITIGATION  
Government Code Section 54956.9, subdivision (d)(4)  
1. City of Fresno, psi, administered by Risico Claims Management vs. State Center Community College District; Fresno City College; Fresno City College Police Academy, et al.

**Sponsors:** City Attorney's Office

[ID16-431](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION  
Government Code Section 54956.9, subdivision (d)(1)  
Case Name: Familias Addams Por Un Mejor Futuro, et al. v. City of Fresno, FCSC No. 16CECG00317

**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**

*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 N. Fowler Avenue, between E. Clinton and Princeton Avenues) (Council District 4)*

*APRIL 28, 2016*

*10:15 A.M.- HEARING - Regarding the vacation of a public utility easement in the previously vacated East Geary Avenue, between S. Plumas and S. Walnut Avenues (Council District 3)*

*May 12, 2016*

*10:00 A.M. - TEFRA HEARING re: El Cazador, LP (El Cazador Apartments)*

*May 19, 2016*

*2:00 P.M.#1 - HEARING re: City of Fresno Community District No. 11, Annexation No. 68 (Final Tract Map No. 6095) (east side of S. Armstrong Avenue between E Church and California Avenues)*

*MAY 19, 2016*

*2:00 P.M.#2 - HEARING - Re City of Fresno Community 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) (Council District 2)*

*May 19, 2016*

*2:00 P.M.#3 - HEARING - Regarding City of Fresno Community 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)*

*May 19, 2016*

*2:00 P.M.#4 - HEARING 2:00 PM - Re: City of Fresno Community District No. 9, Annexation No. 10 (Conditional Use Permit Application No. 2015-137) (Southeast corner of North Fresno and East Herndon Avenues ) (Council District 6)*

*May 19, 2016*

*2:15 P.M. - HEARING - Regarding the vacation of a portion of North Ninth Street*

*south of East Dakota Avenue (Council District 4)*

*June 9, 2016*

*10:00 AM - HEARING - Regarding City of Fresno Community District No. 11, Annexation No. 66 (Final Tract Map No. 5341) (south side of E. Clinton Avenue between N. Locan and Temperance Avenues) (Council District 4)*

**UPCOMING EMPLOYEE CEREMONIES**

*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**

*APRIL 28, 2016 - 8:30 A.M. MEETING*

*MAY 5, 2016 - NO MEETING*

*May 12, 2016 - 8:30 A.M. MEETING*

*May 19, 2016 - 1:30 P.M. MEETING*

*May 26, 2016 - NO MEETING*