

City of Fresno

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



Meeting Agenda - Final

Thursday, June 11, 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) 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 Mark Johnson, City of Fresno Facilities Manager

Pledge of Allegiance to the Flag

CEREMONIAL PRESENTATIONS

[ID#15-504](#) Proclamation of "NEW WRINKLES DAY"

Sponsors: Council President Baines III

[ID#15-518](#) Proclamation of "HOWARD K. WATKINS DAY"

Sponsors: Vice President Caprioglio

APPROVE MINUTES

[ID#15-526](#) Approval of City Council minutes from June 4, 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#15-395](#) RESOLUTION - Authorizing submittal of Used Oil Payment Program grant applications and authorizations related to the administration of California Department of Resources Recycling and Recovery (CalRecycle), Used Oil Payment Program (Citywide)

Sponsors: Department of Public Utilities

1-B [ID#15-438](#) RESOLUTION - Modifying of Resolution No. 2015-49 relating to the Master Equipment Lease Purchase Agreement with Community First National Bank.

Sponsors: Fire Department

- 1-C** [ID#15-452](#) Actions pertaining to the E. Nees Avenue Overlay between Millbrook Avenue and Cedar Avenue - Bid File 3348 (Council District 6)
1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301(c) Class 1 of the California Environmental Quality Act (CEQA) Guidelines for the E. Nees Avenue Overlay between Millbrook Avenue and Cedar Avenue
 2. Award a Construction Contract to A.S. Dezigins Inc. of Fresno, California in the amount of \$386,290 for the E. Nees Avenue Overlay between Millbrook Avenue and Cedar Avenue

Sponsors:

Public Works Department

- 1-D** [ID#15-453](#) Actions pertaining to the North Avenue Overlay between Cedar and Maple Avenues - Bid File 3387 (Council Districts 3, 5 and Fresno County)
1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301(c) Class 1 of the California Environmental Quality Act Guidelines (CEQA) for the North Avenue Overlay between Cedar and Maple Avenues
 2. Award a Construction Contract to Yarbs Grading and Paving Inc. of Fowler, California in the amount of \$425,058 for the North Avenue Overlay between Cedar and Maple Avenues

Sponsors:

Public Works Department

- 1-E** [ID#15-454](#) Actions pertaining to the east-bound Jensen Avenue Overlay between Chestnut and Willow Avenues - Bid File 3352 (Council District 5)
1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301(c) Class 1 of the California Environmental Quality Act (CEQA) Guidelines for the east-bound Jensen Avenue Overlay between Chestnut and Willow Avenues
 2. Award a Construction Contract to A.S. Dezigins Inc. of Fresno, California in the amount of \$208,403 for the east-bound Jensen Avenue Overlay between Chestnut and Willow Avenues

Sponsors:

Public Works Department

- 1-F [ID#15-456](#) Reject all bids for the contract to Rehabilitate 16-Inch Diameter Well at Pump Station 206 - Bid File 3398 (Citywide)
Sponsors: Department of Public Utilities
- 1-G [ID#15-460](#) Approve the acquisition of a temporary construction easement from Lilli Herold and Linda E. Cheney, as trustees of the Lilli Herold Living Trust, for APN 581-020-05.
Sponsors: Department of Public Utilities
- 1-H [ID#15-502](#) ***BILL NO. B-19 - (Intro. 6/4/2015) (For adoption) - Adding Section 5-510 to Article 5, Chapter 5 of the Fresno Municipal Code establishing the Fresno Youth Commission
Sponsors: City Councilmember Soria and Council President Baines III
- 1-I [ID#15-503](#) ***BILL NO. B-21 - (Intro 6/4/2015) (For adoption) - Adding Sections 2-803 and 2-603 to the Fresno Municipal Code (FMC), relating to boards and commissions and posting legal notices
Sponsors: Council President Baines III

CONTESTED CONSENT CALENDAR

2. GENERAL ADMINISTRATION

- 2-A [ID#15-455](#) Actions pertaining to drilling a new water production well at Pump Station 303A (PS 303A) located at 6780 N. Lafayette Avenue (Bid File 3389) (County island within Council District 2):
 1. Adopt a Mitigated Negative Declaration pursuant to Environmental Assessment C-14-110, State Clearinghouse No. 014111021
 2. Award a Contract to Zim Industries, Inc., in the amount of \$760,259 to drill a new water production well at PS 303A
 3. Authorize the Director of Public Utilities, or their designee, to sign all documents on behalf of the City of Fresno**Sponsors:** Department of Public Utilities
- 2-B [ID#15-469](#) Actions pertaining to the Final Design of Phase 2 of the Regional Transmission Mains Project (Council Districts 1, 3, 4, 5, and 7)

1. ***RESOLUTION - 51st amendment to the Annual Appropriation Resolution (AAR) No. 2014-95 to appropriate \$2,874,800 for the Final Design of the City of Fresno's Phase 2 Regional Transmission Mains Project and to transfer the project funding from the 2015 Water Revenue Bond Fund to the DBCP Recovery Fund (Requires 5 affirmative votes)
 2. Approve Professional Consultant Services Agreement with Blair, Church & Flynn Consulting Engineers, a California Corporation for \$2,836,195 for the Final Design of the City of Fresno's Phase 2 Regional Transmission Mains
 3. Authorize the Director of Public Utilities, or their designee, to sign all documents on behalf of the City of Fresno
- Department of Public Utilities

Sponsors:

2-C [ID#15-482](#)

Actions pertaining to the 2015 Community Oriented Policing Services (COPS) Hiring Program grant

1. Authorize the Chief of Police to apply for and accept \$1,875,000 in total grant funding for the 2015 COPS Hiring Program grant from the U.S. Department of Justice, Community Oriented Policing Services for the City of Fresno Police Department
2. Authorize the Chief of Police to execute all related documents applicable to the 2015 COPS Hiring Program grant

Sponsors:

Police Department

2-D [ID#15-493](#)

Actions pertaining to Economic Incentive Agreement with J&D Meat Company, Inc., dba JD Food, and Certified Meat Products, Inc.

1. Adopt the environmental finding of Environmental Assessment No. EA-15-018, a finding of Mitigated Negative Declaration, dated May 21, 2015
2. Approve Economic Incentive Agreement with J&D Meat Company, Inc., dba JD Food, and Certified Meat Products, Inc., for an industrial development and expansion project in Southeast Fresno (District 5)

Sponsor: Economic Development Department

2-E [ID#15-459](#)

Award Independent Audit Contract to Brown Armstrong and authorize the Finance Director/Controller to negotiate and

execute the contract for services

Sponsors: Finance Department

3. CITY COUNCIL

4. CLOSED SESSION

[ID#15-484](#) CONFERENCE WITH LEGAL COUNSEL - DECIDING WHETHER TO INITIATE LITIGATION
Government Code Section 54956.9, Subdivision (d)(4)
1. City of Fresno v. Michael Occhionero, et al.

Sponsors: City Attorney's Office

[ID#15-510](#) CONFERENCE WITH LABOR NEGOTIATOR - Government Code Section 54957.6
City Negotiator(s): Ken Phillips, Jeff Cardell
Employee Organization(s):
1. City of Fresno Management Employees Association (CFMEA)
2. City of Fresno Professional Employees Association (CFPEA)

Sponsors: Personnel Services Department

[ID#15-513](#) PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Government Code Section 54957
Title: City Clerk
Sponsor: Council President Baines, III

[ID#15-523](#) CONFERENCE WITH LABOR NEGOTIATOR - Government Code Section 54957.6
City Negotiator(s): Council President Baines III
Unrepresented: City Clerk
Sponsor: Council President Baines, III

5. SCHEDULED COUNCIL HEARINGS AND MATTERS**10:00 A.M.**[ID#15-443](#)

HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community District No. 9, Annexation No. 8 (Assessor's Parcel Numbers 440-220-037, 440-220-060 and 440-220-061) (commonly known as the "Fresno 40 Development") (the area bounded by N. Fresno Street, N. Friant Road, E. Audubon and the Sugarpine Trail) (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. 8, Assessor's Parcel Numbers 440-220-037, 440-220-060 and 440-220-061

Sponsors:

Public Works Department

10:15 A.M.[ID#15-471](#)

HEARING to consider Rezone Application No. R-15-001 and Related Environmental Assessment (Council District 3)

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

2:00 P.M.#1[ID#15-489](#)

Actions pertaining to the City of Fresno 2015-2019 Program Year Consolidated Plan:

1. CONTINUED HEARING to obtain public comments on the Draft 2015-2019 Consolidated Plan; and
2. RESOLUTION - Adopting the 2015-2019 Program Year Consolidated Plan; authorizing submission to the U.S. Department of Housing and Urban Development (HUD) for application of the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), Emergency Solutions Grant (ESG), and Housing Opportunities for Persons with Aids (HOPWA) Programs and authorizing the City Manager to sign all implementing documents required by HUD as approved to form by the City Attorney

Sponsors:

Development and Resource Management Department

2:00 P.M.#2[ID#15-488](#)

Actions pertaining to the City of Fresno 2015-2016 Annual Action Plan:

1. HEARING to obtain public comments regarding implementation of the City's proposed activities with federal grant funding; and
2. RESOLUTION - Adopting the FY 2015-2016 Annual Action Plan approving submission to the U.S Department of Housing and Urban Development (HUD) for the application of Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), Emergency Solutions Grant (ESG), and Housing Opportunities for Persons with Aids (HOPWA) Program Funds, and authorizing the City Manager to sign all implementing documents required by HUD as approved to form by the City Attorney

Sponsors:

Development and Resource Management Department

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 BUDGET HEARINGS

FISCAL YEAR 2015-2016 BUDGET HEARINGS – TO BE HELD IN THE COUNCIL CHAMBERS (SUBJECT TO CHANGE)

Please Note: Department budgets will generally be considered as listed below starting with the initial public hearing and continuing until council adopts the budget. Members of the public will be allowed to address the Council regarding the budget and will be allowed two (2) minutes. Please be advised consideration of some departments may be continued to the next scheduled hearing date if discussions run long, and other departments may be considered in advance of the date and time listed.

JUNE 15, 2015 - 8:30 A.M.

Personnel; Police; CMO/Mayor; City Council - Final motions made

JUNE 16, 2015 - 8:30 A.M.

Overflow - Council Vote on Motions

JUNE 17, 2015 - 8:30 A.M.

Reserved if needed for Budget Overflow

JUNE 19, 2015 - 8:30 A.M.

Final vote

JUNE 30, 2015

Deadline to adopt budget

UPCOMING SCHEDULED COUNCIL HEARINGS AND MATTERS

JUNE 18, 2015

1:30 P.M. HEARING to declare the intention to renew the Downtown Fresno Property and Business Improvement District (DFPBID)

July 30, 2015

10:00 A.M. HEARING to consider the proposed Annual Assessment for the City of Fresno Landscaping and Lighting Maintenance District No. 1 (Citywide)

AUGUST 20, 2015

2:00 P.M. HEARING pertaining to the vacation of the R-S Alley between Tulare and Mariposa Streets (Council District 3)

AUGUST 20, 2015

2:15 P.M. HEARING re: Resolution ordering the vacation of portions of East Thomas Avenue and the Thomas-Harvey Alley, both between North Orchard Avenue and State Route Freeway 41, and North Orchard Avenue between East Thomas Avenue (to the east) and State Route Freeway 41 (Council District 7)

UPCOMING EMPLOYEE CEREMONIES

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)

2015 CITY COUNCIL MEETING SCHEDULE

JUNE 18 - 1:30 P.M.

JUNE 25 - 8:30 A.M.

JULY 2 - COUNCIL VACATION

JULY 9 - COUNCIL VACATION

JULY 16 - 8:30 A.M.

JULY 23 - NO MEETING

JULY 30 - 8:30 A.M.

AUGUST 6 - COUNCIL VACATION

AUGUST 13 - COUNCIL VACATION

AUGUST 20 - 1:30 P.M.

AUGUST 27 - 8:30 A.M.