

City of Fresno

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



Meeting Agenda - Final-revised

Thursday, December 18, 2014

1:30 PM

Regular Session

Council Chambers

City Council

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 Reverend KC Dickie of Operation Heal Our Land

Pledge of Allegiance to the Flag

CEREMONIAL PRESENTATIONS

[ID#14-681](#) Proclamation of "KIM STEPHENS DAY"

Sponsors: City Councilmember Olivier

[ID#14-689](#) Recognizing DOCTOR KOOM SIAB

Sponsors: City Councilmember Xiong

APPROVE MINUTES

Approve City Council minutes of December 11, 2014

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#14-539](#) RESOLUTION - Amend Resolution Nos. 2007-118 and 2007-318 providing time extensions relating to Underground Utility Districts (UUD) Numbers 69 and 84 (Council Districts 1, 3 and 7)

Sponsors: Public Works Department

1-B [ID#14-558](#) Actions pertaining to the Caltrans Utility Agreement for City staff to design and inspect the utility relocations of City infrastructure associated with the State Route 99 Relocation Project

1. Approve a Caltrans Utility Agreement (No. 06-1398.011) for City staff to design and inspect the utility relocations of City infrastructure associated with the State Route 99 Relocation Project
2. ***RESOLUTION - 24th amendment to Annual Appropriations Resolution (AAR) No. 2014-95 appropriating \$270,100 for design and inspection costs for the State Route 99 Utility Relocation Project in FY2015 (Requires 5 affirmative votes)

Sponsors:

Public Works Department

1-C [ID#14-578](#)

Actions pertaining to Parking Permit Agreement between Housing Authority and the City of Fresno:

1. Adopt a finding of Categorical Exemption pursuant to Section 15301 (Existing Facility) of California Environmental Quality Act (CEQA) Guidelines; and
2. Approve a Parking Permit Agreement for up to 25 parking spaces in City of Fresno Parking Garage #7 located at 801 Van Ness at a base rate of \$35 per month per stall for a two (2) year term (Council District 3)

Sponsors:

Development and Resource Management Department

1-D [ID#14-588](#)

Actions pertaining to the October 13, 2013 Council approval of the Environmental Justice Grant for "The 41 and North Corridor Community Design Plan - West Fresno" from the California Department of Transportation (Caltrans)

1. ***RESOLUTION - 27th amendment to the Annual Appropriation Resolution (AAR) No. 2014-95 appropriating \$139,900 for public outreach, consulting services, and miscellaneous City expenses related to The 41 and North Corridor Community Design Plan (Requires 5 affirmative votes)
2. Authorize the Director of DARM to enter into a Subapplicant/professional services agreement with Habitat for Humanity Fresno County (HFHFC), not to exceed \$64,824, for public outreach and engagement services and require/approve HFHFC's local match cost share in-kind services in the amount of \$13,990
3. Authorize the Director of DARM to enter into a professional services agreement with Wallace, Roberts and Todd, LLC., not to exceed \$73,075, for development of the

related Streetscape Plan

Sponsors:

Development and Resource Management Department

1-E [ID#14-604](#)

1. Adopt finding of no possibility of significant effect pursuant to CEQA Guidelines Section 15061(b) (3) and Categorical Exemption pursuant to CEQA Guidelines Section 15312 for the sale of a small abandoned water well parcel
2. Approve the quitclaim and grant deed sale of a small abandoned water well parcel near the intersection of San Jose Avenue south of N. First Street APN 418-234-16t, to adjacent property owner Cecilia Porras (Council District 4)

Sponsors:

Public Works Department

1-F [ID#14-613](#)

- Actions pertaining to the dedication of City owned property for public street purposes on the west side of N. Willow Avenue south of E. Teague Avenue (Council District 6)
1. Adopt the proposed Mitigated Negative Declaration as the finding for Environmental Assessment (EA) No. EA-11-008 for the widening of N. Willow Avenue
 2. RESOLUTION - Dedicating a portion of City owned property for public street purposes on the west side of N. Willow Avenue south of Teague Avenue

Sponsors:

Public Works Department

1-G [ID#14-614](#)

RESOLUTION - Of intent and consideration to amend the existing boundary map, change the types of services and the rate and method of apportioning the special tax, and to establish a new Maximum Special Tax for Final Tract Map No. 5626, Annexation No. 29, of the City of Fresno Community Facilities District No. 11 (southeast corner of S. Fowler and E. Hamilton Avenues) (Council District 5)

Sponsors:

Public Works Department

1-H [ID#14-620](#)

Approve Amendment No. 2 with Live Oak Associates to provide professional services for the environmental investigative studies and permitting support services for the Friant-Kern Raw Water Pipeline Project for an amount not to exceed \$48,000

Sponsors:

Department of Public Utilities

- 1-I [ID#14-631](#) Authorize the City Manager or designee to execute an agreement for purchase and sale of property and escrow instructions for APN 505-150-31, 5938 N. La Ventana, Fresno, California 93723 (Tract 5247, lot 59) for \$385,000 from Seller, Grantland Avenue, LLC, a California Limited Liability Company
- Sponsors:** Fire Department
- 1-J [ID#14-640](#) ***Adopt the Second Amendment to Salary Resolution No. 2014-108 to: (1) amend who is eligible for the Bilingual Certification Program; (2) add the new classification of Payroll Manager in Exhibit 2, Unit 2; (3) modify the salaries for the classifications of Commercial Building Inspector and Senior Commercial Building Inspector; and (4) delete the salaries effective 1/1/15 for classes in Exhibit 4, Unit 4, Non-Supervisory Police and Exhibit 9, Unit 9, Police Management, as required by the adopted Memoranda of Understanding between the City of Fresno and the Fresno Police Officers Association, effective September 11, 2014
- Sponsors:** Personnel Services Department
- 1-K [ID#14-654](#) RESOLUTION - Approving the Final Map of Tract No. 5531 and accepting dedicated public uses offered therein - north and south sides of E. California Avenue between S. Armstrong and S. Temperance Avenues (Council District 5)
- Sponsors:** Public Works Department
- 1-L [ID#14-660](#) Approve a twelve (12) month interim contract extension, not to exceed \$498,000 with Ray Morgan Company ("RMC") of Fresno, California, to continue to provide uninterrupted printing and copying services at City Hall and other City facilities
- Sponsors:** Finance Department
- 1-M [ID#14-664](#) ***RESOLUTION - 29th amendment to the Annual Appropriation Resolution (AAR) No. 2014-95 appropriating \$250,000 for the application of wire theft deterrents to post top streetlight poles throughout the City of Fresno (Requires 5 affirmative votes)
- Sponsors:** Public Works Department

- 1-N [ID#14-666](#) Approve an agreement with Peters Engineering Group in the amount of \$71,723, with a contingency amount of \$10,000 (total not to exceed \$81,723), to provide consultant services for Herndon Avenue westbound widening from Brawley Avenue to Blythe Avenue and to authorize the Public Works Director or designee to sign and execute the standardized agreement on behalf of the City (Council District 2)

Sponsors: Public Works Department

- 1-O [ID#14-669](#) Approve third amendment to agreement with CDM Smith Inc. in the amount of \$265,600 for groundwater monitoring and reporting for the Fresno Sanitary Landfill and authorize the Public Utilities Director or his designee to execute the agreement on behalf of the City (Council District 3)

Sponsors: Department of Public Utilities

- 1-P [ID#14-683](#) Approve the reappointment of James Poptanich to the Fresno-Madera Area Agency on Aging Board and the appointment of Ken Elvington to the Disability Advisory Commission

Sponsors: Mayor's Office

- 1-Q [ID#14-684](#) Approval of City Council Meeting Schedule for calendar year 2015

Sponsors: City Clerk's Office

CONTESTED CONSENT CALENDAR

2. GENERAL ADMINISTRATION

- 2-A [ID#14-603](#) Actions pertaining to the acquisition of 22.49 acres of property owned by Abbey Transportation System
1. Approve the acquisition of 22.49 acres of property owned by Abbey Transportation System, a California Corporation, in the amount of \$3,000,000 for the construction of Veterans Boulevard overcrossing near Golden State and Bullard Avenue
 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-B** [ID#14-657](#) Actions pertaining to the sewer rehabilitation in West and Weber Avenues (Council Districts 1 and 3)
1. Adopt a finding of Class 1 Categorical Exemption, pursuant to Section 15301(b) (Existing facilities of both investor and publicly-owned utilities used to provide electric power, natural gas, sewerage, or other public utility services) and Class 2 Categorical Exemption, pursuant to Section 15302(c) (Replacement or reconstruction) of the California Environmental Quality Act Guidelines
 2. ***RESOLUTION - 26th amendment to the Annual Appropriation Resolution (AAR) No. 2014-95 appropriating \$904,000 for the sewer rehabilitation in West and Weber Avenues (Requires 5 affirmative votes)
 3. Award a \$880,159 construction contract to Repipe California LP of Riverside, California

Sponsors: Department of Public Utilities

- 2-C** [ID#14-665](#) Actions pertaining to the Recycled Water Distribution System, Southwest Quadrant California Environmental Quality Act document and County Agreement (Council District 3 and a portion of Fresno County)
1. Adopt a finding of Mitigated Negative Declaration, pursuant to Sections 15178(b)(1) and (2), of the California Environmental Quality Act Guidelines for the Recycled Water Distribution System, Southwest Quadrant
 2. Approve the Agreement for Repair of Fresno County roads for the Southwest Quadrant Recycled Water Distribution System project
 3. Authorize the Director of Public Utilities or his designee to sign the County Agreement on behalf of the City

Sponsors: Department of Public Utilities

- 2-D** [ID#14-670](#) Actions pertaining to the California Gang Reduction, Intervention and Prevention (CalGRIP) grant program from 2015 to 2017
1. Authorize the Chief of Police to accept \$1,500,000 in total grant funding from the Board of State and Community Corrections (BSCC) for the CalGRIP program for 2015, 2016 and 2017, and execute the grant agreement with BSCC for

the 2015/2015 CalGRIP grant program

2. ***RESOLUTION - 30th amendment to the Annual Appropriation Resolution (AAR) No. 2014-95 appropriating \$189,900 into the Police Department's FY 2015 budget for the CalGRIP grant program (Requires 5 affirmative votes)

Sponsors:

Police Department

3. CITY COUNCIL

3-A [ID#14-678](#) RESOLUTION - To amend the Rules of Procedure for the City Council by changing reference to Office of Acting President to Vice President

Sponsors:

City Councilmember Baines

3-B [ID#14-686](#) Report to Council by Ken Taniguchi on recent Sister City visit to Kochi Japan

Sponsors:

City Councilmember Xiong

4. CLOSED SESSION

5. SCHEDULED COUNCIL HEARINGS AND MATTERS

2:00 P.M. #1

[ID#14-649](#)

HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community District No. 11, Annexation No. 59 (Final Tract Map No. 6051) (southeast corner of N. Garfield and W. Barstow Avenues) (Council District 2)

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 2014-2015 and future tax years within and relating to Community Facilities District No. 11, Annexation No. 59, Final Tract Map No. 6051

Sponsors:

Public Works Department

2:00 P.M. #2[ID#14-655](#)

RESOLUTION - Approving the Final Map of Tract No. 6051 and accepting dedicated public uses offered therein -south side of W. Barstow Avenue between N. Garfield Avenue and N. Grantland Avenue (Council District 2)

Sponsors:

Public Works Department

2:00 P.M. #3[ID#14-571](#)

HEARING: To Approve the Renewal of the Fresno-Clovis Tourism Business Improvement District

1. ***RESOLUTION - Approving the Renewal of the Fresno-Clovis Tourism Business Improvement District

Sponsors:

City Manager's Office

2:30 P.M.[ID#14-637](#)

HEARING to consider:

1. Consider and adopt the Environmental Finding of Conformity to the 2025 General Plan Master Environmental Impact Report ("MEIR") No. 10130 and the Mitigated Negative Declaration for Plan Amendment A-09-02 ("Air Quality MND") prepared for Environmental Assessment No. EA-13-003, for street widening and the installation of curb, gutter, and sidewalk
2. ***RESOLUTION of Public Use and Necessity for the acquisition of a street easement for the construction of intersection improvements at Shields Avenue and Fowler Avenue and public road purposes from Assessor's Parcel Number 496-192-10s owned by Forest Sunrise, LLC (Requires 5 affirmative votes) (Council District 4)

Sponsors:

Public Works Department

5:00 P.M.[ID#14-682](#)

CONTINUED HEARING to consider approvals related to the Proposed General Plan Update (Citywide) (Continued from December 11, 2014 and public comment closed)

1. Consideration of General Plan Update and certification of

the related Environmental Impact Report (EIR) SCH No. 2012111015 filed by Jennifer K. Clark, Development and Resource Management Director, on behalf of the City of Fresno, citywide application

- a. ***Consider Council motions to amend General Plan Update
- b. RESOLUTION - Certifying Final Environmental Impact Report (EIR) No. SCH 2012111015 prepared for the General Plan Update and the Development Code Update; and
 - i. Adopting Findings of Fact as required by Public Resources Code, section 21081(a) and CEQA Guidelines, Section 15091; and
 - ii. Approving a Mitigation Monitoring Program as required by Public Resources Code, section 21081.6 and CEQA Guidelines, section 15097; and
 - iii. Adopting the Statement of Overriding Considerations as required by Public Resources Code, Section 21081(b) and CEQA Guidelines, Section 15093
- c. ***RESOLUTION - Adopting the proposed Fresno General Plan as an update to the 2025 General Plan, including all text, policies, maps, tables, and exhibits and contained in the Fresno General Plan document dated December, 2014
- d. ***RESOLUTION - Adopting plan modifications recommended by staff and identified as "City of Fresno Staff Preferred Land Use" in the "Land Use Change Requests" and "Land Use and Circulation Map," and denying the remaining plan modifications
- e. ***RESOLUTION - Authorizing the Development and Resource Management Director or her designee to update the text, policies, maps, tables, and exhibits contained in the Fresno General Plan document to reflect the final action taken by Council, to the extent that such updates are necessary to maintain consistency

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 SCHEDULED COUNCIL HEARINGS AND MATTERS

JANUARY 29, 2015

10:00 AM HEARING re: Annexation No. 29 of the City of Fresno Community District No. 11, Final Tract Map No. 5626, to revise the rate and method of apportionment of the special tax and to levy a new maximum special tax (southeast corner of North Fowler and East Hamilton Avenues) (Council District 5)

FEBRUARY 5, 2015

10:00 A.M. - HEARING re: Final Tract Map No. 6033, Annexation No. 58, to the City of Fresno Community Facilities District No. 11 (northeast corner of North Fowler and East Clinton Avenues) (Council District 4)

FEBRUARY 5, 2015

5:00 P.M. HEARING re: proposed increase of water utility rates

FEBRUARY 12, 2015 - NO MEETING

UPCOMING EMPLOYEE CEREMONIES

JANUARY 29, 2015

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

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

DECEMBER 25 - NO MEETING - CHRISTMAS WEEK

JANUARY 1 2015 - NO MEETING

JANUARY 8 2015 - 10:00 A.M.

JANUARY 15 2015 - 1:30 P.M.

JANUARY 22 2015 - NO MEETING

JANUARY 29 2015 - 8:30 A.M.

FEBRUARY 5 2015 - 8:30 A.M.

FEBRUARY 12 2015 - NO MEETING

FEBRUARY 19 2015 - NO MEETING - PRESIDENT'S WEEK

FEBRUARY 26 2015 - 8:30 A.M.