

City of Fresno

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



Meeting Agenda - Final

Thursday, June 4, 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 Darryl Du'Chene Pastor of the Faith Worship Christian Center

Pledge of Allegiance to the Flag

CEREMONIAL PRESENTATIONS

- [ID#15-464](#) Presentation of SPCA Pet of the Month
Sponsors: City Councilmember Quintero
- [ID#15-450](#) Proclamation of "MAPLE CREEK ELEMENTARY DAY"
Sponsors: City Councilmember Brand
- [ID#15-485](#) Honoring the Life Robert Alan Paul and his service to the Fresno Community
Sponsors: City Councilmember Baines
- [ID#15-463](#) Proclamation of "FRESNO PRIDE PARADE AND FESTIVAL DAY"
Sponsors: City Councilmember Baines and City Councilmember Soria
- [ID#15-448](#) Presentation of a Check for \$25,000 from P.G.& E to the PARCS to support Cooling Centers
Sponsors: City Manager's Office
- [ID#15-467](#) Proclamation of "THE 2015 WALK TO END ALZHEIMER'S MONTH"
Sponsors: City Councilmember Soria
- [ID#15-477](#) Recognition of Fresno Barrios Unidos and Tree Fresno for Cesar Chavez Day of Action
Sponsors: City Councilmember Olivier

APPROVE MINUTES

- [ID#15-474](#) Approval of City Council minutes from the May 11, 2015 Special Joint Meeting with the City of Clovis
- [ID#15-472](#) Approval of City Council minutes from May 14, 2015
- [ID#15-473](#) Approval of City Council minutes from May 21, 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#15-361](#) Approve the Second Amendment to Agreement with TAM+CZ Architects in the amount of \$865 to bring design up to 2013 building code standards for the restrooms remodeling, re-roofing, and electrical panel replacement at Parking Garage #7 (Council District 3)

Sponsors: Public Works Department

- 1-B** [ID#15-419](#) Actions pertaining to the vacation of a portion of the relinquishment of direct access rights on the northwest side of Stanislaus Street northeast of "E" Street (Council District 3)

1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15332/Class 32 of the California Environmental Quality Act (CEQA) Guidelines, Environmental Assessment No. S-15-033
2. RESOLUTION - Ordering the summary vacation of a portion of the relinquishment of direct access rights on the northwest side of Stanislaus Street northeast of "E" Street

Sponsors: Public Works Department

- 1-C** [ID#15-430](#) Approve an Improvement Agreement with UCP, LLC, a Delaware limited liability company

Sponsors: Public Works Department

- 1-D** [ID#15-432](#) Approve an agreement to reimburse FFDA Properties, Limited Liability Company and Granville Homes, Incorporated an amount not to exceed \$54,949.61 for the design and construction of an 8-inch diameter water main in Calaveras Street, from the existing 12-inch main located in

Calaveras Street at the Broadway and Fulton Street alleyway, west to the 6-inch main in the H Street and Broadway Alleyway (Council District 3)

Sponsors: Department of Public Utilities

- 1-E [ID#15-434](#) RESOLUTION - Modification of Resolution 2015-57 including specific language regarding Assembly Bill 1012 to the Fresno Council of Governments for 2013 Lifeline Congestion Mitigation and Air Quality Improvement Program (CMAQ).

Sponsors: Public Works Department

- 1-F [ID#15-446](#) RESOLUTION - Approving the Final Map of Tract No. 6053 and accepting dedicated public uses offered therein-northeast corner of N. Hayes Avenue and W. Herndon Avenue (Council District 2)

Sponsors: Public Works Department

- 1-G [ID#15-457](#) Approve the appointment of Mr. Delfino Neira to the Fresno Workforce Investment Board

Sponsors: City Councilmember Baines

- 1-H [ID#15-263](#) Actions pertaining to the Lease Agreement between the City of Fresno and Greyhound Lines, Inc., to lease space in the Santa Fe Depot located at 2660 Tulare Street (Council District 3)

1. Adopt a finding of a Categorical Exemption pursuant to Class 1 of the California Environmental Quality Act (CEQA) Guideline Section 15301 (Existing Facilities) for lease
2. Approve Lease Agreement between the City of Fresno and Greyhound to lease space in the Santa Fe Depot and authorize the City Manager to execute the agreement subject to City Attorney approval

Sponsors: City Manager's Office

- 1-I [ID#15-462](#) ***BILL NO. B-17 - (Intro. 5/21/2015) (For adoption) - Amending the Historic Preservation Ordinance Section 12-1606(b) to allow the Historic Preservation Commission to adopt findings pursuant to the California Environmental Quality Act (CEQA)

Sponsors: Development and Resource Management Department

CONTESTED CONSENT CALENDAR

2. GENERAL ADMINISTRATION

- 2-A [ID#15-442](#) Actions pertaining to the Herndon Avenue Overlay from Blackstone Avenue to West Avenue, Bid File No. 3350 (Council District 2)
1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Class 1 Section 15301(c) (Existing Facilities) of the CEQA Guidelines, for the Herndon Avenue Overlay from Blackstone Avenue to West Avenue
 2. Award a construction contract to Dave Christian Construction, Inc. of Fresno, California in the amount of \$1,124,186 for the Herndon Avenue Overlay from Blackstone Avenue to West Avenue
- Sponsors:** Public Works Department

3. CITY COUNCIL

- 3-A [ID#15-468](#) BILL - (For introduction) - Adding Section 5-510 to Article 5, Chapter 5 of the Fresno Municipal Code establishing the Fresno Youth Commission.
- Sponsors:** City Councilmember Soria and City Councilmember Baines
- 3-B [ID#15-480](#) RESOLUTION - Establishing the "Capital Project Oversight Board" of the City of Fresno
- Sponsors:** City Councilmember Brand
- 3-C [ID#15-483](#) BILL - (For introduction) - Adding Sections 2-803 and 2-603 to the Fresno Municipal Code, relating to boards and commissions and posting legal notices
- Sponsors:** City Councilmember Baines

4. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:00 A.M.

- [ID#15-410](#) HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community District No. 11, Annexation No. 61 (Final Tract Map No. 5466) (northeast and southeast corners of S.

Minnewawa and E. Church 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 2014-2015 and Future Tax Years Within and Relating to Community Facilities District No. 11, Annexation No. 61, Final Tract Map No. 5466

Public Works Department

Sponsors:

10:15 A.M.

[ID#15-402](#)

HEARING pertaining to the vacation of a portion of public rights-of-way at the northeast corner of N. Blackstone and E. Shields Avenues and related purchase agreement with Omninet Properties Manchester Center, LLC (Council District 7)

1. ***RESOLUTION - Ordering the vacation of a portion of public street and pedestrian walkway rights-of-way at the northeast corner of N. Blackstone and E. Shields Avenues
2. Adopt agreement for purchase and sale of property with Omninet Properties Manchester Center, LLC.

Sponsors:

Public Works Department

10:30 A.M.

[ID#15-444](#)

HEARING to consider Rezone Application No. R-13-010 and Initiation of "North-Cherry No. 3 Reorganization" (Council District 3)

- a. Adopt a Finding of Conformity to the Fresno General Plan Master Environmental Impact Report as Environmental Assessment No. ANX-13-001/R-13-010/C-13-088 dated March 6, 2015
- b. BILL - (For introduction and adoption) - Approving Rezone Application No. R-13-010 proposing to amend the Official Zone Map and prezone an approximately 0.97 acre subject site located on the southwest corner of S. Cherry and E. North Avenues from the AL-20 (Limited 20-Acre Agricultural [Fresno County]) zone district to the M-3/UGM (Heavy Industrial/Urban Growth Management) zone district

c. RESOLUTION - Applying to the Fresno Local Agency Formation Commission for the detachment of an approximately 0.97 acre subject site from the Fresno County Fire Protection District and the Kings River Conservation District in order to annex the same territory to the City of Fresno for the proposed North-Cherry No. 3 Reorganization

Sponsors: Development and Resource Management Department

SCHEDULED COMMUNICATION

10:45 A.M.

[ID#15-449](#) Appearance by Jose Barraza from the Southeast Fresno Community Economic Development Association, Inc. to request Council to allocate \$200,000 for the initial design and engineering costs for a new regional park at a City-owned 48-acre parcel located at 2155 S Peach Avenue (Council District 5)

11:00 A.M.#1

[ID#15-466](#) WORKSHOP relating to Housing and Urban Development (HUD)

Sponsors: City Manager's Office and Development and Resource Management Department

11:00 A.M.#2

[ID#15-418](#) RESOLUTION - Approving the City of Fresno's Section 3 Plan for use on Housing and Community Development Division projects and activities funded with U.S. Department of Housing and Urban Development, Community Development Block Grant and HOME Investment Partnerships Program funds

Sponsors: Development and Resource Management Department

1:30 P.M. CLOSED SESSION

[ID#15-325](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)
1. Idalia J. Morgutia-Johnson v. City of Fresno, et al. United

States District Court Case No.: 14-CV-00127 LJO/SKO

Sponsors:

City Attorney's Office

ID#15-476

CONFERENCE WITH LABOR NEGOTIATOR - Government Code Section 54957.6

City Negotiator(s): Ken Phillips, Jeff Cardell

Employee Organization(s):

1. City of Fresno Professional Employees Association (CFPEA)
2. Fresno Police Officers Association (FPOA Basic)
3. Fresno Police Officers Association (FPOA Management)

Sponsors:

Personnel Services Department

2:00 P.M.#1

ID#15-441

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

1. HEARING to obtain public comments on the Draft 2015-2019 Consolidated Plan; and
(Continue to June 11, 2015 at 1:30 P.M.)

Sponsors:

Development and Resource Management Department

2:00 P.M.#2

ID#15-478

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 (Continue to June 11, 2015 at 1:30 P.M.)

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

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

GF Overview - BMSD, City Attorney, Finance, Transportation, FYI

JUNE 9, 2015 - 8:30 A.M.

PARCS, City Clerk, Information Services, Convention Center, Public Utilities

JUNE 10, 2015 - 8:30 A.M.

DARM; Fire; Public Works; General City Purpose

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 11, 2015

10:00 A.M. HEARING re: Conditional Use Permit No. 2008-157, 2012-032 and 2014-121, the Fresno 40 Development, as Annexation No. 8, to the City of Fresno Community Facilities District No. 9 (area bounded by North Fresno Street, North Friant Road, East Audubon and the Sugarpine Trail) (Council District 6)

JUNE 11, 2015

10:15 A.M. HEARING re: Rezone Application No. R-15-01 (Housing Authority)

JUNE 11, 2015

1:30 P.M.#1. Actions pertaining to the City of Fresno 2015-2019 Program Year Consolidated Plan

JUNE 11, 2015

1:30 P.M.#2. RESOLUTION - Adopting the FY 2015-2016 Annual Action Plan

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)

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

MAY 28 - NO MEETING - MEMORIAL DAY

JUNE 4 - 8:30 A.M.

JUNE 11 - 8:30 A.M.

JUNE 18 - 1:30 P.M.

JUNE 25 - 8:30 A.M.