

# City of Fresno

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



## Meeting Agenda - Final

Thursday, January 29, 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](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**

**8:30 A.M. ROLL CALL**

Invocation by Paul Betts, a District 7 Constituent

Pledge of Allegiance to the Flag

**CEREMONIAL PRESENTATIONS**

[ID#15-068](#)

Presentation of Awards to the Employees of the Winter Quarter, 2015 (Reception immediately following - 2nd floor foyer)

**COUNCILMEMBER REPORTS AND COMMENTS****APPROVE AGENDA****APPROVE MINUTES**

[ID#15-072](#)

Approval of City Council minutes from January 15, 2015

**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#15-006](#)

RESOLUTION - Adopt Amendment No. 2015-002 to the FY 2014-2015 Annual Action Plan authorizing \$57,400 of Community Development Block Grant ("CDBG") funds for Homeless Services and \$150,000 for a Lead Hazard Control Program from existing appropriations for use as grant program match; adopting the project location list for street and sidewalk improvements in the CDBG-funded Neighborhood Infrastructure Program; and authorizing the City Manager to sign all implementing documents required by HUD

**Sponsors:**

Development and Resource Management Department

**1-B** [ID#15-015](#)

Actions pertaining to the traffic signal improvements at Brawley and Shields Avenues - Bid File 3356 (Council

Districts 1 & 3)

1. Adopt finding of Categorical Exemption per staff determination, pursuant to Class 1 Section 15301(c) (existing facilities) of the CEQA Guidelines, for the traffic signal improvements at Brawley and Shields Avenues
2. Award a Construction Contract to American Construction Engineers, of Tollhouse, California in the amount of \$379,140 as the lowest responsive and responsible bidder for the traffic signal improvements at Brawley and Shields Avenues

**Sponsors:**

Public Works Department

1-C [ID#15-041](#)

Approve First Amendment to Agreement between the City of Fresno and Fresno Convention & Visitor's Bureau for implementation of the Tourism Business Improvement District Plan

**Sponsors:**

City Manager's Office

1-D [ID#15-055](#)

Approve Amendment No. 7 to Agreement between City of Fresno and ERM-West Inc. (ERM) to provide on-going engineering, environmental and remedial actions concerning groundwater contamination at Fresno Yosemite International Airport (FAT) for an amount not to exceed \$468,000

**Sponsors:**

Airports Department

1-E [ID#15-056](#)

RESOLUTION - Approving the Final Map of Tract No. 6044 and accepting dedicated public uses offered therein - northeast corner of N. Garfield Avenue and W. Barstow Avenue (Council District 2)

**Sponsors:**

Public Works Department

1-F [ID#15-058](#)

Actions pertaining to Terminal Space Lease Agreement at Fresno Yosemite International Airport (Council District 4)

1. Adopt a finding of Categorical Exemption pursuant to Article 19, Section 15301(a) and (d)/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines to authorize Lease Agreement with Transportation Security Administration (TSA) at Fresno Yosemite International Airport (FAT)
2. Approve Lease Agreement between the City of Fresno and the Transportation Security Administration (TSA)

**Sponsors:** Airports Department

- 1-G [ID#15-060](#) Actions related to Class I Bike Trail Feasibility Studies for Herndon Avenue and Clovis Avenue (Council Districts 2, 4, 5 and 6)
1. \*\*\*RESOLUTION - 34th amendment to the Annual Appropriation Resolution (AAR) 2014-95 appropriating \$137,300 to complete a Class 1 Bike Trail Feasibility Study for segments along Herndon Avenue and Clovis Avenue (Requires 5 affirmative votes)
  2. Approve an agreement with BKF Engineers in the amount of \$99,818 and a contingency amount of \$10,000 to provide professional engineering services for the preparation of Class I Bike Trail Feasibility Studies for Herndon Avenue and Clovis Avenue

**Sponsors:** Public Works Department

- 1-H [ID#15-063](#) Approve the First Amendment to the Agreement to reimburse City of Clovis for Phase II of the southern water main interconnection

**Sponsors:** Department of Public Utilities

- 1-I [ID#15-064](#) Approve Amendment No. 2015-003 amending the Annual Action Plan to award 2012-2013 Emergency Solutions Grant Program funding to the Marjaree Mason Center in the amount of \$100,000 for emergency shelter, and Westcare California, Inc., in an amount not to exceed \$269,008 for rapid re-housing and homeless prevention, and authorize the City Manager to execute agreements

**Sponsors:** Development and Resource Management Department

- 1-J [ID#15-086](#) Authorize the sale of a portable stage located at Chukchansi Park for \$25,000

**Sponsors:** City Manager's Office

**JOINT MEETING OF THE CITY OF FRESNO, THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF FRESNO AND THE FRESNO REVITALIZATION CORPORATION**

- 1-K [ID#15-073](#) RESOLUTION - Designating positions which shall be subject to the Conflict of Interest Code and defining categories of

disclosure for such positions (Council and Successor Agency action)

**Sponsors:** City Clerk's Office

## **CONTESTED CONSENT CALENDAR**

### **2. GENERAL ADMINISTRATION**

2-A [ID#15-052](#) Submission for informational purposes, the Comprehensive Annual Financial Reports (CAFR) regarding the financial activities of the City of Fresno Retirement Systems for the Fiscal Year ending June 30, 2014

**Sponsors:** Retirement Department

2-B [ID#15-078](#) RESOLUTION - Authorizing the submittal of a grant application to the State of California Department of Housing and Community Development and acceptance of 2014 Housing-Related Parks Program grant funds in the amount of \$1,305,825 and authorizing execution of documents by the PARCS Director or designee (Districts 3, 4, and 5)

**Sponsors:** Parks, After School, Recreation and Community Services Department and Development and Resource Management Department

### **3. CITY COUNCIL**

3-A [ID#15-018](#) WORKSHOP regarding role & function of the Fresno/Clovis Convention & Visitors Bureau by Layla Forstedt

**Sponsors:** City Councilmember Brandau

### **4. CLOSED SESSION**

[ID#15-085](#) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Government Code Section 54956.9(d)(4) City of Fresno v. PulteGroup, Inc.

**Sponsors:** City Attorney's Office

### **5. SCHEDULED COUNCIL HEARINGS AND MATTERS**

#### **8:30 A.M.**

[ID#15-088](#) HEARING to consider a Resolution of Public Use and

Necessity for acquisition of permanent utility easements and temporary construction easements from APNs 581-030-02s owned by Rodric H. and Kimberly K. Lichti; 580-040-07 owned by Earleen Leshner, and 580-040-08 owned by Earleen Leshner as to an undivided 72% and the estate of Velda D. Leshner as to an undivided 28%; 580-040-21s (formerly a portion of 580-040-03) owned by Robert D. and Suzanne Johnson, as trustees of the Johnson Family Trust; and 581-020-05s owned by Lilli Herold and Linda E. Cheney, as trustees of the "Lilli Herold Living Trust" (Continue to February 26, 2015 @ 10:00 a.m.)

1. \*\*\*RESOLUTION - That the public interest and necessity require and authorize eminent domain for acquisition of permanent utility easements and temporary construction easements from real property: APNs 581-030-02s; 580-040-07 and 580-040-08; 580-040-21s (formerly a portion of 580-040-03); and 581-020-05s, located in the County of Fresno (Requires 5 affirmative votes)

**Sponsors:**

Department of Public Utilities

**10:00 A.M.**

**[ID#15-042](#)**

HEARING to adopt resolutions and ordinance amending Annexation No. 29 of the City of Fresno Community Facilities District No. 11, Final Tract Map No. 5626, to change the types of Services, the rate and method of apportionment of the special tax, and the Maximum Special Tax to be levied (southeast corner of N. Fowler and E. Hamilton Avenues) (Council District 5)

1. RESOLUTION - Authorizing the Amendment of Annexation No. 29 of Community Facilities District No. 11 and the Levy of a New Maximum Special Tax
2. RESOLUTION - Calling Special Mailed-Ballot Election
3. RESOLUTION - Declaring Election Results
4. \*\*\* BILL - (For introduction and adoption) - Amending Ordinance No. 2008-29 and Levying a Changed Maximum Special Tax for the Property Tax Year 2014-2015 and Future Tax Years Within and Relating to Community Facilities District No. 11, Annexation No. 29, Final Tract Map No. 5626

**Sponsors:**

Public Works 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**

*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*

*10:15 A.M. HEARING to consider an appeal filed by Councilmember Caprioglio, appealing the Planning Commission's action to approve Vesting Tentative Tract Map No. T-6033, Conditional Use Permit No. C-13-092 and related environmental findings, filed by Jeffrey T. Roberts of Granville Homes, Inc, for property located on the northeast corner of N. Fowler and E. Clinton Avenues (Property located in Council District 4) – Development and Resource Management Department*

*FEBRUARY 5, 2015*

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

*FEBRUARY 12, 2015 - NO MEETING*

*FEBRUARY 26, 2015*

*10:00 A.M. CONTINUED HEARING to Consider a Resolution of Public Use and Necessity for Acquisition of Permanent Utility Easements and Temporary Construction Easements from APNs 581-030-02s owned by Rodric H. and Kimberly K. Lichti; 580-040-07 owned by Earleen Leshar, and 580-040-08 owned by Earleen Leshar as to an undivided 72% and the estate of Velda D. Leshar as to an undivided 28%; 580-040-21s (formerly a portion of 580-040-03) owned by Robert D. and Suzanne Johnson, as trustees of the Johnson Family Trust; and*



581-020-05s owned by Lilli Herold and Linda E. Cheney, as trustees of the "Lilli Herold Living Trust".

### **UPCOMING EMPLOYEE CEREMONIES**

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)

### **2015 CITY COUNCIL MEETING SCHEDULE**

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.

MARCH 5 2015 - 8:30 A.M.

MARCH 12 2015 - NO MEETING

MARCH 19 2015 - NO MEETING

MARCH 26 2015 - 8:30 A.M.