City of Fresno

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



Meeting Agenda - Final

Thursday, April 13, 2017

1:30 PM

Regular Meeting

Council Chambers

City Council

President - Clinton J. Olivier
Vice President - Esmeralda Z. Soria
Councilmembers:
Oliver L. Baines, III, Steve Brandau, Garry Bredefeld,
Paul Caprioglio, Luis Chavez
City Manager - Bruce Rudd
City Attorney - Douglas T. Sloan
City Clerk - Yvonne Spence, CMC

The Fresno City Council welcomes you to City Council Chambers, located in City Hall, 2nd Floor, 2600 Fresno Street, Fresno, California 93721.

The City of Fresno's goal is to comply with the Americans with Disabilities Act (ADA) in all respects. The meeting room is physically accessible. If, as an attendee or participant at the meeting, you need additional accommodations such as interpreters, signers, assistive listening devices, or the services of a translator, please contact the Office of the City Clerk at (559) 621-7650 or clerk@fresno.gov. To ensure availability, you are advised to make your request at least 48 hours prior to the meeting. The agenda and related staff reports are available at www.fresno.gov, as well as in the Office of the City Clerk.

The Council meeting can be viewed live on Comcast Channel 96 and AT&T Channel 99 from 9:00 a.m. and is re-played beginning at 8:00 p.m.. The meeting can also be viewed online at https://fresno.legistar.com.

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

El Consejo de la Ciudad de Fresno da la bienvenida al City Council Chambers, ubicado en la Alcaldía (City Hall), do piso, 2600 Fresno Street, Fresno, California 93721.

El objetivo de la Ciudad de Fresno es cumplir con la Ley de Americanos con Discapacidades (ADA) en todo aspecto. La sala para juntas es físicamente accesible. usted. asistente o participante de la junta, como acomodaciones adicionales coma intérpretes, lenguaje de señas. aparatos auditivos, o los servicios de un traductor, por favor comuníquese con la Oficina Municipal llamando al (559) 621-7650 o al del Secretario clerk@fresno.gov. Para asegurarse de la disponibilidad, se le recomienda llamar y hacer su petición por lo menos 48 horas antes de la junta. La agenda y los reportes de personal correspondientes están disponibles en el www.fresno.gov, o en la Oficina del Secretario Municipal.

Las juntas del Municipio se pueden ver en el Canal 96 de Comcast y el Canal 99 de AT&T a las 9:00 a.m. y otra vez empezando a las 8:00 p.m. La junta también se puede ver en el internet en el https://fresno.legistar.com

PROCESO: Por cada asunto que escuche el Consejo Municipal, habrá una presentación del personal seguida por una presentación de los individuos involucrados, si están presentes. El testimonio de los presentes se escuchará entonces. Todo testimonio se limitará a tres minutos por persona. Si usted desea hablar, llene la hoja para pedir hablar disponibles en la oficina del Secretario Municipal y en la Sala Consistorial. Las tres luces en el atril junto al micrófono indicarán cuanto tiempo le queda al orador.

La luz verde en el atril se prenderá cuando el orador comience. La luz amarilia se prenderá cuando quede un minuto. El orador debería estar concluyendo su testimonio cuando la luz roja prenda y ci sonido indique que se acabo su tiempo. La cantidad del tiempo que queda también aparecerá en la pantalla grande atrás del Consejo Municipal.

No se aceptarán documentos para que repase el Consejo Municipal a menos que se sometan al Secretario Municipal por lo menos 24 horas antes de que se escuche la Agenda del Consejo Municipal.

Este es el horario general de temas para la consideración y acción del Consejo Municipal. El consejo Municipal pudiera considerar y tomar acción en un artículo de la Agenda en el orden que considere adecuado. Artículos con una hora fijada se pueden escuchar después de la hora indicada pero no antes de la hora indicada en la agenda. Se les recomienda a las personas que estén interesadas

en un artículo de la agenda, que estén presentes durante toda la junta para asegurar su presencia cuando se presente ese artículo.

LOS ARTICULOS MARCADOS CON TRES ASTERISCOS (***) ESTAN SUJETOS A UN VETO POR PARTE DEL ALCALDE O UNA RECONSIDERACION

Tso Fresno City Council tos txais koj rau City Council Chambers, nyob rau hauv City Hall, 2nd Floor, 2600 Fresno Street, Fresno, California 93721.

Lub hom phiaj ntawm nroog Fresno yuav ua kom tau txhua yam raw li txoj cai American with Disabilities Act (ADA) kom fwm txhua tus. Lub rooj sab laj txhua tus yuav tsum muaj feem koom kom tau, txawm yog cov tuaj koom, cov muaj feem rau lub rooj sab laj, yuav tsum kom muaj kev pab rau sawv daws xws li txhais lus, piav tes, tej twj mloog pob ntseg los yog ib tug txhais lus, thov hu rau Office of the City Clerk ntawm (559) 621-7650 los sis clerk@fresno.gov. Yuav kom paub tseeb tias npaj tau rau koj, koj yuav tsum tau hais ua ntej 48 xuab moos ntawm lub rooj sab laj. Daim ntawv kom tswj thiab tej ntaub ntawv cov ua dej num yuav coj los ceeb tshaj muaj nyob rau ntawm www.fresno.gov, los sis ntawm Office of the City Clerk.

Council lub rooj sab laj saib pom rau hauv Comcast tshooj 96 thiab AT&T tshooj 99 thaum 9:00 teev sauv ntxoov thiab rov tso tawm thaum 8:00 teev tsaus ntuj. Lub rooj sab laj kuj saib tau online at https://fresno.legistar.com.

TXUAS NTXIV: Txhua nqe laj txheej yuav tau pom zoo los ntawm cov council ua ntej thiab yuav tau muaj ib tug staff los cej luam dhau ntawd cov uas muaj feem cuam mam los cej luam ib tug zuj zus, yog tuaj nyob rau ntawd. Dhau ntawd yuav tso rau sawv daw los tawrn suab, ib leeg twg yuav los tawm suab tsuas pub peb(3) nas this xwb. Yog koj xav los tawm suab, mus sau rau daim ntawv (Speaker Request Form) muaj nyob rau hauv City Clerk's Office thiab nyob rau huav Council Chambers. muaj peb(3) lub teeb nyob rau ntawm lub podium uas puab rau ntawm lub (microphone) qhia tias tus neeg hais lus muaj sij haum ntev li cas xwb.

Lub teeb ntsuab ntawm lub podium yuav cig thaum tus hais lus pib hais. Lub teeb daj yuav cig thaum tshuav ib(1) nas this. Tus hais lus yuav tsum hais kom tas rau thaum lub teeb liab cig thiab lub tswb nrov, qhia tias sij haum tas lawm. Ib qhov ntxiv nyob rau saum daim (screen) loj loj dai rau tom cov council nrob qaurn yuav pom lub sij hawm dhia qis zuj zus los mus.

Cov council yuav tsis txais ib yam ntaub ntawv los saib ntxiv tshwj tsis yog twb muab xa rau City Clerk 24 teev thiab muab tso rau hauv daim kom tswj ua ntej council yuav los mloog tej xwm txheej.

Dhau ntawd yuav muab sij hawm rau cov council los soj ntsuam thiab ua tes dej num, Coy tswv zos (City Council) yuav los ntsuam xyuas thiab leg raws tej nqe hauv daim kom tswj yog pom tias yam twg yuav tsim nyog. Mam muab lub sij hawm los xyuas raws tej txheej txheem tom qab tiam si yuav tsis yog ua ntej raws li daim kom tswj tau teev tseg. Cov uas txaus siab rau tei laj txheej uas tau teev tseg rau hauv daim kom tswj, xav kom nyob kom dhau lub rooj sab laj kom thaum hu txog nws thiaj nyob rau ntawd

YOG QHOV MUAJ PEB LUB HNUB QUB (***) NYOB RAU HAUV DAIM KOM TSWJ YUAV RAUG MAYORAL VETO LOS SIS ROV SOJ NTSUAM DUA 1:30 P.M. ROLL CALL

Invocation by Lead Pastor Brian Wiebe from Bethany Mennonite Brethren Church

Pledge of Allegiance to the Flag

APPROVE AGENDA

CEREMONIAL PRESENTATIONS

<u>ID17-485</u> Proclamation of "Friday Night Live Month"

Sponsors: City Councilmember Caprioglio

<u>ID17-493</u> "Proclamation of Volunteer Month"

Sponsors: City Councilmember Caprioglio

ID17-455 Proclamation of "Earth Day Fresno 2017"

Sponsors: Council President Olivier

<u>ID17-456</u> Presentation of a Celebratory Check by PG&E to the Cooling

Center

Sponsors: Council President Olivier, Parks, After School and Recreation

and Community Services Department

APPROVE MINUTES

<u>ID17-96</u> Approval of minutes from April 6, 2017

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 ID17-426 RESOLUTION - Of Intention to annex Final Parcel Map No.

2014-06 and adjacent parcels, Assessor's Parcel Numbers 501-043-06 and 501-044-04, as Annexation No. 16, to City of Fresno Community Facilities District No. 9 (east side of

West Herndon Avenue, intersected by North Blythe and West Spaatz Avenues) (Council District 2)

Sponsors:

Public Works Department

1-B ID17-460

Actions pertaining to Resolution of Intention No. 1115-D to vacate the W. Lansing-W. Dakota Avenue alley between N. Weber Avenue and N. Feland Avenue. (Council District 1).

- 1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301 of the California Environmental Quality Act (CEQA) Guidelines, Environmental Assessment No. EA-16-029.
- 2. Adopt Resolution of Intention No. 1115-D to vacate the West Lansing-W. Dakota Avenue alley between N. Weber Avenue and N. Feland Avenue.

Sponsors:

Public Works Department

1-C <u>ID17-476</u>

Actions pertaining to the Lewis Eaton Trail Resurfacing, Audubon to Old Friant Road - Bid File 3510 (Council District 6)

- 1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301(c) of the CEQA Guidelines for the Lewis Eaton Trail Resurfacing, Audubon to Old Friant Road
- 2. Award a Construction Contract with JT2, Inc., DBA Todd Companies of Visalia, California (Todd Companies) in the amount of \$133,176

Sponsors:

Public Works Department

1-D <u>ID17-512</u>

RESOLUTION - Authorizing the submittal of a grant application to the State Department of Forestry and Fire Protection for funding from the Urban and Community Forestry grant program as provided through the Greenhouse Gas Reduction Fund for the Maxie L. Parks Center

Improvements (District 3)

Sponsors:

Parks, After School and Recreation and Community Services Department

1-E <u>ID17-511</u>

Actions pertaining to five-year Lease Agreements at 1302 N. Wishon Avenue and 1322 E. Shaw Avenue #190 for general office space for the Fresno Police Department.

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 Global Strategic Medical Trust, Inc. for lease of general office space at 1302 N. Wishon Avenue for use by the Police Department as a report writing office
- 3. Approve a lease between the City of Fresno and Zepol Road, LLC for lease of general office space at 1322 E. Shaw Avenue #190 for use by the Police Department as a report writing office

Sponsors: Police Department

1-F ID17-538 RESOLUTION - Approving the reallocation of \$50,000 from

contingency in the City Attorney's budget to hire a Budget

Analyst

Sponsors: Council President Olivier

1-G ID17-554 Action pertaining to proposed water capacity fees (Citywide):

1. ***BILL NO. B-17 (Intro. 4/6/2017) (For adoption) Amending Article 5 of Chapter 6 of the Fresno Municipal
Code and Article 4.5 of Chapter 12 to repeal various fees
associated with providing water capacity for new and

expanded connections to the water system and create a new

Water Capacity Fee classification, and to adopt Water Capacity Fees as proposed by and justified in the nexus

study prepared by Bartle Wells Associates.

Sponsors: Department of Public Utilities

CONTESTED CONSENT CALENDAR

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

2:00 P.M. (Continued from 10:00 A.M.)

<u>ID17-510</u> CONTINUED HEARING to adopt resolutions and ordinance

to annex territory and levy a special tax regarding City of Fresno Community District No. 9, Annexation No. 15 (Conditional Use Permit No. 2015-191 Development)

(southeast corner of N. Brawley and W. Herndon Avenues)

(Council District 2)

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 2016-2017 and Future Tax Years Within and Relating to Community Facilities

District No. 9, Annexation No. 15

Sponsors: Public Works Department

2:05 P.M.

<u>ID17-443</u> WORKSHOP - Water Conservation Program

Sponsors: Department of Public Utilities

2:15 P.M.

JOINT MEETING OF CITY (IN ITS CAPACITY AS HOUSING SUCCESSOR) AND FRESNO REVITALIZATION CORPORATION

ID17-548

Actions pertaining to approximately 8.02 acres of property located on the north side of East Annadale Avenue approximately 440 feet west of South Elm Avenue (APNs 479-270-02T, -03T, -04T, -05T, -06T, -15T, -16T, -24T)

1. Adopt a Mitigated Negative Declaration, pursuant to Sections 15070 - 15075 of the CEQA Guidelines, for the development of single family residences and affordable senior rental housing located at Annadale and Elm Avenues, on property currently owned by the City of Fresno in its capacity as Housing Successor.

2. Approve a Disposition and Development Agreement between the City of Fresno in its capacity as Housing Successor and Self-Help Enterprises for property located at Annadale and Elm Avenues within the Southwest Fresno GNRA Redevelopment Project Area

Sponsors: City in its capacity as Housing Successor to the Redevelopment Agency and Fresno Revitalization Corporation

ADJOURN

<u>5:00 P.M.</u>

ID17-492

Hearing to consider Plan Amendment Application No.
A-17-001 and related environmental findings for the Housing Element Amendment, filed by the Development and Resource Management Department Director pertaining to the following:

- 1. ADOPT the environmental findings of Environmental Assessment No. A-17-001, an Addendum to Final Master Environmental Impact Report SCH No. 2012111015 (MEIR) certified by the Fresno City Council on December 18, 2014 for the Fresno General Plan and Development Code, and to Program Environmental Impact Report SCH No. 2012041009 (PEIR) certified by the Fresno City Council on October 20, 2016 for the Downtown Neighborhoods Community Plan, the Fulton Corridor Specific Plan, and the Downtown Development Code pursuant to California Environmental Quality Act Guidelines Sections 15162 and 15164; and
- 2. RESOLUTION -To adopt Plan Amendment Application No. A-17-001, amending the text of Chapter 11 of the Fresno General Plan to incorporate the Housing Element Amendment, including all Text, Policies, Maps, Tables, and Exhibits contained in the Fresno Housing Element Amendment Revised Public Draft document dated March 2017.

Sponsors:

Development and Resource Management Department

3. GENERAL ADMINISTRATION

4. CITY COUNCIL

4-A ID17-556

Council Boards and Commissions Communications, Reports, Assignments and/or Appointments, Reappointments, Removals to/from City and non-City Boards and Commissions:

- 1. Council of Governments Mayor Brand-Ex-Officio (Olivier-Alternate)
- 2. Finance and Audit Committee Bredefeld, Olivier, Brandau
- 3. Fresno Area Workforce Investment Corporation Baines
- 4. Fresno County Transportation Authority (FCTA) -

- Mayor Brand-Ex-Officio, (Brandau-Alternate)
- Fresno Regional Workforce Development Board -Baines
- 6. Fresno County Zoo Authority Mayor Brand-Ex-Officio, (Baines-Alternate)
- 7. Fresno Madera Area Agency on Aging Board Olivier
- 8. Joint Powers Financing Authority Baines, Brandau, Mayor Brand
- 9. San Joaquin River Conservancy Board Mayor Brand-Ex-Officio, (Brandau-Alternate)
- 10. Association for the Beautification of Highway 99 Baines
- 11. Upper Kings Basin Integrated Regional Water Management JPA Brandau (Olivier, Georgeanne White and Thomas Esqueda Alternates)
- 12. Economic Development Corporation Serving Fresno County Brandau-Ex-Officio, City Manager Bruce Rudd and (Baines Alternate)
- 13. League of California Cities (Annual Meeting) Mayor Brand, (Olivier-Alternate)
- 14. San Joaquin Valley Air Pollution Control District Baines
- 15. Litigation Exposure Reduction Ad Hoc Committee Brandau, Caprioglio
- 16. Convention Center Oversight Advisory Board Baines, (Vacant-Alternate), City Manager, SMG General Manager and one representative from each of SMG's organizations
- 17. Sub- Committee on Transportation Baines, Caprioglio, Soria
- 18. Code Enforcement Sub-Committee Baines, Olivier, and Caprioglio
- 19. Enterprise and Construction Management Oversight Board Councilmember Soria
- 20. School Liaison Sub-Committee Soria Chair, Olivier, Baines
- 21. North Kings Groundwater Sustainability Agency (GSA) Joint Powers Authority Mayor Brand (Thomas Esqueda, Georgeanne White Alternates)

Sponsors:

Council President Olivier

5. CLOSED SESSION

5-A ID17-544 CONFERENCE WITH LEGAL COUNSEL-EXISTING

LITIGATION-Government Code Section 54956.9,

subdivision (d)(1)

 Karen Micheli et.al., v. City of Fresno; Vulcan Construction & Maintenance; Measurement Control Systems, et. al.; and does 1-100. Fresno Superior Court

Case No. 16CECG02937.

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 20, 2017 - NO MEETING

April 27, 2017

10:00 AM - HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community Facilities District No. 11, Annexation No. 77 (Final Tract Map No. 5537) (west side of N. Polk Avenue between W. Shields and Dakota Avenues) (Council District 1)

April 27, 2017

10:05 AM - HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community Facilities District No. 11, Annexation No. 79 (Final Tract Map No. 6091) (east side of N. Cornelia between W. McKinley and Clinton Avenues) (Council District 3)

April 27, 2017

10:10 AM - HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community Facilities District No. 11, Annexation No. 78 (Final Tract Map No. 6090) (north side of W. Bullard Avenue between N. Grantland Avenue and State Highway 99) (Council District 2)

April 27, 2017

11:30 A.M. - Welcome and introduce Mexican Consulate - Mayor's Office

April 27, 2017

2:00 P.M. - RESOLUTION - Of intiation for a text amendment to prohibit recreational marijuana operations, dispensaries, and sales within the City of Fresno

May 11, 2017

10:00 A.M. - HEARING - Regarding the vacation of the W. Lansing-West Dakota Avenue alley, between N. Weber Avenue and N. Feland Avenue. (Council District 1).

May 11, 2017

10:05 AM - HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community Facilities District No. 9, Annexation No. 16 (Assessor's Parcel Numbers 501-043-06, 501-048-01, 501-044-04) (parcels on the east side of W. Herndon Avenue, intersected by N. Blythe and W. Spaatz Avenues) (Council District 2)

May 11, 2017

10:10 AM - Actions pertaining to the City of Fresno 2017-2018 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 FY2018 Annual Action Plan; approving submission To The U.S. Department Of Housing And Urban Development (HUD) for 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; providing for subrecipient agreements; and authorizing the City Manager to sign all implementing documents required by HUD as approved to form by the City Attorney

May 11, 2017

4:00 P.M. - RESOLUTION - A Resolution of the Council of the City of Fresno, California, reaffirming "In God We Trust" as the official motto of the United States

by adopting and implementing the public display of the National Motto in the Fresno City Council Chambers on the wall behind the dias.

May 25, 2017

10:00 AM - HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community Facilities District No. 11, Annexation No. 80 (Final Tract Map No. 6031) (south of East Dakota Avenue between North Fowler and Armstrong Avenues) (Council District 4)

June 8, 2017

10:00 A.M. HEARING - Regarding the vacation of a portion of E. Kings Canyon Road at S. Apricot Avenue (Council District 5).

UPCOMING EMPLOYEE CEREMONIES

APRIL 27, 2017

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

JULY 20, 2017

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

OCTOBER 12, 2017

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

NOVEMBER 1, 2017

2:00 P.M. - Presentation of Employee Service Awards (Reception immediately following - 2nd floor foyer)

2017 CITY COUNCIL MEETING SCHEDULE

APRIL 20, 2017 - NO MEETING APRIL 27, 2017 - 8:30 A.M. MEETING

MAY 4, 2017 - RECESS

MAY 11, 2017 - 8:30 A.M. MEETING

MAY 18, 2017 - 1:30 P.M. MEETING

MAY 25, 2017 - 8:30 A.M. MEETING