

City of Fresno

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



Meeting Agenda - Final

Thursday, October 12, 2017

8:30 AM

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 - Wilma Quan-Schechter

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. Si usted, como asistente o participante de la junta, necesita acomodaciones adicionales coma intérpretes, lenguaje de señas, aparatos auditivos, o los servicios de un traductor, por favor comuníquese con la Oficina del Secretario Municipal llamando al (559) 621-7650 o al 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**

8:30 A.M. ROLL CALL

Invocation by Deputy Police Chief Patrick Farmer

Pledge of Allegiance to the Flag

APPROVE AGENDA

CEREMONIAL PRESENTATIONS

[ID17-1367](#) Presentation of the Fall 2017 Employee of the Quarter Certificates (Light Reception Immediately Following - 2nd Floor Foyer)

Sponsors: City Clerk's Office

APPROVE MINUTES

[ID17-113](#) Approval of minutes from September 28, 2017

Sponsors: City Clerk's Office

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 [ID17-1290](#) RESOLUTION - Of Intention to Annex the Territory Known as Assessor's Parcel Number 403-021-03 as Annexation No. 20 to the City of Fresno Community Facilities District No. 9 and to Authorize the Levy of Special Taxes (south side of East Shepherd Avenue between North Millbrook and Cedar Avenues (Council District 6)

Sponsors: Public Works Department

- 1-B [ID17-1345](#) RESOLUTION - Approving the Final Map of Tract No. 6130 and accepting dedicated public uses offered therein - Southeast corner of N. Fowler Avenue and E. Grant Avenue (Council District 5)

Sponsors: Public Works Department

- 1-C [ID17-1292](#) Approve the Second Amendment to the Catering Services Agreement between SMG and Pardini's Inc. for the Fresno Convention & Entertainment Center.

Sponsors: City Manager's Office

- 1-D [ID17-1304](#) Actions pertaining to the Fresno Airport Public Safety Supervisors, Operating Engineers, Local 3 (FAPSS/OE3) for Unit 15, Airport Public Safety Supervisors
1. ***Adopt a Memorandum of Understanding between the City of Fresno and the Fresno Airport Public Safety Supervisors, Operating Engineers, Local 3 (FAPSS/OE3) for Unit 15, Airport Public Safety Supervisors (Subject to Mayor's Veto)
 2. ***RESOLUTION - 5th amendment to FY 2018 Salary Resolution No. 2017-176, amending salaries in Exhibit 15, Unit 15 - Airport Public Safety Supervisors (FAPSS), as required by the Memorandum of Understanding between the City of Fresno and the Fresno Airport Public Safety Supervisors, Operating Engineers, Local 3 (FAPSS/OE3) (Subject to Mayor's Veto)

Sponsors: Personnel Services Department

- 1-E [ID17-1322](#) Actions pertaining to CRV Recycling Centers
1. Adopt Environmental Assessment No. TA-17-002 dated October 4, 2017 prepared for this matter approving a Finding of No Possibility pursuant to Section 15061 (b)(3) of the Environmental Quality Act Guidelines
 2. ***BILL NO. B-51 - (Intro. 9/21/2017) (For adoption) - Approving Text Amendment Application No. TA-17-002 addressing CRV Recycling Centers by amending subsection (B) of Section 15-2750 of the Fresno Municipal Code. (Subject to Mayor's veto)

Sponsors: City Councilmember Caprioglio and City Councilmember Baines III

1-F [ID17-1362](#) Approve the appointment of Candice Antaramian to the District 6 Plan Implementation Committee

Sponsors: City Councilmember Bredefeld

1-G [ID17-1351](#) Approve Contract for continuation of Software License, Hosting, Maintenance and Services for Airport Properties and Billing with GCR, Inc., for an initial cost of \$192,105 (Council District 4)

Sponsors: Airports Department

1-H [ID17-1360](#) Actions pertaining to Outdoor Environmental Education Facilities Grant Funds

1. RESOLUTION - Approving the application for Outdoor Environmental Education Facilities Grant Funds
2. Acceptance of Outdoor Environmental Education Facilities Program funds in the amount of up to \$500,000 from the State of California Department of Parks and Recreation for the Highway City Neighborhood Center (DISTRICT 2)
3. Designation and approval of the PARCS Assistant Director as signatory for execution of program participation documents

Sponsors: Parks, After School and Recreation and Community Services Department

1-I [ID17-1387](#) ***BILL NO. B-53 - (Intro.) (For adoption) - Amending the uncodified ordinance to adopt changes and additions to the official list of designated special speed zones for various streets within the City of Fresno pursuant to Section 14-1501 of the Fresno Municipal Code (Citywide) (Subject to Mayor's veto)

Sponsors: Public Works Department

CONTESTED CONSENT CALENDAR

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:00 A.M.

[ID17-1265](#) Consider Text Amendment Application No. TA-17-007,

Initiated June 22, 2017, by Council direction, and related environmental finding pertaining to the indemnification of security and electric fences:

1. ADOPT Environmental Assessment No. TA-17-007 approving a Finding of No Possibility pursuant to Section 15061 (b)(3) of the California Environmental Quality Act Guidelines.
2. BILL - (For introduction) Approving Text Amendment Application No. TA-17-007 amending subsection F of Section 15-2009, and subsection I of Section 15-2010 of the Fresno Municipal Code.

Sponsors: Development and Resource Management Department

SCHEDULED COMMUNICATION

10:05 A.M.

[ID17-1365](#) Appearance by Mary Esther Correa to discuss the Code Enforcement fines she has incurred. (Speaker located in District 7)

3. GENERAL ADMINISTRATION

- 3-A [ID17-1310](#) Actions pertaining to the Fresno County Adult Compliance Team agreement with the County of Fresno:
1. Approve the Third Amendment to the agreement with the County of Fresno to reimburse the City of Fresno for four Police Officers and one Crime Analyst to be assigned to the Multi-Agency Gang Enforcement Consortium (M.A.G.E.C. Team).
 2. ***RESOLUTION - 1st amendment to Position Authorization Resolution (PAR) No. 2017- 166, adding four Police Officers and one Crime Analyst assigned to the M.A.G.E.C. Team. (Subject to Mayor's Veto)
 3. ***RESOLUTION - 17th amendment to the Annual Appropriation Resolution (AAR) No. 2017-165 appropriating \$968,984.00 for the Fresno Police Department personnel assigned to the M.A.G.E.C. Team. (Requires 5 affirmative votes) (Subject to Mayor's Veto)

Sponsors: Police Department

- 3-B** [ID17-1355](#) Actions pertaining to the Taxiway C Reconstruction project at Fresno Yosemite International Airport (Council District 4):
1. Adopt a finding of Categorical Exemption pursuant to Section 15301(c)/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines for the Taxiway C Reconstruction
 2. ***RESOLUTION - 28th amendment to the Annual Appropriations Resolution (AAR) No. 2017-165 appropriating \$20,912,500 for the Taxiway C Reconstruction project at Fresno Yosemite International Airport (Requires 5 affirmative votes) (Subject to Mayor's veto)
 3. Award a construction contract to Security Paving Company, Inc., of Sylmar, California, for the Taxiway C Reconstruction project at Fresno Yosemite International Airport in the amount of \$13,070,242 (Base Bid + Additive Alternate No. 3)(Bid File 3519)
 4. Approve a consulting agreement with RMA GeoScience of Fresno, California, to provide geotechnical quality assurance testing and inspection services for the Taxiway C Reconstruction project at Fresno Yosemite International Airport in the amount of \$442,088

Sponsors:

Airports Department

- 3-C** [ID17-1357](#) Anti-Slum Enforcement Team (ASET) Quarterly Status Report and Update on Rental Housing Improvement Act

Sponsors:

City Manager's Office and City Attorney's Office

- 3-D** [ID17-721](#) Actions related to updating water conservation measures and the City's Water Shortage Contingency Plan:
- 1 Adopt the Negative Declaration prepared for Environmental Assessment No. EA-17-014, dated August 11, 2017;
 2. BILL (for introduction) - Amending Fresno Municipal Code Sections 6-501, 6-502, and 6-520 relating to regulations for Urban Water Conservation and Excessive Water Use;
 3. ***RESOLUTION - Amending the City of Fresno Water Shortage Contingency Plan; (Subject to Mayor's Veto)
 4. ***RESOLUTION - 534th Amendment to the Master Fee Resolution (MFS) No. 80-420 adopting a new schedule of fines associated with Urban Water Conservation and

Excessive Water Use in the Conditions of Services Works in the Public Utilities Department Section. (Subject to Mayor's Veto)

Sponsors:

Department of Public Utilities

3-E [ID17-1369](#) WORKSHOP - Parks Master Plan

Sponsors:

Development and Resource Management Department

4. CITY COUNCIL

4-A [ID17-1313](#) ***RESOLUTION - Amending the Council Residency Act (Subject to Mayor's Veto).

Sponsors:

Council President Olivier

4-B [ID17-1332](#) Approve an agreement with the Southwest Community Development Corporation for \$100,000, for Fiscal Year 2017-2018 (Council District 3)

Sponsors:

City Councilmember Baines III

5. CLOSED SESSION

5-A [ID17-1331](#) CONFERENCE WITH LEGAL COUNSEL-DECIDING WHETHER TO INITIATE LITIGATION- Government Code Section 54956.9(d)(4)

1. Action for declaratory relief: City of Fresno v. Esparza

Sponsors:

City Attorney's Office

5-B [ID17-1382](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)

1. City of Fresno v. Eliud Hernandez (3231 E. Townsend) Case No.: 17CECG01665 JYH; and City of Fresno v. David Sweet (345 N. Broadway) Case No.: 17CECG01684 MWS. Fresno County Superior Court

5-C [ID17-1389](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)

1. North Central Fire Protection District v. City of Fresno, et al.

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

OCTOBER 19, 2017

2:00 P.M. - WORKSHOP re: Fresno Regional Workforce Development Board - City Manager's Office

OCTOBER 19, 2017

2:10 P.M. - HEARING re: Conditional Use Permit Application No. C-17-079 pertaining to approximately to ±0.87 acres of property located on the northwest corner of East Jensen Avenue and State Highway 99 filed by Ken Vang of Precision Engineering, Inc., on behalf of George Beal of Beal Developments, LLC..

OCTOBER 26, 2017

4:30 P.M. - HEARING to consider the adoption of the Southwest Fresno Specific Plan and related Final Program Environmental Impact Report (FPEIR), State Clearinghouse (SHC) # 2017031012. The following applications have been filed by the City of Fresno Development and Resource Management Director and pertain to approximately 3,255 acres in the DA-1 South Development Area:

NOVEMBER 2, 2017 8:30 A.M. MEETING

NOVEMBER 9, 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. 9, Annexation No. 20 (Assessor's Parcel Number 403-021-03, Development Permit Application No. 2016-031) (south side of East Shepherd between North Millbrook and Cedar Avenues) (Council District 6)

NOVEMBER 9, 2017

10:10 AM - TEFRA HEARING - Westlake Mobile Home Park and Millbrook Mobilehome Village, are located in Council Districts 1 and 4

NOVEMBER 30, 2017

10:00 AM - HEARING to adopt resolutions and ordinance amending Annexation No. 54 of the City of Fresno Community District No. 11, Final Tract Map No. 6073, to change 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)

DECEMBER 7, 2017

10:00 AM - HEARING to adopt resolutions and ordinance amending Annexation No. 74 of the City of Fresno Community District No. 11, Final Tract Map No. 6139, to change the rate and method of apportionment of the special tax, and the Maximum Special Tax to be levied (northeast corner of North Polk Avenue and West Olive Avenue) (Council District 3)

UPCOMING EMPLOYEE CEREMONIES

NOVEMBER 1, 2017

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

2017 CITY COUNCIL MEETING SCHEDULE

OCTOBER 19, 2017 - 1:30 P.M. MEETING

OCTOBER 26, 2017 - 8:30 A.M. MEETING

NOVEMBER 2, 2017 - 8:30 A.M.

NOVEMBER 9, 2017 - 8:30 A.M.

NOVEMBER 16, 2017 - 1:30 P.M.

NOVEMBER 23, 2017 - NO MEETING

NOVEMBER 30, 2017 - 8:30 A.M.