

City of Fresno

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



Meeting Agenda - Final-revised

Thursday, October 11, 2018

9:00 AM

Regular Meeting

Council Chambers

City Council

President - Esmeralda Z. Soria

Vice President - Steve Brandau

Councilmembers:

Oliver L. Baines, III, Paul Caprioglio, Luis Chavez, Garry Bredefeld, Clinton J.

Olivier

City Manager - Wilma Quan-Schecter

City Attorney - Douglas T. Sloan

City Clerk - Yvonne Spence, MMC

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 amarilla 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**

9:00 A.M. ROLL CALL

Invocation

Pledge of Allegiance to the Flag

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** [ID18-1158](#) Approve the reappointment of Delfino Neira to the Fresno Regional Workforce Development Board
- Sponsors:** Council President Soria
- 1-B** [ID18-1071](#) Authorize the Chief of Police to enter into a Memorandum of Understanding with the Fresno County Economic Opportunities Commission for the removal of tattoos from gang-affiliated individuals choosing to abandon the gang lifestyle and victims of human trafficking
- Sponsors:** Police Department
- 1-C** [ID18-1137](#) Approve a Second Amendment to Agreement for the Professional Consultant Services Agreement with CDM Smith, Inc., (CDM), in the amount of \$84,400 and extension to March 31, 2019, for the design and implementation of Phase 3 Groundwater Remedial Action for the Fresno Sanitary Landfill (FSL) (Council District 3)
- Sponsors:** Department of Public Utilities
- 1-D** [ID18-1153](#) ***RESOLUTION - Of Intention by the Council of the City of Fresno, California, to grant a Non-Exclusive Franchise for roll-off collection services to BinCo within the City of Fresno and setting the public hearing for November 15, 2018

(Citywide) (Subject to Mayor's Veto)

Sponsors:

Department of Public Utilities

1-E [ID18-1154](#)

Approve Amendment No. 4 to the Copper River Ranch Water Supply Implementation Agreement approved by Fresno City Council on November 17, 2016 (Council District 6)

Sponsors:

Department of Public Utilities

1-F [ID18-1142](#)

Actions pertaining to the Bridge Preventive Maintenance Program, Phase 1 project - Bid File No 3605

1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301 of the California Environmental Quality Act Guidelines for the Bridge Preventive Maintenance Program, Phase 1 project
2. Award a construction contract in the amount of \$255,715 to American Paving Company for the Bridge Preventive Maintenance Program, Phase 1 project (Council Districts 3,5, and 7)

Sponsors:

Public Works Department

1-G [ID18-1167](#)

Actions pertaining to the dedication of a portion of City-owned property for the purpose of providing a public street easement to accommodate existing public streets on Kern Street and Mono Street between the Union Pacific Railroad right-of-way and "H" Street. (Council District 3)

1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (existing facility) of the CEQA Guidelines
2. ***RESOLUTION - Dedicating a portion of City-owned property for the purpose of providing a public street easement to accommodate existing public streets on Kern Street and Mono Street between the Union Pacific Railroad right-of-way and "H" Street. (Subject to Mayor's Veto)

Sponsors:

Public Works Department

1-H [ID18-1169](#)

Approve an agreement with Provost & Pritchard Consulting Group of Fresno, CA in the amount of \$77,200 with a contingency amount not to exceed \$5,000 for the design of plans, cost estimates, general construction documents,

bidding assistance and contract administration for the Melody Park Splash Pad project. (Council District 4)

Sponsors:

Public Works Department

I-I [ID18-1146](#)

Reject the proposal for Water Fountain Maintenance Services, Proposal No. 9434 (Council District 3)

Sponsors:

Public Works Department

1-J [ID18-1145](#)

Approve the award of a purchase contract to Swanson-Fahrney Ford for the purchase of six Ford F-350 cab and chassis trucks in the amount of \$165,214.74

Sponsors:

Department of Transportation

1-K [ID18-1148](#)

Approve the award of a one-year contract to Van De Pol Enterprises, Inc., of Fresno, California in the amount of \$188,779.45, for the supply of motor oils and lubricants - Bid File 9458

Sponsors:

Department of Transportation

1-L [ID18-1147](#)

Actions related to the Third Amendment to the Airport Lease Agreement with D&D Aircraft Services:

1. Adopt a finding of Categorical Exemption pursuant to Article 19, Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines to authorize Lease Amendment No. 3.
2. Approve Lease Amendment No. 3 between the City of Fresno and D&D Aircraft Services, Inc., at Fresno Chandler Executive Airport. (Council District 3)

Sponsors:

Airports Department

1-M [ID18-1149](#)

Approve the first amendment to the agreement between the City of Fresno and State Center Community College District (SCCCD) to continue acceptance of the SCCC issued identification cards for access on FAX fixed-route buses

Sponsors:

Department of Transportation

1-N [ID18-1163](#)

Authorize the Director of the Development and Resource Management Department or designee to sign the Consulting Services Agreement for \$150,000 with Byrne Software

Technologies, Inc. effective September 28, 2018, to December 31, 2019, for Professional services for Accela System Support.

Sponsors:

Development and Resource Management Department

1-O [ID18-1205](#)

***BILL NO. B-54 - (Intro. 9/27/2018) (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

CEREMONIAL PRESENTATIONS

[ID18-1010](#)

Proclamation of "Disability Awareness Month" and Recognition of the Disability Advisory Commission Award Recipients

Sponsors:

Mayor's Office and City Manager's Office

[ID18-1193](#)

Proclamation of "Code Enforcement Officer Appreciation Week"

Sponsors:

Council President Soria

APPROVE MINUTES

[18-0039](#)

Approval of minutes from September 27, 2018.

Sponsors:

City Clerk's Office

COUNCILMEMBER REPORTS AND COMMENTS

CONTESTED CONSENT CALENDAR

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

9:30 A.M.

[ID18-1176](#)

RESOLUTION - of the Council of the City of Fresno, California, naming the Conference Room at Fresno Yosemite International Airport the "Nick Palomares Room"

Sponsors: Council Member Caprioglio and Airports Department

10:00 A.M.

[ID18-1173](#) Appearance by Gonzalo Arambula to discuss the Police and Sheriff's Departments

3. GENERAL ADMINISTRATION

3-A [ID18-1160](#) Approve Amendment No. 2 to the Parking Lot Management Agreement with SP Plus Corporation at Fresno Yosemite International Airport to extend the term of the agreement, update management fees for the extended term and expense provisions. (Council District 4)

Sponsors: Airports Department

3-B [ID18-1112](#) BILL - (For introduction) Adding Article 33 to Chapter 9 of the Fresno Municipal Code, relating to Shared Mobility Devices

Sponsors: Public Works Department

3-C [ID18-1138](#) Actions pertaining to the sale of APN 467-040-20ST & 467-040-22ST consisting of approximately a 216,493 square foot surface parking lot located on H Street between Kern and Mono to Fresno Sports & Events Partners LLC:

1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 of the California Environmental Quality Act (CEQA) Guidelines
2. Approve the Purchase and Sale Agreement for approximately a 216,493 square foot surface parking lot located on H Street between Kern and Mono to Fresno Sports & Events Partners LLC for \$1,900,000 (District 3)

Sponsors: City Manager's Office

3-D [ID18-1157](#) Actions related to initiating the Proposition 218 process for proposed changes to the schedule of rates for water, wastewater and solid waste services:

1. Direct City staff to initiate the Proposition 218 process for proposed changes to rates for water, wastewater and solid waste services, and
2. Set public hearings regarding proposed changes to rates

for water, wastewater, and solid waste services to December 6, 2018, at 5:00 p.m.

Sponsors: Department of Public Utilities

4. CITY COUNCIL

- 4-A [ID18-1171](#) Actions related to Fancher Creek Parkway:
1. ***RESOLUTION - Adopting the Fancher Creek Parkway Act. (Subject to Mayor's veto)
 2. RESOLUTION - Initiating the Fancher Creek Parkway Concept Plan Pursuant to Fresno Municipal Code Section 15-4902-B

Sponsors: Council Member Chavez

5. CLOSED SESSION

- 5-A [ID18-1122](#) CONFERENCE WITH LABOR NEGOTIATOR - Government Code Section 54957.6
City Negotiator(s): Jeffrey Cardell, Ken Phillips
Employee Organization:
Amalgamated Transit Union, Local 1027 (ATU)

Sponsors: Personnel Services Department

- 5-B [ID18-1144](#) CONFERENCE WITH LEGAL COUNSEL-DECIDING WHETHER TO INITIATE LITIGATION - Government Code Section 54956.9, subdivision (d)(4)
1. City of Fresno v. Sticky Fingers Delivery, People's Cure Inc., One OZ 88, and Green Leaf

Sponsors: City Attorney's Office

- 5-C [ID18-1184](#) CONFERENCE WITH LEGAL COUNSEL-POTENTIAL LITIGATION - Government Code Section 54956.9(d)(2)
1. Shaun Schaefer v. City of Fresno

Sponsors: City Attorney's Office and Council Member Caprioglio

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 18, 2018 - 9:00 A.M. MEETING

OCTOBER 25, 2018

10:00 A.M. - WORKSHOP re: Citizens' Public Safety Advisory Board 2018 Quarter Report

OCTOBER 25, 2018

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. 94 (Final Tract Map No. 5558) (northwest corner of West Herndon Avenue and North Riverside Drive) (Council District 2)

OCTOBER 25, 2018

10:05 A.M. - TEFRA HEARING requested by CMFA (California Municipal Finance Authority) regarding a bond transaction for California Armenian Home

OCTOBER 25, 2018

10:10 A.M. - CONTINUED HEARING – To vacate a street, pipeline, and utility easement in Lot 8 of Tract Map No. 4043. (Council District 1)

November 1, 2018 - 9:00 A.M. MEETING

November 8, 2018

10:00 A.M. - TEFRA HEARING regarding a bond transaction for the Hotel Fresno.

NOVEMBER 15, 2018

10:00 AM #1 - 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. 95 (Final Tract Map No. 5493) (east side of North Bryan Avenue between West Shaw and Gettysburg Avenues) (Council District 1)

NOVEMBER 15, 2018

10:00 AM #2 - HEARING to grant a Non-Exclusive Franchise for roll-off collection services within the City of Fresno

NOVEMBER 22, 2018 - NO MEETING

NOVEMBER 29, 2018 - NO MEETING

DECEMBER 6, 2018

5:00 P.M. - HEARING - Proposition 218 for proposed changes to rates for water, wastewater and solid waste services

UPCOMING EMPLOYEE CEREMONIES

OCTOBER 18, 2018 - Employee of the Fall Quarter

NOVEMBER 7, 2018 (Wednesday) - Employee Service Awards

2018 CITY COUNCIL MEETING SCHEDULE

OCTOBER 18, 2018 - 9:00 A.M. MEETING

OCTOBER 25, 2018 - 9:00 A.M. MEETING

NOVEMBER 1, 2018 - 9:00 A.M. MEETING

NOVEMBER 8, 2018 - 9:00 A.M. MEETING

NOVEMBER 15, 2018 - 9:00 A.M. MEETING

NOVEMBER 22, 2018 - NO MEETING

NOVEMBER 29, 2018 - NO MEETING