

# City of Fresno

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



## Meeting Agenda - Final-revised

Thursday, May 12, 2016

8:30 AM

Regular Session

Council Chambers

### City Council

*President - Paul Caprioglio*

*Vice President - Sal Quintero*

*Councilmembers:*

*Oliver L. Baines, III, Lee Brand, Steve Brandau, Clinton J. Olivier,  
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. Services of an interpreter and additional accommodations, including assistive listening devices, can be made available. Requests for accommodations should be made three days prior to the scheduled meeting. Please contact the City Clerk's Office at 559-621-7650.

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 Pastor Kevin Foster of the LifeBridge Community Church

Pledge of Allegiance to the Flag

## **APPROVE AGENDA**

## **APPROVE MINUTES**

[ID16-146](#)

Approval of minutes from April 28, 2016

## **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 [ID16-420](#)

Approve Second Amendment to the Agreement with AECOM Technical Services Inc., of Fresno, California for professional engineering services for the design modification of existing sewer infrastructure in the H/Broadway Downtown Alley for a net increase of \$6,931 bringing the total fee to \$76,846 (Council District 3)

**Sponsors:**

Department of Public Utilities

1-B [ID16-458](#)

\*\*\*RESOLUTION - 39th amendment to the Annual Appropriation Resolution (AAR) No. 2015-104 to appropriate \$303,100 for additional design funding to accommodate the California High speed Rail (HSR) Authority's track realignment on the Veterans Boulevard/State Route 99 Interchange and Extension project (Requires 5 affirmative votes)

**Sponsors:**

Public Works Department

1-C [ID16-465](#)

RESOLUTION - Of Intention to annex Final Tract Map No.

5341, Annexation No. 66, to the City of Fresno Community Facilities District No. 11 (south side of East Clinton Avenue between North Locan and Temperance Avenues) (Council District 4)

**Sponsors:**

Public Works Department

**1-D** [ID16-482](#)

Approve the Fourth Amendment to the Cooperative Agreement with the Fresno County Transportation Authority (FCTA) re-allocating funds in the amount of \$60,000 from the Right-of-Way phase to Construction phase of the Willow Avenue Widening Project, 0.25 miles south of Nees to Shepherd Avenue under the Measure "C" Tier 1 Program. (Council District 6)

**Sponsors:**

Public Works Department

**1-E** [ID16-507](#)

RESOLUTION - Authorizing the submission of applications for grant funds from the California Department of Transportation 2016 Statewide Active Transportation Program Cycle 3 Call for Projects (Citywide)

**Sponsors:**

Public Works Department

**1-F** [ID16-512](#)

Approve a two-year contract between Fresno City College ("FCC") and the City of Fresno ("CITY") to provide instruction and assessment services of in-service law enforcement personnel.

**Sponsors:**

Police Department

**1-G** [ID16-513](#)

Actions pertaining to construction of the HVAC Modifications at the Airports Department Administration Building (Council District 4)

1. Adopt a finding of Categorical Exemption pursuant to Article 19, Section 15301 (Existing Facilities) Class 1(d) of the California Environmental Quality Act (CEQA) Guidelines for the Airports Department Administration Building HVAC Modifications

2. Award a construction contract to Strategic Mechanical, Inc. of Fresno, California, for the Airports Department Administration Building HVAC Modifications in the amount of \$472,700 (Bid File No. 3441)

**Sponsors:**

Airports Department

- 1-H [ID16-519](#) Approve a consultant agreement with Partners In Control, Inc. dba Enterprise Automation, Inc. for an amount not to exceed \$229,959 to provide software integration services for the City of Fresno's Friant Kern Canal Pipeline Project at the Northeast Surface Water Treatment Facility, (RFP 3407) (District 6 and Fresno County).

**Sponsors:** Department of Public Utilities

- 1-I [ID16-520](#) Approve an amendment to the contract with Brooks-Ransom Associates, in an amount not to exceed \$50,000 for professional engineering services to conduct structural engineering plan check services for Building and Safety customer projects.

**Sponsors:** Development and Resource Management Department

- 1-J [ID16-526](#) Actions pertaining to the 2016 Community Oriented Policing Services (COPS) Hiring Program
1. Approve an agreement with the Fresno Unified School District (FUSD) to assign Student Neighborhood Resource Officers to 15 middle schools and their surrounding neighborhoods.
  2. \*\*\*RESOLUTION - 33rd amendment to the Annual Appropriation Resolution (AAR) No. 2015-104 appropriating \$128,400 for the COPS Hiring Grant to augment the Police Department's SNRO program (Requires 5 affirmative votes)
  3. \*\*\*RESOLUTION - 5th amendment to Position Authorization Resolution (PAR) No. 2015-105, adding five Police Officer positions to the Fresno Police Department, effective May 1, 2016.

**Sponsors:** Police Department

- 1-K [ID16-532](#) RESOLUTION - Approving the reallocation of \$50,000 from contingency in the City Attorney's budget to hire a Budget Consultant

**Sponsors:** Council President Caprioglio

- 1-L [ID16-549](#) \*\*\*BILL NO. B-14 - (Intro. 2/28/2016) (For adoption) - Amending Article 7 of Chapter 10 of the Fresno Municipal Code relating to Management of Real Property.

**Sponsors:** City Manager's Office and City Attorney's Office

**2. GENERAL ADMINISTRATION**

- 2-A [ID16-547](#) Actions pertaining to the City of Fresno 2016-2017 Annual Action Plan:
1. CONTINUED HEARING regarding implementation of the City's proposed activities with federal grant funding; and (Public comment portion was heard on April 28, 2016 and closed)
  2. RESOLUTION -Adopting The FY2017 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

**Sponsors:**

Development and Resource Management Department

- 2-B [ID16-542](#) RESOLUTION - Adopting Substantial Amendment No. 2015-006 to the FY 2015-2016 Annual Action Plan; approving submission to the U.S. Department of Housing and Urban Development (HUD) for reprogramming 3.5 million of Community Development Block Grant (CDBG) Program Funds; providing for Subrecipient Agreements; and authorizing the City Manager to sign all implementing documents required by HUD approved as to form by the City Attorney.

**Sponsors:**

Development and Resource Management Department

- 2-C [ID16-543](#) RESOLUTION - Adopting the Analysis of Impediments to Fair Housing Choice; approving submission to the U.S. Department of Housing and Urban Development (HUD); and authorizing the City Manager to sign all implementing documents required by HUD approved as to form by the City Attorney.

**Sponsors:**

Development and Resource Management Department

- 2-D [ID16-429](#) Actions Pertaining to the Kings River Pipeline Project (Bid

File 3433), (District 5, Fresno County):

1. \*\*\* RESOLUTION - 40th amendment to the Annual Appropriation Resolution (AAR) No. 2015-104 to appropriate \$48,246,900 in the State Revolving Fund Kings River Pipeline Loan Fund for the award of the construction contract and to fund related project support costs for the raw water pipeline from the Kings River to the Southeast Surface Water Treatment Facility (Requires 5 affirmative votes)
2. Award a construction contract in the amount of \$45,583,750 to Garney Pacific Inc. for the City of Fresno Kings River Pipeline Project - Bid File 3433

**Sponsors:**

Department of Public Utilities

**2-E** [ID16-430](#)

Approve the Fifth Amendment to the Professional Engineering Consulting Services Agreement with Carollo Engineers, Inc., in the amount of \$656,175 for a Supplemental Services Task and additional design services associated with a cost savings configuration change of the Treated Water Reservoirs on the City of Fresno's 80-million gallon per day Southeast Surface Water Treatment Facility project; and for full, complete, and comprehensive Engineering Services During Construction for the City of Fresno's Kings River Raw Water Pipeline project (citywide).

**Sponsors:**

Department of Public Utilities

**2-F** [ID16-515](#)

Actions Pertaining to the Recycled Water Transmission Main, Northwest Quadrant, Project (Council District 1, 2 and Fresno County)

1. \*\*\*RESOLUTION - Adopt the 41st Amendment to the Annual Appropriation Resolution No. 2015-14 appropriating \$3,175,800 for the Northwest Recycled Water Distribution System (Requires affirmative 5 votes)
2. Award a consultant agreement in the amount of \$4,491,000 and a contingency of \$225,000 with Blair, Church & Flynn for the Northwest Recycled Water Distribution System

**Sponsors:**

Department of Public Utilities

**2-G** [ID16-510](#)

WORKSHOP regarding Recharge Fresno Program

**Sponsors:**

Department of Public Utilities

- 2-H [ID16-516](#) Actions related to Supplemental Reimbursements for the Urban Growth Management (UGM) and Development Impact Fee Programs.
1. \*\*\*RESOLUTION - 43rd amendment to the Annual Appropriation Resolution (AAR) No. 2015-104 to appropriate \$605,000 for supplemental refunds and reimbursements to approved developers in the Urban Growth Management (UGM) and Development Impact Fee Programs (Requires five affirmative votes)
- Sponsors:** Public Works Department

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

#### **10:00 A.M.**

- [ID16-509](#) TEFRA HEARING - To hear and consider information concerning the proposed issuance of revenue refunding bonds by California Statewide Communities Development Authority ("CSCDA") for the purpose of financing the acquisition and rehabilitation of El Cazador Apartments by Redwood Housing Partners.
1. \*\*\*RESOLUTION - Approving a tax-exempt bond financing to be issued by CSCDA to benefit El Cazador Apartments in the aggregate principal amount not to exceed \$15 million
- Sponsors:** Finance Department

#### **10:15 A.M.**

- [ID16-518](#) HEARING to Consider Plan Amendment Application No. A-15-004, Rezone Application No. R-15-013, Site Plan Review S-15-115, Variance V-15-006 and related Environmental Assessment No. A-15-004/R-15-013/S-15-115/V-15-006, pertaining to approximately 18.5 acres of property on the north side of E. Herndon Avenue between N. Chestnut and N. Willow Avenues (Council District 6)
- a ADOPT the Mitigated Negative Declaration prepared for Environmental Assessment No. A-15-004/R-15-013/S-15-115/V-15-006 dated April 15, 2016.

- b. RESOLUTION - Approving Plan Amendment Application No. A-15-004 proposing to amend the Fresno General Plan and Woodward Park Community Plan to change the planned land use designation for the subject property from Community Commercial to the Medium-High Density Residential land use designation.
- c. BILL (For introduction and adoption) - Repealing the Official Plan Line for N. Winery Avenue from E. Herndon Avenue to N. Willow Avenue (OPL No. 148).
- d. BILL (For introduction and adoption) - Approving Rezone Application No. R-15-013 to rezone the subject property from the CC/EA/UGM (Community Commercial /Expressway Area Overlay/Urban Growth Management) zone district to the RM-1/EA/UGM (Residential Multi-Family, Medium High Density/Expressway Area Overlay/Urban Growth Management) zone district.
- e. SITE PLAN REVIEW Application No. S-15-115 to facilitate approval of a proposed 296-unit gated multiple family residential development with amenities such as community building, swimming pool, garages, and carports.
- f. VARIANCE Application No. V-15-006 for purposes of authorizing (1) an increase in the height of a block wall to a maximum height of up to 8 feet tall; (2) a reduction in the required rear yard setback from twenty feet to ten feet; (3) a reduction in landscaping buffer requirements along interior property lines adjacent to neighboring properties.

**Sponsors:**

Development and Resource Management Department

**11:00 A.M.****[ID16-511](#)**

WORKSHOP - Findings and Recommendations Utilities, Billing and Collection (UBC) Operational Assessment and Evaluation

**Sponsors:**

City Councilmember Brandau

**1:30 P.M.****CONTESTED CONSENT CALENDAR****CEREMONIAL PRESENTATIONS**

- [ID16-373](#) Proclamation of "LUPUS AWARENESS MONTH"  
**Sponsors:** City Councilmember Soria
- [ID16-413](#) Proclamation of "WATER AWARENESS MONTH"  
**Sponsors:** Council President Caprioglio and City Councilmember Brand
- [ID16-503](#) Recognition of "Pacific Gas & Electric and Tree, Inc."  
**Sponsors:** Council President Caprioglio
- [ID16-536](#) Proclamation honoring Marilyn Jost Former Vice Chair of the City of Fresno ADA Council.  
**Sponsors:** Vice President Quintero
- [ID16-560](#) Proclamation of "NATIONAL BIKE MONTH"  
**Sponsors:** City Councilmember Soria
- [ID16-561](#) Recognition of "The Feather Online" Staff for the 2015-2016 School Year  
**Sponsors:** Mayor's Office and City Councilmember Brand

**4. CITY COUNCIL**

- 4-A [ID16-554](#) \*\*\*RESOLUTION - Amending the Economic Expansion Act requirements for abatement of development impact fees  
**Sponsors:** City Councilmember Brand

**5. CLOSED SESSION**

- [ID16-496](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)  
1. City of Fresno v. AIG Financial Products Corporation, et al  
U.S. District Court Case No.: 08 MDL No. 1950  
**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**

*May 19, 2016*

*2:00 P.M.#1 - HEARING re: City of Fresno Community District No. 11, Annexation No. 68 (Final Tract Map No. 6095) (east side of S. Armstrong Avenue between E Church and California Avenues)*

*May 19, 2016*

*2:00 P.M.#3 - HEARING - Regarding City of Fresno Community District No. 11, Annexation No. 70 (Final Tract Map No. 6067) (east side of N. Locan Avenue between E. Shields and Dakota Avenues) (Council District 4)*

*May 19, 2016*

*2:00 P.M.#4 - HEARING 2:00 PM - Re: City of Fresno Community District No. 9, Annexation No. 10 (Conditional Use Permit Application No. 2015-137) (Southeast corner of North Fresno and East Herndon Avenues ) (Council District 6)*

*May 19, 2016*

*2:15 P.M. - HEARING - Regarding the vacation of a portion of North Ninth Street south of East Dakota Avenue (Council District 4)*

*June 9, 2016*

*10:00 AM - HEARING - Regarding City of Fresno Community District No. 11, Annexation No. 66 (Final Tract Map No. 5341) (south side of E. Clinton Avenue between N. Locan and Temperance Avenues) (Council District 4)*

*JUNE 9, 2016*

*10:15 A.M. - HEARING - Re City of Fresno Community District No. 11, Annexation No. 69 (Final Tract Map No. 5595) (area bounded by W. Spruce Avenue, N. Thiele Avenue and W. Farrington Avenue, north of W. Herndon Avenue) (Council District 2)*

*JUNE 23, 2016*

*10:00 AM - HEARING - Adopt the 2015 Urban Water Management Plan.*

**UPCOMING EMPLOYEE CEREMONIES**

*JULY 28, 2016 - 1:30 P.M.- Employee of the Summer Quarter Ceremony*

*OCTOBER 13, 2016 - 1:30 P.M. - Employee of the Fall Quarter Ceremony*

*OCTOBER 19, 2016 - 2:00 P.M. - Employee Service Awards Ceremony*

**2016 CITY COUNCIL MEETING SCHEDULE**

*May 19, 2016 - 1:30 P.M. MEETING*

*May 26, 2016 - NO MEETING*