

# City of Fresno

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



## Meeting Agenda - Final

Thursday, April 4, 2019

9:00 AM

Regular Meeting

Council Chambers

### City Council

*President - Steve Brandau*

*Vice President - Miguel Angel Arias*

*Councilmembers:*

*Esmeralda Z. Soria, Paul Caprioglio, Luis Chavez, Garry Bredefeld, Nelson  
Esparza*

*City Manager - Wilma Quan*

*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](mailto: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](http://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](mailto: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](http://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](mailto: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](http://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**

## **APPROVE MINUTES**

[ID19-1390](#) Approval of minutes for March 21, 2019.

**Sponsors:** City Clerk's Office

## **CEREMONIAL PRESENTATIONS**

[ID19-1473](#) Presentation of the SPCA Pet of the Month

**Sponsors:** Council President Brandau

[ID19-1382](#) Proclamation of "Red Cross Month"

**Sponsors:** Council President Brandau

[ID19-1442](#) Proclamation of "Grizzlies Opening Day"

**Sponsors:** Councilmember Caprioglio and Vice President Arias

[ID19-1455](#) Proclamation of "CA Friday Night Live Month"

**Sponsors:** Councilmember Esparza and Vice President Arias

## **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** [ID19-1213](#) Authorize the Chief of Police to execute an agreement with Broadcast Microwave Services, Inc. (dba Data911) in the amount of approximately \$378,250, over an 18 month period,

for maintenance of Police Computer Aided Dispatch (CAD), Mobile Report Entry System (RPW/RX), Auto Vehicle Location (AVL) System and additional supporting peripheral software systems previously provided by Data911.

**Sponsors:**

Police Department

**1-B** [ID19-1333](#)

Award a contract to De Novo Planning Group for the completion of an Environmental Impact Report and Infrastructure Financing Plan for the Specific Plan of the West Area in the amount of \$399,726 and authorize the Development and Resource Management Department Director to execute documents related to the contract. (District 1, District 2, and District 3)

**Sponsors:**

Development and Resource Management Department

**1-C** [ID19-1437](#)

Authorize the Director of the Development and Resource Management Department or designee to sign the First Amendment to the Consulting Services Agreement with Byrne Software Technologies, Inc. for Professional services for Accela System Support. The amendment is a request to extend the contract by an additional \$200,000

**Sponsors:**

Development and Resource Management Department

**1-D** [ID19-1403](#)

Actions pertaining to the summary vacation of various public utility easements in Tract No. 6073. (Council District 5)

1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301(c)/Class 1 of the California Environmental Quality Act (CEQA) Guidelines, Environmental Assessment No. P18-03855.
2. RESOLUTION - Ordering the summary vacation of various public utility easements in Tract No. 6073.

**Sponsors:**

Public Works Department

**1-E** [ID19-1411](#)

Approve an agreement with Brooks-Ransom Associates Inc., in the amount of \$51,650 with a not-to-exceed contingency of \$3,000 for the design of plans and general construction contract documents for the repairs at Parking Garage No.4 located within the City of Fresno. (District 3)

**Sponsors:**

Public Works Department

- 1-F [ID19-1412](#) Approve the acquisition of 116,004 square feet of permanent street easement from Chimienti Family Trust (APN 512-070-58) in the amount \$258,000 to extend West Gettysburg Avenue from North Bryan Avenue to North Hayes Avenue (Council District 1)

**Sponsors:** Public Works Department

- 1-G [ID19-1367](#) Actions pertaining to a License Agreement Special Event - Woodward Park between IAN Group, LLC and the City of Fresno:

1. Adopt Environmental Assessment No. P19-00964, a Mitigated Negative Declaration dated March 1, 2019.
2. Approve License Agreement Special Event - Woodward Park between IAN Group, LLC and the City of Fresno.

**Sponsors:** City Manager's Office

- 1-H [ID19-1460](#) \*\*\*RESOLUTION - Declaring a Vacancy in the Office of Councilmember for District 2; Calling a Special Election to be Held on August 13, 2019, to Fill the Vacancy; and Calling for a Potential Run-Off Election to be Consolidated with The November 5, 2019 Uniform District Election (Subject to Mayor's veto)

**Sponsors:** City Clerk's Office

- 1-I [ID19-1435](#) Actions pertaining to Milburn and Herndon Junction Structure Repairs (Bid File 3642) (Council District 2):

1. Adopt a finding of Categorical Exemption of Class 1, pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act Guidelines
2. Award a construction contract to Floyd Johnston Construction Co, Inc., in the amount of not to exceed \$268,213

**Sponsors:** Department of Public Utilities

- 1-J [ID19-1436](#) Reject all proposals received for the City of Fresno's Permanent Asphalt Concrete Pavement Repairs - Bid File No. 9484 (Citywide)

**Sponsors:** Department of Public Utilities



- 1-K [ID19-1464](#) Approve Amended Employment Agreement of City Clerk  
**Sponsors:** Council President Brandau
- 1-L [ID19-1465](#) Approve Amended Employment Agreement of City Attorney  
**Sponsors:** Council President Brandau

## **CONTESTED CONSENT CALENDAR**

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

### **3. GENERAL ADMINISTRATION**

- 3-A [ID19-1406](#) Actions pertaining to a comprehensive network upgrade:  
1. Approve a cooperative purchase agreement with AMS.NET, Inc., in the amount of \$9,500,000.00.  
2. Authorize the Chief Information Officer to enter into a finance agreement with Key Government Finance, Inc., on behalf of Cisco Systems Capital Corp., in the amount of \$9,748,900.00.  
3. Authorize the Chief Information Officer to enter into all agreements necessary to facilitate the cooperative purchase and financing of the network equipment purchase.  
**Sponsors:** Information Services Department
- 3-B [ID19-1314](#) \*\*\*RESOLUTION - 29th Amendment to the Annual Appropriations Resolution (AAR) No. 2018-157 appropriating \$1,600,000 for the LED Retrofit Project in Public Works (Subject to Mayor's veto) (Requires 5 affirmative votes)  
**Sponsors:** Public Works Department
- 3-C [ID19-1446](#) RESOLUTION - Adopting a list of proposed Public Works projects to be submitted for Senate Bill 1 Road Maintenance and Rehabilitation Account funds for City of Fresno Fiscal Year 2020  
**Sponsors:** Public Works Department
- 3-D [ID19-1432](#) Provide Anti-Slum Enforcement Team (ASET) Quarterly Report  
**Sponsors:** City Manager's Office and City Attorney's Office

3-E [ID19-1468](#) WORKSHOP - Regarding the Recruitment Process for the Chief of Police

**Sponsors:** City Manager's Office and Personnel Services Department

#### **4. CITY COUNCIL**

4-A [ID19-1470](#) Election of Council President

**Sponsors:** Council President Brandau

4-B [ID19-1484](#) RESOLUTION - Urging the Fresno City Employees Health and Welfare Trust to approve a Kaiser option.

**Sponsors:** Councilmember Esparza and Vice President Arias

4-C [ID19-1494](#) Agreement with BMG Money for Loans at Work, a workplace emergency loan program

**Sponsors:** Council President Brandau

#### **5. CLOSED SESSION**

5-A [ID19-1474](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)

1. City of Fresno v. Illinois Union Ins. Co.; United States District Court Case No.: 18-CV-00573.

**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 11, 2019*

*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. 38 (Assessor's Parcel Number 402-440-07) (northeast corner of North Glenn Avenue and West Nees Avenue) (Council District 2)*

*April 11, 2019*

*10:05 A.M. - HEARING on the Housing Element Annual Progress Report*

*April 11, 2019*

*10:25 A.M. - HEARING to consider Amendments to Conditional Use Permit No. C-16-033, located on the southwest corner of East Belmont and North Van Ness Avenues. (Council District 3)*

*April 25, 2019*

*10:00 A.M. -HEARING re: vacation of a portion of West Spaatz Avenue and North Doolittle Avenue between North Blythe Avenue and West Herndon Avenue (Council District 2).*

*April 25, 2019,*

*10:05 A.M. - HEARING to Consider the Annual Action Plan*

*May 2, 2019*

*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. 39 (east side of North Grantland Avenue between West Barstow and Roberts Avenue) (Council District 2)*

*May 16, 2019*

*10:00 A.M. - HEARING re: Vacation of a portion of West Devlan Avenue and a portion of North Weber Avenue north of the Southern Pacific Railroad (Council District 2).*

*May 16, 2019*

*5:00 P.M. - HEARING on accepting the Initiation of the Specific Plan of the West*

Area

May 23, 2019

10:00 A.M. - HEARING re: vacation of a portion of West Herndon Avenue, west of North Riverside Drive (Council District 2).

**UPCOMING EMPLOYEE CEREMONIES**

April 10, 2019 (Wednesday) – Employee Service Awards

May 16, 2019 – Employee of the Spring Quarter

July 25, 2019 - Employee of the Summer Quarter

October 24, 2019 – Employee of the Fall Quarter

November 20, 2019 (Wednesday) – Employee Service Awards

**2019 CITY COUNCIL MEETING SCHEDULE**

APRIL 11 - 9:00 A.M. MEETING

APRIL 18 - NO MEETING

APRIL 25 - 9:00 A.M. MEETING