

# City of Fresno

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



## Meeting Agenda - Final

Thursday, June 28, 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](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.

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**

9:18 A.M. ROLL CALL

Invocation by Rev. Adrian Lee from the Family Community Church

Pledge of Allegiance to the Flag

## **APPROVE AGENDA**

### **1. CONSENT CALENDAR**

1-A [ID18-0694](#) Actions pertaining to Initiating Proceedings and Declare Intention to Levy the Annual Assessment for the City of Fresno Landscaping and Lighting Maintenance District No. 1; and setting the public hearing for July 26, 2018 at 10:10 a.m. (City-wide)

1. RESOLUTION - Initiating proceedings for the annual levy of assessment
2. RESOLUTION - Of Intention to levy and collect the annual assessment

**Sponsors:** Public Works Department

1-B [ID18-0761](#) \*\*\*RESOLUTION - Dedicating a portion of City-owned property at 8090 N. Palm Avenue for the purpose of providing a private access easement to the adjacent property. (Council District 2) (Subject to Mayor's Veto)

**Sponsors:** Public Works Department

1-C [ID18-0785](#) RESOLUTION - Of Intention to Annex Assessor's Parcel Number 329-130-17, 18, and 19 as Annexation No. 30 to the City of Fresno Community Facilities District No. 9 and to Authorize the Levy of Special Taxes (northwest corner of East Central and South East Avenues) (Council District 3)

**Sponsors:** Public Works Department

1-D [ID18-0789](#) \*\*\*BILL NO. B-37 - (Intro. 6/21/2018) (For adoption) - Adding Article 22 to Chapter 12 of the Fresno Municipal Code to allow At-Risk Development (Subject to Mayor's veto)

**Sponsors:** City Councilmember Bredefeld

1-E [ID18-0796](#) Approve the First Amended and Restated Memorandum of

Understanding Regarding Coordination, Cooperation, and Cost Sharing on Preconstruction Activities Related to the Temperance Flat Reservoir Project

**Sponsors:**

Department of Public Utilities

1-F [ID18-0809](#)

\*\*\*Approve a Side Letter of Agreement with the Fresno Police Officers Association (FPOA), representing Unit 4, Non-Supervisory Police, regarding Lateral Hire Incentives (Subject to Mayor's veto)

**Sponsors:**

Personnel Services Department

1-G [ID18-0827](#)

Approve a professional consultant agreement in the amount of \$152,526 with Ascent Environmental, Inc., a Sacramento-based California corporation, to prepare an EIR for the proposed Darling Rendering Plant Relocation Project.

**Sponsors:**

Development and Resource Management Department

1-H [ID18-0833](#)

Approve the Second Amendment to the Consultant Services Agreement with the Youth Leadership Institute, in an amount not to exceed the appropriations for fiscal years 2018 and 2019, and extend the contract to June 30, 2020, with the option of two one-year extensions

**Sponsors:**

Council President Soria

## **CEREMONIAL PRESENTATIONS**

### **APPROVE MINUTES**

[18-0030](#)

Approval of minutes from June 14, 2018

**Sponsors:**

City Clerk's Office

[ID18-0818](#)

Approval of Budget Hearing minutes from June 19, 2018

**Sponsors:**

City Clerk's Office

[18-0031](#)

Approval of minutes from June 21, 2018.

**Sponsors:**

City Clerk's Office

## **COUNCILMEMBER REPORTS AND COMMENTS**

**CONTESTED CONSENT CALENDAR****Actions on the Fiscal Year 2019 Budget and related items -  
CONTINUED FROM JUNE 21, 2018**

1. [ID18-0821](#)      \*\*\*RESOLUTION - Council Adoption of the Fiscal Year 2018-2019 City of Fresno Budget including the Annual Appropriations Resolution (Subject to Mayor's Veto)  
  
    Sponsors:      Mayor's Office
2. [ID18-0822](#)      \*\*\*RESOLUTION - Adopt the Fiscal Year 2019 Position Authorization Resolution (PAR) (Subject to Mayor's veto)  
  
    Sponsors:      City Manager's Office
3. [ID18-0823](#)      \*\*\*BILL - (For introduction and adoption) - Adoption of Property Tax Override Ordinance (Subject to Mayor's veto)  
  
    Sponsors:      Mayor's Office
4. [ID18-0824](#)      \*\*\*RESOLUTION - Adopt the Fiscal Year 2019 Salary Resolution. (Subject to Mayor's veto)  
  
    Sponsors:      Personnel Services Department
5. [ID18-0825](#)      \*\*\*RESOLUTION - FY 2019 Gann Appropriation Limit Resolution (Subject to Mayor's Veto)  
  
    Sponsors:      Mayor's Office
6. [ID18-0826](#)      RESOLUTION - Approve the City of Fresno (the "City") Investment Policy for Fiscal Year 2018-2019  
  
    Sponsors:      Finance Department

**2. SCHEDULED COUNCIL HEARINGS AND MATTERS****10:00 A.M.**

- [ID18-0764](#)      HEARING Regarding Increasing the Annual Assessment for Tract 3884 of Landscaping and Lighting Maintenance District No. 1. (Council District 2)
1. Submission by City Clerk of Affidavit Certifying the Mailing of Notices and Ballots for Hearing
  2. \*\*\*RESOLUTION - Declaring the Results of the Majority



Protest Public Hearing Proceedings to Increase Assessments for Tract 3884 of Landscaping and Lighting Maintenance District No. 1 and Authorizing the Levy of Increased Assessments

**Sponsors:**

Public Works Department

**10:05 A.M.**

[ID18-0751](#)

HEARING to consider Pre-zone Application No. R-17-020 and related Environmental Assessment No. R-17-020, filed by Jeffrey Roberts, on behalf of the Assemi Group. The application pertains to ±1.43 acres of property located on the south side of West San Jose Avenue between North Maroa and North Del Mar Avenues in the unincorporated portion of City's Sphere of Influence boundary. The proposed site is currently under the jurisdiction of Fresno County and will be annexed to the City of Fresno (Council District 2).

1. ADOPT the Mitigated Negative Declaration prepared for Environmental Assessment No. R-17-020 dated April 20, 2018.
2. BILL - (For introduction and adoption) - Approving Pre-zone Application No. R-17-020 which proposes to amend the Official Zone Map from the R-1 (Single Family Residential, 6,000 sq. foot minimum) County of Fresno zone district to the RS-5 (Single Family Residential, Medium Density ) City of Fresno zone district.

**Sponsors:**

Development and Resource Management Department

**10:15 A.M.**

**JOINT MEETING OF THE SUCCESSOR AGENCY OF THE REDEVELOPMENT AGENCY OF THE CITY OF FRESNO AND THE FRESNO REVITALIZATION CORPORATION**

[ID18-0820](#)

Actions pertaining to approximately 4.79 acres located at 1153 Fresno Street (APN 467-310-12T):

1. Adopt a finding of Categorical Exemption pursuant to Section 15301 of California Environmental Quality Act Guidelines
2. Approve a Purchase, Sale and Settlement Agreement in

the amount of \$1,912,915 for sale of the Kearney Palms Shopping Center Parking Lot to Kearney Palms, LLC.  
(Council District 3)

**Sponsors:** Successor Agency to the Redevelopment Agency of the City of Fresno

### **10:20 A.M. SCHEDULED COMMUNICATION**

[ID18-0834](#) Appearance by Mary Esther Correa to discuss the fines she has received from Code Enforcement (Speaker resides in District 7)

[ID18-0835](#) Appearance by Gonzalo Arambula to discuss the damage done to his wheelchair by a FAX Driver while on a City bus and the need to properly train the bus drivers on handling the disabled.

### **2:00 P.M.**

[ID18-0837](#) HEARING to Consider a Proposed Parks and Public Safety Transactions and Use Tax:

1. \*\*\*BILL - (For introduction and adoption) - Adding Article 15 to Chapter 7 of the Fresno Municipal Code Relating to a Parks and Public Safety Transactions and Use Tax (Requires 5 affirmative votes) (Subject to Mayor's veto)
2. \*\*\*RESOLUTION - Calling a General Election to be held on November 6, 2018, for a Ballot Measure Proposal to Impose a Parks and Public Safety Transactions and Use Tax; Requesting the County to Conduct the Election; and Requesting Consolidation of the Election with any Other Election held on that Date (Subject to Mayor's veto)

**Sponsors:** Mayor's Office

**3. GENERAL ADMINISTRATION**

- 3-A [ID18-0628](#)      WORKSHOP - Transit Restructure and Title VI
- Sponsors:**      Department of Transportation
- 3-B [ID18-0746](#)      Award a construction contract in the amount of \$4,693,392.60 to American Paving Company, of Fresno, California for the Veterans Boulevard Project - Bullard Extension Package from Bullard Avenue to the Riverside Drive and Veterans Boulevard Intersection - Bid File No. 3582 (Council District 2)
- Sponsors:**      Public Works Department
- 3-C [ID18-0783](#)      RESOLUTION - Authorizing the submission of the application for grant funds from the United States Department of Transportation's Better Utilizing Investments to Leverage Development (BUILD) Program and authorizing the execution of documents by the Public Works Director or designee (Council District 2)
- Sponsors:**      Public Works Department
- 3-D [ID18-0748](#)      Actions pertaining to the Herndon Avenue Westbound Widening Project, from Brawley Avenue to Blythe Avenue - Bid File 3606 (Council District 2):
1. Adopt a finding of Categorical Exemption per City of Fresno Environmental Assessment EA-15-028, pursuant to Section 15301/Class 1, Section 15302/Class 2 and Section 15332/Class 32 of the State of California Environmental Quality Act Guidelines for the Herndon Avenue Widening Project, from Brawley Avenue to Blythe Avenue.
  2. Award a construction contract in the amount of \$845,722.30 to Dave Christian Construction Company, of Fresno, California as the lowest responsive and responsible bidder for the Herndon Avenue Westbound Widening Project, from Brawley Avenue to Blythe Avenue.
- Sponsors:**      Public Works Department
- 3-E [ID18-0828](#)      Actions pertaining to the Orange Avenue Pavement Overlay from California Avenue to Jensen Avenue - Bid File 3601 (County of Fresno and Council District 5)

1. Adopt a finding of Categorical Exemption per staff's determination, pursuant to Section 15301(c) of the California Environmental Quality Act Guidelines (CEQA)
2. Award a construction contract in the amount of \$1,143,341 with Avison Construction Inc., of Madera, California, as the lowest responsive and responsible bidder for the Orange Avenue Pavement Overlay from California Avenue to Jensen Avenue

**Sponsors:** Public Works Department

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

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

- 5-A [ID18-0830](#) CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Government Code Section 54956.8  
Property: Fresno Irrigation District property along Herndon Canal between McKinley Ave and Millbrook Ave  
Negotiating Parties: City Manager Wilma Quan-Schecter  
Under Negotiation: Terms and Conditions of Property Acquisition

**Sponsors:** City Attorney's Office

- 5-B [ID18-0831](#) CONFERENCE WITH LABOR NEGOTIATOR - Government Code Section 54957.6  
City Negotiator(s): Jeffrey Cardell, Ken Phillips  
Employee Organizations:  
1. City of Fresno Professional Employees Association (CFPEA)

**Sponsors:** Personnel Services Department

- 5-C [ID18-0838](#) CONFERENCE WITH LABOR NEGOTIATOR - Government Code Section 54957.6  
City Negotiator(s): Jeffrey Cardell, Ken Phillips  
Employee Organizations:  
1. International Association of Firefighters, Local 753, Unit 10 (Fire Management)
- Sponsors:** Personnel Services Department

PLEASE NOTE: UNSCHEDULED COMMUNICATION IS NOT SCHEDULED FOR A SPECIFIC TIME AND MAY BE HEARD ANY TIME DURING THE MEETING

**UNSCHEDULED COMMUNICATION**

**ADJOURNMENT**

**UPCOMING SCHEDULED COUNCIL HEARINGS AND MATTERS**

**UPCOMING EMPLOYEE CEREMONIES**

**2018 CITY COUNCIL MEETING SCHEDULE**