

City of Fresno

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



Meeting Agenda - Final-revised

Thursday, July 31, 2014

8:30 AM

Regular Session

Council Chambers

City Council

Council President - Steve Brandau

Acting President - Oliver Baines, III

Councilmembers:

Lee Brand, Paul Caprioglio, Clinton J. Olivier,

Sal Quintero, Blong Xiong

City Manager - Bruce Rudd

City Attorney - Douglas T. Sloan

City Clerk - Yvonne Spence, CMC

The meeting room is accessible to the physically disabled. If you require special assistance to participate in the meeting, notify the Office of the City Clerk at 559-621-7650 at least three business days prior to the meeting. Please keep the doorways, aisles and wheelchair seating areas open and accessible. If you need assistance with seating because of a disability, contact Security.

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) 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.

8:30 A.M. ROLL CALL

Invocation by Srabjit Singh from Sikh Institute Fresno

Pledge of Allegiance to the Flag

Ceremonial Presentations:

[ID#14-213](#) Proclamation of 'NATIONAL NIGHT OUT' - Acting President Baines

Sponsors: City Councilmember Baines

[ID#14-215](#) Presentation of P.R.I.D.E. Team Certificates to City Employees for the Summer Quarter (Reception immediately following - 2nd floor foyer)

Sponsors: City Clerk's Office

Attachments: [Emp of the Qtr.pdf](#)

Approve Council Minutes

Approve June 26, 2014 FRC minutes

Approve July 17, 2014 Council minutes

Councilmember Reports and Comments

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.

[ID#14-152](#)

1. RESOLUTION - Authorizing the Chief of Police or designee to specify TASER International, Inc., without substitution, for the purchase of 100 TASER Axon Flex Body-worn video cameras under the sole source competitive bidding exception
2. Award a purchase contract in the amount of \$159,732.13 to TASER International, Inc., for the purchase and service of body video cameras to be worn by police officers

Sponsors:

Police Department

Attachments:[Reso sole source, final](#)[TASER Agt_001.final](#)[Sole Source Approval](#)[ID#14-159](#)

- * RESOLUTION - 4th amendment to Annual Appropriations Resolution No. 2014-95 appropriating \$330,400 of Neighborhood Stabilization Program funds for development agreements previously approved by Council (Requires 5 affirmative votes)

Sponsors:

Development and Resource Management Department

Attachments:[15 4th NSP.pdf](#)[ID#14-192](#)

Approve agreements with Unison to complete the purchase of a defined easement for the cell site at Fire Station 13

Sponsors:

Fire Department

Attachments:[Unison Net Profits Agmt.pdf](#)[Unison Easement Agmt.pdf](#)[ID#14-194](#)

*Adopt a Side Letter of Agreement between the City of Fresno and Unit 10, represented by the International Association of Fire Fighters (IAFF), Local 753, Management Unit amending the Memorandum of Understanding (MOU) provision on payment of health care premiums

Sponsors:

Personnel Services Department

Attachments:[IAFF Mgmt HW Reopener.pdf](#)

[ID#14-195](#)

*Adopt a Side Letter of Agreement between the City of Fresno and Unit 15, Airport Public Safety Supervisors (FAPSS), represented by Operating Engineers, Local No. 3 (OE3), regarding benefits for permanent part time employees

Sponsors:

Personnel Services Department

Attachments:

[FAPSS, PPT Benefits](#)

[ID#14-229](#)

Approve appointments of Karl Johnson and the reappointments of Timothy D. Lowe and Craig Scharton; the reappointment of Barbara Goodwin and Mike Rastegar to the Fresno Metropolitan Flood Control District; the appointment of Scott Miller to the Fresno Regional Workforce Investment Board; and the appointment of Lawrence Garcia to the Housing and Community Development Commission (HCDC)

Sponsors:

Mayor's Office

Attachments:

[appointments.pdf](#)

CONTESTED CONSENT CALENDAR

2. GENERAL ADMINISTRATION**[ID#14-172](#)**

Actions pertaining to the N. Willow Avenue widening project, 0.25 miles south of Nees Avenue to Shepherd Avenue - Bid File 3332 (Council District 6)

1. * RESOLUTION - 5th amendment to the Annual Appropriation Resolution No. 2014-95 to appropriate \$3,334,100 for construction costs on the Willow Avenue widening between Nees and Shepherd capital project in FY 2015 (Requires 5 affirmative votes)
2. Award a Construction Contract to Avison Construction Inc., of Madera, California in the amount of \$2,199,899 for the N. Willow Avenue widening project, 0.25 miles south of Nees Avenue to Shepherd Avenue and to authorize the Public Works Director, or his designee, to execute the standard contract on behalf of the City

Sponsors:

Public Works Department

Attachments:

[Willow 5th AAR.pdf](#)

[Bid Evaluation 3332-Fiscal Impact Statement.pdf](#)

[Vicinity Map - Willow widening.pdf](#)

[ID#14-173](#)

Actions pertaining to the McKinley Avenue Traffic Synchronization Project from Highway 99 to Clovis Avenue rebid - Bid File 3338 (Council Districts 1, 3, 4 and 7)

1. Adopt finding of a Categorical Exemption per staff determination, pursuant to Section 15301(c) of the CEQA Guidelines, for the McKinley Avenue Wireless ITS Project from Highway 99 to Clovis Avenue
2. Award a Construction Contract to Crosstown Electrical & Data, Inc. of Irwindale, California in the amount of \$833,370 for the base bid all add alternates for the McKinley Avenue Wireless ITS Project from Highway 99 to Clovis Avenue rebid

Sponsors:

Public Works Department

Attachments:

[Bid Evaluation 3338-Fiscal Impact Statement.pdf](#)

[Vicinity Map - McKinley Traffic Synchronization.pdf](#)

[Findings and Recommendation Letter - BF 3320 & 3338.pc](#)

[ID#14-178](#)

Actions pertaining to the Bullard Avenue Traffic Synchronization Project from Marks Avenue to Willow Avenue rebid - Bid File 3320 (Council Districts 2, 4, 6 and Fresno County)

1. Adopt finding of a Categorical Exemption per staff determination, pursuant to Section 15301(c) of the CEQA Guidelines, for the Bullard Avenue Wireless ITS Project from Marks Avenue to Willow Avenue
2. Award a Construction Contract to Crosstown Electrical & Data, Inc. of Irwindale, California in the amount of \$755,808 for the base bid and add alternate 1 for the Bullard Avenue Wireless ITS Project from Marks Avenue to Willow Avenue rebid

Sponsors:

Public Works Department

Attachments:

[Bid Evaluation 3320-Fiscal Impact Statement.pdf](#)

[Bullard Vicinity Map.pdf](#)

[Findings and Recommendation Letter - BF 3320 & 3338.pc](#)

[ID#14-199](#)

Acquisition of a 2.46-acre parcel located at 6135 N. Golden State Boulevard to use as right-of-way for the construction of Veterans Boulevard Overcrossing (Council District 2)

Sponsors:

Public Works Department

Attachments:

[Veterans Blvd Vicinity Map 4-21-14.pdf](#)

[Vicinity Map.docx](#)

3. CITY COUNCIL[ID#14-210](#)

RESOLUTION of the Council of the City of Fresno, California, supporting California Assembly Bill 69

Sponsors:

City Councilmember Brand and City Councilmember Brandau

Attachments:

[AB 69 reso.pdf](#)

4. CLOSED SESSION

[ID#14-201](#)

CONFERENCE WITH LEGAL COUNSEL-EXISTING
LITIGATION

Government Code Section 54956.9, subdivision (a)

1. City of Fresno, et al v. AIG Financial Products Corp., et al.
U.S. District Court Case No.: 08 MDL No. 1950

Sponsors:

City Attorney's Office

[ID#14-218](#)

CONFERENCE WITH LEGAL COUNSEL - EXISTING
LITIGATION - Government Code Section 54956.9,
Subdivision (d)(1)

1. City of Fresno et al. v. Doug Vagim, et al.; Fresno
Superior Court No. 13CECG03080,
5th District Court of Appeal No. F069296

Related Matter: Doug Vagim, et al. v. City of Fresno, et al.;
Fresno Superior Court No. 13CECG03206

Sponsors:

City Attorney's Office

5. SCHEDULED COUNCIL HEARINGS AND MATTERS**10:00 AM SCHEDULED COMMUNICATION**[ID#14-207](#)

Appearance by Ike Grewal of the Sikh Community Activist to request approval of a discount on the fees for the Convention Center

10:30 A.M.**JOINT MEETING OF THE CITY OF FRESNO AND THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF FRESNO AND FRESNO REVITALIZATION CORPORATION**[ID#14-208](#)

Successor Agency Board, City Council and Fresno Revitalization Corporation Board consider approving:

1. Adopt a finding of Categorical Exemptions pursuant to Article 19, Sections 15301/Class 1 (existing facilities) and 15303/class 3 (new construction or conversion of small structures) of the California Environmental Quality Act (CEQA) Guidelines for ornamental fence installation, 450 M Street @ Santa Clara. (bid file No. 3299); and
2. Award a contract to Marko Construction Group as the lowest responsive and responsible bidder for ornamental fence installation, 450 M Street @ Santa Clara (bid file No. 3299)

Attachments:[450 M Street Fence BF No 3299 BidEval.pdf](#)[7-31-14 meeting_fence designs.pdf](#)

10:45 AM - 1

[ID#14-183](#)

BILL - (For introduction) - Amending the Fresno Municipal Code to add Article 6.5 of Chapter 10, authorizing citizens to file Administrative Complaints for Municipal Code violations involving public nuisances.

Sponsors:

City Attorney's Office

Attachments:

[Ord admin comp.pdf](#)

10:45 AM - 2

[ID#14-188](#)

BILL - (For introduction) - Amending Sections 1-405, 1-407, 1-408, and 1-409 of the Fresno Municipal Code relating to the Administrative Hearing procedure

Sponsors:

City Attorney's Office

Attachments:

[Ord admin hrg.pdf](#)

1:30 P.M.

[ID#14-181](#)

Actions pertaining to a consultant contract for the High Speed Rail Station Area Master Plan

1. * RESOLUTION- 3rd amendment to the Annual Appropriation Resolution (AAR) No. 2014-95 appropriating \$1,020,000 for High Speed Rail Station Master Plan consulting services and miscellaneous City expenses (Requires 5 affirmative votes)
2. Authorize the Director of the Development and Resource Management (DARM) Department to enter into a professional services agreement with the firm of AECOM Technical Services, (AECOM) in the amount not to exceed \$966,068 utilizing funding from the California High Speed Rail Authority (CHSRA) and Fresno Council of Governments (Fresno COG)

Sponsors:

Development and Resource Management Department

Attachments:

[Resolution](#)
[Agreement for Consultant Services](#)

2:00 P.M.

[ID#14-197](#)

Workshop on the City of Fresno's Draft General Plan

Sponsors:

Development and Resource Management Department

Attachments:[Supplement 01.pdf](#)

3:00 P.M.

[ID#14-203](#)

Actions Pertaining to Initiative Measure to Repeal the Four Year Water Rate Plan and Required Council Action

a. Presentation of Report to Council pursuant to Elections Code Section 9212.

b. Take one of the following actions:

1. BILL - (For Introduction) - Adopting the Initiative Measure Repealing Resolution No. 2013-143 that adopted the Four Year Water Rate Plan and Resolution No. 2013-144 that amended the Master Fee Schedule adjusting the water rates; or

2. RESOLUTION - Submitting to City voters the ballot measure relating to Resolution Nos. 2013-143 and 2013-144 that adopted the Four Year Water Rate Plan, for the November 4, 2014 general election.

Sponsors:

City Clerk's Office

Attachments:[Attachment B - Ordinance to Repeal.pdf](#)[Attachment C - Reso Placement of Water Initiative on Ballot](#)

PLEASE NOTE: UNSCHEDULED COMMUNICATIONS 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

Aug. 21

2:00 P.M. HEARING re: Final Tract Map No. 6073 annexed to CFD No. 11; northside of E. Church Avenue betw. S. Chestnut and Peach Avenues (Council District 5)

UPCOMING EMPLOYEE CEREMONIES

Oct. 2

8:30 A.M. Employee of the Fall Quarter (Reception immediately following - 2nd floor foyer)

Oct 22 - (Weds)

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