

# City of Fresno

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



## Meeting Agenda - Final

Thursday, September 24, 2015

8:30 AM

Regular Session

Council Chambers

### City Council

*President - Oliver L. Baines, III*

*Vice President - Paul Caprioglio*

*Councilmembers:*

*Lee Brand, Steve Brandau, Clinton J. Olivier,*

*Sal Quintero, 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. 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](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 Henry Pauls of the Central Community Church

Pledge of Allegiance to the Flag

## **CEREMONIAL PRESENTATIONS**

[ID#15-794](#) Presentation of DPU Golf Tournament Check to Fresno Community Food Bank and DPU Golf Tournament Trophy to Water Division

**Sponsors:** Department of Public Utilities

[ID#15-812](#) Proclamation of "CHARLIE WATERS DAY"

**Sponsors:** City Councilmember Brandau

## **APPROVE MINUTES**

[ID#15-855](#) Approval of City Council minutes from September 10, 2015

[ID#15-856](#) Approval of Successor Agency to the Redevelopment Agency of the City of Fresno minutes from September 10, 2015

[ID#15-857](#) Approval of Fresno Revitalization Corporation minutes from September 10, 2015

## **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.*

1-A [ID#15-756](#) Approve an agreement to reimburse Baltara Enterprises, Limited Partnership an amount not to exceed \$63,283 for the design and construction of an 8-inch diameter water main in

Santa Fe Street, between Inyo Street and Mono Street and authorize the Director of Public Utilities or designee to sign on behalf of the City (Council District 3).

**Sponsors:**

Department of Public Utilities

**1-B** [ID#15-767](#)

Actions related to the:

1. Acquisition of right-of-way for public street purposes from property owned by Jose Garcia in amount of \$15,800 for the construction of Roy Avenue and Almy Avenue street improvements near Fig Avenue (Council District 3)
2. Authorize the Public Works Director, or his designee, to sign all documents necessary to complete the transaction as delegated by City Manager

**Sponsors:**

Public Works Department

**1-C** [ID#15-776](#)

Actions pertaining to the South Van Ness Industrial District Historic Survey (Council District 3)

1. RESOLUTION - Adopting the South Van Ness Industrial District Historic Survey
2. Authorize the Director of the Development and Resource Management Department to forward the survey to the California Office of Historic Preservation pursuant to FMC 12 -1606(7) and the terms of the approved Certified Local Government grant agreement

**Sponsors:**

Development and Resource Management Department

**1-D** [ID#15-789](#)

Approve Amendment to the Agreement with Partners in Control, Inc., to include the addition of cyber and professional liability insurance requirements for update of the City of Fresno's Northeast Surface Water Treatment Facility Vijeo CitectSCADA and Modicon Unity Pro PLC Software system (Citywide).

**Sponsors:**

Department of Public Utilities

**1-E** [ID#15-790](#)

Approve the Fifth Amendment to the Agreement with Provost & Pritchard Engineering Group amending the scope of work and reducing the total fee by \$3,473 for design modifications for the Friant-Kern Canal Raw Water Pipeline (Council District 6 and Fresno County).

**Sponsors:**

Department of Public Utilities

- 1-F [ID#15-793](#) Action related to acquisition of real property to construct a well head treatment facility:
1. Adopt environmental finding as provided in Environmental Assessment No. EA-15-021 of Categorical Exemption pursuant to CEQA Guidelines Sections 15301 and 15332; and
  2. Approve acquisition of one parcel located at 6027 North Glenn Avenue (APN 407-152-07) from Daniel J. Gonzalez and Julia R. Gonzalez for the amount of \$150,000 to construct a well head treatment facility (County Island within Council District 2)
- Sponsors:** Department of Public Utilities
- 1-G [ID#15-805](#) Approve the acquisition of permanent and temporary construction easements from Earleen M. Leshar and the estate of Velda D. Leshar for APNs 580-040-07 and 580-040-07, located in the County of Fresno.
- Sponsors:** Department of Public Utilities
- 1-H [ID#15-808](#) Approve the Second Amendment to the Agreement with Provost and Pritchard Consulting Group of Fresno, California for professional engineering services for the design of new sewer infrastructure in the North Avenue industrial growth area for a net increase of \$13,000 bringing the total fee to \$132,100 (Council District 3).
- Sponsors:** Department of Public Utilities
- 1-I [ID#15-813](#) Approve a consultant agreement in the amount of \$69,915 and a contingency of \$1,000 with AECOM Technical Services, Inc. for the design of the sewer rehabilitation/replacement in the Congo and Federal Downtown Alleys (Council District 3).
- Sponsors:** Department of Public Utilities
- 1-J [ID#15-814](#) Approve the appointment of Ron Hicks to the Fresno County Workforce Investment Board
- Sponsors:** Mayor's Office
- 1-K [ID#15-815](#) Actions pertaining to On-Airport Fresno Airparts Facility Lease Agreement at Fresno Chandler Executive (Council District 3)

1. Adopt a finding of Categorical Exemption pursuant to Article 19, Section 15301(a) and (d)/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines to authorize Lease Amendment No. 1 between the City of Fresno and Joyce Andrews DBA Fresno Airparts Company at Fresno Chandler Executive Airport (FCH)
2. Approve Lease Amendment No. 1 between the City of Fresno and Joyce Andrews DBA Fresno Airparts Company at Fresno Chandler Executive Airport (FCH)

**Sponsors:**

Airports Department

**1-L** [ID#15-816](#)

Approve a Cooperative Agreement in the amount of \$108,457 with the Fresno County Transportation Authority (FCTA) for the Met Block Project Off-Site Improvements under Round 4 of the 2014 funding cycle for the Measure "C" Transit Oriented Development (TOD) Program. (Council District 3)

**Sponsors:**

Public Works Department

**1-M** [ID#15-858](#)

Approve appointments to the Southwest Fresno Specific Plan Steering Committee

**Sponsors:**

Council President Baines III and Mayor's Office

**CONTESTED CONSENT CALENDAR****2. GENERAL ADMINISTRATION****2-A** [ID#15-853](#)

Recommend City Council approve an extension to the current agreement between the City of Fresno and the Fresno Food Exposition, 501(c)(6), for the use of the Fresno Food Convention for five years, starting in July 2016 through 2021

**Sponsors:**

Mayor's Office

**2-B** [ID#15-859](#)

Actions related to Granite Park (Council District 4)

1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 of the California Environmental Quality Act (CEQA) Guidelines
2. Approve a ground lease with Central Valley Community Sports Foundation
3. RESOLUTION -Finding Central Valley Community Sports Foundation is uniquely qualified to provide recreational

programming at Granite Park under the sole source competitive bidding exception

4. Approve a service contract with Central Valley Community Sports Foundation to provide recreational programming at Granite Park

**Sponsors:**

City Manager's Office

2-C [ID#15-854](#)

WORKSHOP regarding Water Program

**Sponsors:**

Department of Public Utilities

2-D [ID#15-833](#)

Actions pertaining to the Capital Project Management of the Urban Water Management Plan Annual Contract between the Department of Public Utilities and CH2MHILL Engineers, Inc.

1. \*\*\*RESOLUTION - 12th amendment to the Annual Appropriation Resolution (AAR) No. 2015-104 appropriating \$1,140,000 for Construction Management Services for the Wastewater Management Recycled Water Distribution Project (Requires 5 affirmative votes)

2. Approval the Fourth Amendment to the Professional Consultant Agreement with CH2M HILL Engineers, Inc., in the amount of \$1,140,000 increasing the approved fiscal year compensation from \$7,100,000 to a revised not-to-exceed amount of \$8,240,000 for Fiscal Year 2016 Program Management Services (Citywide)

**Sponsors:**

Department of Public Utilities

2-E [ID#15-817](#)

Actions pertaining to sewer rehabilitation and replacement in Chinatown (Bid File 3409) (Council District 3)

1. Adopt findings of Categorical Exemption/Class 1, pursuant to Section 15301(d) (Existing facilities) and Categorical Exemption/Class 2, pursuant to Section 15302(c) (Replacement or reconstruction) of the California Environmental Quality Act Guidelines, and

2. Award a construction contract in the amount of \$1,936,204 to Emmett's Excavation, Inc., of Fresno, California

**Sponsors:**

Department of Public Utilities

2-F [ID#15-820](#)

Actions pertaining to the 2016 Selective Traffic Enforcement Program (STEP) grant

1. Authorize the Chief of Police to accept \$700,000 in grant funding for the 2016 STEP grant awarded to the Fresno Police Department from the National Highway Traffic Safety Administration (NHTSA) through the California Office of Traffic Safety (OTS)
2. \*\*\*RESOLUTION - 11th amendment to the Annual Appropriation Resolution (AAR) No. 2015-104 appropriating \$538,300 for the Police Department's STEP grant (Requires 5 affirmative votes)

**Sponsors:**

Police Department

**2-G** [ID#15-821](#)

Actions Relating to the SPARK After School Program

1. Approve a one-year contract with Fresno Unified School District for \$500,000 to conduct the SPARK After School Program running through June 30, 2016
2. \*\*\*RESOLUTION - 15th amendment to the Annual Appropriation Resolution (AAR) No. 2015-104 appropriating \$83,500 from Fresno Unified School District to conduct the SPARK After School Program (Requires 5 affirmative votes)

**Sponsors:**

Parks, After School and Recreation and Community Services Department

**2-H** [ID#15-822](#)

Action relating to the Youth Job Prep Program

1. Approve two one-year contracts with Fresno Unified School District for \$308,000 (\$196,000 and \$112,000) to conduct the Youth Job Prep Program running through June 30, 2016
2. \*\*\*RESOLUTION - 16th amendment to the Annual Appropriation Resolution (AAR) No. 2015-104 appropriating \$230,500 from Fresno Unified School District to conduct the Youth Job Prep Program (Requires 5 affirmative votes)

**Sponsors:**

Parks, After School and Recreation and Community Services Department

**3. CITY COUNCIL****3-A** [ID#15-844](#)

BILL - (For Introduction) Amending Sections 1-405, 1-408, 1-510, and adding Section 1-412 to the Fresno Municipal Code relating to code enforcement hearings

**Sponsors:**

City Councilmember Brand



3-B [ID#15-847](#) BILL - (For Introduction) - Adding Section 105.6.49 to Chapter 10, Article 5 of the Fresno Municipal Code relating to storage of tires

**Sponsors:** City Councilmember Quintero

3-C [ID#15-851](#) BILL - (For introduction) - Adding Subsection (d) to Section 3-277 of the Fresno Municipal Code to Coordinate Council Assistants' Removal from City Service with the Successor Councilmembers' Assumption of Office

**Sponsors:** Council President Baines III

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

##### **10:00 A.M.#1**

[ID#15-786](#) 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. 62 (Final Tract Map No. 6103) (parcels bounded by E. Fancher Creek Drive, S. Purdue Avenue, S. Bundy Avenue, and E. Beck Avenue) (Council District 5)

1. RESOLUTION - Annexing Territory to Community Facilities District No. 11 and authorizing the levy of a special tax
2. RESOLUTION - Calling Special Mailed-Ballot Election
3. RESOLUTION - Declaring Election Results
4. \*\*\*BILL - (For introduction and adoption) - Levying a special tax for the property tax year 2015-2016 and future tax years within and relating to Community Facilities District No. 11, Annexation No. 62, Final Tract Map No. 6103

**Sponsors:** Public Works Department

##### **10:00 A.M.#2**

[ID#15-846](#) WORKSHOP - Update on Blighted Vacant Building Ordinance

**Sponsors:** Development and Resource Management Department

**1:30 P.M.**

**CLOSED SESSION**

[ID#15-825](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)  
1. Betty Hull, et al. v. City of Fresno, et al.; Fresno County Superior Court Case No.: 14CECG00707

**Sponsors:** City Attorney's Office

[ID#15-831](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)  
1. City of Fresno v. Chevron USA, et al.; MDL 1358; Case No. 04-CV-4973 (SAS)

**Sponsors:** City Attorney's Office

[ID#15-832](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)  
1. City of Fresno v. Shell Oil Company, et al.; San Francisco Superior Court Case No. CGC 07-461557

**Sponsors:** City Attorney's Office

[ID#15-834](#) CONFERENCE WITH LABOR NEGOTIATOR - Government Code Section 54957.6  
City Negotiator(s): Jeffrey Cardell and Kenneth Phillips  
Employee Organization(s):  
1. Airport Public Safety Officers

**Sponsors:** Personnel Services Department

**JOINT CLOSED SESSION OF THE CITY OF FRESNO AND THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF FRESNO**

[ID#15-850](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)  
1. City of Fresno v. State of California and Michael Cohen, Director of Finance, in his official capacity, related to repayment of debt from the former Redevelopment Agency

**Sponsors:** Successor Agency to the Redevelopment Agency and 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**

OCTOBER 1, 2015 - NO MEETING

OCTOBER 8, 2015

10:30 A.M. - Welcome Kochi Sister City Delegation

OCTOBER 15, 2015 - NO MEETING

OCTOBER 22, 2015 - 8:30 A.M. MEETING

October 29, 2015

10:00 A.M. - HEARING - HEARING - Regarding the vacation of portions of public street easement at the northwest corner of E. San Gabriel and N. Chestnut Avenues (Council District 4)

November 19, 2015

10:00 A.M. - HEARING - Regarding the vacation of the Lorena-Geary Alley, East Geary Avenue, and the Geary-Florence Alley, all between South Plumas Street and South Walnut Street (Council District 3)

**UPCOMING EMPLOYEE CEREMONIES**

OCTOBER 8, 2015

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

OCTOBER 27, 2015 (Tuesday)

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

**2015 CITY COUNCIL MEETING SCHEDULE**

OCTOBER 1, 2015 - NO MEETING

OCTOBER 8, 2015 - 8:30 A.M.

OCTOBER 15, 2015 - NO MEETING

OCTOBER 22, 2015 - 8:30 A.M.

OCTOBER 29, 2015 - 8:30 A.M.