

City of Fresno

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



Meeting Agenda - Final

Thursday, February 4, 2016

1:30 PM

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. 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.

AGENDA ITEMS MARKED WITH AN ASTERISK (*) ARE SUBJECT TO MAYORAL VETO OR RECONSIDERATION**

1:30 P.M. ROLL CALL

Invocation by Reverend Larry Arce of the Fresno Rescue Mission

Pledge of Allegiance to the Flag

APPROVE AGENDA

APPROVE MINUTES

[ID16-064](#)

Approval of City Council minutes from January 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 [ID16-083](#)

***RESOLUTION - 31st Amendment to the Annual Appropriation Resolution (AAR) No. 2015-104 to appropriate \$26,000 in developer contribution for final reimbursement of right-of-way acquisition deposit for Tract 5273 (Requires 5 affirmative votes)

Sponsors:

Public Works Department

1-B [ID16-119](#)

Actions pertaining to the Traffic Signal Improvements at the intersection of Palm Avenue and McKinley Avenue - Project Bid File No. 3411 (Council Districts 1 and 3)

1. Adopt finding of a Categorical Exemption pursuant to Class 1 Section 15301(c) (existing facilities) of the California Environmental Quality Act (CEQA) Guidelines for the Traffic Signal Protected Left-Turn Phasing Improvements at the intersection of Palm Avenue and McKinley Avenue
2. Award a construction contract to Madco Electric, Inc. of Fresno, California, in the amount of \$335,740 for the Traffic Signal Improvements at the intersection of Palm Avenue and McKinley Avenue

Sponsors: Public Works Department

- 1-C [ID16-123](#) Actions pertaining to the Fresno Priority 2 Regional Transmission Water Mains Pipeline Project:
1. Adopt findings for the Fresno Priority 2 Regional Transmission Water Mains Pipeline Project, Mitigated Negative Declaration (MND), State Clearing House No. 2015101105.
 2. Approve an Amended Exhibit (Figure 1) to the Fresno Metropolitan Water Resources Management Plan Update, reflecting a minor pipeline routing change (citywide).

Sponsors: Department of Public Utilities

- 1-D [ID16-124](#) Approval of a Purchase Agreement between Westervelt Ecological Services, LLC and the City of Fresno, for the purchase of habitat conservation credits from the Dutchman Creek Conservation Bank in the amount of \$399,500, in support of construction of a turnout/diversion facility associated with the Friant-Kern Canal Raw Water Pipeline, to be constructed in the United States Bureau of Reclamation's Friant-Kern Canal.

Sponsors: Department of Public Utilities

- 1-E [ID16-131](#) Approve an agreement between the City of Fresno and the Economic Development Corporation serving Fresno County to assist in implementing and administering local economic development business attraction activities, in the amount of \$50,000.

Sponsors: Mayor's Office and City Manager's Office

- 1-F [ID16-139](#) Consider alignment and width of public streets for a revised 28-lot industrial parcel map and initiation of annexation of the Church-East No.1 Reorganization for property located on the north side of East Church Avenue between South East and South Orange Avenues. (HSR Impacted Property)
1. Adopt the Addendum to the Finding of Conformity for Environmental Assessment (EA) No. R-07-002/TPM-2007-02 for Rezone Application No. R-07-002 and Vesting Tentative Parcel Map No. 2007-01, pursuant to CEQA Guidelines Sections 15162 and 15164.
 2. RESOLUTION - For the proposed street alignments and widths as shown on the revised Vesting Tentative Parcel

Map No. 2007-01, dated September 28, 2015.

3. RESOLUTION - Authorizing the City Manager to initiate annexation of the "Church-East No. 1 Reorganization" with the Fresno Local Agency Formation Commission (LAFCo) for the detachment of an approximately 24.34 net acre site from the Fresno County Fire Protection District and the Kings River Conservation District in order to annex the same territory to the City of Fresno.

Sponsors:

Development and Resource Management Department

1-G [ID16-176](#)

BILL NO. B-1 - (Intro. 1/28/2016) (For adoption) - Approving Text Amendment Application No. TA-15-001A, to adopt Pedestrian Access and Façade Design Development Standards in the Residential Multiple Family and Mixed Use zones of the Citywide Development Code (Sections 15-1004-E, 15-1005, 15-1104-F, and 15-1105)

Sponsors:

Development and Resource Management Department

2. GENERAL ADMINISTRATION

2-B [ID16-126](#)

RESOLUTION - Authorizing execution of a contract for temporary water service with the United States Bureau of Reclamation (USBR) to accept possible non-storable flood flows from Millerton Lake during water year 2016-2017

Sponsors:

Department of Public Utilities

2-C [ID16-132](#)

Approve an agreement in the amount of \$75,000 between the City of Fresno and the Fresno Business Council, Inc., acting as fiscal agent for the Advanced Manufacturing Cluster Initiative, to develop and grow local manufacturing businesses utilizing cross-sector collaboration, enhance competitive economic development among local businesses, and attract new companies.

Sponsors:

Mayor's Office and City Manager's Office

3. CITY COUNCIL

3-A [ID16-133](#)

Award a Consulting Services Agreement in an amount not to exceed \$50,000 annually, for the term of two years to the Youth Leadership Institute to facilitate and manage the implementation of the Fresno Youth Commission (RFP No. 102915)

Sponsors: City Councilmember Soria and City Councilmember Baines
III

4. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:00 A.M. (Continue to 2:00 P.M.)

[ID16-114](#)

HEARING to consider Plan Amendment Application No. A-15-002, Rezone Application No. R-15-009, and related Environmental Assessment No. A-15-002/R-15-009/C-15-167/T-6108, pertaining to approximately 6.56 acres of property located at the northeast corner of the intersection of North Fowler and East Clinton Avenues and approximately 14.37 acres of property located at the southeast corner of the intersection of East Shields and North Bliss Avenues (Council District 4)

1. Adopt the Mitigated Negative Declaration prepared for Environmental Assessment No. A-15-002/R-15-009/C-15-167/T-6108, dated November 25, 2015.
2. RESOLUTION - Approving Plan Amendment Application No. A-15-002 to amend the Fresno General Plan and the McLane Community Plan to change the planned land use designation for an approximately 6.56 acre portion of the subject property from Community Commercial (2.09 ac.) and Medium-Low Density Residential (4.47 ac.) to Medium Density Residential; and, to change the planned land use designation for an approximately 14.37 acre portion of the subject property from Urban Neighborhood to Medium Density Residential.
3. BILL (For introduction and adoption) - Approving Rezone Application No. R-15-009 proposing to amend the Official Zone Map to rezone the approximately 2.09 acre portion of the subject property from the C-1/UGM/cz (Neighborhood Shopping Center/Urban Growth Management/with conditions of zoning) zone district to the RS-5/UGM (Single Family Residential/Urban Growth Management) zone district; and, to rezone the approximately 14.37 acre portion of the subject property from the C-M/UGM/cz (Commercial and Light Manufacturing/Urban Growth Management/with conditions of zoning) zone district to the RS-5/UGM (Single Family Residential/Urban Growth Management) zone district.

(CONTINUE TO 2:00 P.M.)

Sponsors: Development and Resource Management Department

10:15 A.M. (Continue to 2:15 P.M.)

ID16-135

HEARING to Consider Rezone Application No. R-15-011, and related Environmental Assessment No. R-15-011/C-15-149/T-6079, pertaining to approximately 3.07 acres of property located on the south side of East Princeton Avenue between North Fowler and North Bliss Avenues.

(Council District 4)

1. Adopt the Finding of Conformity to the Fresno General Plan Master Environmental Impact Report (SCH#2012111015) as prepared for Environmental Assessment (EA) No. R-15-011/C-15-149/T-6079 dated November 06, 2015.

2. BILL (For introduction and adoption) - Approving Rezone Application No. R-15-011 proposing to amend the Official Zone Map to rezone the subject property from the C-M/UGM/cz (Commercial and Light Manufacturing/Urban Growth Management/with conditions of zoning) zone district to the R-1/RS-5/UGM (Single Family Residential/Urban Growth Management) zone district.
(CONTINUE to 2:15 P.M.)

Sponsors: Development and Resource Management Department

1:30 P.M.

CONTESTED CONSENT CALENDAR (if any)

CEREMONIAL PRESENTATIONS

ID16-170

Presentation of the SPCA Pet of the Month

Sponsors: City Councilmember Brandau

2:00 P.M.

ID16-174

CONTINUED HEARING to consider Plan Amendment Application No. A-15-002, Rezone Application No. R-15-009, and related Environmental Assessment No. A-15-002/R-15-009/C-15-167/T-6108, pertaining to approximately 6.56 acres of property located at the northeast corner of the intersection of North Fowler and East Clinton

Avenues and approximately 14.37 acres of property located at the southeast corner of the intersection of East Shields and North Bliss Avenues (Council District 4)

1. Adopt the Mitigated Negative Declaration prepared for Environmental Assessment No. A-15-002/R-15-009/C-15-167/T-6108, dated November 25, 2015.
2. RESOLUTION - Approving Plan Amendment Application No. A-15-002 to amend the Fresno General Plan and the McLane Community Plan to change the planned land use designation for an approximately 6.56 acre portion of the subject property from Community Commercial (2.09 ac.) and Medium-Low Density Residential (4.47 ac.) to Medium Density Residential; and, to change the planned land use designation for an approximately 14.37 acre portion of the subject property from Urban Neighborhood to Medium Density Residential.
3. BILL (For introduction and adoption) - Approving Rezone Application No. R-15-009 proposing to amend the Official Zone Map to rezone the approximately 2.09 acre portion of the subject property from the C-1/UGM/cz (Neighborhood Shopping Center/Urban Growth Management/with conditions of zoning) zone district to the RS-5/UGM (Single Family Residential/Urban Growth Management) zone district; and, to rezone the approximately 14.37 acre portion of the subject property from the C-M/UGM/cz (Commercial and Light Manufacturing/Urban Growth Management/with conditions of zoning) zone district to the RS-5/UGM (Single Family Residential/Urban Growth Management) zone district.

Sponsors:

Development and Resource Management Department

2:15 P.M.

[ID16-175](#)

CONTINUED HEARING to Consider Rezone Application No. R-15-011, and related Environmental Assessment No. R-15-011/C-15-149/T-6079, pertaining to approximately 3.07 acres of property located on the south side of East Princeton Avenue between North Fowler and North Bliss Avenues. (Council District 4)

1. Adopt the Finding of Conformity to the Fresno General Plan Master Environmental Impact Report (SCH#2012111015) as prepared for Environmental

Assessment (EA) No. R-15-011/C-15-149/T-6079 dated November 06, 2015.

2. BILL (For introduction and adoption) - Approving Rezone Application No. R-15-011 proposing to amend the Official Zone Map to rezone the subject property from the C-M/UGM/cz (Commercial and Light Manufacturing/Urban Growth Management/with conditions of zoning) zone district to the R-1/RS-5/UGM (Single Family Residential/Urban Growth Management) zone district.

Sponsors:

Development and Resource Management Department

5:00 P.M.

[ID16-130](#)

HEARING to consider Plan Amendment Application No. A-15-007, Rezone Application No. R-15-016 (also known as the "Zoning Map Update"), and related environmental finding filed by the Development and Resource Management Department Director pertaining to the following:

1. Adopt the environmental findings for Environmental Assessment No. A-15-007, R-15-016, an Addendum to Final Master Environmental Impact Report SCH No. 2012111015 (MEIR) certified by the Fresno City Council on December 18, 2014 for the Fresno General Plan and Development Code, pursuant to California Environmental Quality Act Guidelines Sections 15162 and 15164;
2. RESOLUTION - Approving Plan Amendment Application No. A-15-007 to amend the Fresno General Plan (Figure LU-1: Land Use and Circulation Map, and Figure LU-2: Dual Designation Diagram), the Bullard, Fresno High, McLane, Roosevelt, West Area, and Woodward Park Community Plans, the Tower District Specific Plan, the Fresno Yosemite Airport Land Use Compatibility Plan and the Sierra Sky Park Land Use Policy Plan, as described in Exhibit A (including errata indicated on Table 1); and
3. BILL - (for introduction and adoption) approving Rezone Application No. R-15-016 to update the Zoning Map of the City of Fresno by adopting the Proposed Zoning Map and Overlay District Map consistent with the City of Fresno General Plan Land Use and Circulation Map adopted on December 18, 2014, and as subsequently amended, as described in Exhibit B. All conditions of zoning will remain in

effect.

Sponsors:

Development and Resource Management Department

5. CLOSED SESSION

ID16-104

CONFERENCE WITH LEGAL COUNSEL - DECIDING WHETHER TO INITIATE LITIGATION -

Government Code Section 54956.9, subdivision (d)(4)

1. City of Fresno, psi, administered by Risico Claims Management vs. State Center Community College District; Fresno City College; Fresno City College Police Academy, et al.

Sponsors:

City Attorney's Office

ID16-167

CONFERENCE WITH LABOR NEGOTIATOR - Government Code Section 54957.6

City Negotiator(s): Jeffrey Cardell, Ken Phillips

Employee Organizations: Fresno City Employees Association (FCEA)

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

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

FEBRUARY 25, 2016

10:00 AM - HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community District No. 11, Annexation No. 65 (Final Tract Map No. 6104) (parcels bounded by E. Fancher Creek Drive, S. Purdue Avenue, S. Bundy Avenue, and E. Beck Avenue) (Council District 5)

FEBRUARY 25, 2016

10:15 A.M. - HEARING on Weed Abatement for 2016

March 31, 2016

10:00 A.M. HEARING - Regarding the vacation of the alleys south of East Franklin Avenue between North Broadway Avenue and State Route 180 (Council District 3)

UPCOMING EMPLOYEE CEREMONIES

APRIL 14, 2016 -1:30 P.M. - Employee of the Spring Quarter Ceremony

APRIL 27, 2016 - 2:00 P.M. Employee Service Awards Ceremony

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

FEBRUARY 11, 2016 -NO MEETING

FEBRUARY 18, 2016 - NO MEETING - PRESIDENT'S DAY

FEBRUARY 25, 2016 - 8:30 A.M.