

# City of Fresno

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



## Meeting Agenda - Final

Thursday, June 16, 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. Services of an interpreter and additional accommodations, including assistive listening devices, can be made available. Requests for accommodations should be made as early as possible prior to the scheduled meeting. Please contact the City Clerk's Office at 559-621-7650.

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**

1:30 P.M. ROLL CALL

Invocation by Reza Nekumanesh of the Islamic Cultural Center

Pledge of Allegiance to the Flag

## **APPROVE AGENDA**

## **APPROVE MINUTES**

[ID16-150](#)

Approval of minutes from: June 7, 2016; June 8, 2016 and; June 9, 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** [ID16-660](#)

Approval of a Purchase Agreement between Westervelt Ecological Services, LLC, and the City of Fresno, for the purchase of habitat conservation credits from the Grasslands Mitigation Bank in the amount of \$73,500, in support of construction of a turnout/diversion facility associated with the Friant-Kern Canal Raw Water Pipeline, to be constructed in the U.S. Bureau of Reclamation's Friant-Kern Canal (Council District 6, County).

**Sponsors:**

Department of Public Utilities

**1-B** [ID16-674](#)

Actions pertaining to the 2016 Edward Byrne Memorial Justice Assistance Grant (JAG) Program

1. Authorize the Chief of Police to apply for and accept \$269,208 in total grant funding for the 2016 JAG Program from the U.S. Department of Justice, Bureau of Justice Assistance for the City and County of Fresno
2. Authorize the Chief of Police to execute all related documents to the application, acceptance, and

administration of 2016 JAG Program

**Sponsors:**

Police Department

1-C [ID16-679](#)

Award a purchase agreement between City of Fresno and Vincent Communications, Incorporated for the purchase of emergency communications equipment.

**Sponsors:**

Fire Department

1-D [ID16-680](#)

Award a purchase agreement between City of Fresno and Keller Motors for the purchase of five (5) Chevy Silverado Pickup trucks in the amount of \$188,642.05 for the Fire Department's four new training officer positions and one new deputy chief position.

**Sponsors:**

Fire Department

1-E [ID16-684](#)

Actions pertaining to Headworks Wet Well Cleaning at the Fresno/Clovis Regional Wastewater Reclamation Facility (Bid File 3466) (Council District 3)

1. \*\*\*RESOLUTION - 52nd amendment to the Annual Appropriation Resolution (AAR) No. 2015-104 appropriating \$299,400 (Requires 5 affirmative votes)
2. Adopt a finding of Categorical Exemption of Class 1, pursuant to Section 15301(b) (Existing facilities) of the California Environmental Quality Act Guidelines
3. Award a \$289,394 construction contract to Pipe and Plant Solutions, Inc., of Berkeley, California

**Sponsors:**

Department of Public Utilities

1-F [ID16-685](#)

Approve a License Agreement between the Fresno Irrigation District (District) and the City of Fresno with a one-time fee of \$5,000 for the construction, maintenance, and operation of the Kings River Pipeline turnout/diversion facility. (County)

**Sponsors:**

Department of Public Utilities

1-G [ID16-686](#)

Approve Agreement to Reimburse Fresno Irrigation District for Activities Related to the Implementation of Recharge Fresno Projects in an Amount Not To Exceed \$200,000, for Necessary Plan Review Services, Construction Permits, Construction Inspections, and Related Activities (Citywide).

**Sponsors:**

Department of Public Utilities

1-H [ID16-688](#)

Award a construction contract in the amount of \$430,569 to

American Construction Engineers of Tollhouse, California for the Herndon Right Turn Lane Improvements at the intersection of Herndon and Blackstone Avenues - Bid File No. 3461 (Council District 6)

**Sponsors:**

Public Works Department

**1-I**     [ID16-639](#)

Approve an agreement with Quad Knopf, Inc. of Fresno, CA in the amount of \$104,000 for the design of plans, cost estimates and general construction documents for the Holmes Park and Mosqueda Park Splash Pads project (Council Districts 3 & 5)

**Sponsors:**

Public Works Department, Parks, After School and Recreation and Community Services Department

**1-J**     [ID16-644](#)

Actions pertaining to retaining financial consulting services for the Department of Public Utilities (DPU) divisions (RFQ No. 24272) (Citywide)

1. Award a contract for an amount not to exceed \$156,600 to Municipal Financial Services for financial consulting services for DPU Water Division and Wastewater Management Divisions

2. Award a contract for an amount not to exceed \$113,480 for HF&F Consultants for financial consulting services for DPU Solid Waste Management Division

**Sponsors:**

Department of Public Utilities

**1-K**     [ID16-734](#)

Approve the City of Fresno Transparency in City Government Act - Article VIII Annual Compensation Disclosure Report for 2015

**Sponsors:**

City Manager's Office

**1-L**     [ID16-709](#)

Approve a consultant services agreement with Campbell Strategy and Advocacy, LLC for an amount not to exceed \$270,000 for professional lobbying and consulting services in California.

**Sponsors:**

Mayor's Office

## **CEREMONIAL PRESENTATIONS**

[ID16-728](#)

Proclamation of "ALZHEIMER'S AND BRAIN AWARENESS MONTH"

**Sponsors:** City Councilmember Soria

## **CONTESTED CONSENT CALENDAR**

### **2. GENERAL ADMINISTRATION**

- 2-A [ID16-744](#) Actions Pertaining to a General On-Bill Financing Loan:
1. Approve an agreement with Pacific Gas & Electric (PG&E) with the maximum amount of \$250,000, for a General On-Bill Financing Loan to replace certain high pressure sodium (HPS) street light fixtures with more energy efficient light-emitting diode (LED) fixtures throughout the City.
  2. \*\*\*RESOLUTION - 44th amendment to the Annual Appropriation Resolution (AAR) No. 2015-104 appropriating \$38,600 of Measure C flexible funding to begin the Citywide LED Retrofit of Street Lights - Phase I project (Requires 5 affirmative votes)

**Sponsors:** Public Works Department

- 2-B [ID16-661](#) Actions pertaining to the design contract for the Recycled Water Distribution System, Southwest Quadrant, Project (Council District 3 and Fresno County)
1. \*\*\*RESOLUTION - 48th Amendment to the Annual Appropriation Resolution (AAR) No. 2015-104 appropriating \$674,300 (Requires affirmative 5 votes)
  2. Approve the First Amendment to the Agreement with Blair, Church & Flynn Consulting Engineers, a California Corporation for professional engineering services for the design (Council District 3 and portions of Fresno County)

**Sponsors:** Department of Public Utilities

- 2-C [ID16-663](#) Actions pertaining to construction of the Headworks Odor Control System Replacement and Relocation at the Regional Wastewater Reclamation Facility (RWRF) (Bid File 3464) (Council District 3)
1. \*\*\*RESOLUTION - 53rd amendment to the Annual Appropriation Resolution No. 2015-104 appropriating \$1,570,500 (Requires 5 affirmative votes)
  2. Adopt a finding of Categorical Exemption of Class 3, pursuant to Section 15303 of the California Environmental Quality Act Guidelines
  3. Award a Construction Contract to Hal Hays Construction

Inc. of Riverside, California in the amount of \$8,296,900

**Sponsors:**

Department of Public Utilities

**2-D**     [ID16-676](#)

Actions pertaining to construction of the Orange Center School District Pipeline Project (Bid File Number 3421) (Fresno County; City of Fresno Sphere of Influence)

1. \*\*\*RESOLUTION - 50th amendment to the Annual Appropriation Resolution (AAR) No. 2015-104 appropriating \$1,190,400.00 for the award of the construction contract for the Orange Center School District Pipeline Project (Requires 5 affirmative votes)

2. Award a construction contract in the amount of \$1,190,302.29 to Dawson-Mauldin Construction, Inc. for the Orange Center School District Pipeline Project

**Sponsors:**

Department of Public Utilities

**2-E**     [ID16-681](#)

Approve a consultant services agreement with Kimley-Horn and Associates, Inc., to provide professional civil engineering consulting services for the reconstruction of Taxiway C and cross Taxiway C10 at Fresno Yosemite International Airport (FAT) in an amount not to exceed \$1,006,000 (Council District 4)

**Sponsors:**

Airports Department

**2-F**     [ID16-687](#)

Actions Pertaining to the Kings River Pipeline Project (Bid File 3433), (District 5, Fresno County)

1. Approve an Agreement for Repair of County Roads along the alignment for the raw water pipeline from the Kings River to the Southeast Surface Water Treatment Facility

2. Approve an Addendum to the County Road Encroachment Permit along the alignment for the raw water pipeline from the Kings River to the Southeast Surface Water Treatment Facility

**Sponsors:**

Department of Public Utilities

**2-G**     [ID16-725](#)

\*\*\*RESOLUTION - Amending the Better Business Act to add an exception when the City serves as co-applicant for certain State and Federal funds

**Sponsors:**

City Manager's Office

**2-H**     [ID16-708](#)

RESOLUTION - Authorizing the addition of subcontractors to a construction contract of \$1,266,048.61 between the City of

Fresno and Clean Energy, Inc. due to public necessity

**Sponsors:**

Department of Public Transportation

**2-I**     [ID16-657](#)

\*\*\*RESOLUTION - 49th amendment to the Annual Appropriation Resolution (AAR) No. 2015-104 appropriating \$2,210,000 in the General Fund for the payment of claims and refunds in the Workers Compensation Fund. (Requires 5 affirmative votes)

**Sponsors:**

Personnel Services Department

[ID16-724](#)

Actions pertaining to the Cesar Chavez Foundation Project located at the 5100 block of E. Kings Canyon Road

1. \*\*\*RESOLUTION - Authorizing Application for the Affordable Housing and Sustainable Communities Program and Authorizing Execution of Program Documents - Cesar Chavez Project (District 5)
2. Approve Amended Disposition and Development Agreement between Cesar Chavez Foundation and the City of Fresno
3. Approve a Waiver of Development Impact Fees in the amount of \$648,133.42.

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

#### **2:00 P.M.#1**

[ID16-696](#)

Appearance by Antonio Simone to discuss the possibility of locking garbage/recycling cans to avoid people going through them

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

[ID16-722](#)

Continued Budget Hearing Overflow (if needed)

**Sponsors:**

Finance Department

### **4. CITY COUNCIL**

### **5. CLOSED SESSION**

[ID16-721](#)

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Government Code Section 54956.9(d)(4)  
Significant Exposure to Litigation:



1. Hustler Hollywood v. City of Fresno

**Sponsors:**

City Attorney's Office

**ID16-727**

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

1. Shanney Johnson, et al., v. City of Fresno, et al.; Fresno  
County Superior Court Case No.: 16CECG00976

**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**

*JUNE 23, 2016*

*10:00 A.M. - HEARING - Urban Water Management Plan*

*JUNE 30 2016 -*

*10:00 HEARING - Rezone Application No. R-16-004, Annexation Application No. ANX-16-001, and related Environmental Assessment No. R 16  
004/ANX-16-001/T-6139, filed by Lennar Fresno, Inc. and pertaining to  
approximately 38.70 acres of property located on the northeast corner of N. Polk  
and W. Olive Avenues.*

*JULY 28, 2016*

*10:00 A.M. - HEARING Regarding the vacation of a portion of W. Spruce Avenue  
(formally N. Josephine Avenue) and W. Elgin Avenue (Council District 2)*

*July 28, 2016*

*10:15 A.M. - HEARING to consider the proposed Annual Assessment for the City*

*of Fresno Landscaping and Lighting Maintenance District No. 1 (Citywide)*

*July 28, 2016*

*10:30 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. 71(Final Tract Map No. 6079 and 6108) (northeast corner of North Fowler Avenue and East Clinton Avenue) (Council District 4)*

**UPCOMING BUDGET HEARINGS: (Subject to Change)**

*June 21, 2106 - 9:30 A.M.*

*Council Vote on Motions Made During Budget Hearing*

*JUNE 23, 2016 - (TBA) - Budget Adoption*

*JUNE 30, 2016 - Budget Adoption Deadline*

**UPCOMING EMPLOYEE CEREMONIES**

*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**

*JUNE 23, 2016 - 8:30 A.M. MEETING (BUDGET ADOPTION)*

*JUNE 30, 2016 - 8:30 A.M. MEETING*

*JULY 7, 2016 - NO MEETING*

*JULY 14, 2016 - 8:30 A.M. MEETING*

*JULY 21, 2016 - COUNCIL VACATION*

*JULY 28, 2016 - 8:30 A.M. MEETING*