

City of Fresno

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



Meeting Agenda - Final-revised

Thursday, July 28, 2016

9:00 AM

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 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. 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, as well as in the Office of the City Clerk.

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 como 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. 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, o en la Oficina del Secretario Municipal.

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. 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, los sis ntawm 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.

AGENDA ITEMS MARKED WITH THREE ASTERISKS (*) ARE SUBJECT TO
MAYORAL VETO OR RECONSIDERATION**

**President Caprioglio will be present via conference call from
Conoco Gas Station: 90 Lone Mountain Trail, Big Sky MT 59716**

9:00 A.M. ROLL CALL

Invocation by Pastor Bill Chaney of the Valley Christian Center

Pledge of Allegiance to the Flag

APPROVE AGENDA

APPROVE MINUTES

[ID16-154](#)

Approval of minutes from July 14, 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 at 1:30 P.M.

1-A [ID16-763](#)

Actions pertaining to right-of-way acquisition from a portion of APN 504-091-30 & 31, owned by Jenco Farms L.P., a California limited partnership, for the Veterans Boulevard project:

1. Approve the acquisition of 8,948 square feet of property owned by Jenco Farms L. P.; for an easement and right-of-way for public street purposes, in the amount of \$53,700 for the construction of Veterans Boulevard at the intersection of Herndon and Hayes Avenue. (Council District 2)
2. Authorize the Public Works Director, or his designee, to sign all documents necessary to complete the transaction.

Sponsors:

Public Works Department

- 1-B** [ID16-790](#) Actions related to the selling of water pump site 001A to the adjacent property owner Civic Center Square:
1. Adoption of a finding of no possibility of significant effect pursuant to CEQA Guidelines Section 15061(b) (3) and Categorical Exemption pursuant to CEQA Guidelines Section 15312 for the sale of a small abandoned water well parcel.
 2. The sale of a small abandoned water well parcel know as APN 468-182-06T located near Inyo Street and "P" Street, to the adjacent property owner Civic Center Square, Inc., and to give the Public Works Director, or his designee, authority to sign all documents necessary to complete the transaction. (Council District 3)

Sponsors:

Public Works Department

- 1-C** [ID16-803](#) Actions pertaining to the acquisition of a portion of APN 505-080-22s, owned by John Robert Lawson and the Jonathan Smith Lawson 2503(3) Trust dated May 13, 1997, for the Veterans Boulevard project:
1. Approve the acquisition of 37,270 square feet of property owned by John Robert Lawson and the Jonathan Smith Lawson 2503(3) Trust dated May 13, 1997 in fee simple right-of-way for public street purposes, in the amount of \$159,800 for the construction of Veterans Boulevard interchange over State Route 99 near Bullard Avenue and Golden State Boulevard. (Council District 2)
 2. Authorize the Public Works Director, or his designee, to sign all documents necessary to complete the transaction

Sponsors:

Public Works Department

- 1-D** [ID16-826](#) Actions pertaining to the Parking Agreement between the City of Fresno and Haron Motor Sales, Inc.
1. Adopt a finding of Categorical Exemption per staff determination pursuant to Article 19, Section 15301 Class 1 (existing facility) of the California Environmental Quality Act Guidelines
 2. Authorize the Parking Agreement between the City of Fresno and Haron Motor Sales, Inc. for one (1) year term (Council District No. 3)

Sponsors:

Development and Resource Management Department

- 1-E [ID16-828](#) Actions related to the sale of water pump site 28A to the adjacent property owner Jagir Kaur Kang, Trustee of the Jagir Kaur Kang Family Trust:
1. Adoption of a finding of no possibility of significant effect pursuant to CEQA Guidelines Section 15061 and Categorical Exemption pursuant to CEQA Guidelines Section 15312 for the sale of an abandoned water well parcel.
 2. Approve the sale of a small abandoned water well parcel known as APN 450-183-02T located near Olive Avenue and Fruit Avenue, to the adjacent property owner Jagir Kaur Kang, Trustee of the Jagir Kaur Kang Family Trust and authorize the Public Works Director, or his designee, to sign all documents necessary to complete the transaction.
(Council District 3)

Sponsors:

Public Works Department

- 1-F [ID16-841](#) ***RESOLUTION - Declaring the results of the Consolidated Direct Primary Election held within the City of Fresno on June 7, 2016

Sponsors:

City Clerk's Office

- 1-G [ID16-843](#) RESOLUTION - Authorizing the submission of grant applications to the California Department of Transportation (Caltrans) Cycle 8 Highway Safety Improvement Program (HSIP) and authorizing the execution of all application related documents by the Public Works Director or designee
(Council Districts 1, 2, 4 and 6)

Sponsors:

Public Works Department

- 1-H [ID16-848](#) Approve a consultant services agreement with Silveira Consulting for an amount not to exceed \$103,545 to provide Labor Compliance Monitoring Services for the Phase 2 Regional Transmission Mains project (Citywide)

Sponsors:

Department of Public Utilities

- 1-I [ID16-852](#) Approve a professional consultant agreement in the amount of \$78,262 with Siegfried Engineering, Inc., a Stockton-based California corporation, for design and engineering services to support the installation of upgraded

passenger amenities for the Department of Transportation/Fresno Area Express (FAX)

Sponsors: Department of Public Transportation

2. GENERAL ADMINISTRATION

- 2-A [ID16-794](#) Approve an agreement with Jeff Katz Architecture of San Diego, CA in the amount of \$465,000 with a contingency amount not to exceed \$15,000 for the design of plans, cost estimates and general construction documents for the Fire Station No. 18 project (Council District 1)

Sponsors: Public Works Department and Fire Department

- 2-B [ID16-850](#) Actions related to the Southeast Surface Water Treatment Facility:
1. RESOLUTION - Authorizing the Purchasing Manager of the Finance Department or designee to award the Rule 16 Power Extension Service Agreement without advertised competitive bidding utilizing the sole source exception in the Fresno City Charter
 2. Approve a Rule 16 Power Extension Service Agreement with PG&E in the amount of \$993,448.79 in providing electrical power to the City of Fresno's Southeast Surface Water Treatment Facility. Bid File 3369 (Citywide).
 3. Authorize the Director of Public Utilities or designee, to sign the Agreement on behalf of the City of Fresno.

Sponsors: Department of Public Utilities

3. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:00 A.M.

HEARING – Regarding the vacation of portions of W. Spruce Avenue (formerly N. Josephine) and W. Elgin Avenue (Council District 2) (Continue to 10:15 A.M.)

10:15 A.M.#1

- [ID16-714](#) CONTINUED HEARING - Regarding the vacation of portions of W. Spruce Avenue (formerly N. Josephine) and W. Elgin Avenue (Council District 2)
1. ***RESOLUTION - Ordering the vacation of portions of W.

Spruce Avenue (formerly N. Josephine) and W. Elgin Avenue

Sponsors: Public Works Department

10:15 A.M.#2

[ID16-837](#)

HEARING to consider the proposed Annual Assessment for the City of Fresno Landscaping and Lighting Maintenance District No. 1 (Citywide)

1. RESOLUTION - Confirming the diagram and assessment and levy of annual assessment, 2016-2017, for Landscaping and Lighting District No. 1

Sponsors: Public Works Department

10:30 A.M.

[ID16-829](#)

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 N. Fowler Avenue and E. Clinton Avenue) (Council District 4)

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 2016-2017 and Future Tax Years Within and Relating to Community Facilities District No. 11, Annexation No. 71, Final Tract Map No. 6079 and 6108

Sponsors: Public Works Department

10:45 A.M.

[ID16-842](#)

TEFRA HEARING - To hear and consider information concerning the proposed issuance of revenue refunding bonds by California Statewide Communities Development Authority ("CSCDA") for the purpose of financing the acquisition, rehabilitation, furnishing and equipping of Parks at Fig Garden Apartments by Fruit Avenue Housing

Associates, LP, and certain other matters relating thereto

1. ***RESOLUTION - Approving a tax-exempt bond financing to be issued by CSCDA to benefit Parks at Fig Garden Apartments in the aggregate principal amount not to exceed \$38 million

Sponsors:

Finance Department

10:50 A.M.

[ID16-844](#)

HEARING to consider adoption of a resolution related to the designation of a property to the Local Register of Historic Resources

1. ***RESOLUTION- Designating the A. Emory and Cora Wishon Home located at 1284 N. Wilson Avenue, Fresno, California to the Local Register of Historic Resources (Council District 1)

Sponsors:

Development and Resource Management Department

1:30 P.M.

CONTESTED CONSENT CALENDAR

CEREMONIAL PRESENTATIONS

[ID16-853](#)

Presentation of Certificates to the Employees' of the Summer Quarter - Reception immediately following - 2nd Floor Foyer

Sponsors:

City Clerk's Office

1:45 P.M.

SCHEDULED COMMUNICATION

[ID16-839](#)

Appearance by Kim Castro to share information on CALM - Citizens Against Legalizing Marijuana and request Council take a position of this legislation (Speaker resides in the County of Fresno)

[ID16-860](#)

Appearance by Morgan Kristine Chiles to address issues regarding the Fresno Police Department policies and public records with a legislative recommendation (Speaker resides in District 1)

4. CITY COUNCIL

[ID16-868](#) BILL - (for introduction) - Amending Section 11-107A of the Fresno Municipal Code relating to plumbing regulations and affirming the express findings for modifications contained in the City of Fresno Plumbing Code

Sponsors: City Councilmember Brand

[ID16-875](#) ***Approve Amendment No. 1 to the Water Conservation Act, implementing a rebate program and low interest rate loan program for homes with galvanized pipes

Sponsors: City Councilmember Brand

5. CLOSED SESSION

[ID16-866](#) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Government Code Section 54956.9, subdivision (d)(2)
Significant Exposure to Litigation: Lisa Wray v. City of Fresno

Sponsors: City Attorney's Office

[ID16-873](#) CONFERENCE WITH LEGAL COUNSEL - PUBLIC SECURITY - Government Code Section 54957(a)
1. Discuss security of City Hall and other City facilities

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

August 4, 2016 - NO MEETING

August 11, 2016 - NO MEETING

August 18, 2016

10:00 A.M. HEARING re: amend the Corridor/Center Mixed Use (16-30 du/ac) planned land use designation to the Medium Low Density Residential (3.5-6 du/ac) planned land use designation.

August 25, 2016 - 9:00 A.M. MEETING

September 1, 2016

10:00 A.M. HEARING re: Non-Exclusive Roll Off Franchise

September 8, 2016 - NO MEETING

September 15, 2016

10:00 A.M. HEARING - Regarding the vacation of a portion of N. Blythe Avenue, and a portion of a Landscape and Public Utility Easement, north of W. Minarets Avenue (Council District 2)

UPCOMING EMPLOYEE CEREMONIES

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

August 4, 2016 - COUNCIL VACATION

August 11, 2016 COUNCIL VACATION

August 18, 2016 - 1:30 P.M. MEETING

August 25, 2016 - 9:00 A.M. MEETING