

# City of Fresno

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



## Meeting Agenda - Final

Thursday, June 15, 2017

1:30 PM

Regular Meeting

Council Chambers

### City Council

*President - Clinton J. Olivier*

*Vice President - Esmeralda Z. Soria*

*Councilmembers:*

*Oliver L. Baines, III, Steve Brandau, Garry Bredefeld,*

*Paul Caprioglio, Luis Chavez*

*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](mailto: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](http://www.fresno.gov), as well as in the 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 AN ASTERISK (\*\*\*) ARE SUBJECT TO MAYORAL VETO OR RECONSIDERATION**

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 coma 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](mailto: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](http://www.fresno.gov), o en la Oficina del Secretario Municipal.

Las juntas del Municipio se pueden ver en el Canal 96 de Comcast y el Canal 99 de AT&T a las 9:00 a.m. y otra vez empezando a las 8:00 p.m. La junta también se puede ver en el internet en el <https://fresno.legistar.com>

**PROCESO:** Por cada asunto que escuche el Consejo Municipal, habrá una presentación del personal seguida por una presentación de los individuos involucrados, si están presentes. El testimonio de los presentes se escuchará entonces. Todo testimonio se limitará a tres minutos por persona. Si usted desea hablar, llene la hoja para pedir hablar disponibles en la oficina del Secretario Municipal y en la Sala Consistorial. Las tres luces en el atril junto al micrófono indicarán cuanto tiempo le queda al orador.

La luz verde en el atril se prenderá cuando el orador comience. La luz amarilla se prenderá cuando quede un minuto. El orador debería estar concluyendo su testimonio cuando la luz roja prenda y ci sonido indique que se acabo su tiempo. La cantidad del tiempo que queda también aparecerá en la pantalla grande atrás del Consejo Municipal.

No se aceptarán documentos para que repase el Consejo Municipal a menos que se sometan al Secretario Municipal por lo menos 24 horas antes de que se escuche la Agenda del Consejo Municipal.

Este es el horario general de temas para la consideración y acción del Consejo Municipal. El consejo Municipal pudiera considerar y tomar acción en un artículo de la Agenda en el orden que considere adecuado. Artículos con una hora fijada se pueden escuchar después de la hora indicada pero no antes de la hora indicada en la agenda. Se les recomienda a las personas que estén interesadas

en un artículo de la agenda, que estén presentes durante toda la junta para asegurar su presencia cuando se presente ese artículo.

**LOS ARTICULOS MARCADOS CON TRES ASTERISCOS (\*\*\*) ESTAN SUJETOS A  
UN VETO POR PARTE DEL ALCALDE O UNA RECONSIDERACION**

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](mailto: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](http://www.fresno.gov), los sis ntawm Office of the City Clerk.

Council lub rooj sab laj saib pom rau hauv Comcast tshooj 96 thiab AT&T tshooj 99 thaum 9:00 teev sau ntsoov thiab rov tso tawm thaum 8:00 teev tsaus ntuj. Lub rooj sab laj kuj saib tau online at <https://fresno.legistar.com>.

TXUAS NTXIV: Txhua nqe laj txheej yuav tau pom zoo los ntawm cov council ua ntej thiab yuav tau muaj ib tug staff los cej luam dhau ntawd cov uas muaj feem cuam mam los cej luam ib tug zuj zus, yog tuaj nyob rau ntawd. Dhau ntawd yuav tso rau sawv daw los tawrn suab, ib leeg twg yuav los tawm suab tsuas pub peb(3) nas this xwb. Yog koj xav los tawm suab, mus sau rau daim ntawv (Speaker Request Form) muaj nyob rau hauv City Clerk's Office thiab nyob rau huav Council Chambers. muaj peb(3) lub teeb nyob rau ntawm lub podium uas puab rau ntawm lub (microphone) qhia tias tus neeg hais lus muaj sij haum ntev li cas xwb.

Lub teeb ntsuab ntawm lub podium yuav cig thaum tus hais lus pib hais. Lub teeb daj yuav cig thaum tshuav ib(1) nas this. Tus hais lus yuav tsum hais kom tas rau thaum lub teeb liab cig thiab lub tswb nrov, qhia tias sij haum tas lawm. Ib qhov ntxiv nyob rau saum daim (screen) loj loj dai rau tom cov council nrob qaurn yuav pom lub sij hawm dhia qis zuj zus los mus.

Cov council yuav tsis txais ib yam ntaub ntawv los saib ntxiv tshwj tsis yog twb muab xa rau City Clerk 24 teev thiab muab tso rau hauv daim kom tswj ua ntej council yuav los mloog tej xwm txheej.

Dhau ntawd yuav muab sij hawm rau cov council los soj ntsuam thiab ua tes dej num, Coy tswv zos (City Council) yuav los ntsuam xyuas thiab leg raws tej nqe hauv daim kom tswj yog pom tias yam twg yuav tsim nyog. Mam muab lub sij hawm los xyuas raws tej txheej txheem tom qab tiam si yuav tsis yog ua ntej raws li daim kom tswj tau teev tseg. Cov uas txaus siab rau tei laj txheej uas tau teev tseg rau hauv daim kom tswj, xav kom nyob kom dhau lub rooj sab laj kom thaum hu txog nws thiaj nyob rau ntawd

**YOG QHOV MUAJ PEB LUB HNUB QUB (\*\*\*) NYOB RAU HAUV DAIM KOM TSWJ  
YUAV RAUG MAYORAL VETO LOS SIS ROV SOJ NTSUAM DUA**

1:30 P.M. ROLL CALL

Invocation

Pledge of Allegiance to the Flag

## **APPROVE AGENDA**

### **CEREMONIAL PRESENTATIONS**

[ID17-868](#) Proclamation of "Ananya Vinay Day" for winning the Scripps National Spelling Bee

**Sponsors:** Mayor Brand and City Councilmember Bredefeld

[ID17-866](#) Presentation of painting by acclaimed artist Professor Nikol Aghababyan

**Sponsors:** City Councilmember Caprioglio

### **APPROVE MINUTES**

[ID17-102](#) Approval of Budget Hearing minutes of June 6 and 7 and minutes from June 8, 2017

**Sponsors:** City Clerk's Office

### **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** [ID17-779](#) Actions pertaining to the summary vacation of a portion of South Clara Avenue, north of East Chester Avenue (Council District 3)
1. Adopt the Categorical Exemption per staff determination, pursuant to Section 15301 of the California Environmental Quality Act (CEQA) Guidelines, Environmental Assessment No. EA-17-009.
  2. RESOLUTION - Ordering the summary vacation of a

portion of South Clara Avenue, north of East Chester Avenue.

**Sponsors:**

Public Works Department

**1-B**    [ID17-889](#)

Actions pertaining to the San Joaquin River Conservancy Eaton Trail Extension Project (Council District 2):

1. RESOLUTION - Adopting the 62nd Amendment to Annual Appropriations Resolution (AAR) No. 2016-118 to appropriate \$97,000 in Measure "C" Trails funding for costs related to the Eaton Trail Extension Project.
2. Approve a professional services agreement with AECOM, Inc., in substantially the form attached, in the amount of \$71,785 with a \$7,000 contingency, and to authorize the Public Works Director to execute the agreement on behalf of the City.

**Sponsors:**

Public Works Department

**1-C**    [ID17-798](#)

Actions pertaining to the FY 2018 Housing and Urban Development (HUD) Capital grant program

1. Authorize the Chief of Police to enter into three separate agreements between the Housing Authority of the City of Fresno, Southeast Fresno Rental Assistance Demonstration (RAD) and Viking Village Rental Assistance Demonstration to provide additional security and protection services for public housing
2. Authorize the Chief of Police to execute all related documents applicable to the FY 2018 HUD Capital grant program

**Sponsors:**

Police Department

**1-D**    [ID17-848](#)

Reject proposals received in response to Request for Proposal for an Employee Assistance Program.

**Sponsors:**

Personnel Services Department

**1-E**    [ID17-820](#)

Approve a First Amendment to the Agreement between the City of Fresno and Air-Transport IT Services, Inc., to provide one additional engineer for maintenance and technical support of airline common use and related facilities at Fresno Yosemite International Airport in the amount of \$100,000. (Council District 4)

**Sponsors:**

Airports Department

- 1-F [ID17-846](#) Approve the amended and restated Wireless Marketing Agreement with 5 Bars Communities a dba of XG Communities, LLC., allowing 5 Bars to actively market wireless service infrastructure for City designated sites and authorize the City Manager or designee to execute related documents.

**Sponsors:** Information Services Department

- 1-G [ID17-853](#) Approve the appointment of Pao Yang and the reappointment of Kathy Bray to the Planning Commission

**Sponsors:** Mayor Brand

- 1-H [ID17-823](#) RESOLUTION - Authorizing the City Manager or designee to pursue a KaBOOM! Grant to build a play structure at Granny's Park and execute the enabling documents necessary to accept the grant (Council District 7)

**Sponsors:** Council President Olivier

## **CONTESTED CONSENT CALENDAR**

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

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

[ID17-796](#) Actions pertaining to Substantial Amendment 2017-02 to the FY 2016-2017 (FY 2017) Annual Action Plan:

1. HEARING to obtain public comments regarding the implementation of proposed Substantial Amendment 2017-02; and
2. RESOLUTION adopting Substantial Amendment No. 2017-02 to the FY 2017 Annual Action Plan; approving submission to the U.S. Department of Housing and Urban Development (HUD) for reprogramming \$1,054,879 of Community Development Block Grant (CDBG) program funds.

**Sponsors:** Development and Resource Management Department

### **2:10 P.M.**

[ID17-797](#) HEARING to Consider Environmental Assessment No. EA-17-003, Plan Amendment Application No. A-17-003,



Rezone Application No. R-17-005, and Conditional Use Permit Application No. C-17-044, filed by Betsy McGovern-Garcia of Self-Help Enterprises, for approximately ± 8.02 acres of property located on the north side of East Annadale Avenue between South Elm Avenue and South Tupman Street. (Council District 3).

1. Adopt the Mitigated Negative Declaration prepared for Environmental Assessment No. EA-17-003 dated March 17, 2017.
2. RESOLUTION - Approving Plan Amendment Application No. A-17-003 proposing to amend the Fresno General Plan and the Edison Community Plan from the High Density Residential (30-45 du/ac) planned land use designation to the Medium Density Residential (6-12 du/ac) planned land use designation.
3. BILL (For introduction and adoption) - Approving Rezone Application No. R-17-005 requesting authorization to rezone the subject properties from the RM-3 (Residential Multi-Family, High Density) zone district to the RS-5 (Residential Single Family, Medium Density) zone district.
4. Approve Conditional Use Permit Application No. C-17-044 requesting authorization to construct 40 affordable senior multi-family residential dwelling units subject to compliance with the Conditions of Approval dated May 17, 2017.

**Sponsors:** Development and Resource Management Department

**2:15 P.M.**

**REPORT TO FRESNO REVITALIZATION CORPORATION AND  
HOUSING SUCCESSOR TO THE REDEVELOPMENT AGENCY OF  
THE CITY OF FRESNO**

[ID17-877](#) Annual Fresno Revitalization Corporation (FRC) Meeting and Election of Officers (FRC action)

**Sponsors:** Successor Agency to the Redevelopment Agency of the City of Fresno

**ADJOURN**

**2:20 P.M.**

**SCHEDULED COMMUNICATION**

[ID17-883](#)

Appearance by Mary Esther Correa to dispute the fines she has incurred by Code Enforcement on her Iowa Street property (Speaker's property located in District 7)

**3. GENERAL ADMINISTRATION**

**3-A** [ID17-873](#)

Actions pertaining to contract change orders and amendments for various City Contracts:

1. RESOLUTION - Establishing procedures for the approval of certain contract change orders, additional bid quantities, and extensions of time for performance; and rescinding Resolution 84-142, 89-470, 94-114, and Article VI of the Construction Management Act as adopted by Resolution 2015-82
2. RESOLUTION - Establishing procedures for the approval of certain amendments to product contracts

**Sponsors:**

Public Works Department

**3-B** [ID17-851](#)

Actions pertaining to the Bullard Avenue Overlay, Marks Avenue to Blackstone Avenue project Bid File 3522 (Council District 2 and County of Fresno)

1. Adopt a finding of a Categorical Exemption per staff determination, pursuant to Section 15301(c) of the CEQA Guidelines for the Bullard Avenue Overlay, Marks Avenue to Blackstone Avenue project.
2. Award a Construction Contract to Emmett's Excavation Inc. of Fresno, California in the amount of \$1,755,995.

**Sponsors:**

Public Works Department

**4. CITY COUNCIL**

**5. CLOSED SESSION**

**5-A** [ID17-862](#)

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

1. Familias Addams Por Un Mejor Futuro, et al. v. City of Fresno; Fresno Superior Court Case No. 16ECEG00317.

**Sponsors:** City Attorney's Office

- 5-B** [ID17-890](#) CONFERENCE WITH REAL PROPERTY NEGOTIATOR -  
Government Code Section 54956.8  
Property: 1800 Tulare Street  
Negotiating Parties: City Manager Bruce Rudd ; Fresno  
Baseball Club, LLC  
Under Negotiation: Price and Terms of Payment

**Sponsors:** City Attorney's Office and City Manager's Office

- 5-C** [ID17-872](#) CONFERENCE WITH LABOR NEGOTIATOR - Government  
Code Section 54957.6  
City Negotiator(s): Jeffrey Cardell, Ken Phillips  
Employee Organizations:  
Fresno Police Officers Association (FPOA Basic - Unit 4)

**Sponsors:** Personnel Services Department

- 5-D** [ID17-875](#) PUBLIC EMPLOYEE PERFORMANCE EVALUATION -  
Government Code Section 54957  
Title: City Clerk  
Sponsor: Council President Olivier

CONFERENCE WITH LABOR NEGOTIATORS -  
Government Code Section 54957.6  
City Negotiator(s): Council President Clint J. Olivier  
Unrepresented Employee: City Clerk

**Sponsors:** Council President Olivier

**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 22, 2017*

*10:00 AM - HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community Facilities District No. 2, Annexation No. 137 (Final Tract Map No. 5513) (south of East Church Avenue between South Minnewawa and Clovis Avenues) (Council District 5)*

*June 22, 2017*

*4:00 P.M. - Actions relating to marijuana within the City of Fresno:*

- 1. BILL (for introduction) – Amending sections 12-2104 and 12-2105 of the Fresno Municipal Code relating to cultivation of marijuana.*
- 2. RESOLUTION – Initiating a Text Amendment to the Zoning Ordinance of the City of Fresno pursuant to FMC Section 15-5803-A (1) to establish zoning and use regulations for Recreational Marijuana Activities within the City of Fresno.*

*June 29, 2017*

*10:00 A.M. - HEARING to obtain public comments regarding implementation of the City's proposed activities with federal grant funding; and adopting the FY2018 Annual Action Plan; approving submission to the U.S. Department of Housing and Urban Development (HUD) for application of Community Development Block Grant (CDBG), Home Investment Partnerships (HOME), Emergency Solutions Grant (ESG), and Housing Opportunities for Persons With Aids/HIV (HOPWA) Program Funds*

**BUDGET SCHEDULE (To be held in the Council Chambers)**

*June 20, 2017 - 8:30 A.M. (Vote on motions)*

*June 22, 2017 - 8:30 A.M. (if needed)*

**UPCOMING EMPLOYEE CEREMONIES**

*JULY 20, 2017*

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

*OCTOBER 12, 2017*

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

*NOVEMBER 1, 2017*

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

**2017 CITY COUNCIL MEETING SCHEDULE**

*JUNE 22, 2017 - 8:30 A.M. MEETING*

*JUNE 29, 2017 - 8:30 A..M. MEETING*

*JULY 6, 2017 - COUNCIL VACATION*

*JULY 13, 2017 - COUNCIL VACATION*

*JULY 20, 2017 - 8:30 A.M. MEETING*

*JULY 27, 2017 - 8:30 A.M. MEETING*