

City of Fresno

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



Meeting Agenda - Final-revised

Thursday, February 14, 2019

9:00 AM

Regular Meeting

Council Chambers

City Council

President - Steve Brandau

Vice President - Miguel Angel Arias

Councilmembers:

*Esmeralda Z. Soria, Paul Caprioglio, Luis Chavez, Garry Bredefeld, Nelson
Esparza*

City Manager - Wilma Quan

City Attorney - Douglas T. Sloan

City Clerk - Yvonne Spence, MMC

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.

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. 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.

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. 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.

Council lub rooj sab laj saib pom rau hauv Comcast tshooj 96 thiab AT&T tshooj 99 thaum 9:00 teev sauv ntxoov 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**

9:00 A.M. ROLL CALL

Invocation by Pastor D.J. Criner of the St. Baptist Church

Pledge of Allegiance to the Flag

APPROVE AGENDA

APPROVE MINUTES

[ID19-1158](#) Approval of minutes for January 31, 2019.

Sponsors: City Clerk's Office

CEREMONIAL PRESENTATIONS

[ID19-1122](#) Presentation of the SPCA Pet of the Month
Sponsor: Councilmember Soria

[ID19-1121](#) Proclamation of "Support Blue Day"

Sponsors: Council President Brandau, Councilmember Caprioglio and
Councilmember Bredefeld

[ID19-1175](#) Proclamation of "Nora Laikam Day"

Sponsors: Mayor's Office

[ID19-1204](#) Proclamation of "Black History Month"

Sponsors: Councilmember Esparza

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 [ID19-1125](#) ***RESOLUTION - Authorizing the Submission of Grant

Applications to the Fresno Council of Governments for the 2019 Measure C Transit Oriented Infrastructure for In-Fill Development Grant Program Call for Projects and Authorizing the Execution of Documents by the Public Works Director or Designee (Districts 1,3,5,7) (Subject to Mayor's Veto)

Sponsors:

Public Works Department

1-B [ID19-1144](#)

***RESOLUTION of Intention to Annex the territory known as Assessor's Parcel Number 501-153-05S and 501-153-06S as Annexation No. 23 to the City of Fresno Community Facilities District No. 9 and to authorize the Levy of Special Taxes (northwest corner of West Herndon and North Brawley Avenues); and setting the public hearing for March 21, 2019 at 10:00 A.M. (Council District 2) (Subject to Mayor's Veto)

Sponsors:

Public Works Department

1-C [ID19-1155](#)

Approve an agreement with AECOM Technical Services Inc., for the conceptual design, project cost estimate, and nomination application for the proposed North Avenue Grade Separation to the California Public Utilities Commission Section 190 Grade Separation Program for an amount not to exceed \$135,000 (Council District 3 and 5)

Sponsors:

Public Works Department

1-D [ID19-1193](#)

RESOLUTION - Authorizing the Public Works Director and the Development and Resource Management Director to Execute Standard Agreements with the County of Fresno for Development in the City's Sphere of Influence, but not yet Annexed into the City's Corporate Boundaries

Sponsors:

Public Works Department and Development and Resource Management Department

1-E [ID19-1187](#)

Approve the appointment of Danielle Bergstrom to the Tower District Design Review Committee

Sponsors:

Councilmember Soria

1-F [ID19-1150](#)

Award Consultant Contract for design services for 5 Learner Pool Health Code Upgrades and approve a professional consultant agreement in an amount not to exceed \$250,000

with O'Dell Engineering, to prepare comprehensive design plans for upgrading learner pools located at Quigley (District 1), Pinedale (District 2), Fink-White (District 3), Romain (District 7) and Einstein (District 7) Neighborhood Parks.

Sponsors:

Parks, After School and Recreation and Community Services Department

1-G [ID19-1174](#)

RESOLUTION - Authorizing the Submission of an Application to the California Infrastructure and Economic Development Bank for Financing a Capital Improvement Project

Sponsors:

Airports Department

1-H [ID19-1179](#)

Approve a substitution of listed subcontractor for the Headworks Building Odor Control Upgrade Project located at the Fresno/Clovis Regional Wastewater Reclamation Facility (Bid File 3464) (Council District No. 3)

Sponsors:

Department of Public Utilities

1-I [ID19-1189](#)

Approve City participation in a Joint Exercise of Powers Agreement to become a member of the Temperance Flat Reservoir Authority and authorize up to \$250,000 in proportionate costs for three years.

Sponsors:

Department of Public Utilities

1-J [ID19-1184](#)

Submission for informational purposes of the Comprehensive Annual Financial Reports (CAFR) regarding the financial activities of the City of Fresno Retirement Systems for the Fiscal Year ending June 30, 2018

Sponsors:

Retirement Department

1-K [ID19-1186](#)

1. ***RESOLUTION - 10th Amendment to FY 2019 Salary Resolution No. 2018-159, amending Exhibit 3, Unit 3, Non-Supervisory White Collar (FCEA) to retitle the classification of Inorganic Chemist to Chemist, retitling the classification of Airports Operations Officer to Airports Operations Officer I and amending its associated salary range, and adding the new classification of Airports Operations Officer II and providing a salary range for the respective class; amending Exhibit 7, Unit 7,

Non-Supervisory Groups and Crafts (IBEW) to add the classification of Airports Electrician and providing a salary range for the respective class; amending Exhibit 14, Unit 14, Management Classes to add the classification of Airports Safety Management Systems Manager and providing a salary range for the respective class (Subject to Mayor's Veto)

2. ***RESOLUTION - 6th Amendment to the Position Authorization Resolution (PAR) No. 2018-158 adding one (1) Airports Safety Management Systems Manager, effective February 18, 2019 (Subject to Mayor's Veto)

Sponsors:

Personnel Services Department

1-L [ID19-1194](#)

***BILL NO. B-3- (Intro. 1/31/2019) (For adoption) - Approve the Money Back Guarantee/Business Streamlining Act - adding Article 22 to Chapter 12 of the Fresno Municipal Code - to make the development process more transparent, accountable and user friendly. (Subject to Mayor's veto)

Sponsors:

Councilmember Bredefeld and Council President Brandau

1-M [ID19-1217](#)

RESOLUTION - Approving the Final Map of Tract No. 5592 and accepting dedicated public uses offered therein except for dedications offered subject to City acceptance of developer installed required improvements - Southwest corner of East Shields Avenue and North Locan Avenue (Council District 4)

Sponsors:

Public Works Department

CONTESTED CONSENT CALENDAR

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:00 A.M.

[ID19-1222](#)

HEARING to obtain public comments regarding the implementation of proposed Substantial Amendment No. 2018-01 to the Fiscal Year 2018-2019 (FY 2019) Annual Action Plan

Sponsors:

Development and Resource Management Department

10:15 A.M.[ID19-1200](#)

Appearance by Margaret Elaine Frei to discuss the homeless issues in Fresno (Speaker resides in District 3)

10:30 A.M.[ID19-0182](#)

WORKSHOP regarding Community Choice Energy

Sponsors:

Councilmember Chavez

3. GENERAL ADMINISTRATION**3-A** [ID19-1117](#)

Approve a three 3- year agreement between the City of Fresno and the North Central Fire Protection District (District) for the Fresno Fire Department (Department) to continue providing fire protection, emergency services, and execute an automatic aid agreement for the unincorporated areas in the northeastern region of the District, referred to as the North Central Metro Area and limited areas of the District along the Freeway 99 corridor.

Sponsors:

Fire Department

3-B [ID19-1129](#)

Award a Requirements Contract to Univar USA, Inc., of Kent, Washington in the amount of \$543,222.22 for Sodium Hypochlorite, for a term of three years with the possibility of two one-year extensions Bid File 9487 (Citywide)

Sponsors:

Department of Public Utilities

3-C [ID19-1173](#)

***RESOLUTION - Approving the application for grant funds from the United States Department of Transportation's Infrastructure for Rebuilding America Program for the Veterans Boulevard Corridor Improvement Project and authorizing the execution of documents by the Public Works Director or designee (Council Districts 1 and 2) (Subject to Mayor's Veto)

Sponsors:

Public Works Department

3-D [ID19-1195](#)

BILL - (For introduction) - Amending Section 3-422 of the Fresno Municipal Code relating to the redeposit by members

of the Fire and Police Retirement System of contributions
withdrawn by former spouses

Sponsors: Personnel Services Department

- 3-E [ID19-1199](#) BILL - (For Introduction) Amending Sections 14-2601, 14-2602, 14-2603, 14-2604, 14-2605 and Repealing Sections 14-2606 and 14-2607 of the Fresno Municipal Code, Relating to "Semi" Truck and Trailer Parking

Sponsors: Development and Resource Management Department and Council President Brandau

- 3-F [ID19-1202](#) Legal Workshop

Sponsors: City Attorney's Office

4. CITY COUNCIL

- 4-A [ID19-1185](#) RESOLUTION - Establishing an "Immigrant Affairs Committee"

Sponsors: Councilmember Chavez and Councilmember Soria

- 4-B [ID19-1215](#) RESOLUTION - Directing City Staff to study and analyze formation of a parking authority and suspending negotiations of any sales of parking assets

Sponsors: Vice President Arias and Councilmember Soria

5. CLOSED SESSION

- 5-A [ID19-1196](#) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Government Code Section 54956.9, subdivision (d)(2)

1. Significant Exposure to Litigation: City of Fresno v. Nancy Waidtlow ("Eco Village")

Sponsors: City Attorney's Office

- 5-B [ID19-1192](#) CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Government Code Section 54956.8

Property: APNs 466-206-50T, 466-206-51T (parking lots)

Negotiating Parties: City Manager

Sponsors: City Attorney's Office

- 5-C [ID19-1221](#) CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Government Code Section 54956.8; Property: APN 438-021-92T, 35T, 93T, and 60T, and 438-062-37T and 53T Negotiating Parties: City Manager, CVCSF.

Sponsors: City Attorney's Office

- 5-D [ID19-1206](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)
1. Jason Gonzales vs. City of Fresno, psi, Administered by RISICO Claims Management;
Workers' Compensation Appeals Board Case No. ADJ10002177

Sponsors: Personnel Services Department

- 5-E [ID19-1207](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)
1. South Central Neighbors United v. City of Fresno et al. - Fresno County Superior Court, Case No. 18CECG00690

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

FEBRUARY 28, 2019

10:00 AM #1 - 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. 99 (Final Tract Map No. 5913) (northeast corner of South Armstrong Avenue and the California Alignment) (Council District 5)

FEBRUARY 28, 2019

10:00 AM #2 - HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community Facilities District No. 9, Annexation No. 37 (Final Tract Map No. 6156) (northwest corner of North Millbrook and East Nees Avenues) (Council District 6)

February 28, 2019

10:05 A.M. - HEARING to consider Plan Amendment Application No. P18-03659: proposes to amend the Fresno General Plan and the Bullard Community Plan planned land use for ±1.0 acre of property at the northeast corner of North Colonial and West San Jose Avenues from Residential Medium Density to Regional Mixed-Use.

February 28, 2019

10:30 A.M. - ABIRC presentation on SGMA impacts on small farmers - Council President Brandau

MARCH 21, 2019

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. 9, Annexation No. 23 (the development of Assessor's Parcel Number 501-153-05S and 501-153-06S as United Health Center, Development Permit Application no. 2017-051) (northwest corner of West Herndon and North Brawley Avenues) (Council District 2)

April 11, 2019

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. 9, Annexation No. 38 (Assessor's Parcel Number 402-440-07) (northeast corner of North Glenn Avenue and West Nees Avenue) (Council District 2)

UPCOMING EMPLOYEE CEREMONIES

April 10, 2019 (Wednesday) – Employee Service Awards

May 9, 2019 – Employee of the Spring Quarter
July 25, 2019 - Employee of the Summer Quarter
October 24, 2019 – Employee of the Fall Quarter
November 13, 2019 (Wednesday) – Employee Service Awards

2019 CITY COUNCIL MEETING SCHEDULE

FEBRUARY 21 - NO MEETING
FEBRUARY 28 - 9:00 MEETING

MARCH 7 - 9:00 A.M. MEETING
MARCH 14 - 9:00 A.M. MEETING
MARCH 21 - 9:00 A.M. MEETING
MARCH 28 - NO MEETING

APRIL 4 - 9:00 A.M. MEETING
APRIL 11 - 9:00 A.M. MEETING
APRIL 18 - NO MEETING
APRIL 25 - 9:00 A.M. MEETING