City of Fresno

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



Meeting Agenda - Final

Thursday, October 24, 2019

9:00 AM

Regular Meeting

Council Chambers

City Council

President - Paul Caprioglio
Vice President - Miguel Angel Arias
Councilmembers:
Esmeralda Z. Soria, Mike Karbassi, 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 amarilia 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.

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 Reza Nekumasesh from the Islamic Cultural Center of Fresno

Pledge of Allegiance to the Flag

APPROVE AGENDA

APPROVE MINUTES

Approval of Minutes for October 10, 2019. ID19-11463

City Clerk's Office Sponsors:

CEREMONIAL PRESENTATIONS

Annual Disability Awareness Month Proclamation and DAC ID19-11065

Achievement Awards Ceremony

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

COUNCILMEMBER REPORTS AND COMMENTS

1. CONSENT CALENDAR

ID19-11176

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.

Accept three cutaway vehicles from the City of Clovis

	appraised at \$81,396.67	- , -
Sponsors:	Department of Transportation	

1-B ID19-11409 Approve the Department of Transportation/FAX 2019 Title VI

Program

Department of Transportation **Sponsors:**

1-C ID19-11410 ***Approve a Work-Based Learning Internship Training

> Agreement with the Fresno Unified School District to permit the Department of Transportation Municipal Fleet Division to be eligible as a work-based location for a student internship

1-A

City	Council	Meeting Agenda - Final	October 24, 2019
	Sponsors:	program (Subject to Mayor's veto) Department of Transportation	
1-D	<u>ID19-11408</u>	***Approve the amended City of Fresno Retired Reimbursement Arrangement (HRA) Plan Doct to Mayor's veto)	
	Sponsors:	Personnel Services Department	
1-E	ID19-11425	Actions related to Lease Agreement of City-own Fresno-Clovis Regional Wastewater Reclamati (RWRF) (Council District 3): 1. Adopt findings of Categorical Exemptions posections 15301/Class 1, 15304/Class 4, and 18 of the California Environmental Quality Act (CE Guidelines. 2. Approve a Third Amendment to the Lease a with Mr. James Cook for 550 acres of City-own RWRF, deleting APN 327-030-38T to the lease revised revenue of \$233,770 per year. 3. Approve first one-year extension of the Lease Agreement for the period of January 2020 to Deleting Agreement for	on Facility ursuant to 5325 /Class 25 QA) and Agreement ed land at the shold, with a
	Sponsors:	Department of Public Utilities	
1-F	ID19-11429	Approve the First Amendment to the Profession Services Agreement with Carollo Engineers, In amount not to exceed \$49,287, for preparation for evaluation of the existing groundwater moninetwork and arsenic and manganese assessment Fresno-Clovis Regional Wastewater Reclamati (Council District 3 and Citywide) Department of Public Utilities	c., in the of workplans toring well ent at the
	<u>Sponsors:</u>	·	
1-G	<u>ID19-11430</u>	Actions pertaining to Clovis Hills Community Cl	

to add a preschool to its location without breaching the allocated water supply stipulated in the extra-territorial service agreement (Fresno County):

- 1. Adopt findings of Categorical Exemption under California Environmental Quality Act Guidelines Section 15301/Class 1
- 2. Approve the First Amendment to the Extra-Territorial Emergency Service and Offsite Infrastructure Agreement with

City	Council	Meeting Agenda - Final October 24	1 ·
Oity	Council	Clovis Hills Community Church of Clovis, a California Corporation 3. Authorize the Director of Public Utilities, or designee, to sign the amendment on behalf of the City of Fresno	<u> </u>
	Sponsors:	Department of Public Utilities	
1-H	ID19-11443	Award a consultant services agreement to AARC Consultants, LLC, in an amount not to exceed \$163,100 for performing America's Water Infrastructure Act Risk and Resilience Assessment and Emergency Response Plan Preparation for the City of Fresno's water system infrastructure (Citywide)	
	Sponsors:	Department of Public Utilities	
1-I	<u>ID19-11426</u> <u>Sponsors:</u>	Approve an amendment to the consultant agreement for Certified Access Specialist (CASp) Inspection Services with The Taylor Group Architects to extend for an additional one-year term (Citywide) Public Works Department	
1-J	<u>ID19-11431</u> Sponsors:	RESOLUTION - Approving the Final Map of Tract No. 6158 and accepting dedicated public uses offered therein except for dedications offered subject to City acceptance of developer installed required improvements - northeast corner of North Fowler Avenue and East Kings Canyon Road (Council District 5) Public Works Department	
1-K	<u>ID19-11433</u>	RESOLUTION - Of Intention to annex Final Tract Map No. 6210 as Annexation No. 106 to the City of Fresno Community Facilities District No. 11 and to Authorize the Levy of Special Taxes; and setting the public hearing for December 5, 2019, at 10:00 am (west side of North Armstrong Avenue between East Shields and Clinton Avenues) (Council District 4) Public Works Department	
	Sponsors:	i dollo vvolko Dopartificiti	

1-L ID19-11434 Actions pertaining to the Sugar Pine Trail Park and Ride Project at the southwest corner of Willow Avenue and Shepherd Avenue - Bid File No. 3664 (Council District 6)

1. Adopt a finding of Categorical Exemption per staff

2019

determination, pursuant to Section 15303 Class 3, Section 15311 Class 11 (b) and Section 15332 Class 32 of the California Environmental Quality Act guidelines for the Sugar Pine Trail Park and Ride Project at the southwest corner of Willow Avenue and Shepherd Avenue

2. Award a construction contract in the amount of \$423,576.00 to Dave Christian Construction Inc., of Fresno, California for the Sugar Pine Trail Park and Ride Project at the southwest corner of Willow Avenue and Shepherd Avenue

Sponsors:

Public Works Department

1-M <u>ID19-11444</u>

Approve a Contract with Landscape Maintenance of America dba California Highway Adoption Co. in the amount of \$197,376 to provide monthly highway litter control along California State Routes 41, 99, 168 and 180. (Citywide)

Sponsors:

Public Works Department

1-N ID19-11450

***BILL NO. B-36 - (Intro. 10/10/2019) (For adoption) - Adding the Toni Hunter Organ Donor Protection Act, Section 3-126 to the Fresno Municipal Code related to paid leave for organ and bone marrow donors. (Subject to Mayor's veto)

Sponsors:

Councilmember Karbassi, Councilmember Chavez, Council

President Caprioglio and Councilmember Soria

1-O ID19-11471

Approve the appointment of Joseph Martinez to the District 1

Project Review Committee

Sponsors:

Councilmember Soria

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:00 A.M.

<u>ID19-11432</u>

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. 41 (Assessor's Parcel Number 404-071-48, Villages at the River) (north side of East Alluvial Avenue between North Chestnut and Maple Avenues) (Council District 6)

1. ***RESOLUTION - Annexing Territory to Community

Facilities District No. 9 and Authorizing the Levy of a Special Tax (Subject to Mayor's Veto)

- 2. ***RESOLUTION Calling Special Mailed-Ballot Election (Subject to Mayor's Veto)
- 3. ***RESOLUTION Declaring Election Results (Subject to Mayor's Veto)
- 4. ***BILL (For introduction and adoption) Levying a Special Tax for the Property Tax Year 2019-2020 and Future Tax Years Within and Relating to Community Facilities District No. 9, Annexation No. 41 (Subject to Mayor's Veto)

Sponsors:

Public Works Department

10:05 A.M. #1 - HEARING CANCELLED

ID19-11172

HEARING to Consider Adoption of the 552nd Amendment to the Master Fee Schedule Resolution No. 80-420 to Increase Copper River Impact Fees; Acceptance and Adoption of the Public Review Draft Fee Study Update for Copper River Ranch (District 6)

- 1. Adopt a Finding of Statutory Exemption that the Copper River Ranch Impact Fee update is exempt pursuant to Public Resources Code Section 21080(b)(8) and Section 15273 of the California Environmental Quality Act (CEQA) Guidelines.
 2. ***RESOLUTION Adopting the 552nd Amendment to the
- Master Fee Schedule Resolution No. 80-420 to adjust Copper River Ranch Impact Fees. (Subject to Mayor's veto)

Sponsors:

Public Works Department

10:05 A.M.#2 - SCHEDULED COMMUNICATION

ID19-11385 Appearance by Gary Doesekle to discuss the Greyhound Bus Station

ID19-11457 Appearance by Gonzalo Arambula to discuss his concerns with the Rescue Mission

10:10 A.M.

ID19-11376

HEARING to consider Plan Amendment Application No.
P19-00980 and related Environmental Assessment No.
P19-00980 for the Housing Element Amendment, filed by the

Planning and Development Department Director, pertaining to the following (Council District 3):

- 1. ADOPT the environmental findings of Environmental Assessment No. P19-00980, 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, and to Program Environmental Impact Report SCH No. 2012041009 certified by the City Council on October 20, 2016 for the Downtown Neighborhoods Community Plan, the Fulton Corridor Specific Plan, and the Downtown Development Code pursuant to California Environmental Quality Act Guidelines Sections 15162 and 15164.
- 2. RESOLUTION Adopting the Plan Amendment Application No. P19-00980, amending the text of Chapter 11 of the Fresno General Plan, the Housing Element.

Sponsors:

Planning and Development Department

11:00 A.M.

ID19-11283

Actions related to amending the Cannabis Retail Business and Commercial Cannabis Business Ordinance:

1. Adopt a finding that there is no possibility that this approval will have a significant effect on the environment pursuant to the common sense exemption set forth in CEQA

Guidelines Section 15061(b)(3); and

2. BILL - (For introduction) - Amending sections 9-3306, 9-3307, 9-3308, 9-3309, 9-3316, 9-3317, 9-3318, 9-3319, 9-3321, 9-3328, 9-3335, and 9-3337 of the Fresno Municipal Code related to Cannabis Retail Business and Commercial

Cannabis Business.

Sponsors:

Vice President Arias and Councilmember Soria

1:30 P.M. #1

ID19-11282

Fresno City Council "2019 Men of the Year" Presentation

Harry Harris, PHD, Sponsored by Councilmember Mike

Karbassi

Detective Danny Kim, Sponsored Council President Paul

Caprioglio

Tim Liles, Sponsored by Councilmember Luis Chavez

Sponsors:

Councilmember Karbassi, Councilmember Chavez and

Council President Caprioglio

1:30 P.M. #2 CONTESTED CONSENT CALENDAR

3. GENERAL ADMINISTRATION

3-A ID19-11445 Actions related to the City's Initiative to Combat Human

Trafficking:

1. BILL - (for introduction) - Amending Sections 9-1603, 9-1604, 9-1605, and 9-1609 of the Fresno Municipal Code

related to Massage Business Operations

2. BILL - (for introduction) - Amending Section 9-105 of the

Fresno Municipal Code related to hotel registration

Mayor's Office Sponsors:

ID19-11449 ***RESOLUTION - Authorizing coordination on the 3-B

development of strategies to reduce homelessness through

Street2Home Fresno County and, where possible the alignment of spending plans that support a continuum of services to reduced homelessness (Subject to Mayor's veto)

Mayor's Office Sponsors:

3-C ID19-11427 Actions pertaining to Maroa Heights Phase II, Installation of

8" and 12" Water Mains and Services (Rebid) project - Bid

File 3682 (Council District 2 and Fresno County)

1. Adopt a finding of Categorical Exemption per staff's

determination, pursuant to Class 2 Section 15302(c)

(Replacement or Restoration) of the California Environmental

Quality Act Guidelines

2. ***RESOLUTION - 10th Amendment to the Annual

Appropriation Resolution No. 2019-133 to appropriate

\$4,391,000 for the Maroa Heights Phase II, Installation of 8"

and 12" Water Mains and Services (Rebid) Project

(Requires 5 affirmative votes) (Subject to Mayor's veto)

3. Award a Construction Contract in the amount of

\$3,559,128.00 to Teichert Construction, of Fresno, California,

as the lowest responsive and responsible bidder

Sponsors: Public Works Department

4. CITY COUNCIL

5. CLOSED SESSION

5-A ID19-11419 PUBLIC EMPLOYEE PERFORMANCE EVALUATION -

Government Code Section 54957

Title: City Attorney

Sponsors: Council President Caprioglio

5-B ID19-11452 CONFERENCE WITH LABOR NEGOTIATORS -

Government Code Section 54957.6

City Negotiators: Jeffrey Cardell, Ken Phillips

Employee Organizations:

1. International Union of Operating Engineers, Stationary

Engineers, Local 39 (Local 39)

2. City of Fresno Management Employees Association

(CFMEA)

Sponsors: Personnel Services Department

5-C ID19-11462 CONFERENCE WITH REAL PROPERTY NEGOTIATOR -

Government Code Section 54956.8

Property: 735 H Street

Negotiating Parties: City Manager Wilma Quan, Promontory

Investments, LLC., Rookspire Incorporated

Sponsors: City Manager'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.

<u>ADJOURNMENT</u>

<u>UPCOMING SCHEDULED COUNCIL HEARINGS AND MATTERS</u>

November 7, 2019

10:00 A.M.#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. 105 (Final Tract Map No. 6100) (west side of North Armstrong Avenue between East Ashlan and Dakota Avenues) (Council District 4)

November 7, 2019

10:00 A.M. #2 - 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. 102 (Final Tract Map No. 6191) (north side of Fancher Creek Drive west of North Armstrong Avenue) (Council District 5)

December 5, 2019

10:00 A.M. #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. 106 (Final Tract Map No. 6210) (west side of North Armstrong Avenue between East Shields and Clinton Avenues) (Council District 4)

December 5, 2019

10:00 A.M.#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. 42 (Assessor's Parcel Number 509-040-03 and 509-040-04) (northwest corner of the intersection West Jennifer and West Jacquelyn Avenues) (Council District 2)

December 5, 2019

10:00 A.M.#3 - 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. 26 (Final Parcel Map No. 2016-02) (northwest corner of North Willow and East Shepherd Avenues) (Council District 6)

December 12, 2019

10:00 A.M. - HEARING - Ordering the vacation of a portion of South Golden State Boulevard, south of San Benito Street between "G" Street and "F" Street (Council District 3).

UPCOMING EMPLOYEE CEREMONIES

November 20, 2019 (Wednesday) –2:00 P.M. - Employee Service Awards

2019 CITY COUNCIL MEETING SCHEDULE

OCTOBER 31, 2019 - NO MEETING

NOVEMBER 7, 2019 - 9:00 A.M. MEETING NOVEMBER 14, 2019 - 9:00 A.M. MEETING NOVEMBER 21, 2019 - NO MEETING NOVEMBER 28, 2019 - NO MEETING

DECEMBER 5, 2019 - 9:00 A.M. MEETING DECEMBER 12, 2019 - 9:00 A.M. MEETING DECEMBER 19, 2019 - NO MEETING DECEMBER 26, 2019 - NO MEETING