

City Council Agenda

Council President
Steve Brandau

Councilmembers

Oliver L. Baines III – Acting President
Lee Brand
Paul Caprioglio

Clinton J. Olivier
Sal Quintero
Blong Xiong

City Manager
Bruce Rudd

City Clerk
Yvonne Spence, CMC

City Attorney
Douglas T. Sloan

The meeting room is accessible to the physically disabled. If you require special assistance to participate in the meeting, notify the Office of the City Clerk at 559-621-7650 at least three business days prior to the meeting. Please keep the doorways, aisles and wheelchair seating areas open and accessible. If you need assistance with seating because of a disability, contact Security.

The City Council welcomes you to the Council Chambers, located in City Hall, 2nd Floor, 2600 Fresno Street, Fresno CA 93721.

April 24, 2014

8:30 A.M. ROLL CALL

Invocation

Pledge of Allegiance to the Flag

Ceremonial Presentations:

Certificate of Commendation to Australian Firefighter Andrew Wood – Fire Department

Certificate of Appreciation to Firefighters Reitz, Tracy and Contreras – City Manager's Office

Presentation of a Resolution of Commendation congratulating the Fleet Management Division of the Transportation Department for earning the ASE Blue Seal of Excellence recognition for the fourteenth consecutive year – City Manager's Office

The agenda and related staff reports are available on (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.

Approve Council minutes of [April 10, 2014](#)

Action Taken:

Councilmember Reports and Comments

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

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.

A. * **RESOLUTION** - 32nd amendment to the Annual Appropriation Resolution (AAR) No. 2013-98 appropriating \$100,000 for the loan program for abandonment of single family residential septic tank and cesspool systems and sewer line installation and connection to the City sewer system for Municipal Sewer Capital Program (MSCP) (**Requires 5 affirmative votes**) - Department of Public Utilities

Action Taken:

B. Award a contract for four (4) motor starters in the amount of \$281,657.73 to Allied Electric Motor Service - Bid File 3313 (**Council District 3**) - Department of Public Utilities

Action Taken:

1. **CONSENT CALENDAR CONTINUED**

- C. * **RESOLUTION** - 40th amendment to the Annual Appropriation Resolution (AAR) No. 2013-98 appropriating \$200,000 for design and construction costs on the Golden State Bridge repair (**Council District 3**) (**Requires 5 affirmative votes**) - Public Works Department
Action Taken:
- D. Adopt Categorical Exemption per staff determination pursuant to Section 15301(c) and approve acquisition of one (1) parcel located at 6780 N. Lafayette Avenue for the amount of \$290,000 from Seller: Marilyn R. Weaver to construct a new water supply well (**County island within Council District 2**) - Department of Public Utilities
Action Taken:
- E. * Approve a renewal of the Memorandum of Understanding (MOU) between the City of Fresno (City) and the Fresno Metropolitan Flood Control District (FMFCD) to implement a Storm Water Quality Management Program (**Citywide**) - Public Works Department
Action Taken:
- F. Actions pertaining to the Recycled Water Distribution System, Southwest Quadrant Project SW1A State Revolving Fund Loan documents (**Council District 3 and portions of Fresno County**) – Department of Public Utilities
1. **RESOLUTION** - To authorize the Director of Public Utilities to sign a financing application for a financing agreement with the California State Water Resources Control Board
Action Taken:
 2. **RESOLUTION** - To finance the cost of improvements relating to the Recycled Water Distribution System, Southwest Quadrant SW1A project
Action Taken:
 3. **RESOLUTION** - To pledge revenues and funds to satisfy repayment obligations for the financing agreement of the Recycled Water Distribution System, Southwest Quadrant Project SW1A
Action Taken:
- G. Approve a thirty (30) year lease with Roeding Park Playland and Fresno Storyland for the continued lease of land within Roeding Park (**Council District 3**) - PARCS
Action Taken:

CONTESTED CONSENT CALENDAR

2. **GENERAL ADMINISTRATION**

- A. Approve the acquisition of a 4.05 acre parcel of property in the amount of \$617,463, owned by K and H Bros, Inc. for the construction of Veterans Boulevard overcrossing near Golden State and Bullard Avenue (**Council District 2**) - Public Works Department
Action Taken:
- B. Authorize the City of Fresno to enter into a three year agreement with the 21st District Agricultural Association for \$752,661.56 to provide police services at the Fresno District Fair – Police Department
Action Taken:

3. **CITY COUNCIL**

A. **Approve amendments to the Labor Management Act – Councilmember Brand**

1. **RESOLUTION** – Amending two articles from the Labor Management Act that was adopted by the Council in July, 2010
Action Taken:
2. **BILL - (For introduction)** – Amending Subsections (a) and (c) of Section 3-616 of the Fresno Municipal Code, relating to the employer-employee relations ordinance
Action Taken:

4. **CLOSED SESSION**

A. **CONFERENCE WITH LABOR NEGOTIATOR** – Government Code Section 54957.6

City Negotiator(s): Jeffrey Cardell, Ken Phillips

Employee Organization(s):

1. City of Fresno Management Employees Association (CFMEA)
2. City of Fresno Professional Employees Association (CFPEA)
3. IUOE, Stationary Engineers, Local 39 (L39)
4. Fresno City Employees Association (FCEA)
5. Fresno Police Officers Association (FPOA Basic)
6. International Association of Firefighters, Local 753 (Fire Basic)
7. Amalgamated Transit Union, Local 1027 (ATU)
8. International Brotherhood of Electrical Workers, Local 100 (IBEW)
9. Fresno Police Officers Association (FPOA Management)
10. International Association of Firefighters, Local 753 (Fire Mgmt.)
11. Fresno Airport Public Safety Supervisors (FAPSS)

Action Taken:

JOINT CLOSED SESSION OF THE CITY OF FRESNO AND THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF FRESNO AND FRESNO REVITALIZATION CORPORATION

A. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR** - Government Code Section 54956.8

1. Property involving APN 493-020-28ST (No Address) and APN 493-020-37ST; (5005 E. Dakota)

Negotiating Parties: Executive Director of Successor Agency Marlene Murphey

Action Taken:

SCHEDULED COUNCIL HEARINGS AND MATTERS

9:30 A.M. **COUNCIL BREAK**

SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED

10:00 A.M. HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding Community Facilities District No. 9, Annexation No. 6 (Assessor’s Parcel Number 403-070-53, Parcel B of Parcel Map No. 2001-01) (northeast corner of N. Chestnut and E. Nees Avenues) (**Council District 6**) – Public Works Department

Action Taken:

a. **RESOLUTION** – Annexing territory to Community Facilities District No. 9 and authorizing the levy of a special tax

Action Taken:

b. **RESOLUTION** – Calling a special mailed-ballot election

Action Taken:

c. **RESOLUTION** – Declaring election results

Action Taken:

d. * **BILL (For introduction of adoption)** – Levying a special tax for the property tax year 2013-2014 and future years with and relating to Community Facilities District No. 9, Annexation No. 6

Action Taken:

10:15 A.M. WORKSHOP regarding a presentation by Superintendent Mike Berg of Central Unified School District – Council President Brandau

SCHEDULED COMMUNICATION –

PLEASE NOTE: UNSCHEDULED COMMUNICATIONS 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.

UPCOMING SCHEDULED COUNCIL HEARINGS AND MATTERS

May 1 - 10:00 A.M. HEARING - Appeal of PC Approval of 6045/UGM and C-13-136, re: 21.07 acres between N. Friant Road and E. Copper Avenue, within the Copper River Ranch Master Planned Community. T-6045/UGM proposes to subdivide the property into a 134 lot single-family residential subdivision

May 8 - NO MEETING - RECESS

May 15 - 2:00 P.M. HEARING to consider A-11-003, R-11-003, T-6033, C-13-092 re: prop located on the NEC of E. Clinton Avenue and N. Fowler Avenue propose a 169-lot single family residential public street PD overall density of approximately 5.3 du/ac. A-11-003 amends the GP and McLane Community Plan from the light industrial to medium density residential land use. R-11-003 reclassifies 31 acres from the C-M/UGM zone district to the R-1/UGM.

May 22 - 8:30 A.M. MEETING

May 28 - NO MEETING- MEMORIAL DAY

June 5 - 8:30 A.M. MEETING

June 12 - 8:30 A.M. MEETING

June 19 - 1:30 P.M. MEETING

June 26 - 8:30 A.M. MEETING

UPCOMING EMPLOYEE CEREMONIES

May. 1 - 8:30 a.m. Employee of the Spring Quarter (*Reception immediately following – 2nd floor foyer*)
July 31 - 8:30 a.m. Employee of the Summer Quarter (*Reception immediately following – 2nd floor foyer*)
Oct. 2 - 8:30 a.m. Employee of the Fall Quarter (*Reception immediately following – 2nd floor foyer*)
Oct. 22 - (Weds) 2:00 p.m. Presentation of Employee Service Awards (*Reception immediately following – 2nd floor foyer*)