

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.

June 19, 2014

FISCAL YEAR 2014-2015 BUDGET HEARINGS – TO BE HELD IN THE COUNCIL CHAMBERS (SUBJECT TO CHANGE)

Please Note: Department budgets will generally be considered as listed below starting with the initial public hearing and continuing until council adopts the budget. Members of the public will be allowed to address the Council regarding the budget and will be allowed two (2) minutes. Please be advised consideration of some departments may be continued to the next scheduled hearing date if discussions run long, and other departments may be considered in advance of the date and time listed.

June 30-

Budget Adoption Required by Charter

1:30 P.M. ROLL CALL

Invocation by Pastor Henry Oputa of The Way Ministries

Pledge of Allegiance to the Flag

Ceremonial Presentations:

Proclamation of “PARK AND RECREATION MONTH” – Council President Brandau

MEETING INFORMATION

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. If you need assistance with seating because of a disability, contact Security.

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.

For each matter considered by the Council there will first be a staff presentation followed by a presentation from the involved individuals. 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 and provide it to the City Clerk in the front of the dais. The three lights (green, yellow and red) on the podium next to the microphone will indicate the amount of time remaining for the speaker.

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 June 5, 9, 10, 11 and [12, 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. Approve the reappointments of Heather Flores, Jenelle Pitt and Mary Beth Randall to the Disability Advisory Commission; the appointment of Paul Halajian to the Historic Preservation Commission; and the reappointment of Jaime Holt to the Planning Commission – Mayor’s Office

Action Taken:

- B. Actions pertaining to the Nees Avenue traffic synchronization project from Palm Avenue to Willow Avenue – Bid File 3393 (**Council Districts 2 and 6**) – Public Works Department

1. Adopt finding of a Categorical Exemption per staff determination, pursuant to Section 15301(c) of the CEQA Guidelines Nees Avenue ITS project from Palm Avenue to Willow Avenue

Action Taken:

2. Award a Construction Contract with Crosstown Electrical & Data Inc. of Irwindale, California in the amount of \$326,725.00 for the base bid and add alternates 1 and 2 for the Nees Avenue ITS project from Palm Avenue to Willow Avenue

Action Taken:

- C. Approve first amendment to the Sublease Agreement between the City of Fresno and Community Media Access Collaborative (CMAC) to sublease additional space on the third floor of the Historic Bee Building – City Manager’s Office

Action Taken:

- D. Actions pertaining to the installation of the Shields Avenue and Brawley Avenue traffic signal (**Council District 1**) – Public Works Department

1. Adopt a finding of a Categorical Exemption per staff determination, pursuant to Sections 15301/Class1 and 15332/Class 32 of the California Environmental Quality Act (CEQA) Guidelines, Environmental Assessment No. EA-12-020

Action Taken:

2. Approve the partial acquisition of 0.1415 acres of a parcel of property in the amount of \$48,000, owned by Victor and Rita Ann Valdez, for the construction of a fully actuated traffic signal at the intersection of Shields Avenue and Brawley Avenue

Action Taken:

1. **CONSENT CALENDAR CONTINUED**

- E. Actions pertaining to the installation of sidewalks and high visibility crosswalk at Ezequiel Balderas Elementary School – Bid File 3311 (**Council District 5**) – Public Works Department
1. Adopt finding of a Categorical Exemption per staff determination, pursuant to Section 15301 and 15332 of the CEQA Guidelines, for the installation of sidewalks high visibility crosswalk at Ezequiel Balderas Elementary School
Action Taken:
 2. Award a construction contract with Witbro Inc. dba Seal Rite of Fresno, California in the amount of \$84,653.00 for the installation of sidewalks and high visibility crosswalk at Ezequiel Balderas Elementary School
Action Taken:
- F. Initiate proceedings and declare intention to levy the Annual Assessment for the City of Fresno Landscaping and Lighting Maintenance District No. 1 (**Citywide**) - Public Works Department
1. **RESOLUTION** - Initiate proceedings for annual levy of assessment for the City of Fresno Landscaping and Lighting Maintenance District No. 1
Action Taken:
 2. **RESOLUTION** – Of intention to levy and collect the annual assessment for Landscaping and Lighting Maintenance District No. 1
Action Taken:
- G. Actions pertaining to the installation of the Butler Avenue and Willow Avenue traffic signal (**Council District 5**) – Public Works Department
1. Adopt a finding of a Categorical Exemption per staff determination, pursuant to Sections 15301/Class1 of the California Environmental Quality Act (CEQA) Guidelines
Action Taken:
 2. Approve the partial acquisition of approximately 14 square feet of a parcel of property in the amount of \$500, owned by Berdine G. Hill, for the construction of a fully actuated traffic signal at the intersection of Butler Avenue and Willow Avenue
Action Taken:
- H. Approve amendment to City Attorney’s employment agreement - Council Offices
Action Taken:
- I. Authorize the renewal of an agreement between the Housing Authority of the City of Fresno and the City of Fresno via the Fresno Police Department for the HUD Funding Grant Program - Police Department
Action Taken:
- J. * **RESOLUTION** - 49th amendment to the Annual Appropriation Resolution (AAR) No. 2013-98 appropriating \$15,900 associated with the rebate of a District 7 infrastructure project and reallocation of funds for positions previously defunded – Councilmember Olivier (**Requires 5 affirmative votes**)
Action Taken:

1. **CONSENT CALENDAR CONTINUED**

- K. Approve the appointment of Anthony Molina to the Bicycle and Pedestrian Advisory Committee (BPAC) – Council President Brandau
Action Taken:

CONTESTED CONSENT CALENDAR

2. **GENERAL ADMINISTRATION**

- A. Authorize the Director of Transportation to execute a purchasing agreement between the City of Fresno and Fresno County, allowing Fresno County to purchase transit passes and tokens from the City of Fresno – Transportation Department
Action Taken:

- B. Actions pertaining to submittal of Applications for Consolidation Incentive Safe Drinking Water State Revolving Fund Low-Interest Loans – Department of Public Utilities

1. **RESOLUTION** - Authorizing submittal of an application to the California Department of Public Health for a State Revolving Fund Low Interest Loan in the amount of \$240,000,000 for construction of the City of Fresno's 80-million gallon per day Southeast Surface Water Treatment Facility
Action Taken:
2. **RESOLUTION** - Authorizing the City of Fresno to submit an application to the California Department of Public Health on behalf of the Orange Center School District for a State Revolving Fund Consolidation Incentive Low Interest Loan in the amount of \$3,000,000 for the abandonment of the Orange Center School District water system well, construction of a water utility service pipeline for consolidation with the City of Fresno's water system, and resolution of on-site water quality issues
Action Taken:
3. Authorize the Assistant Director of Public Utilities/designee(s) to execute all application documents on behalf of the City of Fresno
Action Taken:

2. **GENERAL ADMINISTRATION CONTINUED**

C. **Actions pertaining to Anooshvan Park and Alhambra water main replacements and transfers and Alhambra and Dennett sewer main installation Bid File 3265 (Council District 5 and County of Fresno)**

1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Class 1 Section 15301(b) (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines for the Anooshvan Park and Alhambra water main replacements and transfers and Alhambra and Dennett sewer main installation

Action Taken:

2. Award a construction contract to West Valley Construction, Inc., of Fresno, California in the amount of \$848,581.00 for the Anooshvan Park and Alhambra water main replacements and water service transfers and The Alhambra and Dennett sewer main installation

Action Taken:

3. * **RESOLUTION** - 48th amendment to the Annual Appropriation Resolution (AAR) No. 2013-98 appropriating \$255,700.00 for the construction of the Anooshvan Park and Alhambra water main replacements and water service transfers and The Alhambra and Dennett sewer main installation **(Requires 5 affirmative votes)**

Action Taken:

- D. * **Adopt a Side Letter of Agreement between the City of Fresno and Unit 14, represented by the City of Fresno Management Employees Association (CFMEA) implementing an Memorandum of Understanding (MOU) provision on payment of health care premiums – Personnel Services Department**

Action Taken:

E. **Actions pertaining to the Metropolitan Water Resources Management Plan Update and associated environmental documents – Department of Public Utilities**

1. **RESOLUTION** - Certifying Final Environmental Impact Report dated May 2014 (State Clearinghouse No. 2013091021)

Action Taken:

2. Adopt Findings of Fact as required by Public Resources Code Section 21081 (a) and CEQA Guidelines, Section 10591

Action Taken:

3. Approve the Mitigation Monitoring and Reporting Program as required by Public Resources Code Section 21081.6 and CEQA Guidelines Section 15097

Action Taken:

4. Adopt the Statement of Overriding Considerations as required by Public Resources Code, Section 21081(b) and CEQA Guidelines Section 10593

Action Taken:

5. Adopt the Metropolitan Water Resources Management Plan Update

Action Taken:

2. **GENERAL ADMINISTRATION CONTINUED**

- F. **BILL – (For introduction) -** Amending Subsections (d) and (e) of Section 4-108 the Fresno Municipal Code relating to application of local preference for a public work improvement – Council President Brandau
Action Taken:

3. **CITY COUNCIL**

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:

SCHEDULED COUNCIL HEARINGS AND MATTERS

Please Note: Department budgets will generally be considered as listed below starting with the initial public hearing and continuing until Council adopts the budget. Members of the public will be allowed to address the Council regarding the budget and will be allowed two (2) minutes. Please be advised consideration of some departments may be continued to the next scheduled hearing date if discussions run long, and other departments may be considered in advance of the date and time listed.

1:30 P.M. **ADOPTION OF FISCAL YEAR 2014-2015 ANNUAL BUDGET**

- A. **Action on the Fiscal Year 2015 Budget and related items**

Council adoption of the Fiscal Year 2014 -2015 City of Fresno Budget and the Community Development Block Grant (CDBG) Budget, including the Annual Appropriation Resolution (AAR)

Action Taken:

1. * Adopting the fiscal year 2015 Annual Appropriation Resolution (AAR)
RESOLUTION – Adopting the budget for fiscal year 2015 and appropriating to the various departments amounts set forth for the purposes named herein

Action Taken:

2. * Adopting the fiscal year 2015 Position Authorization Resolution (PAR)
RESOLUTION – Establishing the number of positions authorized in the various departments and offices of the City for fiscal year 2015

Action Taken:

SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED

1:30 P.M. **ADOPTION OF FISCAL YEAR 2014-2015 ANNUAL BUDGET CONTINUED**

B. Action on the Fiscal Year 2015 Budget and related items continued

3. * Adoption of the fiscal year 2015 GANN Appropriation Limit Resolution
RESOLUTION – Selecting method to determine GANN appropriation limit, relating to the fiscal year 2011-2012 City budget
Action Taken:
4. * Adoption of Property Tax Override Ordinance
BILL - (For introduction and adoption) – Authorizing the levy and collection of a property tax on taxable property in the City of Fresno for partial funding of the Fresno Fire and Police Retirement System and the Fresno City Employees' Retirement System for the fiscal year beginning July 1, 2014
Action Taken:
5. * Adopt the fiscal year 2015 Salary Resolution
RESOLUTION – Establishing rules for the application of City employee compensation rates and schedules and related requirements, and establishing compensation rates and schedules for fiscal year 2015
Action Taken:
6. **RESOLUTION** – Approving submission of the fiscal year 2014 - 2015 Annual Action Plan to the U.S. Department of Housing and Urban Development (HUD) for the CDBG, HOME, ESG, and the Housing Opportunities for Persons with AIDS (HOPWA) Program funds and authorizing the City Manager to sign all implementing documents required by HUD
Action Taken:
7. * **RESOLUTION** – 520th amendment to the Master Fee Schedule (MFS) Resolution No. 80-420 to add, adjust, revise or delete various fees

2:00 P.M. **WORKSHOP on City of Fresno water supply – Department of Public Utilities**

2:15 P.M. **HEARING** to consider a resolution of public use and necessity requiring acquisition of permanent street easements and rights-of-way for public street purposes over, under, through and across real property owned by J & M Avila, Properties, LLC. (APN 505-080-17s) for the construction of Veterans Boulevard, a six lane superarterial, from Herndon Avenue to Shaw Avenue in the City of Fresno

Action Taken:

- a. * **RESOLUTION** - Determining that Public Interest and Necessity require acquisition of easement and Right-of-Way for Public purposes over, under, through and across real property for the construction of Veterans Boulevard, a six lane superarterial connecting Herndon Avenue to Shaw Avenue, and related purposes and authorizing Eminent Domain proceedings for public use and purpose (Council District 2) **(Requires 5 affirmative votes)**

Action Taken:

SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED

2:45 P.M. **HEARING** – To consider adopting a resolution determining that public interest and necessity require acquisition of easement and right-of-way for public purposes over, under, through and across real property owned by George Dakovich and Son, Inc. (APN 505-080-31s) for the construction of Veterans Boulevard, a six (6) lane expressway connecting Herndon avenue to Shaw Avenue, and related purposes and authorizing Eminent Domain proceedings for public use and purpose - Public Works Department

Action Taken:

- a. * **RESOLUTION** - Determining that public interest and necessity require acquisition of easement and right-of-way for public purposes over, under, through and across real property owned by George Dakovich and Son, Inc. (APN 505-080-31s) for the construction of Veterans Boulevard, a six (6) lane expressway connecting Herndon avenue to Shaw Avenue, and related purposes and authorizing Eminent Domain proceedings for public use and purpose **(Requires 5 affirmative votes)**

Action Taken:

3:00 P.M. **JOINT MEETING OF THE CITY OF FRESNO AND THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF FRESNO AND FRESNO REVITALIZATION CORPORATION**

- A. **Actions pertaining to property located at 939 G Street**
1. Adopt finding of Categorical Exemption pursuant to Section 15301/Class 1 of the CEQA Guidelines (no change in existing use) **(Successor Agency action)**
Action Taken:
 2. Approve a purchase and sale agreement with DFP Ltd LP for 939 G. Street (APN 467-071-05T) within the City of Fresno **(Successor Agency action)**
Action Taken:
- B. **RESOLUTION** - Approving the Long Range Property Management Plan **(Successor Agency and Fresno Revitalization Corporation action)**
Action Taken:
- C. **RESOLUTION** - Approving the Loans Made by the City of Fresno to the Former Redevelopment Agency of the City of Fresno as an Enforceable Obligation and Make a Finding that Each of the Loans were Made for a Legitimate Redevelopment Purpose **(Successor Agency and Fresno Revitalization Corporation action)**
Action Taken:

ADJOURN

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

June 26 - 10:00 A.M. **HEARING** re: Rezone Application No. R-14-005 Hamilton between S. Chance and Maple; Cedar Courts Housing Authority project for 14 units of multi-family use

June 26 - 10:10 A.M. **HEARING** re: Rezone Application No.R-13-014 (TPM 2013-13): Rezone from R-A to R-1 to facilitate construction of 3 SF homes on N. Winery between Washington & McKencie Avenues

June 26 - 10:20 A.M. **HEARING** re: Text Amendment No. TA-14-002 – Fire/UGM Text Amendment

June 26 - 10:30 A.M. **HEARING** re: Text Amendment No. TA-14-001 – Payday Lending Text Amendment

July 3 –
July 10 –
COUNCIL VACATION

July 17 - 10:00 A.M. **HEARING** re: UUD No. FRE-93 on the north side of Nees Avenue from Maple Avenue to Hayston Avenue

July 17 - 10:15 A.M. **HEARING** re: Final Tract Map No. 5531 annexed to CFD No. 11 to provide funding for the operation and reserves for maintenance (“Services”) pertaining to the landscaping, trees and irrigation systems within the street rights-of-way and landscape easements in and along S. Armstrong and E. California Avenues

July 24 - 10:00 A.M **HEARING** to consider the proposed annual assessments for Landscaping and Lighting Maintenance District No.1 (Citywide)

Aug. 21- 2:00 P.M. **HEARING** re: Final Tract Map No. 6073 annexed to CFD No. 11: north side of E. Church Avenue between S. Chestnut and Peach Avenues (Council District 5)

UPCOMING EMPLOYEE CEREMONIES

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*)