

# 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, 2<sup>nd</sup> Floor, 2600 Fresno Street, Fresno CA 93721.

## June 5, 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 9-	9:00 A.M.	FYI, Convention Center, General City Purpose, PARCS, Police
June 10-	9:00 A.M.	Finance, Personnel, Fire, Public Works, City Council
June 11-	9:00 A.M.	Public Utilities, DARM, CDBG, HOME, NSP, ESG, Mayor/City Manager's Office
June 12-	8:30 A.M.	<b>Council Meeting- Final Motions made</b>
June 16-	9:00 A.M.	Budget Overflow; Council vote on motions
June 19-	1:30 P.M.	<b>Council Meeting</b> - Council vote on Budget Documents
June 30-		Budget Adoption Required by Charter

### 8:30 A.M. ROLL CALL

Invocation by Joe Basile of the Fresno First Baptist

Pledge of Allegiance to the Flag

**Ceremonial Presentations:**

Presentation of the SPCA Pet of the Month – Councilmember Quintero

Presentation of Department of Public Utilities Golf Tournament Check to Fresno Community Food Bank and their golf tournament trophy to Water Division

Proclamation of “DOUG COLLINS DAY” – Councilmember Oliver

The agenda and related staff reports are available on ([www.fresno.gov](http://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 [May 22, 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 re-appointment of Patrick Boyd to the Historic Preservation Commission and the appointment of Lawrence Garcia to the Planning Commission – The Mayor's Office

**Action Taken:**

- B. Authorizing the Director of Public Utilities or designee to negotiate and enter into an agreement not to exceed \$60,000 with George Slater, dba GWS Consulting, for the maintenance and EPA oversight of the City of Fresno closed sanitary landfill without advertised competitive bidding (Sole-Source) - Department of Public Utilities

**Action Taken:**

- C. Actions pertaining to a lease agreement for the agriculture facility at Dakota and Chestnut (the "Ag Farm") - Police Department

1. Adopt a finding of Categorical Exemption pursuant to Article 19, Section 15301/Class 1 (existing facilities) of the California Environmental Quality Act ("CEQA") Guidelines for the continued lease of the Ag Farm

**Action Taken:**

2. Authorize the Chief of Police to execute a 10-year lease and service agreement with Fresno Unified School District ("FUSD") for continued use of the Ag Farm

**Action Taken:**

- D. Approve first amendment to agreement with Northern Consulting Actuaries, Inc., dba Van Iwaarden Associates extending the term and providing compensation terms for consulting services related to the actuarial valuation of post employment medical benefits, a requirement of the Comprehensive Annual Financial Report (CAFR) – Finance Department

**Action Taken:**

- E. Actions pertaining to the Cultural Arts District (CAD) park hazardous materials abatement and demolition (**Council District 3**) – Public Works Department

1. Adopt finding of Categorical Exemption per staff determination, pursuant to Class 1 Section 15301(13) (demolition and removal) of the California Environmental Quality Act (CEQA) guidelines for the (CAD) park hazardous materials abatement and demolition

**Action Taken:**

2. Grant relief to HD Matthews Demolition & Excavation of Fresno from the bid they submitted due to a clerical error

**Action Taken:**

3. Award a construction contract to Midwest Environmental Control, Inc. of Edwards Air Force Base (AFB), California in the amount of \$164,950 for the CAD park hazardous materials abatement and demolition Bid File - 3326

**Action Taken:**

1. **CONSENT CALENDAR CONTINUED**

- F. Approve an interim contract with Commercial Cleaning Systems (CCS) of Fresno, California for custodial services not to exceed \$250,000 for providing custodial services at City Hall and various City facilities (**Citywide**) - Public Works Department

**Action Taken:**

- G. **RESOLUTION** - Of intention to annex Final Tract Map No. 5531, Annexation No. 55, to the City of Fresno Community Facilities District No. 11, and setting the public hearing for July 17, 2014 at 10:15 a.m. (east side of S. Armstrong Avenue south of the San Joaquin Valley Railroad) (**Council District 5**) - Public Works Department

**Action Taken:**

- H. Actions pertaining to the Jensen Avenue improvements at the Regional Wastewater Reclamation Facility (Bid file 3336) (**Council District 3**) – Department of Public Works Department

1. Adopt a finding of Class 2 and 4 Categorical Exemptions, pursuant to Section 15302(C) (Replacement or Reconstruction) and 15304(F) (Minor Alterations to Land) of the California Environmental Quality Act Guidelines (CEQA)

**Action Taken:**

2. Award a \$132,682 construction contract to Yarbs Grading and Paving Inc. of Fowler, California

**Action Taken:**

- I. Actions pertaining to the Shields and Temperance Avenues intersection signalization project, Bid File 3319 (**Council District 4**) – Department of Public Utilities

1. Adopt finding of a Categorical Exemption pursuant to Class 1 Section 15301 of the CEQA Guidelines, for the Shields and Temperance Avenues intersection signalization project

**Action Taken:**

2. Award a construction contract to Lee Wilson Electric Company, Inc. of Arroyo Grande, CA in the amount of \$319,927.00 for the Shields and Temperance Avenues intersection signalization project

**Action Taken:**

- J. Actions pertaining to the Millbrook Road Diet and Bike Lanes - Shields Avenue to Gettysburg Avenue project Bid File 3290 (**Council Districts 4 and 7**) - Public Works Department

1. Adopt finding of a Categorical Exemption pursuant to Class 1 Section 15301(C) (Existing Facilities) of the CEQA Guidelines for the Millbrook Road Diet and bike lanes - Shields Avenue to Gettysburg Avenue

**Action Taken:**

2. Award a construction contract with Seal Rite Paving and Grading of Fresno, California in the amount of \$350,568.00 for the Millbrook Road Diet and bike lanes Shields Avenue to Gettysburg Avenue project

**Action Taken:**

- K. Reject all bids received for sewer rehabilitation in West and Weber Avenues (Bid File 3306) (**Council Districts 1 and 3**) – Department of Public Utilities

**Action Taken:**

1. **CONSENT CALENDAR CONTINUED**

- L. Award a purchase contract in the amount of \$373,501.41 to Lehr Automotive for the purchase of police car hardware from Bid File 3334 – Transportation Department  
**Action Taken:**

**CONTESTED CONSENT CALENDAR**

2. **GENERAL ADMINISTRATION**

- A. Approve an agreement in the amount of \$2,211,708 with the County of Fresno for Fire Department emergency dispatch services for the period July 1, 2014 through June 30, 2017 - Fire Department  
**Action Taken:**
- B. Actions pertaining to the Fresno/Clovis Regional Wastewater Reclamation Facility Headworks Building coating repair and stop plate installation (**Council District 3**) - Department of Public Utilities
1. Adopt a finding of Class 1 Categorical Exemption, pursuant to Section 15301 (b) and (d) of the California Environmental Quality Act Guidelines  
**Action Taken:**
  2. \* **RESOLUTION** - 46th amendment to the Annual Appropriation Resolution (AAR) No. 2013-98 appropriating \$4,458,000 for the Fresno/Clovis Regional Wastewater Reclamation Facility Headworks Building coating repair and stop plate installation (**Requires 5 affirmative votes**)  
**Action Taken:**
  3. Award a \$6,367,960 contract as negotiated to Floyd Johnston Construction Company of Clovis, California for the design and construction thereof (bid file 3201)  
**Action Taken:**
- C. Actions pertaining to the International Brotherhood of Electrical Workers (IBEW), Local 100 – Personnel Services Department
1. \* Adopt a Memorandum of Understanding (MOU) between the City of Fresno and the International Brotherhood of Electrical Workers (IBEW), Local 100 (Non-Supervisory Groups & Crafts – Unit 7)  
**Action Taken:**
  2. \* Adopt a Side Letter of Agreement between the City of Fresno and IBEW, Local 100 (Non-supervisory Supervisory Groups & Crafts – Unit 7) on pensions for new employees  
**Action Taken:**
  3. \* **RESOLUTION** – 6th amendment to the Salary Resolution No. 2013-101, amending salaries in Exhibit 7, Non-Supervisor Groups & Crafts (IBEW)  
**Action Taken:**
- D. **BILL – (For introduction)** - Recommended amendment to Subsection (a) of Section 11-504 and Section 11-622 of the Fresno Municipal Code relating to appeals involving the Building Commission – City Attorney’s Office  
**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**

9:00 A.M. **WORKSHOP** - Business Friendly Fresno Final Report

10:00 A.M. **WORKSHOP** - Update from the San Joaquin Valley Air Pollution Control District on the efforts of the District to address our Air Quality – Acting President Baines

**SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED**

10:30 A.M. **SCHEDULED COMMUNICATION** –

- A. Appearance by Zoyer Zachary Zyndel to invite the City Council to the Fresno Pride Parade and Festival

1:30 P.M. **FISCAL YEAR 2014-2015 BUDGET HEARINGS (SUBJECT TO CHANGE)**

1. General Fund Overview
2. City Attorney
3. City Clerk
4. FAX
5. Information Services

**Action Taken:**

**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 12 - 8:30 A.M. MEETING**  
**June 19 - 2:15 P.M. HEARING** 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 J & M Avila Properties, LLC (APN 505-08017s) for the construction of Veterans Boulevard, a six lane expressway connecting Herndon avenue to Shaw Avenue
- June 19 - 2:45 P.M. HEARING** 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 lane expressway connecting Herndon avenue to Shaw Avenue
- June 26 - 8:30 A.M. MEETING**  
**July 3 - COUNCIL VACATION**  
**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)

## **UPCOMING EMPLOYEE CEREMONIES**

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