

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.

March 27, 2014

8:30 A.M. ROLL CALL

Invocation by Pastor Christopher Breedlove of the College Community Congregational Church

Pledge of Allegiance to the Flag

Ceremonial Presentations:

Proclamation of “CITY OF FRESNO RSVP VOLUNTEERS DAY” – Council President Brandau

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 March 20, 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 appointment of Tracewell Hanrahan to the Fresno Regional Workforce Investment Board – Council President Brandau

Action Taken:

B. **RESOLUTION** - Of Intention to annex Assessor's Parcel Number 403-070-53, Parcel B of Parcel Map No. 2001-01, Annexation No. 6, to City of Fresno Community Facilities District No. 9 and authorize the levy of special taxes and setting the hearing for April 24, 2014 at 10:00 a.M. (northeast corner of N. Chestnut and E. Nees Avenues) (**Property located in District 6**) - Public Works Department

Action Taken:

C. Approve amendment to agreement with Provost and Pritchard Consulting Group of Fresno, California for professional engineering services to design new sewer infrastructure in the North Avenue industrial growth area for a net increase of \$65,500 (**Property located in District 3**) – Department of Public Utilities

Action Taken:

1. **CONSENT CALENDAR CONTINUED**

D. Approving the Final Maps of Tract No. 5770 and 5567 and accepting the dedicated public uses offered therein (east side of N. Polk Avenue between W. Clinton and W. Shields Avenues) (*Property located in District 1*) – Public Works Department

1. **RESOLUTION** - To approve the Final Map of Tract No. 5770, accepting dedicated public uses therein except for dedications offered subject to City acceptance of developer installed required improvements

Action Taken:

2. **RESOLUTION** - To approve the Final Map of Tract No. 5567, accepting dedicated public uses therein except for dedications offered subject to City acceptance of developer installed required improvements

Action Taken:

E. Actions relating to repealing Article 21 of Chapter 12 and adding Article 21 of Chapter 12 prohibiting cultivation of marijuana in all zone districts within the City – Police Department

Action Taken:

1. Consider and adopt an environmental finding pursuant to CEQA Guidelines, Section 15061(b)(3), that the project is exempt from CEQA as it can be seen with certainty that there is no possibility that this project may have a significant effect on the environment

Action Taken:

2. * **BILL NO. B-17 – (Intro. 3/20/2014) (For adoption)** – Repealing Article 21 of Chapter 12 and adding Article 21 of Chapter 12 prohibiting cultivation of marijuana in all zone districts within the City

Action Taken:

CONTESTED CONSENT CALENDAR

2. **GENERAL ADMINISTRATION**

A. Approve a consultant agreement in the amount of \$757,956 and a \$72,362 contingency with Stantec Consulting Services Incorporated, a New York Corporation of Fresno, CA for the design of a new odor control system for the Headworks building located at the Fresno/Clovis Regional Wastewater Reclamation Facility (*Property located in District 3*) - Department of Public Utilities

Action Taken:

B. **WORKSHOP** - Budget Update - Mayor/City Manager's Office

3. **CITY COUNCIL**

4. **CLOSED SESSION**

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

Properties: APNs 418-261-22 (portion), 418-262-06 (portion), 418-262-09 (portion), 418-261-21 (portion), 418-261-26 (portion), 418-262-02 (portion), 418-262-05 (portion), 418-262-10 (portion), 418-262-12 (portion), 418-262-11 (portion), 418-262-08 (portion), 418-261-19 (portion), 418-262-04 (portion)

Negotiating Parties: City Manager Bruce Rudd

Under Negotiation: Price and Terms of Payment

Action Taken:

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

Property: 468-167-01T

Negotiating Parties: City Manager Bruce Rudd

Under Negotiation: Price and Terms of Payment

Action Taken:

SCHEDULED COUNCIL HEARINGS AND MATTERS

10:00 A.M. **HEARING** to consider Rezone Application No. R-13-003 and related environmental findings, filed by Stericycle Inc., for the property located on W. Swift Avenue, between N. Golden State Blvd and State Highway Route 99 (**Property located in District 1**) – Development and Resource Management Department

Action Taken:

a. Consider and adopt the environmental finding of a Finding of Conformity with the 2025 Fresno General Plan MEIR and Air Quality MND prepared for Environmental Assessment No. C-13-020/R-13-003

Action Taken:

b. **BILL** - Amending the Official Zone Map to rezone the subject property from the C-6/UGM (*Heavy Commercial District/Urban Growth Management*) zone district to the C-M/UGM (*Commercial & Light Manufacturing District/Urban Growth Management*) zone district

Action Taken:

SCHEDULED COUNCIL HEARINGS AND MATTERS

10:30 A.M. HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding Community Facilities District No. 11, Annexation No. 53 (Final Tract Map No. 6044) (*Property located in District 2*) (northeast corner of N. Garfield and W. Barstow Avenues) – Public Works Department

Action Taken:

a. **RESOLUTION** – Annexing territory to Community Facilities District No. 11 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. 11, Annexation No. 53

Action Taken:

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

Apr. 3 - 10:00 A.M.	HEARING re: Rezone Application No. R-14-001 filed by Bulldog Recycling
Apr. 10 - 8:30 A.M.	MEETING
Apr. 17 -	NO MEETING - EASTER
Apr. 24 - 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
May 1 - 8:30 A.M.	MEETING
May 8 -	NO MEETING - RECESS
May 15 - 1:30 P.M.	MEETING
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

Apr. 9 - (Weds) 2:00 p.m.	Presentation of Employee Service Awards (<i>Reception immediately following – 2nd floor foyer</i>)
Apr. 24 - 8:30 a.m.	Employee of the Spring Quarter (<i>Reception immediately following – 2nd floor foyer</i>)
July 31 - 8:30 a.m.	Employee of the Summer Quarter (<i>Reception immediately following – 2nd floor foyer</i>)
Oct. 2 - 8:30 a.m.	Employee of the Fall Quarter (<i>Reception immediately following – 2nd floor foyer</i>)
Oct. 22 - (Weds) 2:00 p.m.	Presentation of Employee Service Awards (<i>Reception immediately following – 2nd floor foyer</i>)
March 27, 2014	*SUBJECT TO MAYOR'S VETO OR RECONSIDERATION