

City of Fresno

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



Meeting Agenda - Final

Thursday, March 19, 2020

9:00 AM

Regular Meeting

Council Chambers

City Council

President - Miguel Angel Arias

Vice President - Paul Caprioglio

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), segundo 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 como 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 amarilla se prenderá cuando quede un minuto. El orador debería estar concluyendo su testimonio cuando la luz roja prenda y el sonido indique que se acaba 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 nrov 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.

Dhau ntawd yuav muab sij hawm rau cov council los soj ntsuam thiab ua tes dej num, Coy tswv zos (City Council) yuav los ntsuam xyuas thiab leg raws tej nqe hauv daim kom tswj yog pom tias yam twg yuav tsim nyog. Mam muab lub sij hawm los xyuas raws tej txheej txheem tom qab tiam si yuav tsis yog ua ntej raws li daim kom tswj tau teev tseg. Cov uas txaus siab rau tei laj txheej uas tau teev tseg rau hauv daim kom tswj, xav kom nyob kom dhau lub rooj sab laj kom thaum hu txog nws thiaj nyob rau ntawd

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 Pastor Brad Liebe from People's Church (District 6)

Pledge of Allegiance to the Flag

APPROVE AGENDA

CEREMONIAL PRESENTATIONS

COUNCILMEMBER REPORTS AND COMMENTS

1. CONSENT CALENDAR

1-A [ID 20-00367](#) Approval of the March 5, 2020 City Council minutes

Sponsors: City Clerk's Office

1-B [ID 20-00364](#) Action pertaining to the 555th Amendment to the Master Fee Schedule:

1. Adopt a finding of statutory exemption pursuant to CEQA Guidelines Section 15273(a) for amendments to the Fire Department's fees for Fire Inspection and Prevention and related services.
2. ***RESOLUTION - 555th Amendment to the Master Fee Schedule No. 80-420, to add, adjust, revise, or delete various Fire Department fees (subject to Mayor's veto).

Sponsors: Fire Department

1-C [ID 20-00278](#) ***RESOLUTION - 6th Amendment to FY 2020 Salary Resolution No. 2019-135, amending Exhibit 2, Unit 2, Non-Represented Management and Confidential Classes (Non-Represented) to add the classification of Background Investigator and provide an associated salary range, effective March 30, 2020; Exhibit 3, Unit 3, Non-Supervisory White Collar (FCEA) to modify the job titles of Parking Controller I, Parking Controller II and Parking Controller III to Parking Enforcement Officer I, Parking Enforcement Officer II and Parking Enforcement Officer III, effective March 30, 2020; and Exhibit 8, Unit 8, Non-Represented, to remove the classification of Background Investigator (Subject to Mayor's

Veto)

Sponsors:

Personnel Services Department

1-D [ID 20-00319](#)

Actions pertaining to the 2017 Transformative Climate Communities (TCC) Grant and Transform Fresno Plan project regarding the Annadale Mode Shift Project:

1. Adopt a Class 3 Categorical Exemption under Section 15301(e) of the State of California Environmental Quality Act (CEQA) Guidelines
2. Approve a Sub-Recipient Agreement with the Self Help Enterprises for the Annadale Mode Shift Project totaling \$343,000.
3. ***RESOLUTION - 36th amendment to the Annual Appropriation Resolution (AAR) No. 2019-133 appropriating \$257,300 for the TCC grant (Requires 5 affirmative votes) (Subject to Mayor's Veto).

Sponsors:

City Manager's Office

1-E [ID 20-00344](#)

RESOLUTION - Declaring property located on the southwest corner of West Herndon and North Brawley Avenues (APN 507-03-048ST) to be surplus and directing staff to comply with the Surplus Land Act

Sponsors:

City Manager's Office

1-F [ID 20-00392](#)

RESOLUTION - Revising the City's Ticket Distribution and Disclosure Policy of Complimentary Tickets and Passes pursuant to Fair Political Practices Commission Regulation 18944.1

Sponsors:

City Manager's Office

1-G [ID 20-00329](#)

Award a requirements contract for retreading of commercial truck tires to Delray Tire and Retreading of Fresno, California, in the amount of \$243,915.53 (Bid File 9532)

Sponsors:

Department of Transportation

1-H [ID 20-00331](#)

Reject all bids for a Bus Rapid Transit shelter purchase contract and direct staff to rebid (Bid File 3723)

Sponsors:

Department of Transportation

- 1-I [ID 20-00333](#) Approve the award of a purchase contract to Swanson Fahrney Ford of Selma, California, for the purchase of five hybrid police patrol sport utility vehicles in the amount of \$201,584.49 (Bid File 3713)
- Sponsors:** Department of Transportation
- 1-J [ID 20-00334](#) Approve the award of a cooperative purchase contract to Stommel Inc., dba Lehr Automotive, a Sacramento California-based company, for the purchase of 30 sets of police vehicle hardware in the amount of \$505,792.29
- Sponsors:** Department of Transportation
- 1-K [ID 20-00335](#) RESOLUTION - Authorizing the periodic filing of applications for, acceptance of, and execution of all documents and instruments in relation to the Volkswagen Environmental Mitigation Trust Fund (VW Trust) administered by the California Air Resources Board (CARB)
- Sponsors:** Department of Transportation
- 1-L [ID 20-00337](#) Actions pertaining to Sewer Access Structure Rehabilitation on North and Church Avenues (Bid File 3703) (Council District 3):
1. Adopt a finding of Categorical Exemption pursuant to Class 1, Sections 15301(b)&(d) (Existing Facilities) and Class 2, Section 15302(c) (Replacement or Reconstruction) of the California Environmental Quality Act
 2. Award a construction contract in the amount of \$139,550 to Sancon Technologies, Inc., of Huntington Beach, California
- Sponsors:** Department of Public Utilities
- 1-M [ID 20-00338](#) ***RESOLUTION - To authorize submittal of application for payment programs to CalRecycle and related authorizations (Citywide) (Subject to Mayor's Veto)
- Sponsors:** Department of Public Utilities
- 1-N [ID 20-00347](#) Actions pertaining to Sewer Rehabilitation in the Vicinity of South Martin Luther King Jr. Boulevard and East Jensen Avenue (Bid File 3677) (Council District 3):

1. Adopt a finding of Categorical Exemption pursuant to Class 1, Sections 15301(b)&(d) (Existing Facilities) and Class 2, Section 15302(c) (Replacement or Reconstruction) of the California Environmental Quality Act

2. Award a construction contract in the amount of \$979,125 to Emmett's Excavation, Inc., of Clovis California

Sponsors:

Department of Public Utilities

1-O [ID 20-00350](#)

Actions pertaining to the City of Fresno's water meters, parts and software technology (Citywide):

1. ***RESOLUTION - Approve an exception to formal bidding procedures to award a Sole Source/Single Source agreement to Badger Meter Incorporated for Water Meters, parts and software technology. (Subject to Mayor's Veto)

2. Award a three-year requirements contract to Badger Meter Incorporated in the amount of \$1,200,000 per year, for three years and up to two one-year extensions

Sponsors:

Department of Public Utilities

1-P [ID 20-00227](#)

Approve the appointment of Diana Rice to the Capital Oversight Board

Sponsors:

Councilmember Bredefeld

1-Q [ID 20-00343](#)

RESOLUTION - Of Intention to Annex the Territory Known as Assessor's Parcel Number 504-092-06S as Annexation No. 44 to the City of Fresno Community Facilities District No. 9 and to Authorize the Levy of Special Taxes; and setting the public hearing for Thursday, April 23, 2020, at 10:00 am (corner lot fronting West Herndon and Farrington Avenues) (Council District 2)

Sponsors:

Public Works Department

1-R [ID 20-00349](#)

Reject bid for the Granny's Park Modular Building Replacement project - Bid File No. 3666

Sponsors:

Parks, After School and Recreation and Community Services Department

1-S [ID 20-00371](#)

Approve Amended Employment Agreement of City Attorney

Sponsors:

Council President Arias

- 1-T [ID 20-00387](#) ***RESOLUTION - 9th Amendment to the Position Authorization Resolution (PAR) No. 2019-134 adding a total of four (4) positions to the Code Enforcement Division of the City Attorney's Office: two (2) Laborer positions and two (2) Light Equipment Operators, effective March 1, 2020 (Subject to Mayor's veto)

Sponsors: City Attorney's Office

- 1-U [ID 20-00391](#) Approve the appointment of David (DJ) Criner to the Planning Commission

Sponsors: Mayor's Office

- 1-V [ID 20-00339](#) Actions pertaining to FATforward, Fresno Yosemite International Airport's expansion program (Council District 4):
1. Adopt the FATforward Initial Study and Mitigated Negative Declaration dated January 27, 2020, pursuant to the California Environmental Quality Act
 2. Approve Phase One of a Progressive Design-Build Contract with Q&D Construction to provide design services related to the terminal expansion at Fresno Yosemite International Airport in an amount not to exceed \$8,450,000
 3. ***RESOLUTION - 39th Amendment to the Annual Appropriations Resolution (AAR) No. 2019-133 appropriating \$8,850,000 to Fresno Yosemite International Airport for the Phase One Design-Build terminal expansion contract and related work (Requires 5 affirmative votes) (Subject to Mayor's veto)

Sponsors: Airports Department

CONTESTED CONSENT CALENDAR

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:00 A.M.

- [ID 20-00340](#) HEARING to consider the vacation of a portion of East Palo Alto Avenue, west of North Fresno Street (Council District 6)
1. ***RESOLUTION - Ordering the vacation of a portion of East Palo Alto Avenue, west of North Fresno Street (Subject to Mayor's Veto)

Sponsors: Public Works Department

10:10 A.M.

[ID 20-00341](#)

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. 43 (Assessor's Parcel Number 403-030-07) (southeast corner of East Shepherd and North Chance Avenues) (Council District 6)

1. ***RESOLUTION - To Annex Territory to Community Facilities District No. 9 and Authorizing the Levy of a Special Tax for Annexation No. 43 (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. 43 (Subject to Mayor's Veto)

Sponsors: Public Works Department

10:15 A.M. SCHEDULED COMMUNICATION

[ID 20-00323](#)

Appearance by Mary Padilla to discuss bringing peace back to the City of Fresno and everywhere else. (Speaker resides in District 2)

3. GENERAL ADMINISTRATION

- 3-A [ID 20-00388](#) ***RESOLUTION - Staying implementation of City employee security protocols due to Coronavirus (COVID-19) (Subject to Mayor's veto)

Sponsors: City Manager's Office and Councilmember Esparza

4. CITY COUNCIL

5. CLOSED SESSION

- 5-A [ID 20-00377](#) 1. Government Code Section 54957(b): Consider the

appointment, employment, evaluation of performance, discipline, or dismissal of a public employee.

Title: City Attorney

2. Government Code Section 54957.6: Conference with Labor Negotiator.

City Negotiator: Council President Miguel Arias

Unrepresented Employee: City Attorney

Sponsors:

Council President Arias

5-B [ID 20-00380](#)

1. Government Code Section 54957(b): consider the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee.

Title: City Clerk

2. Government Code Section 54957.6: conference with labor negotiator.

City Negotiator: Council President Miguel Arias

Unrepresented Employee: City Clerk

Sponsors:

Council President Arias

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.

ADJOURNMENT

UPCOMING SCHEDULED COUNCIL HEARINGS AND MATTERS

April 9, 2020

10:05 A.M.#1 - HEARING re: the Consolidated Plan, Annual Action Plan, and Analysis of Impediments to Fair Housing Choice.

April 9, 2020

10:05 A.M.#2 - HEARING - To review Substantial Amendment No. 2019-01 to 2019-2020 Annual Action Plan

April 9, 2020

10:05 A.M. #3 - HEARING - To review Substantial Amendment No. 2019-02 to 2019-2020 Annual Action Plan

April 9, 2020

10:15 A.M. - HEARING to consider Rezone Application No. P19-04890 and Development Permit Application No. P19-02898 for a 7-unit multi-family residential complex and removal of conditions of zoning. The location is on the east side of N. Arthur Avenue, just south of its intersection with W. Shaw Avenue. The rezone request will change the zoning from RM-1/cz to RM-1.

April 23, 2020

10:00 AM - 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. 44 (corner lot fronting West Herndon and Farrington Avenues) (Council District 2)

April 23, 2020

10:05 A.M. - HEARING re: Resolution of Necessity to remove Outfront Billboard for the Veterans Blvd Ph II project.

April 23, 2020

10:10 A.M. - HEARING re: vacation for a PUE in Dearing Avenue alignment

UPCOMING EMPLOYEE CEREMONIES

April 22, 2020 (Wednesday - 2:00 P.M.) – Employee Service Awards

May 20, 2020 (Wednesday - 2:00 P.M.) – Employee of the Spring Quarter

July 22, 2020 (Wednesday - 2:00 P.M.) - Employee of the Summer Quarter

October 21, 2020 (Wednesday - 2:00 P.M.) - Employee of the Fall Quarter

November 18, 2020 (Wednesday - 2:00 P.M.) – Employee Service Awards

2020 CITY COUNCIL MEETING SCHEDULE

MARCH 26, 2020 - NO MEETING

APRIL 2, 2020 - NO MEETING

APRIL 9, 2020 - 9:00 A.M. MEETING

APRIL 16, 2020 - NO MEETING

APRIL 23, 2020 - 9:00 A.M. MEETING

APRIL 30, 2020 - NO MEETING