

City of Fresno

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



Meeting Agenda - Final

Thursday, August 11, 2022

9:00 AM

Regular Meeting

Council Chambers (In Person And/Or Electronic)

City Council

President - Nelson Esparza

Vice President - Tyler Maxwell

Councilmembers:

Esmeralda Z. Soria, Mike Karbassi, Miguel Angel Arias, Luis Chavez,

Garry Bredefeld

City Manager - Georgeanne A. White

Interim City Attorney - Rina Gonzales

City Clerk - Todd Stermer, CMC

PUBLIC ADVISORY:

THE FRESNO CITY COUNCIL WELCOMES YOU TO CITY COUNCIL CHAMBERS, LOCATED IN CITY HALL, 2ND FLOOR, 2600 FRESNO STREET, FRESNO, CALIFORNIA 93721.

You can also participate in the meeting on our City's website click on the URL <https://fresno.legistar.com/Calendar.aspx> and click on the "In progress" link under "video" for the corresponding meeting. The Council meeting can also be viewed live at 9:00 A.M. on Comcast Channel 96 and AT&T Channel 99.

The City Council Chambers are open for public participation. However, members of the public are encouraged to participate electronically because of reduced capacity of seating in the Chambers to allow for social distancing, and masks will be required for the vaccinated and unvaccinated.

PUBLIC COMMENT: The following options are available for members of the public who want to address City Council:

1. eComment at <https://fresno.legistar.com/Calendar.aspx>.

a) eComments is a tool for citizens to use to make comments on agenda items. It will be open during the Council meeting and closed at the end of the meeting and will be a part of the official record. The User Agreement and Procedures document for eComment can be accessed by the URL <https://www.fresno.gov/cityclerk/>

b) eComments will be a maximum of 450 words.

OR

2. You are invited to a Zoom webinar.

When: August 11, 2022, 9:00 AM Pacific Time (US and Canada)

Topic: August 11, 2022, Regular Meeting

a) Register in advance for this webinar:

https://zoom.us/webinar/register/WN_ew5_ihrDTNaNI1kKQqL19A

After registering, you will receive a confirmation email containing information about joining the webinar.

b) If you do not wish for your name to appear on the screen, then use the drop down menu and click on "rename" to rename yourself.

c) If you wish to address Council during the public comment portion of the agenda,

click on the icon labeled “Participants” at the bottom center of your PC or Mac screen. At the bottom of the window on the right side of the screen, click the icon labeled “RaiseHand”. Your digital hand will now be raised.

d) Those addressing Council must state their name for the record.

e) To facilitate electronic access, no person shall speak until recognized by the Presiding Officer.

OR

3. Email: to clerk@fresno.gov

a) Residents may also email comments to be read during the meeting. Please include the agenda date and item number you wish to speak on in the subject line of your email.

b) Emails will be a maximum of 450 words.

c) All comments received will be distributed to Council prior and during the meeting and will be a part of the official record.

Pursuant to Rule 11 (c) of the Rules of Procedure for the City Council of the City of Fresno, no documents shall be accepted for Council review unless submitted to the City Clerk at least 24 hours prior to the Council Agenda item be heard.

All participants will be on mute until they are called upon at which point they will be unmuted. To prevent participants from having their video on, we will remove the option to show their video.

The City of Fresno’s goal is to comply with the Americans with Disabilities Act, If you need additional accommodations such as interpreters, sign language signers, 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 three business days prior to the meeting.

The City of Fresno thanks you in advance for taking all precautions to prevent spreading COVID19 virus.

9:00 A.M. ROLL CALL

Invocation by Kevin Llanos with the Police Chaplaincy

Pledge of Allegiance to the Flag

APPROVE AGENDA

CEREMONIAL PRESENTATIONS

- [ID 22-1192](#) Proclamation for “Junior Councilmember of the Day, Sebastian Arambula”
- Sponsors:** Councilmember Karbassi
- [ID 22-1283](#) Proclamation for “Muslim Appreciation and Awareness Month”
- Sponsors:** Councilmember Arias
- [ID 22-1270](#) Proclamation for “Recognition of Citizenship Ambassador Margarita Rocha”
- Sponsors:** Council President Esparza
- [ID 22-1271](#) Proclamation for “Recognition of Citizenship Ambassador Pao Yang”
- Sponsors:** Council President Esparza
- [ID 22-1282](#) Certificate of Recognition for Myrella Preciado
- Sponsors:** Council President Esparza
- [ID 22-1239](#) Proclamation for “International Dog Assistance Week (August 7-13)”
- Sponsors:** Office of Mayor & City Manager

COUNCILMEMBER REPORTS AND COMMENTS

MAYOR/MANAGER REPORTS AND COMMENTS

UNSCHEDULED COMMUNICATION

PLEASE NOTE: UNSCHEDULED COMMUNICATION IS NOT SCHEDULED FOR A SPECIFIC TIME AND MAY BE HEARD ANY TIME DURING THE MEETING

1. CONSENT CALENDAR

- 1.-A. [ID 22-1263](#) Approval of minutes for July 21, 2022, Regular Meeting, July 21, 2022, Special Closed and Open Session Meeting, and July 25, 2022, Special Open Session Meeting.
- Sponsors:** Office of the City Clerk
- 1.-B. [ID 22-1187](#) Actions pertaining to Commercial Cannabis Activity:
Approve a No-Cost Extension Agreement Amendment with Make Green Go LLC for Cannabis Social Equity Business Technical Assistance to October 31, 2022.
- Sponsors:** Office of Mayor & City Manager
- 1.-C. [ID 22-1189](#) Approve the first amendment to Sub-Recipient Agreement with the Youth Leadership Institute for the Leadership Development Community Partner component of the Transform Fresno Community Engagement Plan as a part of the Transformative Climate Communities (TCC) grant.
- Sponsors:** Office of Mayor & City Manager
- 1.-D. [ID 22-1214](#) Approve the Appointments of Kathryn Wilbur to the Mobile Home Rent Review and Stabilization Commission. Approve the Reappointments of Peter Vang, Monica Diaz, and Brad Hardie to the Planning Commission. Approve the Reappointment of Ken Elvington and Dr. Jenelle Pitt Parker to the Disability Advisory Commission
- Sponsors:** Office of Mayor & City Manager
- 1.-E. [ID 22-1228](#) A Resolution of the Council of the City of Fresno, California, concerning Measure C Extension Local Transportation Purposes Pass-Through Projects and Program Funds annual allocation for fiscal year 2022-2023
- Sponsors:** Office of Mayor & City Manager
- 1.-F. [ID 22-1236](#) ***Approve the Second Amendment to the Project Labor Agreement (PLA) related to the Transformative Climate Communities (TCC) grant extending the agreement until July 3, 2024. (Subject to Mayor's Veto)
- Sponsors:** Office of Mayor & City Manager

1.-G. [ID 22-1246](#)

Award Mail and Print Services Contract to DataProse, LLC and authorize the Finance Director/Controller to negotiate and execute a three-year (3) contract for services

Sponsors:

Finance Department

1.-H. [ID 22-1169](#)

Actions pertaining to the 2021 Community Policing Development (CPD) De-Escalation Training grant program

1. Authorize the Chief of Police to accept \$200,000 in grant funding for the 2021 Community Policing Development (CPD) De-Escalation Training grant awarded to the Fresno Police Department from the U.S. Department of Justice, through the Office of Community Oriented Policing Services (COPS)
2. ***RESOLUTION - Adopt the 1st Amendment to the Annual Appropriation Resolution (AAR) No. 2022-154 appropriating \$200,000 for the Police Department's 2021 Community Policing Development (CPD) De-Escalation Training grant (requires five affirmative votes) (subject to Mayor's veto)
3. RESOLUTION - Adopt Resolution approving an exception to formal bidding procedures and award a sole source purchase agreement for a de-escalation training simulator
4. Approve the award of a sole source purchase agreement with VirTra for the purchase of a de-escalation training simulator in the amount of \$148,429.42

Sponsors:

Police Department

1.-I. [ID 22-1249](#)

Actions pertaining to an operations agreement with the State of California Department of Parks and Recreation:

1. ***RESOLUTION - Adopting the 3rd Amendment to the Annual Appropriation Resolution (AAR) No. 2022-154 to appropriate \$140,000 for the operations and maintenance, and capital outlays relating to the Maxie L. Parks Community Center, located at 1802 E. California Ave., Fresno, CA 93706 (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)
2. Approve an operations agreement between the Parks, After School, Recreation and Community Services Department (PARCS) and the State of California Department of Parks and Recreation (State Parks) for the acceptance of settlement funds in the amount of \$70,000 annually, not to

exceed \$700,000 over ten years, from an escrow account established by State Parks for distribution to the City of Fresno (City) for Maxie. L Parks Community Center (Council District 3).

3. Authorize the PARCS Director or their designee to execute the operations agreement.

Sponsors:

Parks, After School and Recreation and Community Services Department

1.-J. [ID 22-1256](#)

Actions related to Community Services at Mosqueda Community Center:

1. Affirm City Manager's determination that Reading and Beyond is uniquely qualified to provide community services at Mosqueda Community Center.
2. Approve a Service Agreement (Agreement) between the Parks, After School, Recreation and Community Services (PARCS) Department and Reading and Beyond to provide community services for a three-year term at Mosqueda Community Center, located at 4670 E. Butler Ave, Fresno, CA 93702, for \$1 per year.
3. Authorize the PARCS Director or their designee to execute the Agreement subject to approval by the City Attorney (District 5).

Sponsors:

Parks, After School and Recreation and Community Services Department

1.-K. [ID 22-1257](#)

Actions related to services at Maxie L. Parks and Mary Ella Brown Community Centers:

1. Affirm City Manager's determination that the West Fresno Health Care Coalition dba the West Fresno Family Resource Center (WFFRC) is uniquely qualified to provide community services at Maxie L. Parks (Maxie) and Mary Ella Brown Community Centers (Mary Ella Brown).
2. Approve a Service Agreement (Agreement) between the Parks, After School, Recreation and Community Services (PARCS) Department and the West Fresno Health Care Coalition dba the WFFRC to provide community services for a three-year term at Maxie Community Center, located at 1802 E. California Avenue, Fresno, CA 93706, for \$1 per year.

3. Approve an Agreement between the PARCS Department and the West Fresno Health Care Coalition dba the WFFRC to provide community services for a three-year term at Mary Ella Brown Community Center, located at 1350 E. Annadale Avenue, Fresno, CA 93706, for \$1 per year
4. Authorize the PARCS Director or their designee to execute both Agreements subject to approval by the City Attorney (District 3).

Sponsors:

Parks, After School and Recreation and Community Services Department

1.-L. [ID 22-1259](#)

Actions related to Community Services at Sunset Community Center:

1. Affirm City Manager's determination that Street Saints is uniquely qualified to provide community services at Sunset Community Center for a one-year term.
2. Approve a Service Agreement (Agreement) between the Parks, After School, Recreation and Community Services (PARCS) Department and HandsOn Central California, acting as the fiscal and administrative sponsor for Street Saints, to provide community services for a one-year term at Sunset Community Center, located at 1345 W. Eden Ave, Fresno, CA 93706, for \$1 per year.
3. Authorize the PARCS Director or their designee to execute the Agreement subject to approval by the City Attorney (District 3).

Sponsors:

Parks, After School and Recreation and Community Services Department

1.-M. [ID 22-1295](#)

Actions pertaining to the allocation of funding for the Violence Intervention and Prevention Initiative Grant Program:

1. Approve the recommendation of grant proposals allocating \$950,000 from American Rescue Plan Act (ARPA) and \$550,000 in General Fund to local Community Based Organizations totaling \$1,500,000 to the following organizations: Boys and Girls Clubs of Fresno County (\$180,000); Fresno Economic Opportunities Commission/Advance Peace (\$375,000); Hope Now for Youth (\$130,000); Live Again Fresno (\$150,000); The Resiliency Center (\$50,000); Take a Stand Committee

(\$50,000); Trauma Research and Education Foundation of Fresno (\$130,000); and a combined total of \$435,000 to the following collaborative partners: West Fresno Health Care Coalition dba West Fresno Family Resource Center (\$150,000)/Brain Wise Solutions (\$25,000), Every Neighborhood Partnership (\$75,000)/Gidai Maaza (\$35,000), HandsOn Central California/Fresno Street Saints (\$75,000), and the Fresno Police Activities League (\$75,000).

2. ****RESOLUTION - Granting Authority to the Parks, After School, Recreation and Community Services (PARCS) Director or their Designee to Enter Into Agreements with Community Based Organizations For One Year With The Option of One, One-Year Extension and Amendment to Provide Programs and Services Funded by the American Rescue Plan Act (ARPA) and General Fund to Aid in the COVID-19 Recovery Effort. (Subject to Mayor's Veto) (Citywide)

Sponsors:

Parks, After School and Recreation and Community Services Department

1.-N. [ID 22-1181](#)

Actions pertaining to supplemental Emergency Solutions Grant funding provided by the U.S. Department of Housing and Community Development Office of Community Planning and Development (HUD CPD) to prevent, prepare for, and respond to the Coronavirus:

1. Approve a First Amendment to the Emergency Solutions Grant-Coronavirus (ESG-CV) agreement between the City of Fresno and Poverello House to extend the term of the agreement through September 30, 2023 and increase the funding by \$304,180 for a total award of \$671,605 for Street Outreach within the City of Fresno.

2. Approve the sixth revision of the Emergency Solutions Grant-Coronavirus (ESG-CV) Activity Allocations to allocate \$777,284.21 of ESG-CV funds to activities for Street Outreach and Emergency Shelter operations.

Sponsors:

Planning and Development Department

- 1.-O. [ID 22-1254](#) Approve a Second Amendment to the HOME Investment Partnerships Program, Community Housing Development Organization Agreement with Self-Help Enterprises to allow for subordination to the State of California CalHome Program and hold a no less than third position lien (District 3)

Sponsors:

Planning and Development Department

- 1.-P. [ID 22-1255](#) Approve a \$250,000 Consultant Services Agreement with SWCA Environmental Consultants for 2022-2024 environmental consulting services for the Housing and Community Development Division, U.S. Department of Housing and Urban Development funded projects, programs, and activities.

Sponsors:

Planning and Development Department

- 1.-Q. [ID 22-1182](#) Actions pertaining to the Orange Avenue and Central Avenue Intersection Improvement Project - Bid File No. 3833 (Council District 3):

1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301 of the California Environmental Quality Act (CEQA) guidelines
2. Award a construction contract in the amount of \$2,582,991 to Avison Construction, Inc. of Madera, California

Sponsors:

Public Works Department

- 1.-R. [ID 22-1253](#) BILL (for introduction) - Amending Section 6-520 of the Fresno Municipal Code, relating to regulations for urban water conservation

Sponsors:

Department of Public Utilities

- 1.-S. [ID 22-1244](#) Reject the sole bid received for the Rebid Requirements Contract to Furnish & Install Polyethylene Water Service Replacements (Bid File 9629) (Citywide).

Sponsors:

Department of Public Utilities

- 1.-T. [ID 22-1215](#) Award a revenue contract for bus advertising services to Lamar Transit LLC for \$2,190,000 over five years (Bid Eval 9650)

Sponsors:

Department of Transportation

- 1.-U. [ID 22-1280](#) Approval of the appointment of Kathleen Hendron to the District 2 Project Implementation Committee and Kacey Auston-Tibbetts to the City of Fresno Women’s Commission.
- Sponsors:** Councilmember Karbassi
- 1.-V. [ID 22-1262](#) Approve the appointment of Guadalupe Cazarez to the Women’s Commission and approve the reappointment of James W. Sponsler to the Historic Preservation Commission.
- Sponsors:** Councilmember Arias
- 1.-W. [ID 22-1277](#) Approve the appointment of Gabriel Lozano to the Bicycle and Pedestrian Commission (BPAC).
- Sponsors:** Councilmember Chavez
- 1.-X. [ID 22-1269](#) Approval of the appointment of Aida Macedo to the City of Fresno Women’s Commission.
- Sponsors:** Council President Esparza

CONTESTED CONSENT CALENDAR

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:00 A.M. #1 (CONTINUED TO FUTURE DATE TO BE RENOTICED)

- [ID 22-1211](#) Consideration of Development Code Text Amendment Application No. P22-02413 and related Environmental Finding for Environmental Assessment No. P22-02413, amending Tables 15-1102, 15-1103, 15-1202, 15-1203, 15-4907 and Section 15-1104 of the Fresno Municipal Code and adding Sections 15-1106 and 15-5102-E to the Fresno Municipal Code, and corresponding General Plan Text Amendment relating to mixed-use development:
1. ADOPT a finding set forth in Environmental Assessment No. P22-02413 dated July 6, 2022, of a Mitigated Negative Declaration pursuant to CEQA Guidelines Section 15168(d)
 2. APPROVE Development Code Text Amendment Application No. P22-02413, amending Tables 15-1102, 15-1103, 15-1202, 15-1203, 15-4907 and Section 15-1104 of the

Fresno Municipal Code and adding Sections 15-1106 and 15-5102-E to the Fresno Municipal Code, relating to mixed-use development, with staff corrections as recommended by Planning Commission on July 20, 2022

3. APPROVE General Plan Text Amendment Application No. P22-02413 amending Chapter 3, the Urban Form, Land Use, and Design Element of the Fresno General Plan, Table 3-1, and pages 3-41 and 3-42 consistent with the Development Code Text Amendment described above

Sponsors:

Planning and Development Department

10:00 A.M. #2

[ID 22-1238](#)

Consideration of Rezone Application No. P22-00451, pertaining to ±5.57 acres of property located on the southwest corner of West Bullard Avenue and North Del Mar Avenue (Council District 4).

1. ADOPT Environmental Assessment No. P22-00451, dated May 18, 2022, a determination that the proposed project is in compliance with Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning) of the California Environmental Quality Act.

2. BILL (for introduction and adoption) Approving Rezone Application No. P22-00451 proposing to rezone the subject property from the PI/cz (Public and Institutional/with conditions of zoning) zone district to the PI/cz (Public and Institutional/with conditions of zoning) zone district in order to modify the conditions of zoning tied to the ±5.57 acres of property located at 255 West Bullard Avenue.

Sponsors:

Planning and Development Department

3. GENERAL ADMINISTRATION

3.-A. [ID 22-1216](#)

WORKSHOP - FATforward Update - Moving Fresno Yosemite International Airport into the Future

Sponsors:

Airports Department

- 3.-B. [ID 22-1217](#) Actions pertaining to the Terminal East Apron Reconfiguration project at Fresno Yosemite International Airport (Council District 4):
1. Award a construction contract to A. Teichert & Son, Inc. dba Teichert Construction, of Fresno, California, for the Terminal East Apron Reconfiguration project at Fresno Yosemite International Airport in the amount of \$10,130,425 (Bid File 3859)
 2. Approve a consulting agreement with Moore Twining Associates of Fresno, California, to provide geotechnical quality assurance testing and inspection services for the Terminal East Apron Reconfiguration project at Fresno Yosemite International Airport in the amount of \$255,288
- Sponsors:** Airports Department

- 3.-C. [ID 22-1278](#) Workshop - Measure C Renewal
- Sponsors:** Office of Mayor & City Manager

- 3.-D. [ID 22-1260](#) ***RESOLUTION - In support of the Measure C Renewal Expenditure Plan and implementation guidelines (Subject to Mayor's Veto).
- Sponsors:** Office of Mayor & City Manager

- 3.-E. [ID 22-1264](#) Approve a Memorandum of Understanding Between the City of Fresno and the Downtown Association of Fresno (DBA Downtown Fresno Partnership) for Baseline Services.
- Sponsors:** Office of Mayor & City Manager

4. CITY COUNCIL

- 4.-A. [ID 22-1279](#) Resolution-Opposing Proposed Provisions of Senate Bill 930 Identifying the City of Fresno As A Qualified City Eligible For The SB 930 Pilot Program.
- Sponsors:** Councilmember Bredefeld, Vice President Maxwell and Councilmember Arias
- 4.-B. [ID 22-1284](#) ***RESOLUTION - Updating the Council Orientation Act (Subject to Mayor's Veto)
- Sponsors:** Councilmember Karbassi and Vice President Maxwell

5. CLOSED SESSION

- 5.-A. [ID 22-1218](#) CONFERENCE WITH SECURITY OFFICIALS - Government Code Section 54957(a)
Topic: Matters that pose a threat to essential government services and the public's right of access to government services and facilities - cybersecurity assessment

Sponsors:

Office of Mayor & City Manager

- 5.-B. [ID 22-1268](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Government Code Section 54956.9, subdivision (d)(1)

Case Name: Pismos of Fresno, LLC, et al. v. City of Fresno, et al. Fresno Superior Court Case No. 20CECG03646

Sponsors:

City Attorney's Office

- 5.-C. [ID 22-1275](#) CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8
Property: APN 46828205T, 46828222T, 46828223T (South Stadium)
Negotiating Parties: Executive Director Murphey, Noyan Frazier Capital, L.P.
Under Negotiations: Terms of sale
Sponsor: Executive Director, Fresno Revitalization Corporation

ADJOURNMENT**UPCOMING SCHEDULED COUNCIL HEARINGS AND MATTERS**

August 18, 2022 (MOVED TO A FUTURE DATE TO BE RENOTICED)

10:00 #1 – Mixed Use Text Amendment (Ordinance for Adoption)

August 18, 2022 (MOVED TO A FUTURE DATE TO BE RENOTICED)

10:00 #2 - HEARING to Consider Plan Amendment and Rezone Application No. P20-04209, Development Permit Application No. P20-04211, and related Environmental Assessment No. P20-04209/P20-04211 pertaining to ±18.9 acres of property located on the southeast corner of Southwest and West Church Avenues

(Council District 3) – Planning & Development Department.

August 18, 2022 (MOVED TO A FUTURE DATE TO BE RENOTICED)

10:00 #3 - Hearing to Consider Plan Amendment Application No. P20-01665, Rezone Application No. P20-01665 and the related Environmental Assessment No. P20-01665 pertaining to ±92.53 acres of property bounded by East Vine Avenue to the north, State Route 41 to the east, South Elm Avenue to the west and East Chester/East Samson Avenue to the south (Council District 3).

August 18, 2022 (MOVED TO A FUTURE DATE TO BE RENOTICED)

5:00 P.M. – West Area Neighborhood Specific Plan.

October 13, 2022

10:00 A.M. - HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding CITY OF FRESNO COMMUNITY FACILITIES DISTRICT NO. 11, Annexation No. 133 (Final Tract Map No. 6310) (property located on north side of West Dakota Avenue between North Hayes & North Polk Avenues) (Council District 1)

September 15, 2022

10:10 A.M. - Public Hearing on the Consolidated Annual Performance Evaluation Report for PY 2021

UPCOMING EMPLOYEE CEREMONIES

October 19, 2022 - Employee of the Fall Quarter

November 16, 2022 -Employee Service Awards

2022 CITY COUNCIL MEETING SCHEDULE

AUGUST 18, 2022 - 9:00 A.M.

AUGUST 25, 2022 - NO MEETING

SEPTEMBER 1, 2022 - 9:00 A.M.

SEPTEMBER 8, 2022 - NO MEETING

SEPTEMBER 15, 2022 - 9:00 A.M.

SEPTEMBER 22, 2022 - NO MEETING

SEPTEMBER 29, 2022 - 9:00 A.M.

OCTOBER 6, 2022 - NO MEETING
OCTOBER 13, 2022 - 9:00 A.M.
OCTOBER 20, 2022 9:00 A.M.
OCTOBER 27, 2022 - NO MEETING

NOVEMBER 3, 2022 - 9:00 A.M.
NOVEMBER 10, 2022 - NO MEETING
NOVEMBER 17, 2022 - 9:00 A.M.
NOVEMBER 24, 2022 - NO MEETING

DECEMBER 1, 2022 - 9:00 A.M.
DECEMBER 8, 2022 - NO MEETING
DECEMBER 15, 2022 - 9:00 A.M.
DECEMBER 22, 2022 - NO MEETING
DECEMBER 29, 2022 - NO MEETING