

City of Fresno

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



Meeting Agenda - Final

Thursday, January 5, 2023

9:00 AM

Regular Meeting

Council Chambers (In Person And/Or Electronic)

City Council

President - Nelson Esparza

Vice President - Tyler Maxwell

Councilmembers:

Annalisa Perea, Mike Karbassi, Miguel Angel Arias, Luis Chavez,

Garry Bredefeld

City Manager - Georgeanne A. White

City Attorney - Andrew Janz

City Clerk - Todd Stermer, CMC

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

You can 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.

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 comment on agenda items and those comments will become part of the official record. eComments will be available as soon as the agenda is published and will close 24 hours prior to the start of the meeting. 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: January 5, 2023, 9:00 AM Pacific Time (US and Canada)

Topic: January 5, 2023, Regular Meeting

a) Register in advance for this webinar:

https://zoom.us/webinar/register/WN_x_fs0AG1SLCGKujUvZBKQQ

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.

9:00 A.M. ROLL CALL

Invocation by Pastor DJ Criner from Saint Rest Baptist Church.

Pledge of Allegiance to the Flag

Performances By:

Bagpiping Performance by Aaron Lipinski

Mariachi Cachanilla

Folklorico Performance by Los Niños de Aztlán (The Children of Aztlán)

Hmong Culture and Art Performance by Viv Ncaus Koom Siab (Sisters in Harmony)

APPROVE AGENDA**UNSCHEDULED COMMUNICATION**

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

CEREMONIAL PRESENTATIONS

Installation and Administration of Oaths of Office to Councilmembers-Elects & Statements by the Newly Sworn in Councilmembers

- [ID 23-02](#) Councilmember Annalisa Perea - District 1
Oath Administered by Former Fresno County Supervisor
Henry R. Perea
- [ID 23-03](#) Councilmember Miguel Arias - District 3
Oath Administered by Anaii Zamora-Arias and Diego Angel
Zamora-Arias
- [ID 23-04](#) Councilmember Luis Chavez - District 5
Oath Administered by Pablo Villagrana
- [ID 23-05](#) Councilmember Nelson Esparza - District 7
Oath Administered by Sandra Garcia and Dania Michelle
Esparza
- [ID 23-06](#) Election of Chair and Vice Chair to the Successor Agency to
the Redevelopment Agency of the City of Fresno

[ID 23-07](#) Election of Council President and Vice President

[ID 23-08](#) Comments by Council President & Vice President

1:00 P.M. MEETING TO RESUME IN CHAMBERS

CEREMONIAL PRESENTATIONS (CONTINUED)

[ID 23-41](#) Proclamation for “Corin Hoggard Day”

Sponsors: Councilmember Karbassi and Councilmember Arias

1. CONSENT CALENDAR

1.-A. [ID 23-01](#) Approval of Minutes for December 15, 2022, Regular Meeting and December 22, 2022, Special Meeting.

Sponsors: Office of the City Clerk

1.-B. [ID 23-28](#) Actions related to the One Fresno Housing Strategy to address the production of new housing and leveraging adaptive reuse opportunities:

1. ***RESOLUTION - Adopting the 22nd Amendment to the Annual Appropriation Resolution (AAR) No. 2022-154 Appropriating \$175,000 for One Fresno Housing Strategy Related Activities (Requires 5 Affirmative Votes) (Subject to Mayor’s Veto)
2. Affirm the City Manager’s Finding that LeSar Support Services is Uniquely Qualified
3. Approve a Consultant Agreement with LeSar Support Services for \$175,000 to Provide Consultant and Grant Writing Services

Sponsors: Office of Mayor & City Manager

1.-C. [ID 23-10](#) Actions pertaining to American Rescue Plan Act (ARPA) funding to Community Based Organizations (CBOs)

1. Adopt a finding of Categorical Exemption pursuant to CEQA Guidelines Section 15301/Class 1 for to proposed project pursuant to the California Environmental Quality Act (CEQA)
2. Approve an agreement with Helping Others Pursue Excellence (HOPE) allocating \$500,000 in ARPA funding for small business assistance and to construct a commercial

kitchen at an existing space on the Vision View campus.

Sponsors:

Finance Department

1.-D. [ID 23-27](#)

***RESOLUTION - Approving the payoff of the Roeding Business Park Loan in the amount of \$1,220,801.51 between the City of Fresno and the California Infrastructure and Economic Development Bank (Subject to Mayor's Veto.)

Sponsors:

Finance Department

1.-E. [ID 23-09](#)

***RESOLUTION - Authorize the acceptance of 2021 Staffing for Adequate Fire and Emergency Response (SAFER) grant award for \$7,246,600 from the Federal Emergency Management Agency (FEMA) and authorize the Fire Chief to complete all required documents (Subject to Mayor's Veto)

Sponsors:

Fire Department

1.-F. [ID 23-42](#)

Approve an agreement with DataProse, LLC., in the not-to-exceed amount of \$206,874.40 annually, plus annual CPI adjustments, for three years with three one-year optional extensions for the Finance Department's print and mail services for utilities, business tax, and animal license billings and authorize the City Controller/Finance Director to execute all related documents (Bid File 9641)

Sponsors:

General Services Department and Finance Department

1.-G. [ID 23-48](#)

Approve the purchase of licensing for the Accela Cannabis Module for our on-premise Accela Civic Platform in the amount of \$20,000.

Sponsors:

Information Services Department

1.-H. [ID 23-32](#)

***RESOLUTION - Adopt the 8th Amendment to the FY 2023 Salary Resolution No. 2022-152, amending Exhibit 2, Unit 2, Non-Represented Management and Confidential Classes to decrease the E13 minimum salary range from \$9,766 to \$9,092 per month for the affected classification of Project Liaison/Program Administrator, effective January 2, 2023 (Subject to Mayor's Veto)

Sponsors:

Personnel Services Department

1.-I. [ID 23-15](#)

Actions pertaining to the summary vacation of a portion of the

southeast corner of North Parkway Drive and West Shields Avenue; a portion of North Parkway Drive, north of West Weldon Avenue; and a portion of North Marks Avenue, north of the Marks-Shields Connector (Council District 3)

1. Adopt finding of Categorical Exemption per staff determination, pursuant to Sections 15301/Class 1 (Existing Facilities) and 15305/Class 5 (Minor Alteration in Land Use Limitations) of the California Environmental Quality Act (CEQA) Guidelines, Environmental Assessment Number PW00663-SR99-01 for the Southeast corner of North Parkway Drive and West Shields Avenue
2. Adopt findings of Categorical Exemption per staff determinations, pursuant to Sections 15301/Class 1 (Existing Facilities) and 15305/Class 5 (Minor Alteration in Land Use Limitations) of the California Environmental Quality Act (CEQA) Guidelines, Environmental Assessment Number PW00663-SR99-02 for a portion of North Parkway Drive, north of West Weldon Avenue
3. Adopt findings of Categorical Exemption per staff determinations, pursuant to Sections 15301/Class 1 (Existing Facilities) and 15305/Class 5 (Minor Alteration in Land Use Limitations) of the California Environmental Quality Act (CEQA) Guidelines, Environmental Assessment Number PW00663-SR99-03 for a portion of North Marks Avenue, north of the Marks-Shields Connector
4. ***RESOLUTION - Ordering the summary vacation of a portion of the Southeast corner of North Parkway Drive and West Shields Avenue; a portion of North Parkway Drive, north of West Weldon Avenue; and a portion of North Marks Avenue, north of the Marks-Shields Connector (Subject to Mayor's Veto)

Sponsors:

Public Works Department

1.-J. [ID 23-11](#)

Approve the Fourth Amendment to the professional consultant services agreement with Carollo Engineers, Inc., to expand the scope of services and increase the contract amount by \$111,810 for a total fee not to exceed \$1,101,141 (Council District 3).

Sponsors:

Department of Public Utilities

- 1.-K. [ID 23-12](#) Actions pertaining to Reclamation Well Power Poles Replacement (Bid File 12300454) (Council District 3):
1. Adopt a finding of Categorical Exemption per staff determination pursuant to Class 1, Section 15301(b)&(d) (Existing Facilities) and Section 15302(c) (Replacement or Reconstruction) of the California Environmental Quality Act Guidelines; and
 2. Award a construction contract to A-C Electric Company, in the amount of \$176,700.00.

Sponsors: Department of Public Utilities

- 1.-L. [ID 23-13](#) Approve consultant services agreement with Electrical Power Systems, Inc., for an amount not to exceed \$87,362, to provide a required Arc Flash Review and Update Study at the Fresno-Clovis Regional Wastewater Reclamation Facility. (Council District 3)

Sponsors: Department of Public Utilities

- 1.-M. [ID 23-26](#) Actions pertaining to roof repairs at the Department of Public Utilities Operations & Maintenance Facility located at 1626 E Street, Fresno, California (Bid File 12300671) (Council District 3):
1. Adopt a finding of Categorical Exemption per staff determination pursuant to Section 15302/Class 1 of the California Environmental Quality Act (CEQA) Guidelines
 2. Award a contract in the amount of \$248,315.43 to Nations Roof West, LLC of Fresno, California

Sponsors: Department of Public Utilities

- 1.-N. [ID 23-30](#) Actions pertaining to the submission of grant applications for the California Department of Water Resources 2022 Urban Community Drought Relief Program:
1. ***RESOLUTION - Authorizing the submission of a 2022 Urban Community Drought Relief Grant Program grant application to the California Department of Water Resources for the Critical Wells for Drought Relief Project, and authorizing the Director of Public Utilities or designee to accept grant funds and execute all application and grant agreement documents on behalf of the City of Fresno

(Council Districts 5, 6, and 7) (Subject to Mayor's Veto)

2. ***RESOLUTION - Authorizing the submission of a 2022 Urban Community Drought Relief Grant Program grant application to the California Department of Water Resources for the Leaky Acres Groundwater Recharge Improvements Project, and authorizing the Director of Public Utilities or designee to accept grant funds and execute all application and grant agreement documents on behalf of the City of Fresno (Council District 4) (Subject to Mayor's Veto)

Sponsors:

Department of Public Utilities

1.-O. [ID 23-14](#)

***RESOLUTION - Authorize acceptance of funding in the amount of \$100,000 from the Pacific Gas and Electric (PG&E) Foundation Better Together Nature Positive Program, approving the associated Community College Rides Free project, and authorizing execution of grant documents. (Subject to Mayor's veto)

Sponsors:

Department of Transportation and Vice President Maxwell

1.-P. [ID 23-57](#)

Declaring local state of emergency to address affordable housing and homelessness.

Sponsors:

Councilmember Chavez, Councilmember Arias and Councilmember Perea

CONTESTED CONSENT

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

3. GENERAL ADMINISTRATION

4. CITY COUNCIL

4.-A. [ID 23-25](#)

RESOLUTION of the City of Fresno, California Honoring Fresno State Athletics and Urging Admission to a Power Five Conference.

Sponsors:

Vice President Maxwell and Office of Mayor & City Manager

5. CLOSED SESSION

5.-A. [ID 23-17](#)

CONFERENCE WITH LABOR NEGOTIATORS - Government Code Section 54957.6

City Negotiators: TJ Miller

Employee Organizations:

1. International Union of Operating Engineers, Stationary Engineers, Local 39 (Local 39); 2. Fresno City Employees Association (FCEA); 3. Fresno Police Officers Association (FPOA Basic), Unit 4; 4. International Association of Firefighters, Local 753, Unit 5 (Fire Basic); 5. Amalgamated Transit Union, Local 1027 (ATU); 6. International Brotherhood of Electrical Workers, Local 100 (IBEW); 7. Fresno Police Officers Association (FPOA Management); 8. International Association of Firefighters, Local 753, Unit 10 (Fire Management); 9. City of Fresno Professional Employees Association (CFPEA); 10. City of Fresno Management Employees Association (CFMEA); 11. Operating Engineers, Local Union No. 3, Fresno Airport Public Safety Supervisors (FAPSS); 12. Operating Engineers, Local Union No. 3, Fresno Airport Public Safety Officers (FAPSO); 13. Unrepresented Employees in Unit 2 (Non-Represented Management and Confidential Classes): Airport Public Safety Manager, Assistant City Attorney, Assistant City Manager, Assistant Controller, Assistant Director, Assistant Director of Personnel Services, Assistant Director of Public Utilities, Assistant Director of Public Works, Assistant Police Chief, Assistant Retirement Administrator, Background Investigator, Budget Analyst, Budget Manager, Chief Assistant City Attorney, Chief Information Officer, Chief Labor Negotiator, Chief of Staff to Councilmember, Chief of Staff to the Mayor, City Attorney (City Negotiator, Council President Esparza), City Attorney Investigator, City Clerk (City Negotiator, Council President Esparza), City Engineer, City Manager (City Negotiator, Mayor Dyer), Community Coordinator, Community Outreach Specialist, Controller, Council Assistant, Deputy City Attorney II, Deputy City Attorney III, Deputy City Manager, Director, Director of Aviation, Director of Development, Director of Personnel Services, Director of Public Utilities, Director of Transportation, Economic Development Coordinator, Economic Development Director, Executive Assistant to Department Director, Executive Assistant to the City Attorney,

Executive Assistant to the City Manager, Executive Assistant to the Mayor, Fire Chief, Governmental Affairs Manager, Human Resources Manager, Independent Reviewer, Internal Auditor, Investment Officer, Management Analyst II, Payroll Accountant, Payroll Manager, Police Chief, Principal Budget Analyst, Principal Internal Auditor, Principal Labor Relations Analyst, Project Liaison/Program Administrator, Public Affairs Officer, Public Works Director, Retirement Administrator, Retirement Benefits Manager, Retirement Office Manager, Senior Budget Analyst, Senior Deputy City Attorney I, Senior Deputy City Attorney II, Senior Deputy City Attorney III, Senior Human Resources/Risk Analyst, Senior Law Clerk, Supervising Deputy City Attorney

Sponsors:

Office of Mayor & City Manager

5.-B. [ID 23-44](#)

CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION

Government Code Section 54956.9, subdivision (d)(2);

Case Name(s): Adventure Church, Inc. v. City of Fresno; Terance Frazier; Fresno Superior Court Case No. 22CECG04022

Sponsors:

City Attorney's Office

5.-C. [ID 23-45](#)

CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION

Government Code Section 54956.9, subdivision (d)(2);

Case Name(s): PW Fund B, LP; Span Development, LLC; Robin W. Martella Trust v. City of Fresno

Sponsors:

City Attorney's Office

5.-D. [ID 23-46](#)

CONFERENCE WITH LEGAL COUNSEL - PUBLIC SECURITY - Government Code Section 54957(a): Discuss security of City Hall.

Sponsors:

City Attorney's Office

5.-E. [ID 23-43](#)

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Government Code Section 54956.9, subdivision (d)(1)

Case Name: Nelson Esparza v. Garry Bredefeld; Fresno
Superior Court Case No. 22CECG01469

Sponsors: City Attorney's Office

ADJOURNMENT

UPCOMING SCHEDULED COUNCIL HEARINGS AND MATTERS

JANUARY 19, 2023

10:00 A.M. - Hearing to adopt resolutions and ordinances to annex territory and levy a special tax regarding City of Fresno Community Facilities District No. 11, Annexation No. 135 (Final Tract Map No. 5388)(located along West San Jose Avenue north of North Salinas Avenue)(Council District 2)

MARCH 30, 2023

10:05 A.M. - HEARING – To adopt Resolutions and Ordinance to annex territory and levy a special tax regarding City of Fresno Community Facilities District No. 17, Annexation LS003 (Final Tract Map No. 6299) (located at southeast corner of East Belmont Avenue and North Armstrong Avenue) (Council District 5)

UPCOMING EMPLOYEE CEREMONIES

January 18, 2023 (Wednesday) - Employee of the Winter Quarter

April 19, 2023 (Wednesday) - Employee of the Spring Quarter

April 26, 2023 (Wednesday) - Employee Service Awards

July 19, 2023 (Wednesday) - Employee of the Summer Quarter

October 18, 2023 (Wednesday) - Employee of the Fall Quarter

November 15, 2023 (Wednesday) - Employee Service Awards

2023 CITY COUNCIL MEETING SCHEDULE

JANUARY 12, 2023 - NO MEETING

JANUARY 19, 2023 - 9:00 A.M.

JANUARY 26, 2023 - NO MEETING

FEBRUARY 02, 2023 - NO MEETING

FEBRUARY 09, 2023 - 9:00 A.M.

FEBRUARY 16, 2023 - NO MEETING

FEBRUARY 23, 2023 - 9:00 A.M.

MARCH 02, 2023 - NO MEETING

MARCH 09, 2023 - 9:00 A.M.

MARCH 16, 2023 - NO MEETING

MARCH 23, 2023 - NO MEETING

MARCH 30, 2023 - 9:00 A.M.

APRIL 06, 2023 - NO MEETING

APRIL 13, 2023 - NO MEETING

APRIL 20, 2023 - 9:00 A.M.

APRIL 27, 2023 - 9:00 A.M.