

City of Fresno

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



Meeting Agenda - Final

Thursday, March 9, 2023

9:00 AM

Regular Meeting

Council Chambers (In Person and/or Electronic)

City Council

President - Tyler Maxwell

Vice President - Annalisa Perea

Councilmembers:

Mike Karbassi, Miguel Angel Arias, Luis Chavez,

Garry Bredefeld, Nelson Esparza

City Manager - Georgeanne A. White

City Attorney - Andrew Janz

City Clerk - Todd Stermer, CMC

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

PUBLIC PARTICIPATION – Public participation during Fresno City Council meetings is always encouraged and can occur in one of the two following ways:

1) Participate In Person: Council Chambers, City Hall, 2nd Floor, 2600 Fresno Street, Fresno, CA 93721

a) To speak during a City Council meeting in person: fill out a speaker card (available in the Council Chamber) and place it in the speaker card collection basket at the front of the Council Chamber. You may also approach the speaker podium upon the Council President's call for public comment.

2) Participate Remotely via Zoom:

https://zoom.us/webinar/register/WN_n3AeNIYoQnuaNobgTJ5Q

a) The above link will allow you to register in advance for remote participation in the meeting via the Zoom platform. After registering, you will receive a confirmation email containing additional details about joining the meeting.

b) To speak during a City Council meeting while attending remotely: while in the Zoom application, click on the icon labeled "Participants" at the bottom of the screen. Then select "RaiseHand" at the bottom of the Participants window. Your digital hand will now be raised. You will be asked to "unmute" when your name is called to speak. You will not be visible via video and there will be no opportunity to share your screen.

All public speakers will have up to 3 minutes to address Council pursuant to Rule No. 10 of the Rules of Procedure for the City Council of the City of Fresno (available in the City Clerk's Office).

SUBMIT DOCUMENTS / WRITTEN COMMENTS - Pursuant to Rule 11 (c) of the Rules of Procedure, 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. Documents / written comments related to an agenda item can be submitted by one of the following methods:

1) eComment – eComment allows the public to submit agenda related comments through a website prior to the meeting. Submitted comments are limited to 1440 characters and will be a part of the official record.

- a) Submit an e-Comment by visiting <https://fresno.legistar.com/Calendar.aspx> and selecting the “eComment” link.
- b) e-Comment is available for use upon publication of the agenda and closes 24 hours prior to the meeting start time [pursuant to Rule 11(c)].
- c) e-Comment is not permitted for Land use or CEQA items
- d) The e-Comment Electronic User Agreement can be viewed at:
<https://www.fresno.gov/cityclerk/>

2) E-mail – Agenda related documents and comments can be e-mailed to the Office of the City Clerk at least 24 hours prior to the agenda item being heard, pursuant to Rule 11(c).

- a) E-mail the Clerk’s Office at clerk@fresno.gov
- b) E-mails should include the agenda date, and the related agenda item number.

VIEWING CITY COUNCIL MEETINGS (non-participatory) - For your convenience, there are several ways to view Fresno City Council meetings live:

- 1) City of Fresno website: <https://fresno.legistar.com/Calendar.aspx> (click “In Progress” to view the live meeting).
- 2) Community Media Access Collaborative website: <https://cmac.tv/>
- 3) YouTube - City of Fresno Council, Boards and Commissions Channel:
<https://www.youtube.com/channel/UC3ld83D8QGn1YBDw6aD5dZA/videos>
- 4) Facebook: <https://www.facebook.com/FresnoCA/videos>
- 5) Cable Television: Comcast Channel 96 and AT&T Channel 99

Should any of the five viewing methods listed above experience technical difficulties, the Council meeting will continue uninterrupted. Council meetings will only be paused to address verifiable technical difficulties for all users participating via Zoom or in the Council Chamber.

The City of Fresno’s goal is to comply with the Americans with Disabilities Act (ADA). Anyone requiring reasonable ADA accommodations, including sign language interpreters, or other reasonable accommodations such as language translation, should contact the office of the City Clerk at (559) 621-7650 or clerk@fresno.gov. To help ensure availability of these services, you are advised to make your request a minimum of three business days prior to the scheduled meeting.

9:00 A.M. ROLL CALL

Invocation

Pledge of Allegiance to the Flag

APPROVE AGENDA

CEREMONIAL PRESENTATIONS

[ID 23-276](#) Proclamation for “Pinedale 100 Year Anniversary”

Sponsors: Councilmember Karbassi

[ID 23-230](#) Proclamation for “Khetphet “KP” Phagnasay Day”

Sponsors: Councilmember Chavez

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 23-383](#) Approval of Minutes for February 23, 2023, Regular Meeting

Sponsors: Office of the City Clerk

1.-B. [ID 23-394](#) ***RESOLUTION - Adopting the 576th Amendment to the Master Fee Schedule Resolution No. 80-420 to Add, Adjust, Move, Revise or Delete Various Fees in the Airports, General Government, and Parks, After School, Recreation, and Community Services (PARCS) Sections (Subject to Mayor’s veto).

Sponsors: Budget and Management Studies Department

- 1.-C. [ID 23-368](#) ***RESOLUTION - Adopting the 29th amendment to the Annual Appropriations Resolution (AAR) No. 2022-154 appropriating \$2,032,000 for ERAP (Requires 5 Affirmative votes) (Subject to Mayor's veto)
- Sponsors:** Finance Department
- 1.-D. [ID 23-307](#) Approve the award of a purchase contract to Pape Kenworth of Fresno, California, for the purchase of two Kenworth T880 trucks in the amount of \$572,026 for the Department of Public Utilities and Department of Public Works
- Sponsors:** General Services Department
- 1.-E. [ID 23-370](#) Approve the award of a purchase contract to PB Loader of Fresno, California, for the purchase of five concrete finisher trucks in the amount of \$793,412 for the Department of Public Works, Street Maintenance Division
- Sponsors:** General Services Department
- 1.-F. [ID 23-371](#) Award a requirements contract for retreading of commercial truck tires to The Goodyear Tire & Rubber Co. of Fresno, California, for two years with three one-year options, in the annual amount of \$335,099.19, plus annual CPI adjustments (Bid File 9659)
- Sponsors:** General Services Department
- 1.-G. [ID 23-372](#) ***RESOLUTION - Authorizing and directing submission of an application for and acceptance of State of California Prohousing Incentive Pilot Program funds (Subject to Mayor's veto)
- Sponsors:** Planning and Development Department
- 1.-H. [ID 23-259](#) Approve Contract Change Order No. 1 in the amount of \$252,544.50 and extend the date of completion to April 11, 2023 for the Sewer Rehabilitation in the Area Bound by Blackstone, Maroa, McKinley, and Clinton Avenues Project ID RC00177 (Bid File 3836) (Council Districts 1 and 7).
- Sponsors:** Public Works Department and Department of Public Utilities

- 1.-I. [ID 23-342](#) RESOLUTION - Of Intention to Annex Final Tract Map No. 6338 as Annexation No. 140 to the City of Fresno Community Facilities District No. 11 and to Authorize the Levy of Special Taxes; and setting the public hearing for Thursday, April 20, 2023, at 10:00 am (Northeast corner of East Church Avenue and South Sunnyside Avenue) (Council District 5)

Sponsors: Public Works Department

- 1.-J. [ID 23-344](#) RESOLUTION - Of Intention to Annex Final Tract Map No. 6212 and Parc West Drive as Annexation No. 141 to the City of Fresno Community Facilities District No. 11 and to Authorize the Levy of Special Taxes; and setting the public hearing for Thursday, April 20, 2023, at 10:05 am (Southwest corner of North Parc West Drive and North Grantland Avenue) (Council District 1)

Sponsors: Public Works Department

- 1.-K. [ID 23-345](#) Actions pertaining to Resolution of Intention Number 1151-D to vacate a portion of a 16 foot-wide alley adjacent and south of Lot 1 and a portion of Lot 2 of Walling Tract Map (Council District 3):

1. Adopt a finding of Categorical Exemption per Environmental Assessment Number P22-02292 per staff determination, pursuant to Sections 15304/Class 4 of the California Environmental Quality Act (CEQA) Guidelines
2. Adopt the attached Resolution of Intention Number 1151 -D to vacate a portion of a 16 foot-wide alley adjacent and south of Lot 1 and a portion of Lot 2 of Walling Tract Map

Sponsors: Public Works Department

- 1.-L. [ID 23-347](#) Actions pertaining to Final Map of Tract No. 6310
RESOLUTION - Approving the Final Map of Tract No. 6310, and accepting dedicated public uses offered therein except for dedications offered subject to City acceptance of developer installed required improvements - located near the northwest corner of West Dakota Avenue and North Polk Avenue (Council District 1)

Sponsors: Public Works Department

- 1.-M. [ID 23-348](#) Actions pertaining to the summary vacation of access right

restrictions on a portion of the East Belmont Avenue, west of North Fowler Avenue (Council District 5):

1. Adopt a finding of Categorical Exemption per Environmental Assessment Number PW13226 per staff determination, pursuant to Section 15301, Class 1 (b, c) Existing Facilities of the California Environmental Quality Act (CEQA) Guidelines
2. ***RESOLUTION - Ordering the summary vacation of access right restrictions on a portion of the East Belmont Avenue, west of North Fowler Avenue (Subject to Mayor's Veto)

Sponsors:

Public Works Department

1.-N. [ID 23-360](#)

Actions pertaining to the Barstow Avenue Class IV Bikeway Project - Bid File 12300267 (Council District 4)

1. Adopt a finding of Categorical Exemption per staff determination pursuant to Section 15301/Class 1 of the California Environmental Quality Act (CEQA) Guidelines
2. Award a construction contract in the amount of \$2,234,648 to American Paving Co., of Fresno, California

Sponsors:

Public Works Department

1.-O. [ID 23-363](#)

Approve the First Amendment to the Consultant Services Agreement with O'Dell Engineering in the amount of \$219,300, for a total increased contract amount of \$468,700, with a \$15,000 contingency amount, for design services and preparation of construction documents for the South Tower Park, San Pablo Park and the Ted C. Wills Community Center Projects (Council District 3)

Sponsors:

Public Works Department, Parks, After School and Recreation and Community Services Department

1.-P. [ID 23-364](#)

RESOLUTION - Of Intention to Annex Final Tract Map No. 6371 as Annexation No. 138 to the City of Fresno Community Facilities District No. 11 and to Authorize the Levy of Special Taxes; and setting the public hearing for Thursday, April 20, 2023, at 10:15 am (located north of East Floradora Avenue and east of North Armstrong Avenue) (Council District 7)

Sponsors:

Public Works Department

1.-Q. [ID 23-358](#)

Actions pertaining to the Rebid of Requirements Contract to

Furnish and Install Polyethylene Water Service Replacements (Bid File 12300617)(Citywide and County):

1. Adopt a finding of Categorical Exemption, pursuant to Section 15301(b)/Class 1, and Section 15302(c)/Class 2 of the California Environmental Quality Act Guidelines
2. Award a one-year Requirements Contract, inclusive of the City's adopted project labor agreement requirements, to West Valley Construction Company, Inc., of Fresno, California, in the amount of \$1,529,500, with provisions for two one-year extensions

Sponsors: Department of Public Utilities

- 1.-R. [ID 23-401](#) Assistance for Senior Affordable Housing project by utilizing future revenue streams to provide potable drinking water and sustainable Fire protection for the public benefit to Senior Citizens in the Fancher Creek completed neighborhood.

Sponsors: Councilmember Chavez

- 1.-S. [ID 23-403](#) ***RESOLUTION - To Begin the Process to Change Kings Canyon/Ventura Boulevard to "Cesar Chavez Boulevard" (Subject to Mayor's veto)

Sponsors: Councilmember Chavez, Councilmember Arias and Councilmember Esparza

CONTESTED CONSENT CALENDAR

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:00 A.M.

- [ID 23-359](#) Actions pertaining to the acquisition of easements and right of way for the MLK Center Active Transportation Project (Council District 3)
- 1) HEARING to consider a resolution of public use and necessity for acquisition of easements and rights of way for public street purposes over, under, through and across portions of APN 479-050-04, owned by Ruth McDonald and Florine Parish, for the construction of a concrete public sidewalk, concrete curb ramp and installation of public utilities along a portion of South Walnut Avenue and East Grove Avenue
 - 2) Adopt a finding of Categorical Exemption pursuant to

California Environmental Quality Act (CEQA) Guidelines
Sections 15301/Class 1, 15303/Class 3, and 15304/Class 4
for the MLK Center Active Transportation Project
3) ***RESOLUTION - Determining that public interest and
necessity require acquisition of easements and rights of way
for public street purposes over, under, through and across
portions of APN 479-050-04, owned by Ruth McDonald and
Florine Parish, for the construction of a public sidewalk,
concrete curb ramp and installation of public utilities along a
portion of South Walnut Avenue and East Grove Avenue and
authorizing eminent domain proceedings for public use and
purpose (Requires 5 affirmative votes) (Subject to Mayor's
Veto)

Sponsors: Public Works Department

2:30 P.M.

[ID 23-387](#) WORKSHOP - Presentation by Fresno City Employees
Health & Welfare Trust

Sponsors: Office of Mayor & City Manager

2:35 P.M.

[ID 23-248](#) WORKSHOP from the Fresno Housing Authority.

Sponsors: Council President Maxwell

3. GENERAL ADMINISTRATION

3.-A. [ID 23-388](#) WORKSHOP - Status update on Police Reform Commission
Recommendations

Sponsors: Office of Mayor & City Manager

3.-B. [ID 23-369](#) WORKSHOP - Airport Parking Garage Art Installation - Artist
and Concept Unveiling (Council District 4)

Sponsors: Airports Department

4. CITY COUNCIL

5. CLOSED SESSION

5.-A. [ID 23-380](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING
LITIGATION Government Code Section 54956.9, subdivision

(d)(1) Terance Frazier, et al. v. City of Fresno, et al.; United States District Court Case No.: 1:20-CV-01069

Sponsors:

City Attorney's Office

5.-B. [ID 23-393](#)

CONFERENCE WITH LEGAL COUNSEL- POTENTIAL EXPOSURE TO LITIGATION: Government Code Section 54956.9(d)(2): Central Valley NMTC Fund, LLC., v. City of Fresno

Sponsors:

City Attorney's Office

5.-C. [ID 23-392](#)

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Government Code Section 54956.9, subdivision (d)(1) Marlene Riofrio v. City of Fresno
Fresno Superior Court Case No. 21CECG00254

Sponsors:

City Attorney's Office

5.-D. [ID 23-406](#)

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)

Sponsors:

City Attorney's Office

5.-E. [ID 23-399](#)

CONFERENCE WITH LEGAL COUNCIL - POTENTIAL EXPOSURE TO LITIGATION: Government Code Section 54956.9(d)(2): Bakman Water Company v. City of Fresno

Sponsors: City Attorney's Office

5.-F. [ID 23-405](#)

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Government Code Section 54956.9, subdivision (d)(1)
Laborers International Union of North America, Local Union
294 v. City of Fresno; Fresno Superior Court Case No.
22CECG03719

Sponsors: City Attorney's Office

ADJOURNMENT

UPCOMING SCHEDULED COUNCIL HEARINGS AND MATTERS

MARCH 30, 2023

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. 137 (Final Tract Map No. 6299) (located at the southeast corner of East Belmont Avenue and North Armstrong Avenue) (Council District 5)

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)

MARCH 30, 2023

10:10 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. 139 (Parc West) (located at northwest corner of West Ashlan Avenue and North Grantland Avenue) (Council District 1)

MARCH 30, 2023

10:15 A.M. - Proposed vacation of a portion of a 16 foot-wide alley adjacent and south of Lot 1 and a portion of Lot 2 of Waller Track.

MARCH 30, 2023

10:20 A.M. - Annexation Application No. P21-03755, Pre-zone Application No. P21-03756, and Tentative Parcel Map No. 2022-03

APRIL 20, 2023

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. 140 (Final Tract Map No. 6338) (Northeast corner of East Church Avenue and South Sunnyside Avenue) (Council District 5)

APRIL 20, 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. 11, Annexation No. 141 (Final Tract Map No. 6212) (Southwest corner of North Parc West Drive and North Grantland Avenue) (Council District 1)

APRIL 20, 2023

10:10 A.M. - HEARING – To adopt Resolutions and Ordinance to annex territory and levy a special tax regarding City of Fresno Community Facilities District No. 18, Annexation No. 002 (T6212, located at the southwest corner of North Parc West Drive and North Grantland Avenue; T6276, located on the northwest corner of North Parc West Drive and North Grantland Avenue; T6350, located on the northeast corner of North Parc West Drive and West Holland Avenue) (Council District 1)

APRIL 20, 2023

10:15 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. 138 (Final Tract Map No. 6371) (located north of East Floradora Avenue and east of North Armstrong Avenue) (Council District 7)

UPCOMING EMPLOYEE CEREMONIES

EMPLOYEE OF THE QUARTER - 9:00 A.M.

- April 19, 2023 (Wednesday) - Employee of the Spring Quarter*
- July 19, 2023 (Wednesday) - Employee of the Summer Quarter*
- October 18, 2023 (Wednesday) - Employee of the Fall Quarter*

EMPLOYEE SERVICE AWARDS - 10:00 A.M.

- April 26, 2023 (Wednesday) - Employee Service Awards*
- November 15, 2023 (Wednesday) - Employee Service Awards*

2023 CITY COUNCIL MEETING SCHEDULE

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.