City of Fresno

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



Meeting Agenda - Final

Thursday, June 29, 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://fresno-gov.zoom.us/webinar/register/WN_YgHXKCvXQp2H74WnTtjtOA
 - 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 by Pastor Terry Townsend of Peoples Church

Pledge of Allegiance to the Flag

APPROVE AGENDA

CEREMONIAL PRESENTATIONS

<u>ID 23-1060</u> Proclamation for "Brittany Jacob Day."

Sponsors: Councilmember Arias

<u>ID 23-1018</u> Fresno Animal Center's "Pet of the Month" presented by

Fresno Humane Animal Services

Sponsors: Office of Mayor & City Manager

COUNCILMEMBER REPORTS AND COMMENTS

MAYOR/MANAGER REPORTS AND COMMENTS

CITY CLERK AND CITY ATTORNEY 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 23-1033 Approval of minutes for June 15, 2023, Special Meeting and

June 22, 2023, Regular Meeting.

Sponsors: Office of the City Clerk

1.-B. <u>ID 23-983</u>

Actions related to the Service Agreement with The Arc Fresno/Madera Counties (ARC):

- 1. Affirm the City Manager's determination that ARC is uniquely qualified to provide job coaching, education, and social skills training for adults with developmental and intellectual disabilities.
- 2. Approve the Service Agreement with ARC for litter abatement services at Fresno Yosemite International Airport (FAT) for a term of five years. Annual costs are \$91,173.94, plus a three percent increase in successive years. Total costs during the full five-year term of the agreement are \$484,054.85. (Council District 4)

Sponsors:

Airports Department

1.-C. ID 23-1052

***RESOLUTION - Adopting the 46th Amendment to the Annual Appropriation Resolution No. 2022-154 to increase appropriations by \$400,000 to cover anticipated General Fund expense overages for the Fire Department. (Subject to Mayor's Veto)

Sponsors:

Fire Department

1.-D. <u>ID 23-1040</u>

Approve an agreement with Green Dot Corporation to provide an alternative direct deposit option via a prepaid card program in lieu of a paper check, with no cost to the City of Fresno.

Sponsors:

Finance Department

1.-E. ID 23-1045

Approve a Grant Agreement with Bakman Water Company allocating up to \$2,700,000 in American Rescue Plan Act (ARPA) funding for the construction of water infrastructure necessary to meet safety standards and fire suppression requirements for the development of affordable housing at the Fancher Creek Town Center development.

Sponsors:

Office of Mayor & City Manager and Finance Department

1.-F. ID 23-1006

Approve the award of a cooperative purchase contract to Haaker Equipment Company Inc. of La Verne, California for the purchase of two Elgin CNG Broom Bear street sweepers in the amount of \$1,158,438 for Public Works Street Maintenance Division

Sponsors:

General Services Department

1.-G. ID 23-1046

Actions pertaining to temporary water service for fire suppression within Fancher Creek Town Center:

- 1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines.
- 2. Approve a Temporary Water Service Agreement with Bakman Water Company

Sponsors:

Office of Mayor & City Manager and Department of Public Utilities

1.-H. ID 23-988

Approve the third amendment to the animal control services agreement between the City of Fresno and Fresno Humane Animal Services in the amount not to exceed \$2,321,500 for a five-month term beginning July 1, 2023 to November 30, 2023.

Sponsors:

Office of Mayor & City Manager

1.-I. ID 23-1056

Approve a consultant agreement with Baker Tilly US, LLP in the amount of \$256,443, plus a not-to-exceed contingency amount of \$10,000, to provide consulting services on development of an assessment - along with recommendations for options - to improve the services and affordability of electricity in the City of Fresno; authorize the City Manager or designee to execute all related documents. (Citywide)

Sponsors:

Office of Mayor & City Manager, Public Works Department, Council President Maxwell and Councilmember Bredefeld

1.-J. ID 23-1053

Actions pertaining to the International Union of Operating Engineers, Stationary Engineers, Local 39 for Unit 1

1. ***Adopt a successor Memorandum of Understanding

- 1. ***Adopt a successor Memorandum of Understanding between the City of Fresno and International Union of Operating Engineers, Stationary Engineers, Local 39 (Local 39), Non-Supervisory Blue Collar, Unit 1 (Subject to Mayor's veto)
- 2. ***RESOLUTION: Adopt the Fifteenth Amendment to FY 2023 Salary Resolution No. 2022-152, amending Exhibit 1, Non-Supervisory Blue Collar (Local 39), to provide a salary increase for respective classes as required by the Memorandum of Understanding between the City of Fresno and International Union of Operating Engineers, Stationary Engineers, Local 39 (Local 39) (Subject to Mayor's veto)

Sponsors:

Personnel Services Department

1.-K. ID 23-1004

Actions pertaining to Community Gardens:

- 1. Award a two-year professional services agreement in an amount not to exceed \$40,000 per year to Fresno Metropolitan "Metro" Ministry for Community Garden Liaison services at three City of Fresno community gardens with the option of two, one-year extensions. (Council Districts 3 and 5)
- 2. Authorize the City Manager or designee to execute all related documents.

Sponsors:

Parks, After School and Recreation and Community Services Department

1.-L. ID 23-909

Approve agreement with Marjaree Mason Center to operate as a homeless family emergency shelter for a total award amount of \$110,167.00.

Sponsors:

Planning and Development Department

1.-M. ID 23-286

Actions pertaining to an Amended and Restated Agreement for Option to Purchase 959 N. Parkway Drive (District 3):

1. ***RESOLUTION - Finding good cause and clear and convincing benefit to the public to allow a purchase option on subject property for more than five years without a request for proposal process, allow close of escrow on the subject property to extend beyond 12 months of council approval, and allow the removal of a reverter clause; and finding substantial community benefits to justify a sales price less than fair market value pursuant to Fresno Municipal Code section 4-204 relating to the disposition of real property commonly known as 959 N. Parkway Drive, Fresno, CA (APN 449-324-11) (Requires 5 affirmative votes) (Subject to Mayor's veto)

2. Approve the Amended and Restated Agreement for Option to Purchase 959 N. Parkway Drive between the City of Fresno and Fresno Housing Authority in the amount of \$1,000

Sponsors:

Planning and Development Department

1.-N. <u>ID 23-1011</u>

Approve agreement with Mental Health Systems to operate the Fresno HOME as a low-barrier emergency homeless shelter for a total amount of \$1,449,183.89.

Sponsors:

Planning and Development Department

1.-0. <u>ID 23-951</u>

Approve an amendment to the consultant services agreement with Wallace, Roberts, and Todd, LLC., for professional planning and environmental analysis services related to the update of the Tower District Specific Plan in the amount of \$170,590.

Sponsors:

Planning and Development Department

1.-P. ID 23-986

***RESOLUTION - Adopting the 45th Amendment to the Annual Appropriation Resolution (AAR) No. 2022-154 appropriating \$132,600 in Emergency Solutions Grant-Coronavirus (ESG-CV) (Subject to Mayor's Veto)

Sponsors:

Planning and Development Department

1.-Q. <u>ID 23-987</u>

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 an Amendment to the Emergency Solutions Grant Coronavirus Agreement with Elevate Community Services to increase the funding by \$132,539.21 for a total award of \$385,805.42 for emergency shelter within the City of Fresno.
- 2. Approve the seventh revision of the Emergency Solutions Grant - Coronavirus Activity Allocations to reallocate \$132,539.21 to fund emergency shelter operations

Sponsors:

Planning and Development Department

1.-R. ID 23-1000

BILL - (for Introduction) - Granting a non-exclusive roll-off franchise for roll-off collection within the City of Fresno to Valley Dumpster Service LLC in preparation for a public hearing on the matter and final vote to approve the non-exclusive franchise on August 10, 2023, at 10:00 a.m. (Citywide).

Sponsors:

Department of Public Utilities

1.-S. ID 23-1002

Actions pertaining to the cleaning of Digester #1 and cleaning and rehabilitation of Digester #12 at the Fresno-Clovis Regional Wastewater Reclamation Facility (Bid File 12302079) (Council District 3):

- 1. Adopt a finding of Categorical Exemption pursuant to Section 15301(d)/Class 1 of the California Environmental Quality Act (CEQA) Guidelines.
- 2. Award a construction contract to F.D. Thomas, of Central Point, Oregon, in the amount of \$1,200,010.

Sponsors:

City of Fresno

Department of Public Utilities

1.-T. <u>ID 23-1003</u>

Actions pertaining to Lift Station 15 and 16 Improvements (Bid File 12301689) (Council Districts 2 and 4):

- 1. Adopt a finding of Categorical Exemption pursuant to Class 1, Section 15301(b)(d) (Existing Facilities) of the California Environmental Quality Act Guidelines.
- 2. Award a construction contract to HPS Mechanical, Inc., in the amount of \$698,106.

Sponsors:

Department of Public Utilities

1.-U. ID 23-915

Actions pertaining to the Downtown Fresno Neighborhood Beautification and Cleanup Project (Council Districts 1, 3, & 7):

- 1. Affirm the City Manager's determination that Fresno Arts Council is uniquely qualified
- 2. Approve the Agreement between City of Fresno and Fresno Arts Council, Inc. of Fresno CA, a uniquely qualified consultant, in the amount of \$536,222 for procurement of transportation art on behalf of the City of Fresno.

Sponsors:

Public Works Department and Department of Public Utilities

1.-V. ID 23-1057

Approve a First Amendment to the professional public information services contract for the Department of Public Utilities with Two Q, Inc. dba JP Marketing to extend the agreement through June 30, 2024, and increase the contract amount by \$808,698 to fund continuity of services, for a revised total contract amount of \$2,993,673.

Sponsors:

Department of Public Utilities

1.-W. <u>ID 23-</u>967

Approve the Second Amendment to the Consultant Services Agreement with The Taylor Group Architects in the amount of \$132,500, for a total increased contract amount of \$1,107,500, with a remaining contingency of \$70,000, for professional architectural services for the design of plans and general construction contract documents for the New Fire Station 12 (Council District 1)

Sponsors:

Public Works Department and Fire Department

1.-X. ID 23-972

Award a product purchase contract in the amount of \$708,732.52 to JAM Services, Inc. of Livermore, California for the streetlight materials required for the Chinatown Project 1 & 6 Streetlights - Bid File No. 12302405 (Council District 3)

Sponsors:

Public Works Department

1.-Y. ID 23-977

Approve the First Amendment to the Consultant Services Agreement with Provost & Pritchard Engineering Group, Inc., of Fresno, California in the amount of \$22,748, for a total increased contract amount of \$172,648, with a \$10,000 contingency, for professional engineering services and preparation of right-of-way documents for the Blackstone Avenue Smart Mobility Project between McKinley Avenue and Shields Avenue (Council District 7)

Sponsors:

Public Works Department

1.-**Z**. <u>ID 23-981</u>

Award a construction contract in the amount of \$3,260,116 to Granite Construction Company of Fresno, CA, as the lowest responsive and responsible bidder, for the Downtown Fresno Neighborhood Beautification and Cleanup Project (Bid File No. 12302141) (Council Districts 1, 3, & 7)

Sponsors:

Public Works Department

1. <u>ID 23-1042</u> -AA.

Actions pertaining to the Operation and Maintenance Cooperative Agreement with California High Speed Rail Authority (Council Districts 1, 2, 3, and 5):

- 1. Approve the Ownership and Maintenance Cooperative Agreement between the California High-Speed Rail Authority and the City of Fresno to establish a record of final ownership and perpetual maintenance for the California High-Speed Rail System located within the City of Fresno
- 2. Authorize the Public Works Director or designee to accept the lump sum payment of \$5,000,000 for graffiti abatement

costs related to the Operations and Maintenance

Cooperative Agreement with California High Speed Rail

(Subject to Mayor's Veto)

Sponsors:

Public Works Department

1. ID 23-1055 Approve an increase to the current Fortney Towing Evidence

-BB. Tow Service Contract, Bid File No. 9515, in an amount not to

exceed \$501,600 to cover the expenses incurred and

projected through FY 2024 and to execute the first one-year

extension through September 30, 2024.

Sponsors: Police Department

1. ID 23-1051 ***Resolution - To conduct a traffic assessment to include

-CC. options for improved safety for the intersection of Van Ness

and Clinton Avenues (Subject to Mayor's Veto)

Sponsors: Vice President Perea and Councilmember Esparza

CONTESTED CONSENT CALENDAR

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:00 A.M. #1

ID 23-1032 Appearance by Maria Alvarez Garcia to discuss dog abuse

accountability. (Resident of District 2)

Sponsors: Office of the City Clerk

10:00 A.M. #2

ID 23-1058 HEARING to adopt Resolutions and Ordinance to Annex

territory and Levy a Special Tax regarding City of Fresno Community Facilities District Number 11, Annexation

Number 144 (Final Tract Map Number 6276) (located on the

northwest corner of North Parc West Drive and North

Grantland Avenue) (Council District 1)

1. ***RESOLUTION - to Annex Territory to Community Facilities District No. 11 and Authorizing the Levy of a

Special Tax for Annexation No. 144 (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 2022-2023 and Future

Tax Years Within and Relating to Community Facilities

District No. 11, Annexation No. 144 (Subject to Mayor's Veto)

Sponsors:

Public Works Department

10:05 A.M. #1

ID 23-1005

HEARING to consider the proposed Annual Assessment for the City of Fresno Landscaping and Lighting Maintenance District No. 1 (Citywide)

1. ***RESOLUTION - Confirming the diagram and assessment and levy of annual assessment, 2023-2024, for Landscaping and Lighting District No. 1 (Subject to Mayor's Veto)

Sponsors:

Public Works Department

10:05 A.M. #2

ID 23-1028

Hearing - To consider the adoption of the Central Southeast Area Specific Plan and related Environmental Assessment, State Clearinghouse (SCH No. 2023020138), and related actions:

- 1. ADOPT the Subsequent Mitigated Negative Declaration, Environmental Assessment No. P22-00400 dated February 1, 2023 (Exhibit I), prepared pursuant to CEQA Guidelines Section 15162 and 15070 et. Seq. and the Mitigation Monitoring and Reporting Program prepared pursuant to CEQA Guidelines Section 15097.
- 2. APPROVE Plan Amendment Application P22-00400 which proposes to:
- a. RESOLUTION Approving repeal of the Roosevelt Community Plan, pertaining to approximately 15,721 acres (Exhibit N)
- b. BILL Approving the repeal of the Butler/Willow Specific Plan, pertaining to approximately 563 acres (Exhibit O)
- c. RESOLUTION Approving adoption of the Central Southeast Area Specific Plan and accompanying Planned Land Use Ma (Exhibit P)
- d. RESOLUTION Approving adoption of the Planned Land Use Map (Figure LU-1) of the Fresno General Plan to incorporate the land use changes proposed in the Central Southeast Area Specific Plan (Exhibit Q)
- e. BILL Approving the rezone of approximately 136 acres

of property within the Central Southeast Area Specific Plan area to be consistent with the planned land uses proposed in the Plan (Exhibit R)

3. RESOLUTION - Authorizing the Planning Department Director or her designee to correct any typographical errors and update the text, policies, maps, tables, and exhibits contained in the Central Southeast Area Specific Plan, the Fresno General Plan, and the Development Code to reflect the final action taken by the Council, to the extent that such updates are necessary to maintain consistency (Exhibit S).

Sponsors:

Planning and Development Department

10:10 A.M.

ID 23-1029

HEARING to Consider Plan Amendment and Rezone Application No. P22-00507, Development Permit Application No. P22-00505, and related Environmental Assessment No. P22-00507/P22-00505 pertaining to ±1.23 acres of property located on the west side of North Sugar Pine Avenue between West Fir Avenue and West Beechwood Avenues. (Council District 2) - Planning & Development Department.

- 1. ADOPT the Mitigated Negative Declaration as prepared for Environmental Assessment No. P22-00505/P22-00507, dated December 9, 2022, for the proposed project pursuant to the State of California Environmental Quality Act (CEQA); and,
- 2. RESOLUTION Approving Plan Amendment Application No. P22-00507, requesting authorization to amend the Fresno General Plan to change the planned land use designation for the subject property from Residential Medium Density (±1.23 acres) to Commercial General (± 1.23 acres); and,
- 3. BILL (For introduction and adoption) Approving Rezone Application No. P22-00507, requesting authorization to amend the Official Zoning Map of the City of Fresno to rezone the subject property from the RS-5 (Residential Single Family, Medium Density) (±1.23 acres) zone district to the CG (Commercial General) (±1.23 acres) zone district in accordance with the Plan Amendment Application; and, 4. APPROVE Development Permit Application No. P22-00505, requesting authorization to construct an 11,664

-square-foot medical clinic and associated parking, circulation, and infrastructure improvements on the approximately 1.23-acre site, subject to compliance with

Conditions of Approval dated March 1, 2023.

Sponsors: Planning and Development Department

3. GENERAL ADMINISTRATION

4. CITY COUNCIL

4.-A. ID 23-1059 Resolution - Naming the Fresno Police Department Regional

Training Center the "Jerry P. Dyer Regional Police Training

Center"

Sponsors: Councilmember Bredefeld, Council President Maxwell and

Councilmember Karbassi

5. CLOSED SESSION

5.-A. ID 23-1062 CONFERENCE WITH LEGAL COUNCIL - POTENTIAL

EXPOSURE TO LITIGATION:

Government Code Section 54956.9(d)(2): PW Fund B, LP, et

al. v. City of Fresno

Sponsors: City Attorney's Office

ADJOURNMENT

UPCOMING SCHEDULED COUNCIL HEARINGS AND MATTERS

JULY 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. 145 (Final Tract Map No. 6283) (located 36. on the southeast corner of North Fowler Avenue and East Dakota Avenue) (Council District 4)

AUGUST 10, 2023

10:10 A.M. - PROPOSED VACATION OF A PORTION OF NORTH HAYES AVENUE, SOUTH OF WEST BULLARD AVENUE

UPCOMING EMPLOYEE CEREMONIES

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

- 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.

• November 15, 2023 (Wednesday) - Employee Service Awards

2023 CITY COUNCIL MEETING SCHEDULE

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

August 10, 2023 - 9:00 A.M.

August 24, 2023 - 9:00 A.M.

September 14, 2023 - 9:00 A.M.

September 28, 2023 - 9:00 A.M.

October 5, 2023- 9:00 A.M.

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

November 2, 2023 - 9:00 A.M.

November 16, 2023 - 9:00 A.M.

December 7, 2023 - 9:00 A.M.

December 14, 2023 - 9:00 A.M.