

City of Fresno

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



Meeting Agenda - Final

Thursday, October 19, 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_WRuQin86S-eKGQ9w8Jy3zw

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 Reverend Jessica Harmon, who is the Cathedral Curate at St. James Episcopal Cathedral

Pledge of Allegiance to the Flag

APPROVE AGENDA

CEREMONIAL PRESENTATIONS

[ID 23-1458](#) Proclamation for “National Latino/a Physician Day”

Sponsors: Vice President Perea

[ID 23-1501](#) Fresno Animal Center presents “Pet of the Month”

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 23-1507](#) Approval of Minutes for September 28, 2023, Regular Meeting, October 5, 2023, Regular Meeting, and October 5, 2023, Special Meeting.

Sponsors: Office of the City Clerk

1.-B. [ID 23-1511](#) Approve the appointment of Chenier Derrick to the Disability Advisory Commission for a term ending June 30, 2024. Approve the appointment of Kurt Madden to the Fresno Regional Workforce Development Board for a term ending November 1, 2025. Approve the reappointments of Edgar Blunt, Scott Miller, and Terry Metters Jr. to the Fresno Regional Workforce Development Board for terms ending

November 1, 2025.

Sponsors:

Office of Mayor & City Manager

1.-C. [ID 23-1424](#)

Approve first amendment to the consultant services agreement with RS&H California, Inc., to provide professional airport planning and environmental consulting services to prepare and implement an Air Traffic Control Tower Replacement Work Plan for Fresno Yosemite International Airport in the amount of \$329,179 (Council District 4).

Sponsors:

Airports Department

1.-D. [ID 23-1379](#)

Actions pertaining to the rebudget of American Rescue Plan Act (ARPA) grant funding within various Departments:

1. ***RESOLUTION - Adopting the 18th Amendment to the Annual Appropriation Resolution (AAR) No. 2023-185 to reclassify \$14,915,600 and appropriate \$419,200 in various department budgets within the ARPA fund (citywide) (Requires 5 Affirmative Votes) (Subject to Mayor's Veto).

Sponsors:

Finance Department

1.-E. [ID 23-1500](#)

Actions pertaining to American Rescue Plan Act (ARPA) funding to the Valley Dream Center (VDC):

1. Adopt a finding of Categorical Exemption pursuant to CEQA Guidelines Section 15301/Class 1 for proposed project pursuant to the California Environmental Quality Act (CEQA).
2. Approve an agreement with VDC allocating \$200,000 in ARPA funding for capital improvements to the Valley Dream Center's gymnasium located at 1835 N Winery Avenue.

Sponsors:

Finance Department

1.-F. [ID 23-1484](#)

Actions pertaining to the Fresno Fire Department's Firefighting Turnouts:

1. Award a three (3) year sole source contract, not to exceed \$2,700,000 to LN Curtis (Curtis Tools for Heroes) for the purchase of Globe firefighting turnouts as a sole-source provider based on unique features only available with Globe turnouts.
2. *** RESOLUTION - Adopt Resolution authorizing the Fire Department Chief or designee to enter into a three (3) year

contract with Curtis Tools for Heroes without advertised competitive bidding. (Subject to Mayor's Veto)

Sponsors:

Fire Department

1.-G. [ID 23-1498](#)

***RESOLUTION - Adopting the 20th Amendment to the Annual Appropriation Resolution (AAR) 2023-185 appropriating \$236,600 for the 2021 Assistance to Firefighters Grant for Firefighters Annual Physicals (Requires 5 Affirmative Votes) (Subject to Mayor's Veto).

Sponsors:

Fire Department

1.-H. [ID 23-1482](#)

Actions pertaining to the award of a construction contract for the City Hall North and South Parking Lot Security Camera project adding a total of 40 security cameras to the North and South parking lots (Bid File 12302202) (District 3):

1. Adopt finding of a Categorical Exemption pursuant to Section 15301(f) Existing Facilities of the California Environmental Quality Act (CEQA) Guidelines.
2. Award a construction contract to Alpha Omega Data Solutions of Los Banos, California, for \$440,625 for the construction of the City Hall North and South Parking Lot Security Camera project.
3. Authorize the Director of General Services or designee to execute all related documents.

Sponsors:

General Services Department

1.-I. [ID 23-1509](#)

Approve the award of a cooperative purchase agreement to Altec Industries, Inc. of Birmingham, Alabama, for the purchase of five Altec bucket trucks in the amount of \$1,027,905 procured by means of a cooperative purchase agreement with Sourcewell, for the Department of Public Works and Department of Public Utilities.

Sponsors:

General Services Department

1.-J. [ID 23-1339](#)

Approve the purchase of laptops, docking stations, and desktops from Dell Technologies (Dell) in an amount not to exceed \$2,525,100, utilizing NASPO Contract MNWNC-108/7-15-70-34-003 for year two of the Citywide Computer Replacement Plan (Plan).

Sponsors: Information Services Department

- 1.-K. [ID 23-1503](#) Approve Amendment 4 to the Software as a Service Agreement with Tyler Technologies, Inc. reallocating funds within the project from unspent Software as a Service (SaaS) fees. No additional funding is requested.

Sponsors: Information Services Department

- 1.-L. [ID 23-1466](#) Actions pertaining to the FY24 Position Authorization Resolution No. 2023-184:
1: ***RESOLUTION - Adopt the 5th Amendment to Position Authorization Resolution (PAR) No. 2023-184, adding three (3) full-time positions in the Public Works Department (Subject to Mayor's Veto).

Sponsors: Personnel Services Department and Office of Mayor & City Manager

- 1.-M. [ID 23-1525](#) ***RESOLUTION: Adopt the Fifth Amendment to Fiscal Year 2024 Salary Resolution No. 2023-183, amending Exhibit 3, Unit 3, Non-Supervisory White Collar (FCEA) by adding the new classification and providing a monthly salary step plan range for Animal Care Specialist I, Animal Care Specialist II, Senior Animal Care Specialist and Animal Services Representative I, Animal Services Representative II, Senior Animal Services Representative; and amending Exhibit 13-1, Unit 13, Exempt Supervisory and Professional (CFPEA) by adding the new classification and providing a salary step plan range for Animal Center Supervisor, effective October 23, 2023 (Subject to Mayor's Veto)

Sponsors: Personnel Services Department

- 1.-N. [ID 23-1369](#) Actions pertaining to the demolition of a city owned building located at 735-741 H Street, Fresno CA 93721- Parcel Number 467-040-23 (District 3).
1. ***RESOLUTION - Approve an Interfund Loan Agreement between the General Fund and the Brownfields Revolving Loan Fund. (Requires 5 Affirmative votes) (Subject to Mayor's veto)
2. ***RESOLUTION - Declaring an Urgent Necessity for the Preservation of Life, Health, Property; and Authorizing the

Planning & Development Director or Designee to Enter Into and Administer Contracts for the Demolition of Dangerous Structures, and Removal of Hazardous Materials Without Advertised Competitive Bidding; and Approve the Following Contracts: David Knott Incorporated for Demolition Services In An Amount Not To Exceed \$589,972 And Centec Construction For The Removal Of Hazardous Materials in an Amount Not To Exceed \$99,360; and Authorize the Planning & Development Director to Sign Such Contracts (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)

3. ****RESOLUTION** - Adopt the 25TH Amendment to the Annual Appropriation Resolution (AAR) No. 2023-185 to appropriate \$540,000.00 in the General Fund for demolition of a city owned building located at 735-741 H Street, Fresno, CA 93721 (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)
4. Approve an agreement with JSA Environmental Consulting in the amount of \$50,160.00 for remediation of any hazardous materials.

Sponsors:

Planning and Development Department

1.-O. [ID 23-1485](#)

Action pertaining to homeless youth services agreement provided under the Homeless Housing, Assistance, and Prevention (HHAP) program (Bid File 12400090):

1. Approve an Agreement for one-year with one optional one-year extension with Fresno County Economic Opportunities Commission to provide homeless youth bridge housing services in the annual amount of \$139,429.00.

Sponsors:

Planning and Development Department

1.-P. [ID 23-1523](#)

Actions pertaining to a proposed permanent affordable housing project at 6507 North Polk Avenue, known as the Welcome Home Project (District 2):

1. *****RESOLUTION** - Authorizing acceptance of Project Homekey 3 Funding from the State of California Department of Housing and Community Development for the Welcome Home Project in the amount of \$21,983,607 and authorizing the City Manager or designee to enter into and execute a standard agreement to secure the Homekey 3 funds and

participate in the Homekey 3 Program (Subject to Mayor's Veto)

2. ***RESOLUTION - Adopting the 24th amendment to the Annual Appropriation Resolution (AAR) No. 2023-185 appropriating \$21,983,700 to the Homekey Program fund for Fiscal Year 2023-2024. (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)

3. Approve a State and Local Fiscal Recovery Funds (part of the American Rescue Plan Act) Agreement with Valley Teen Ranch for development of the Welcome Home Project, in an amount not to exceed \$2,800,000.

4. Approve a Memorandum of Understanding with Valley Teen Ranch related to the Welcome Home Project and the State of California Homekey 3 Program.

Sponsors:

Planning and Development Department

1.-Q. [ID 23-1443](#)

Actions pertaining to Woodward Tot Lot and ADA Accessibility Improvements (Council District 6):

1. Reject the bid received and direct staff to re-bid the project (Bid File 12400255).

2. Approve the First Amendment to the Consultant Services Agreement with Quad Knopf, Inc, dba QK, in the amount not to exceed \$7,500, for a total increased contract amount not to exceed \$57,200, for professional support services to re-bid the project.

Sponsors:

Capital Projects Department, Parks, After School and Recreation and Community Services Department

1.-R. [ID 23-1483](#)

Award a construction contract for the Base Bid plus all eight (8) Add Alternates in the total amount of \$8,646,293 to Avison Construction, Inc of Madera, CA, as the lowest responsive and responsible bidder for the Transformative Climate Communities (TCC) Park at MLK Magnet Core Project (Bid File No. 12302905) (Council District 3).

Sponsors:

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

- 1.-S. [ID 23-1469](#) Actions pertaining to the Friant Road Southbound Right Turn Lane Extension at Audubon Drive (Bid File 12303030) (Council District 6):

1. Adopt a finding of Categorical Exemption per staff's determination pursuant to Section 15301/Class 1 of the California Environmental Quality Act (CEQA) Guidelines.
2. Award a construction contract in the amount of \$697,625 to Avison Construction, Inc., Madera, California.

Sponsors:

Capital Projects Department and Public Works Department

- 1.-T. [ID 23-1473](#) Actions pertaining to the Tulare Complete Streets Project from 6th Street to Cedar Avenue (Bid File No. 12300027) (Council Districts 5 and 7):

1. Adopt a finding of Categorical Exemption pursuant to Sections 15301/Class 1 (Existing Facilities), 15303/Class 3 (New Construction or Conversion of Small Structures), and 15304/Class 4 (Minor Alterations to Land) of the California Environmental Quality Act (CEQA) Guidelines
2. Award a construction contract in the amount of \$2,339,250 to Agee Construction Corporation of Clovis, California

Sponsors:

Capital Projects Department and Public Works Department

- 1.-U. [ID 23-1474](#) Approve an agreement for Professional Engineering Services with BKF Engineers, from Oakland, California in the amount of \$149,773, with a \$10,000 contingency, for the design and construction support services for the Shaw Avenue Roadway Improvements Project between Fruit Avenue and Palm Avenue (Council District 1 and 2).

Sponsors:

Capital Projects Department and Public Works Department

- 1.-V. [ID 23-1516](#) Actions pertaining to the Audubon Drive and Del Mar Avenue Traffic Signal Installation (Bid File No. 12302647) (Council District 2):

1. RESOLUTION - adopting findings pursuant to California Environmental Quality Act (CEQA) guidelines sections 15091 and 15093 as required by CEQA guidelines section 15096 for the River West Eaton Trail Extension Project.
2. Award a construction contract in the amount of \$1,016,680 to American Paving Company, of Fresno, California.

Sponsors:

Capital Projects Department and Public Works Department

1.-W. [ID 23-1490](#)

Award a requirements contract to ScrubCan Inc., a California corporation, to provide janitorial services at Department of Public Utilities facilities for an amount not to exceed \$499,824 per year for one year with an optional one-year extension, plus annual Consumer Price Index adjustments (Bid File 12301773) (Council Districts 3, 4, 6, and 7).

Sponsors:

Department of Public Utilities

1.-X. [ID 23-1491](#)

Approve the Fourth Amendment to the consultant services agreement with Water Systems Consulting, Inc., to extend the term of the contract to December 31, 2026, for the development of the Metropolitan Water Resources Management Plan, Programmatic Environmental Impact Report and 2020 Urban Water Management Plan (Citywide).

Sponsors:

Department of Public Utilities

1.-Y. [ID 23-1496](#)

Approve the Third Amendment to the consultant services agreement with CDM Smith, Inc., to expand the scope of services, extend the agreement to June 30, 2025, and increase the contract amount by \$644,753 for a total amount of \$1,390,403 for Groundwater and Landfill Remediation Services at the City of Fresno Sanitary Landfill (Council District 3).

Sponsors:

Department of Public Utilities

1.-Z. [ID 23-1497](#)

Approve the First Amendment to the consultant services agreement with NBS Government Finance Group, to extend the term of the agreement to December 27, 2024, for the previously approved contract in the amount of \$139,689 for the Study for Various Utility Connection and Capacity Fees. (Citywide)

Sponsors:

Department of Public Utilities

**1. [ID 23-1366](#)
-AA.**

RESOLUTION - Dedicating a portion of City-owned property for public street purposes to accommodate the construction of a public driveway approach to the new South Peach Park on the easterly side of Peach Avenue (Council District 5).

Sponsors:

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

1. [ID 23-1449](#)

-BB.

RESOLUTION - Of Intention to Annex Final Tract Map Number 6269 as Annexation Number 147 to the City of Fresno Community Facilities District Number 11 and to Authorize the Levy of Special Taxes; and setting the public hearing for Thursday, December 7, 2023, at 10:00 am (located on the southwest corner of North Willow Avenue and North Alicante Drive) (Council District 6).

Sponsors:

Public Works Department

1. [ID 23-1451](#)

-CC.

Actions related to the award of a Maintenance Agreement with DILAX Systems US Inc., in the amount of \$228,855.00:

1. Affirm the City Manager's determination that DILAX Systems, Inc., is uniquely qualified to perform maintenance services for the Department of Transportation, FAX Division, on the Automatic Passenger Counter system (APC).

2. Affirm the City Manager's determination that DILAX Systems, Inc., is uniquely capable as defined by the Federal Transit Administration for sole source non-competitive procurements, to perform software maintenance services for the Department of Transportation.

3. Award a three (3) year contract with two (2) 1-year optional extensions for an Annual Hardware and Software Maintenance Agreement as part of the Automatic Passenger Counters (APC) Project to DILAX Systems US Inc., in the amount of \$228,855.00.

4. Authorize the Director of Transportation or designee to execute all related documents.

Sponsors:

Department of Transportation

1. [ID 23-1455](#)

-DD.

Approve the award of Product Requirements Contract 12400064 for Fresno Area Express Fare Media for two years with four optional one-year extensions to EDM Technology, Inc. (Bid File 12400064). Purchases made by the City of Fresno Department of Transportation shall not exceed \$338,528.74 during the initial two-year contract period.

Sponsors:

Department of Transportation

1. [ID 23-1524](#) Approve the reappointment of James S. Kitch and Myra N. Coble to the Tower District Specific Plan Implementation Committee for a term which serves at the pleasure of the Councilmember.
- EE.

Sponsors: Councilmember Arias

CONTESTED CONSENT CALENDAR

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:00 A.M.

[ID 23-1460](#) Actions pertaining to the acquisition of a permanent street easement and right of way to benefit the Tract 6162 Development Project for the widening of West Ashlan Avenue between North Polk Avenue and North Hayes Avenue (Council District 1):

1. HEARING to consider a resolution of public use and necessity for acquisition of a permanent street easement and right of way for public street purposes over, under, through and across a portion of Assessor's Parcel Number (APN) 511-040-06, owned by Elvia Gonzalez, for the construction of the widening of West Ashlan Avenue between North Polk Avenue and North Hayes Avenue.

2. ***RESOLUTION - Determining that public interest and necessity require acquisition of a permanent easement and rights of way for public street purposes over, under, through and across portions of APN 511-040-06, owned by Elvia Gonzalez, a married woman as her sole and separate property for the construction of the widening of West Ashlan Avenue between North Polk Avenue and North Hayes Avenue and authorizing eminent domain proceedings for public use and purpose (Requires 5 Affirmative Votes) (Subject to Mayor's Veto).

Sponsors: Capital Projects Department and Public Works Department

10:05 A.M.[ID 23-1470](#)

HEARING to consider Conditional Use Permit Application P22-03146 and related Environmental Assessment P22-03146 pertaining to ±1.38 acres of property located on the south side of West Bullard Avenue, between North Van Ness Boulevard and North Forkner Avenue (Council District 2) - Planning & Development Department.

1. DENY the appeal and ADOPT Environmental Assessment P22-03146, dated May 24, 2023, a determination of Categorical Exemption, Section 15332/Class 32 of the California Environmental Quality Act (CEQA) Guidelines; and,
2. DENY the appeals and UPHOLD the action of the Planning Commission and Planning and Development Department Director to approve Conditional Use Permit Application P22-03146, authorizing the adaptive reuse of an existing residence to be used as a new residential respiratory care facility (congregate living health facility), subject to compliance with the Conditions of Approval dated September 6, 2023.

Sponsors:

Planning and Development Department

10:10 A.M.[ID 23-1519](#)

Appearance by Jamie Quezaza Jr. to discuss Fresno Police Department and their responsibilities (Resident District 1)

Sponsors:

Office of the City Clerk

3. GENERAL ADMINISTRATION**4. CITY COUNCIL****5. CLOSED SESSION**5.-A. [ID 23-1416](#)

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Government Code Section 54956.9, subdivision (d)(1)
Veronica A. Flores v. City of Fresno, et al.; Fresno Superior Court Case No.: 20CECG01711

Sponsors:

City Attorney's Office

5.-B. [ID 23-1529](#)

CONFERENCE WITH LEGAL COUNSEL-EXISTING
LITIGATION Government Code Section 54956.9, subdivision
(d)(1)

Case name: 1 Community Compact v. City of Fresno, Fresno
Superior Court Case No. 23CECG02740

Sponsors:

City Attorney's Office

ADJOURNMENT**UPCOMING SCHEDULED COUNCIL HEARINGS AND MATTERS****UPCOMING EMPLOYEE CEREMONIES**

EMPLOYEE SERVICE AWARDS - 10:00 A.M.

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

2023 CITY COUNCIL MEETING SCHEDULE

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.