

City of Fresno

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



Meeting Agenda - Final-revised

Thursday, December 14, 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_6Q_CJKfWS1usK6t3bX1XNQ

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 Executive Pastor of Ministries, Reverend Adrian Lee from Family Community Church

Pledge of Allegiance to the Flag

APPROVE AGENDA

CEREMONIAL PRESENTATIONS

[ID 23-1780](#) Proclamation for “Tony Boren Day”

Sponsors: Councilmember Karbassi and 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 23-1782](#) Approval of Minutes for December 7, 2023, Regular Meeting

Sponsors: Office of the City Clerk

1.-B. [ID 23-1797](#) RESOLUTION - amending certain designated positions which shall be subject to the conflict of interest code and defining categories of disclosures for such positions

Sponsors: Office of the City Clerk

1.-C. [ID 23-1358](#) Actions pertaining to the City of Fresno’s Downtown Parking Garage 9 storefront leases (District 3):

1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 of the California Environmental Quality Act (CEQA) Guidelines
2. Approve a Three-Year Lease Agreement located at 1231

Van Ness (Unit A), with Kocky's Bar and Grill

3. Approve a Three-Year Lease Agreement located at 1241 Van Ness (Unit C), with Vivian Sanders, dba, All About Nails & Season Trends

4. Approve a Three-Year Lease Agreement located at 1245 Van Ness (Unit E), with Fresno Arts Council

Sponsors:

Office of Mayor & City Manager and General Services Department

1.-D. [ID 23-1820](#)

Actions pertaining to the Warming Center Resolution approved on December 7, 2023:

Sponsors:

Office of Mayor & City Manager

1.-E. [ID 23-1824](#)

***RESOLUTION - Delegating Authority to the City Manager to Enter into Contracts of up to \$100,000 for Animal Center Operations (Subject to Mayor's Veto)

Sponsors:

Office of Mayor & City Manager and Councilmember Chavez

1.-F. [ID 23-1462](#)

Actions pertaining to the California For All Animals Shelter Assistance Program Sniptember Grant:

1. Authorize the City Manager to accept \$182,200 in grant funding from the Regents of the University of California on behalf of its Davis Campus School of Veterinary Medicine on behalf of its Koret Shelter Medicine Program in connection with the California for All Animals statewide animal shelter assistance program for the Animal Center Sniptember Grant.

2. Authorize the City Manager or their designee to execute the Shelter Services Grant Agreement, the Services Agreement with Animal Balance, a California Public Benefit Nonprofit Corporation and all related documents, for the California For All Animals Shelter Assistance Program Sniptember Grant.

3. ***RESOLUTION - Adopt the 23rd Amendment to the Annual Appropriation Resolution (AAR) No. 2023-185 appropriating \$182,200 for the Animal Center from the California for All Animals Shelter Assistant Program Sniptember Grant (requires five affirmative votes) (subject to

Mayor's Veto).

Sponsors:

Animal Center Department

1.-G. [ID 23-1754](#)

Submission and Acceptance of the City of Fresno Clean and Safe Neighborhood Parks Tax (Measure P) Report for Fiscal Year 2023.

Sponsors:

Finance Department

1.-H. [ID 23-1751](#)

Actions pertaining to the award of two Requirements Contracts for the purchase of new tires for the municipal fleet in the total aggregate amount not-to-exceed \$1,000,000 per year, plus annual CPI increases (Bid File 12401402):

1. Award a Requirements Contract to Delray Tire and Retreading Inc of Fresno, California through June 5, 2025, with two optional one-year extensions
2. Award a Requirements Contract to East Bay Tire Co of Fresno, California through June 5, 2025, with two optional one-year extensions

Sponsors:

General Services Department

1.-I. [ID 23-1752](#)

Approve the award of a cooperative purchase agreement to PB Loader Corporation of Fresno, California, for the purchase of one Freightliner M2-106 Hot Patch Truck in the amount of \$318,013 for the Department of Public Works.

Sponsors:

General Services Department

1.-J. [ID 23-1757](#)

Approve the award of a cooperative purchase agreement to Graybar Electric Company, Inc. of Fresno, California for a citywide Requirements Contract for one year with two optional two-year extensions for the purchase of electrical, lighting, data communications and security products, and related products, not-to-exceed \$850,000 per year plus annual CPI increases (Bid File 9680).

Sponsors:

General Services Department

1.-K. [ID 23-1765](#)

Award a requirements contract for refuse truck cleaning services to Kept Companies dba FLEETWASH of Fresno, California for three years, with two optional one-year extensions, for an amount not to exceed \$65,666 per year

plus annual CPI adjustments (Bid File 12302358).

Sponsors:

General Services Department

1.-L. [ID 23-1766](#)

Actions pertaining to the award of three purchase contracts to Swanson Fahrney Ford, of Selma, California, for the purchase of a total of 81 Ford vehicles for various departments in the total aggregate amount of \$4,421,353:

1. Award a purchase contract for 30 Ford Super Duty trucks in the amount of \$1,770,747 (Bid file 12401037).
2. Award a purchase contract for 33 Ford Super Duty trucks in the amount of \$1,844,457 (Bid File 12401132).
3. Award a purchase contract for 18 Ford vehicles in the amount of \$806,149 (Bid File 12401313).

Sponsors:

General Services Department

1.-M. [ID 23-1767](#)

Approve the award of a cooperative purchase agreement to Pape Kenworth of Fresno, CA, for the purchase of one Kenworth T880 water pump hoist truck in the amount of \$535,605 for the Department of Public Utilities, Water Operations Division.

Sponsors:

General Services Department

1.-N. [ID 23-1768](#)

Approve the award of a cooperative purchase agreement to Pape Kenworth of Fresno, CA, for the purchase of one Kenworth T880 crane truck in the amount of \$465,145 for the Department of Public Utilities, Wastewater Management Division.

Sponsors:

General Services Department

1.-O. [ID 23-1786](#)

Actions pertaining to the purchase of twelve 40' CNG buses approved by Council on September 14, 2023:

1. Authorize the Purchasing Manager to execute a participating cooperative agreement with the Washington State Department of Enterprise Services for contract #06719-01
2. Authorize the Purchasing Manager to execute a Cooperative Purchase Agreement with Gillig LLC

Sponsors:

Department of Transportation and General Services Department

- 1.-P. [ID 23-1813](#) Actions pertaining to a lease agreement between the City of Fresno and 747 R Street, LLC, a California limited liability company, for the lease of office space located at 747 R Street (Council District 3):
1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines
 2. Approve a seven-year lease agreement between the City of Fresno and 747 R Street, LLC, a California limited liability company, with three optional one-year extensions in the amount of \$800,301.60 annually, with annual increases of 3%, plus the proportionate CAM (Common Area Maintenance) charges at \$364,581.84 annually

Sponsors:

General Services Department and Capital Projects Department

- 1.-Q. [ID 23-1808](#) Approve the Second Amendment to Agreement with CentralSquare, authorizing the CIO to renew the software hosting, maintenance, and support services with CentralSquare in the amount of \$234,551.88.

Sponsors:

Information Services Department

- 1.-R. [ID 23-1756](#) ***RESOLUTION - Authorizing the City Manager or designee to submit a proposal requesting reimbursement from Fresno Unified School District (FUSD) for providing aquatics programming at up to seven high schools in an amount not to exceed \$350,000 and authorizing the City Manager or designee to enter into 2024 aquatics related funding agreements on behalf of the City of Fresno (Citywide) (Subject to Mayor's Veto)

Sponsors:

Parks, After School and Recreation and Community Services Department

- 1.-S. [ID 23-1769](#) Actions pertaining to training services for street outreach (RFP #12401231):
1. Award an 18-month Consultant Services Agreement in an amount not to exceed \$300,000 to the Connie Rice Institute

for Urban Peace dba Urban Peace Institute for street outreach training services.

2. Authorize the City Manager or designee to execute the agreement and all related documents.

Sponsors:

Parks, After School and Recreation and Community Services Department

1.-T. [ID 23-1763](#)

***RESOLUTION: Adopt the Ninth Amendment to Fiscal Year 2024 Salary Resolution No. 2023-183, amending Exhibit 3, Unit 3, Non-Supervisory White Collar (FCEA) by adding the new classifications and providing a monthly salary step plan range for Radio Frequency (RF) Network Engineer I, Radio Frequency (RF) Network Engineer II, Senior Radio Frequency (RF) Network Engineer and Airports Public Safety Agent I, Airports Public Safety Agent II, Senior Airports Public Safety Agent, effective December 18, 2023 (Subject to Mayor's Veto); and amending Section 18, Benefits for Police Cadets, Permanent Part-Time Employees, and Limited Employees; and Benefits and Terms and Conditions for Permanent Airport Public Safety Officers and Permanent Airport Public Safety Supervisors, to update the Section 18 and Subsection C headings to include Temporary Employees and modify Subsection C to add a standby premium pay and respective provisions for limited and temporary employees in non-exempt job classifications; retroactively effective December 4, 2023 (Subject to Mayor's Veto)

Sponsors:

Personnel Services Department

1.-U. [ID 23-1715](#)

Actions pertaining to on-call plan check, back check, and inspection services.

1. Approve a consultant service agreement with Interwest Consulting Group, Inc in an amount not to exceed \$150,000 for a performance term through December 31, 2025; and

2. Approve a consultant service agreement with BPR Consulting Group, LLC in an amount not to exceed \$150,000; for a performance term through December 31, 2025.

Sponsors:

Planning and Development Department

1.-V. [ID 23-1759](#)

Actions pertaining to the Organized Retail Theft Prevention

Grant program:

1. Authorize the Chief of Police to accept \$23,663,194 in grant funding for the Organized Retail Theft Prevention Grant awarded to the Fresno Police Department from the State of California, Board of State and Community Corrections (BSCC);
2. RESOLUTION - Adopt a Resolution authorizing acceptance of \$23,663,194 in grant funding from the State of California Board of State and Community Corrections (BSCC) for the Fresno Police Department's Organized Retail Theft Prevention grant;
3. ***RESOLUTION - Adopt the 6th Amendment to the Position Authorization Resolution (PAR) No. 2023-184 adding twenty-four full-time positions of sworn Police Officers and one full-time Police Sergeant to focus on organized retail theft, catalytic converter theft and vehicle theft at all levels and two full-time Police Support Services Technicians to focus on processing investigative reports related to organized retail theft and auto theft for the Police Department's Organized Retail Theft Prevention grant (Subject to Mayor's veto);
4. ***RESOLUTION - Adopt the 29th Amendment to the Annual Appropriation Resolution (AAR) No. 2023-185 appropriating \$9,049,000 for the Police Department's Organized Retail Theft Prevention Grant (requires five affirmative votes) (Subject to Mayor's veto);
5. Authorize the Chief of Police to enter into a Memorandum of Understanding (MOU) with the City of Clovis Police Department to hire personnel, obtain equipment and supplies, in accordance with the procurement process as required by the Fresno Municipal Code, to support program specific and dedicated operations for organized retail theft enforcement, investigations and administration in the amount of \$6,068,700 over the three-year performance period of the grant;
6. Authorize the Chief of Police to enter into a Memorandum of Understanding (MOU) with the Fresno County Probation Department for overtime for Deputy Probation Officers, obtain

equipment and supplies, in accordance with the procurement process as required by the Fresno Municipal Code, and community awareness campaigns to collaborate with FPD to take a proactive approach in preventing and responding to organized retail theft, motor vehicle or motor vehicle accessory theft, or cargo theft in the amount of \$1,089,975 over the three-year performance period of the grant;

7. Authorize the Chief of Police to enter into a Memorandum of Understanding (MOU) with the Fresno County District Attorney's Office to hire part-time personnel, overtime for District Attorney Investigators, obtain equipment and supplies, in accordance with the procurement process as required by the Fresno Municipal Code, to exclusively dedicate to prosecuting specific offenders under this grant and enhance the capabilities of the regional Cyber and Forensic Lab thereby contributing to the aggressive prosecution of such offenders in the amount of \$854,519 over the three-year performance period of the grant;

8. Authorize the Chief of Police to enter into a Memorandum of Understanding (MOU) with California State University of Fresno, Foundation to prepare a pre-and post-Local Evaluation Report in the amount of \$75,000 over the three-year performance period of the grant;

9. Affirm the City Manager's determination that Flock Safety is uniquely qualified;

10. Approve the Agreement between the City of Fresno Police Department and Flock Safety, in an amount not to exceed \$1,498,690.41 for three (3) years for the subscription services of Automated License Plate Readers (ALPR), cameras, and software.

Sponsors:

Police Department

1.-W. [ID 23-1704](#)

Actions pertaining to the Willow and Balch Play Structure Replacement Project Bid File No. 12400566 (Council District 7):

1. Adopt a finding of Categorical Exemption per staff's determination, pursuant to Section 15301 and 15302 of the California Environmental Quality Act (CEQA) Guidelines

2. Award a construction contract in the amount of \$457,290 to R E Schultz Construction, Inc. of Orange, California, as the lowest responsive and responsible bidder for the Willow and Balch Play Structure Replacement Project

Sponsors:

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

1.-X. [ID 23-1724](#)

Actions pertaining to the Midtown Fresno Trail: McKinley Avenue Gap Closure Project, Millbrook Avenue to Clovis Avenue (Council Districts 4 & 7):

1. Award a construction contract in the amount of \$6,633,609 to Avison Construction, Inc. of Madera, CA, as the lowest responsive and responsible bidder, for the Midtown Fresno Trail: McKinley Avenue Gap Closure Project, Millbrook Avenue to Clovis Avenue (Bid File No. 12400950).

2. Approve a Joint Project Agreement with the Fresno Irrigation District to provide for cost sharing on erosion repairs, for an estimated City contribution in the amount of \$181,350, plus a 10% contingency.

Sponsors:

Capital Projects Department and Public Works Department

1.-Y. [ID 23-1796](#)

***RESOLUTION - Adopting the 30th Amendment to the Annual Appropriations Resolution (AAR) No. 2023-185 appropriating \$2,200,000 for the Capital Projects Department operating budget to allocate funding for the remaining fiscal year operating expenditures (Requires 5 Affirmative Votes) (Subject to Mayor's Veto).

Sponsors:

Capital Projects Department

1.-Z. [ID 23-1762](#)

Actions related to initiating the Proposition 218 process for proposed updates to the schedule of rates for residential solid waste services:

1. Direct City staff to initiate the Proposition 218 process for proposed updates to rates for residential solid waste services, and

2. Set a public hearing to consider proposed updates to the rates for residential solid waste services on May 2, 2024, at 5:00 p.m.

Sponsors:

Department of Public Utilities

1. [ID 23-1774](#) Actions pertaining to the Fresno-Clovis Regional Wastewater Reclamation Facility Energy Savings and Sustainability Capital Improvements Project (Council District 3):
-AA.
1. Adopt a finding of Categorical Exemption pursuant to Sections 15302 of the California Environmental Quality Act (CEQA) Guidelines
 2. Award a Design Build contract to Alliance Building Solutions, Inc., for a total amount of \$24,234,109, for the Fresno-Clovis Regional Wastewater Reclamation Facility Energy Savings and Sustainability Capital Improvements Project
 3. ***RESOLUTION - Authorizing the Director of Public Utilities, or designee, to execute and deliver an installment purchase agreement, an escrow agreement, and equipment schedule (Subject to Mayor's Veto)

Sponsors:

Department of Public Utilities

1. [ID 23-1781](#) Annual Review and Acceptance of the FY 2023 Summary of Impact Fee Waivers
-BB.

Sponsors:

Public Works Department

1. [ID 23-1698](#) ***RESOLUTION - Authorizing the Public Works Director or Designee to Submit a Grant Application in an amount not to exceed \$400,000 for the 2024-2025 California Department of Transportation (Caltrans) Sustainable Transportation Planning Grant (STPG) Program to fund the development of a City of Fresno Mobility Design Guide (MDG), and Authorizing Execution, Acceptance of the Grant, and Completion of Restricted Grant Agreements and Amendments for the Project with Caltrans by the Public Works Director or Designee (Citywide) (Subject to Mayor's Veto).
-CC.

Sponsors:

Public Works Department

1. [ID 23-1730](#) Active Transportation Advisory Committee (ATAC) Semi-Annual Report (April 2023 through October 2023) (Citywide)
-DD.

Sponsors:

Public Works Department

1. [ID 23-1733](#)
-EE. Actions pertaining to Resolution of Intention Number 1154-D to vacate a portion of excess public street right of way on the northeast side of North Weber Avenue, northwest of West Herndon Avenue (Council District 2):
1. Adopt the attached Resolution of Intention Number 1154-D to vacate a portion of excess public street right of way on the northeast side of North Weber Avenue, northwest of West Herndon Avenue
 2. Set the required public hearing at 10:05 a.m. on January 11, 2024

Sponsors:

Public Works Department

1. [ID 23-1776](#)
-FF. Award a Requirements Contract to Briner & Son Landscape Management of Fresno, California to provide weekly landscape maintenance services to all community facilities districts (CFDs) and community parks within the City of Fresno, east of Freeway 41 for one year with seven optional one-year extensions in an amount up to \$944,424.00 per year plus an annual 20% contingency (RFP No. 12400071) (Council Districts 4, 5, 6 and 7).

Sponsors:

Public Works Department

1. [ID 23-1777](#)
-GG. Award a Requirements Contract to Briner & Son Landscape Management of Fresno, California to provide weekly landscape maintenance services to all community facilities districts (CFDs) and community parks within the City of Fresno, west of Freeway 41 for one year with seven optional one-year extensions in an amount up to \$1,051,596.00 per year plus an annual 20% contingency (RFP No. 12400220) (Council Districts 1, 2 and 3).

Sponsors:

Public Works Department

1. [ID 23-1793](#)
-HH. Authorize the Public Works Director to enter into Reimbursement Agreement No. HSR23-41 with the California High Speed Rail Authority (CHSRA), in substantially the form presented, to reimburse the City for work on specified CHRSA matters (Council Districts 1, 2, & 3).

Sponsors:

Public Works Department

- 1.-II. [ID 23-1794](#) Actions pertaining to a Route 99 Freeway Agreement (0.1 mile south of Chestnut Avenue to Church Avenue) (Council District 3):
1. RESOLUTION - Approving an addendum to EIR SCH NO. 2019039121 and adopting findings pursuant to California Environmental Quality Act (CEQA) Guidelines Sections 15091 and 15093 as required for responsible agencies by CEQA Guidelines Section 15096 for the South Fresno State Route 99 Corridor Project.

Sponsors:

Public Works Department

- 1.-JJ. [ID 23-1760](#) RESOLUTION - Renaming the Van Ness and Weldon Pocket Park to "Trolley" Park

Sponsors:

Vice President Perea

1. [ID 23-1792](#) ***BILL - (For Introduction) Repealing Article 22 of Chapter 14
-KK. of the Fresno Municipal Code, relating to Cruising (Subject to Mayor's Veto)

Sponsors:

Councilmember Chavez

1. [ID 23-1821](#) ***RESOLUTION - Directing administration to publish a
-LL. Notice of Funding Availability within 30 days of all available funds for the acquisition, improvement, and preservation of affordable housing in mobile home parks within the City of Fresno (Subject to Mayor's veto)

Sponsors:

Councilmember Arias and Councilmember Bredfeld

1. [ID 23-1835](#) RESOLUTION - Authorizing the Submission of a Grant
-MM. Application to the Fresno Council of Governments (Fresno COG) for the 2023 Regional Early Action Plan 2.0 Grant Program (REAP) for The West Creek Village In-Fill Affordable Housing Project in an amount not to exceed \$1,500,000; and Authorizing the Execution of Grant Agreement Documents by the City Manager or Designee (Council District 3)

Sponsors:

Planning and Development Department

JOINT MEETING OF THE CITY COUNCIL, THE CITY OF FRESNO IN ITS CAPACITY AS HOUSING SUCCESSOR TO THE REDEVELOPMENT AGENCY OF THE CITY OF FRESNO, THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF FRESNO, AND FRESNO REVITALIZATION CORPORATION

1. [ID 23-1799](#) -NN. Actions pertaining to the disposition and development of a 7.94-acre parcel (APN 477-060-04T) at the southeast corner of East Florence and Plumas Avenues for Heritage Estates, a 33-unit single-family housing development:
1. ***RESOLUTION -Finding Substantial Community Benefits that justify a price less than fair market value pursuant to Fresno Municipal Code Section 4-204 relating to the disposition of real property (Subject to Mayor's veto)
 2. Approve a Disposition and Development Agreement between the City of Fresno in its capacity as Housing Successor and Fresno Housing Authority.

Sponsors:

Successor Agency to the Redevelopment Agency and Councilmember Arias

CONTESTED CONSENT CALENDAR

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:00 A.M.

[ID 23-1691](#)

HEARING to consider Development Permit Application No. P21-02699, Vesting Tentative Parcel Map No. 2021-09, and related Final Environmental Impact Report (FEIR), State Clearinghouse (SCH) No. 2022050265, regarding an Office/Warehouse Project located on approximately ± 48.03 acres of property at the northeast intersection of North Marks and West Nielsen Avenues (Council District 3)

1. CERTIFY Final Environmental Impact Report (SCH No. 2022050265), apply the Council's independent judgment and analysis to the review, and then adopt the resolution

certifying the FEIR as having been completed in compliance with the California Environmental Quality Act (CEQA) on the proposed Final EIR and comments thereon; and;

- a. ADOPT the Water Supply Assessment (WSA) attached to the FEIR as Appendix K in compliance with Section 10910 of the California Water Code and Section 15155 of the CEQA Guidelines, and adopt the WSA as a technical addendum to the Environmental Impact Report; and,
- b. ADOPT Findings of Fact pursuant to CEQA Guidelines Section 15091; and,
- c. ADOPT a Mitigation Monitoring and Reporting Program (MMRP) pursuant to CEQA Guidelines section 15097; and,

2. DENY the appeal and UPHOLD the action of the Planning Commission in the approval of Development Permit Application No. P21-02699 which requests authorization to construct four office/warehouse buildings with a total gross floor area of approximately ± 901,438 square feet, subject to compliance with the Conditions of Approval dated October 4, 2023; and,

3. DENY the appeal and UPHOLD the action of the Planning Commission in the approval of Vesting Tentative Parcel Map No. 2021-09 which requests authorization to subdivide the subject property into four parcels: Parcel A ± 11.68 acres, Parcel B ± 5.38 acres, Parcel C ± 5.14 acres, Parcel D ± 26.15 acres, subject to compliance with the Conditions of Approval dated October 4, 2023.

Sponsors:

Planning and Development Department

10:05 A.M. (CONTINUED TO AN UNDETERMINED DATE AND TIME)

[ID 23-1688](#)

HEARING for Consideration of Text Amendment Application No. P23-01018 and related Environmental Finding for Environmental Assessment No. P23-01018, amending Section 15-2009 of the Fresno Municipal Code, relating to Zone Districts where razor wire fencing is permitted.

1. ADOPTION of a finding set forth in Environmental Assessment No. P23-01018, that Text Amendment Application No. P23-01018 is exempt from the California Environmental Quality Act (CEQA) pursuant to Section

15303/Class 3.

2. BILL (for introduction) amending Chapter 15 of the Fresno Municipal Code Section 15-2009, relating to the Zone Districts where razor wire fencing is permitted.

Sponsors:

Planning and Development Department

10:15 A.M.

[ID 23-1712](#)

Actions pertaining to consideration of Annexation Application No. P23-03757; Pre-zone Application No. P23-03758; and related Environmental Assessment No.

P23-03757/P23-03758 for approximately 141 acres of property generally located along the north and south sides of West Ashlan Avenue between North Bryan and North Polk Avenues (Council District 1).

1. ADOPT Mitigated Negative Declaration prepared for Environmental Assessment No. P23-03757/P23-03758 dated November 10, 2023, for the proposed project pursuant to California Environmental Quality Act (CEQA) Guidelines.
2. RESOLUTION - Approving Annexation Application No. P23-03757 (for the Ashlan-Hayes Nos. 2, 3, and 4 Reorganization) proposing detachment from the Kings River Conservation District and North Central Fire Protection District and annexation to the City of Fresno.
3. BILL - (for introduction and adoption) - Approving Pre-zone Application No. P23-03758 proposing to pre-zone: approximately 97.55 acres of property from the Fresno County RR/NB (Rural Residential/Neighborhood Beautification) zone district to the City of Fresno RS-5/ANX (Single-Family Residential, Medium Density/Annexed Rural Residential Transitional Overlay) zone district; approximately 18.65 acres of property from the Fresno County RR/NB (Rural Residential/Neighborhood Beautification) zone district to the City of Fresno RS-1/ANX (Single-Family Residential, Low Density/Annexed Rural Residential Transitional Overlay) zone district; approximately 14.13 acres of property from the Fresno County RR/NB (Rural Residential/Neighborhood Beautification) zone district to the City of Fresno RM-2/ANX (Multi-Family Residential, Urban Neighborhood/Annexed

Rural Residential Transitional Overlay) zone district; and approximately 1.76 acres of property from the Fresno County RR/NB (Rural Residential/Neighborhood Beautification) to the OS/ANX (Open Space/Annexed Rural Residential Transitional Overlay) zone district.

Sponsors: Planning and Development Department

1:00 P.M.

[ID 23-1798](#) Appearance by Gail Gaston to discuss Martin Luther King Jr. Day events from January 12th-15th 2024 in the City of Fresno. (District 6 Resident)

Sponsors: Office of the City Clerk

1:03 P.M.

[ID 23-1806](#) Appearance by Doctor Su Kapoor to discuss Martin Luther King events from January 12th- 15th 2024 (District 6 Resident)

Sponsors: Office of the City Clerk

3. GENERAL ADMINISTRATION

3.-A. [ID 23-1800](#) Workshop- Update on Sale of Grizzlies Baseball Club

Sponsors: Office of Mayor & City Manager

3.-B. [ID 23-1735](#) Actions pertaining to the 2018 Amended and Restated Stadium Sublease Agreement between the City of Fresno and Fresno Sports and Events, LLC.:

1. Approve the Second Amendment to the 2018 Amended and Restated Stadium Sublease Agreement

Sponsors: Office of Mayor & City Manager

4. CITY COUNCIL

5. CLOSED SESSION

5.-A. [ID 23-1811](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Government Code Section 54956.9, subdivision (d)(1)

Case Name: 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 23-1812](#)

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED
LITIGATION

Government Code Section 54956.9, subdivision (d)(2)
Significant Exposure to Litigation: 1 potential case

Sponsors:

City Attorney's Office

5.-C. [ID 23-1810](#)

CONFERENCE WITH LEGAL COUNSEL-EXISTING
LITIGATION

Government Code Section 54956.9, subdivision (d)(1)
Name of case: ACLU, et al. v. City of Fresno, et al.; Fresno
Superior Court Case No.: 23CECG04744

Sponsors:

City Attorney's Office

5.-D. [ID 23-1816](#)

CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: 747 R Street, Fresno, CA 93721

Agency negotiator: City Manager
Negotiating parties: 747 R Street, LLC
Under negotiation: price, terms of payment

Sponsors:

City Attorney's Office

5.-E. [ID 23-56](#)

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

1. Government Code Section 54957(b): consider the
appointment, employment, evaluation of performance,
discipline, or dismissal of a public employee.

Title: City Attorney

2. Government Code Section 54957.6: conference with labor
negotiator. City Negotiator: Council President Tyler Maxwell.
Unrepresented Employee: City Attorney

Sponsors:

Council President Maxwell

5.-F. [ID 23-1827](#)

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

1. Government Code Section 54957(b): consider the
appointment, employment, evaluation of performance,
discipline, or dismissal of a public employee.

Title: City Clerk

2. Government Code Section 54957.6: conference with labor

negotiator. City Negotiator: Council President Tyler Maxwell.
Unrepresented Employee: City Clerk

Sponsors: Council President Maxwell

ADJOURNMENT

UPCOMING SCHEDULED COUNCIL HEARINGS AND MATTERS

JANUARY 11, 2024

10:00 A.M. - Hold a public hearing and approve items related to the granting of a Non-Exclusive Roll-Off Franchise for roll-off collection services (Citywide)

10:05 A.M. - HEARING to consider the vacation of a portion of excess public street right of way on the northeast side of North Weber Avenue, northwest of West Herndon Avenue (Council District 2):

10:10 A.M. - BILL - (For Introduction) Adding Subsection U to Section 3804 of Chapter 15 of the Fresno Municipal Code relating to the deferral of certain sidewalk construction, driveway approaches and street trees in subdivisions until prior to occupancy of single-family homes.

10:10 A.M. - HEARING to consider Text Amendment Application No. P23-02808 and related Environmental Finding - Planning & Development Department.

UPCOMING EMPLOYEE CEREMONIES

EMPLOYEE OF THE QUARTER - 10:00 A.M

- January 17, 2023 (Wednesday) - Employee of the Winter Quarter*
- April 10, 2023 (Wednesday) - Employee of the Spring Quarter*
- July 17, 2023 (Wednesday) - Employee of the Summer Quarter*
- October 16, 2023 (Wednesday) - Employee of the Fall Quarter*

EMPLOYEE SERVICE AWARDS - 10:00 A.M.

- April 17, 2023 (Wednesday) - Employee Service Awards*
- November 20, 2023 (Wednesday) - Employee Service Awards*

2023 CITY COUNCIL MEETING SCHEDULE

January 11, 2024 - 9:00 A.M.

January 18, 2024 - 9:00 A.M.

February 1, 2024 - 9:00 A.M.

February 22, 2024 - 9:00 A.M.