

City of Fresno

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



Meeting Agenda - Final

Thursday, June 6, 2024

9:00 AM

Regular Meeting

With continued Budget Hearing from June 5, 2024.

Council Chambers (In Person and/or Electronic)

<https://www.fresno.gov/budget-hearings/>

City Council

President - Annalisa Perea

Vice President - Mike Karbassi

Councilmembers:

Miguel Angel Arias, Tyler Maxwell, 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://www.fresno.gov/budget-hearings/>

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.

GOVERNMENT CODE 84308 CONTRIBUTION PROHIBITIONS AND MANDATORY DISCLOSURES - The Political Reform Act of 1974 (Act) restricts campaign contributions over \$250 from a party to or participant in a proceeding involving a license, permit, contract, or entitlement for use before the City. The Act requires disclosure of the contribution and creates a conflict where a decisionmaker has received \$250 or more from a party or participant to a proceeding in the prior 12 months. A decisionmaker must disclose on the record during the proceeding that they have received contributions from a party, participant, or agent of a party or participant, greater than \$250 within the preceding 12 months and the name(s) of the contributor(s). (See 2 CCR 18438.8(a).) Parties and participants to a proceeding are required to disclose on the record if they made contributions over \$250 within the prior 12 months, and are prohibited from making contributions to a decisionmaker during the proceeding and for 12 months after the date a final decision is rendered on the proceeding. Violations of these provisions are punishable as a misdemeanor.

9:00 A.M. ROLL CALL

Invocation by Pastor Edward D. Thomas II from Impact Fresno Church

Pledge of Allegiance to the Flag

APPROVE AGENDA

CEREMONIAL PRESENTATIONS

[ID 24-775](#) Proclamation for “Pride Month”

Sponsors: Council President Perea

[ID 24-588](#) Proclamation for honoring “Alexan Balekian”

Sponsors: Councilmember Bredefeld

[ID 24-731](#) Recognition of San Joaquin Political Academy Graduates

Sponsors: Councilmember Esparza

[ID 24-658](#) Recognition of Women's Commission Scholarship Recipients

Sponsors: Councilmember Esparza

[ID 24-642](#) Proclamation for “Gun Violence Awareness Month”

Sponsors: Office of Mayor & City Manager and Police Department

COUNCILMEMBER REPORTS AND COMMENTS

MAYOR/MANAGER REPORTS AND COMMENTS

CITY CLERK AND CITY ATTORNEY REPORTS AND COMMENTS

1. SCHEDULED COUNCIL HEARINGS AND MATTERS

9:00 A.M. RESUMED BUDGET HEARINGS

The budget hearing will resume following other City business listed on the agenda.

[ID 24-689](#) Office of the City Clerk / Copy Center

[ID 24-690](#) City Attorney's Office

ID 24-691	General City Purpose
ID 24-692	Office of Mayor & City Manager
ID 24-693	City Council Offices

9:10 A.M.

- [ID 24-652](#) HEARING to consider of an appeal regarding the denial of Conditional Use Permit Application No. P22-03906, requesting authorization to establish a State of California Alcoholic Beverage Control (ABC) Type 21 (Off-Sale Beer, Wine, & Distilled Spirits) alcohol license for Circle "D" Food & Liquor store located at 2520 East Olive Avenue on the southeast corner of North Fresno Street and East Olive Avenue. (Council District 7)
1. DENY the Appellant's appeal and UPHOLD the action of the Planning and Development Department Director to deny CUP Application No. P22-03906 requesting authorization to establish a State of California Alcoholic Beverage Control Type 21 (Off-Sale Beer, Wine, & Distilled Spirits) alcohol license for a Circle "D" Food & Liquor store.

Sponsors: Planning and Development Department

9:25 A.M.

- [ID 24-457](#) Actions pertaining to the 2024-2025 Annual Action Plan:
1. HEARING to obtain public comments regarding the Draft 2024-2025 Annual Action Plan; and
 2. ***RESOLUTION - Adopting the 2024-2025 Annual Action Plan; approving submission to the U.S. Department of Housing and Urban Development (HUD) for application of \$7,013,935 Community Development Block Grant (CDBG), \$2,924,820 HOME Investment Partnerships (HOME), \$606,188 Emergency Solutions Grant (ESG), and \$1,033,153 Housing Opportunities for Persons with AIDS/HIV (HOPWA) program funds; providing for subrecipient agreements; and Authorizing the City Manager to sign all implementing documents required by HUD as approved to form by the City Attorney (Subject to Mayor's Veto)

Sponsors: Planning and Development Department

2. CONSENT CALENDAR

- 2.-A. [ID 24-755](#) Approval of minutes for May 16, 2024, special meeting and approval of minutes for May 23, 2024, regular meeting

Sponsors: Office of the City Clerk

- 2.-B. [ID 24-773](#) *** RESOLUTION - Authorizing submission of an application for Tobacco Grant Program funds, and acceptance of funding in an amount to be determined by the California Department of Justice, and authorizing the City Attorney, City Manager, and/or designee to sign all necessary implementing documents (subject to veto).

Sponsors: City Attorney's Office and Police Department

- 2.-C. [ID 24-581](#) Award a construction contract in the amount of \$164,842 to Power Design Electric, as the lowest responsive and responsible bidder for Belmont Avenue Street Light Replacement Project from Clovis Avenue to Fowler Avenue - Bid File 12402316 (Council Districts 5 and 7).

Sponsors: Capital Projects Department and Public Works Department

- 2.-D. [ID 24-728](#) Actions pertaining to the Calwa Townsite Phase II Water Main Replacement Project bound by Orange, Church, Cedar and Jensen Avenues, Bid File 12401802 (Council District 5 and County):

1. Adopt a finding of Categorical Exemption per staff determination pursuant to Section 15301/Class 1 (Existing Facilities) and 15302/Class 2 (Replacement or Reconstruction) of the California Environmental Quality Act (CEQA) Guidelines, for the Calwa Townsite Phase II Water Main Replacement Project,
2. Award a construction contract in the amount of \$5,429,945, to West Valley Construction Company, Inc., of Fresno, California, as the lowest responsive and responsible bidder for the Phase II Water Main Replacement Project.

Sponsors: Capital Projects Department and Department of Public Utilities

- 2.-E. [ID 24-730](#) Approve a Consultant Services Agreement with O'Dell Engineering Inc, of Fresno, California in the amount of \$298,476, with a contingency amount not to exceed \$40,000, for design and construction support services for the Dickey Park Rehabilitation Project (Council District 3).

Sponsors:

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

- 2.-F. [ID 24-656](#) Actions pertaining to the summary vacation of a portion of a sewer easement lying in Lot 11 of Block D of Highway City, North of West Shaw Avenue and West of North Cornelia Avenue (Council District 1):
1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15305 of the California Environmental Quality Act (CEQA) Guidelines, Environmental Assessment Number P24-00689,
 2. RESOLUTION - Ordering the summary vacation of a portion of a sewer easement lying in Lot 11 of Block D of Highway City, North of West Shaw Avenue and West of North Cornelia Avenue.

Sponsors:

Public Works Department

- 2.-G. [ID 24-655](#) Actions pertaining to the summary vacation of a portion of East Madison Avenue, between North Fulton Avenue and North Van Ness Avenue (Council District 3):
1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15194 of the California Environmental Quality Act (CEQA) Guidelines, Environmental Assessment Number P23-04237;
 2. RESOLUTION - Ordering the summary vacation of a portion of East Madison Avenue, between North Fulton Avenue and North Van Ness Avenue.

Sponsors:

Public Works Department

- 2.-H. [ID 24-736](#) RESOLUTION - Authorizing the Submission of Two Grant Applications to the California Department of Transportation's Active Transportation Program (ATP) Cycle 7 Call for Projects Totaling up to \$24 million in requests for funding; and Authorizing the Execution of Grant Applications and Grant Agreement documents by the Public Works Director or

Designee (Council Districts 1, 4, 7).

Sponsors:

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

2.-I. [ID 24-737](#)

Actions pertaining to Final Map of Tract No. 6370
RESOLUTION - Approving the Final Map of Tract No. 6370, and accepting dedicated public uses offered therein except for dedications offered subject to City acceptance of developer installed required improvements - located on the west side of North Chestnut Avenue between East Shepherd Avenue and East Teague Avenue (Council District 6).

Sponsors:

Public Works Department

2.-J. [ID 24-738](#)

Actions pertaining to Final Map of Tract No. 6385
RESOLUTION - Approving the Final Map of Tract No. 6385, and accepting dedicated public uses offered therein except for dedications offered subject to City acceptance of developer installed required improvements - located on the northwest corner of North Willow Avenue and North Alicante Drive (Council District 6).

Sponsors:

Public Works Department

2.-K. [ID 24-740](#)

Actions pertaining to the summary vacation of a portion of North Broadway Street, South of East Elizabeth Street (Council District 3).
RESOLUTION - Ordering the summary vacation of a portion of North Broadway Street, South of East Elizabeth Street.

Sponsors:

Public Works Department

2.-L. [ID 24-771](#)

RESOLUTION- Authorizing the Submission of a Grant Application to the United States Department of Transportation, Federal Highway Administration (FHWA) - Active Transportation Infrastructure Investment Program (ATIIP) Call for Projects not to exceed \$2,000,000 in requests to fund a planning and design grant for conceptual and preliminary engineering tied to an approved plan for the Parkway Drive and Jane Addams Neighborhood; and Authorizing the Execution of a Grant Application and Grant Agreement documents by the Public Works Director or Designee (Council District 3).

Sponsors: Public Works Department

- 2.-M. [ID 24-735](#) Actions pertaining to the creation of a Land Bank:
***RESOLUTION - Adopt a Resolution establishing a Land Bank for the City of Fresno. (Subject to Mayor's Veto)

Sponsors: Planning and Development Department

- 2.-N. [ID 24-757](#) ***BILL-13 - (Intro'd May 23, 2024) (For Adoption) Amending Chapter 15 of the Fresno Municipal Code, Section 15-2009, relating to security fencing. (Subject to Mayor's Veto).

Sponsors: Planning and Development Department

- 2.-O. [ID 24-758](#) ***BILL-14 (Intro'd May 23, 2024) (For Adoption) Amending Section 15-2706, 15-6704, and 15-6802 of the Fresno Municipal Code, relating to the sale of alcoholic beverages for off-site consumption, Commercial Use Classification of General Market, and definitions. (Subject to Mayor's Veto).

Sponsors: Planning and Development Department, Councilmember Arias, Councilmember Chavez and Councilmember Esparza

- 2.-P. [ID 24-752](#) Approve the reappointment of Lenora Barnes to the Fresno Regional Workforce Development Board with a term ending November 1, 2024. Approve the reappointments of Shayn Anderson, Alysia Bonner, Carole Goldsmith, Chuck Riojas, and Chris Zeitz to the Fresno Regional Workforce Development Board, all with a term ending November 1, 2025.

Sponsors: Council President Perea

- 2.-Q. [ID 24-766](#) ***RESOLUTION - Exempting 10 Residential Streets In Council District 3 From Certain Requirements of Resolution No. 2022-035, The Residential Street Speed Hump Policy (Subject to Mayor's Veto)

Sponsors: Councilmember Arias

CONTESTED CONSENT CALENDAR

3. GENERAL ADMINISTRATION

UNSCHEDULED COMMUNICATION

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

4. CITY COUNCIL

- 4.-A. [ID 24-767](#) WORKSHOP - Presentation from the Building Industry Association of Fresno / Madera regarding Southeast Development Area (SEDA) infrastructure

Sponsors: Councilmember Chavez

5. CLOSED SESSION

- 5.-A. [ID 24-719](#) CONFERENCE WITH LABOR NEGOTIATORS - Government Code Section 54957.6
City Negotiators: Jennifer Misner; Sumeet Malhi
Employee Organization(s): 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 202, 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) Unit 10; 8. International Association of Firefighters, Local 202, Unit 10 (Fire Management); 9. City of Fresno Professional Employees Association (CFPEA); 10. City of Fresno Management Employees Association (CFMEA)

Sponsors: Office of Mayor & City Manager

- 5.-B. [ID 24-732](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Government Code Section 54956.9, subdivision (d)(1) and (2) Jeffrey Logue v. City of Fresno; Claim No. 2020042098 and CSMCS #ARB-20-0137.

Sponsors: City Attorney's Office

ADJOURNMENT

UPCOMING SCHEDULED COUNCIL HEARINGS AND MATTERS

JUNE 13, 2024

9:10 A.M. - Hearing for APN 446-232-39 Westfield Investments

JUNE 13, 2024

9:15 A.M. -Hearing for APN 451-134-05 Alanis

JUNE 13, 2024

9:20 A.M. - Hearing for APN 451-141-22 Chauhan Kaur

JUNE 27, 2024

9:15 A.M. - HEARING to adopt resolutions and ordinance to annex territory

JUNE 27, 2024

9:20 A.M. - LLMD HEARING

JULY 25, 2024

9:10 A.M. - HEARING to adopt resolutions and ordinance amending Annexation Number 37 of the City of Fresno Community Facilities District Number 11, Final Tract Map Number 6410

AUGUST 15, 2024

9:10 A.M. - 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 150

UPCOMING EMPLOYEE CEREMONIES

EMPLOYEE OF THE QUARTER - 10:00 A.M.

- July 17, 2024 (Wednesday) - Employee of the Summer Quarter*
- October 16, 2024 (Wednesday) - Employee of the Fall Quarter*

EMPLOYEE SERVICE AWARDS

- November 20, 2024 (Wednesday) - Employee Service Awards - 10:00 A.M.*

2024 CITY COUNCIL MEETING SCHEDULE

June 7, 2024 - 1:30 P.M. (Reserved for Budget Overflow)

June 12, 2024 - 9:00 A.M. (Vote on Budget Motions)

June 13, 2024 - 9:00 A.M. Regular Meeting

June 20, 2024 - 9:00 A.M. (Regular Meeting / Vote on Final Budget)

June 27, 2024 - 9:00 A.M. (Regular Meeting / Reserved for Final Vote on Budget)