

# City of Fresno

2600 Fresno Street  
Fresno, CA 93721  
[www.fresno.gov](http://www.fresno.gov)



## Meeting Agenda - Final-revised

Thursday, October 5, 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*

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\\_F4kph9IJSRujjuH5oOLKvg](https://fresno-gov.zoom.us/webinar/register/WN_F4kph9IJSRujjuH5oOLKvg)

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](mailto: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](mailto: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 Dr. El Sayed Ramadan Imam of Masjid Fresno Islamic Center

Pledge of Allegiance to the Flag

## **APPROVE AGENDA**

## **CEREMONIAL PRESENTATIONS**

<a href="#"><u>ID 23-1071</u></a>	Proclamation for “Domestic Violence Awareness Month”
<b><u>Sponsors:</u></b>	Council President Maxwell and Office of Mayor & City Manager
<a href="#"><u>ID 23-1295</u></a>	Proclamation for “Code Enforcement Officer Appreciation Week”
<b><u>Sponsors:</u></b>	Vice President Perea and Council President Maxwell
<a href="#"><u>ID 23-1400</u></a>	Proclamation for “Frank Ramos Day”
<b><u>Sponsors:</u></b>	Councilmember Arias
<a href="#"><u>ID 23-1394</u></a>	Proclamation for “Phil Roman Day”
<b><u>Sponsors:</u></b>	Councilmember Arias
<a href="#"><u>ID 23-1401</u></a>	Proclamation for “Indigenous Peoples' Day”
<b><u>Sponsors:</u></b>	Councilmember Esparza
<a href="#"><u>ID 23-1384</u></a>	“Celebrating Health Literacy Awareness Month”
<b><u>Sponsors:</u></b>	Office of Mayor & City Manager

## **COUNCILMEMBER REPORTS AND COMMENTS**

## **MAYOR/MANAGER REPORTS AND COMMENTS**

## **CITY CLERK AND CITY ATTORNEY REPORTS AND COMMENTS**

## **UNSCHEDULED COMMUNICATION**

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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 23-1430](#) Approval of Minutes for September 28, 2023, Regular Meeting

**Sponsors:** Office of the City Clerk

- 1.-B. [ID 23-1444](#) Actions pertaining to the California For All Animals Shelter Assistance Program Off-Cycle Grant
1. Authorize the City Manager to accept \$350,400 in grant funding for the Animal Center 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.
  2. Authorize the City Manager or his designee to execute the Shelter Services Agreement and any related documents, for the California For All Animals Shelter Assistance Program Off-Cycle Grant.
  3. \*\*\*RESOLUTION - Adopt the 22nd Amendment to the Annual Appropriation Resolution (AAR) No. 2023-185 appropriating \$350,400 for the Animal Center from the California for All Animals Shelter Assistant Program Off-Cycle Grant (requires five affirmative votes) (subject to Mayor's veto).

**Sponsors:** Animal Center Department

- 1.-C. [ID 23-1402](#) Approve the award of a citywide requirements contract to Knight's Site Services, Inc. of Fresno, California for two years with three optional one-year extensions for the rental, delivery, regular maintenance, and removal of portable toilets, handwashing stations, and 250-gallon waste tanks in an amount not to exceed \$250,000 per year plus annual CPI increases (Bid File 9670)

**Sponsors:** General Services Department

- 1.-D. [ID 23-1417](#) Actions pertaining to the California Department of Toxic Control Substances Equitable Community Revitalization

Grant, Round 2 (Council District 3):

1. \*\*\*RESOLUTION - Authorizing and directing submission of a grant application to the California Department of Toxic Control Substances Equitable Community Revitalization Grant, Round 2, for up to \$10,000,000 in a funding request for the remediation of 1457 H Street; and authorizing the City Manager, or designee, to sign all required applying documents. (Subject to Mayor's Veto)
2. Approve the Standard Voluntary Agreement between the City of Fresno and the California Department of Toxic Control Substances in the amount of \$143,750 for voluntary oversight of the remediation of 1457 H Street.

**Sponsors:**

Planning and Development Department

1.-E. [ID 23-1418](#)

Approve the first amendment to the agreement with Poverello House for Village of Hope Emergency Shelter services increasing funding for tiny home pre-development costs by \$75,578.60 for a total amount of \$4,738,133.39.

**Sponsors:**

Planning and Development Department

1.-F. [ID 23-1459](#)

\*\*\*RESOLUTION: Adopt the Fourth Amendment to Fiscal Year 2024 Salary Resolution No. 2023-183, amending Exhibit 13-1, Unit 13, Exempt Supervisory and Professional (CFPEA) by adding the new classifications of Registered Veterinary Technician and Animal Programs Coordinator, and providing a salary step plan range for the respective classifications; effective October 9, 2023 (Subject to Mayor's Veto).

**Sponsors:**

Personnel Services Department

1.-G. [ID 23-1454](#)

Approve the First Amendment to the consultant services agreement with Carollo Engineers Inc., to expand the scope of services and increase the contract amount by \$2,300,406, for a total amount of \$3,111,279, for the Downtown Area Water and Wastewater Infrastructure Improvements Study (Council District 3)

**Sponsors:**

Department of Public Utilities

1.-H. [ID 23-1365](#)

Award a requirements contract to ACCO Engineered Systems, Inc. for one year with four optional one-year

extensions in the amount up to \$165,900.00 per year to provide annual backflow assembly testing and certification for various facilities and parks (Bid File 12301639) (City Wide)

**Sponsors:**

Public Works Department

1.-I. [ID 23-1442](#)

RESOLUTION- Authorizing the submission of grant applications to United States Department of Transportation (DOT) Strengthening Mobility and Revolutionizing Transportation (SMART) Grants Program for Smart City or Community Technologies and Systems Projects totaling up to \$2 million in requests of grant application funding and authorizing the execution of grant application and grant agreement documents by the Public Works Director or Designee(s).

**Sponsors:**

Public Works Department

1.-J. [ID 23-1388](#)

Actions pertaining to the Butler Avenue and 8th Street and Orange Avenue and Lowe Avenue Signalization Project - Bid File 12301153 (Councils District 5)

1. Adopt a finding of Categorical Exemption per staff's determination pursuant to Section 15301/Class 1 and 15302/Class 2 of the California Environmental Quality Act (CEQA) Guidelines
2. Award a construction contract in the amount of \$1,774,274 to American Paving Company, Fresno, California

**Sponsors:**

Capital Projects Department and Public Works Department

1.-K. [ID 23-1407](#)

Award a construction contract in the amount of \$4,809,694 to Agee Construction Corporation of Clovis, California for the Peach Avenue Widening Project from Butler Avenue to Florence Avenue (Phase 1) - Bid File No. 12301971 (Council District 5).

**Sponsors:**

Capital Projects Department and Public Works Department

1.-L. [ID 23-1356](#)

Actions related to the California State of Good Repair (SGR) Program for funding to conduct FAX maintenance facility improvements:

1. Adopt a finding of Class 1 Categorical Exemption for Existing Facilities pursuant to the California Environmental

Quality Act (CEQA) Guidelines Section 15301.

2. \*\*\*RESOLUTION - Authorizing submission of a project description for and acceptance of funding from the California State of Good Repair (SGR) program, approving the associated FY 2023-24 project list, and authorizing execution of grant documents. (Subject to Mayor's veto)

**Sponsors:**

Department of Transportation

1.-M. [ID 23-1448](#)

\*\*\*BILL B-33 (Intro'd September 28, 2023) (For Adoption) Adding Section 9-110 to Chapter 9 of the Fresno Municipal Code, Adding the Infectious Disease Lab Accountability and Transparency Ordinance. (Subject to Mayor's Veto)

**Sponsors:**

Councilmember Bredefeld, Councilmember Arias and Councilmember Esparza

1.-N. [ID 23-1461](#)

RESOLUTION - Directing the City Attorney to Draft the Workforce Housing Affordability Act, an Ordinance to Dissolve Community Facilities District No. 18 (Public Safety Services)

**Sponsors:**

Councilmember Karbassi

1.-O. [ID 23-1465](#)

\*\*\*RESOLUTION - Affirming Solidarity with the North American Sikh Community in the Face of International Threats (Subject to Mayor's Veto)

**Sponsors:**

Councilmember Esparza

1.-P. [ID 23-1475](#)

\*\*\*RESOLUTION - Directing the Administration to Prepare an Annual Appropriations Resolution Amendment Relating to the Payment of Fees Associated with the Initiation of a Plan Amendment and Rezone within District 4 (Subject to Mayor's Veto)

**Sponsors:**

Council President Maxwell

## **CONTESTED CONSENT CALENDAR**

## **2. SCHEDULED COUNCIL HEARINGS AND MATTERS**

### **10:25 A.M.**

[ID 23-1463](#)

Consideration of an appeal filed regarding Vesting Tentative



Tract Map No. 6366, Planned Development Permit Application No. P22-04877, and related Environmental Assessment No. T-6366/P22-04877 for approximately 7.94 acres of property located on the west side of North Bliss Avenue between East Shields and East Princeton Avenues (Council District 7).

1. ADOPT Environmental Assessment No. T-6366/P22-04877 dated July 12, 2023, an Addendum to Environmental Assessment No. P22-01202, in accordance with Section 15164 of the California Environmental Quality Act (CEQA) Guidelines.
2. DENY the appeal and UPHOLD the action of the Planning Commission in the approval of Vesting Tentative Tract Map No. 6366 proposing to subdivide approximately 7.94 acres of the subject property into a 71-lot single-family residential development subject to the following:
  - a. Development shall take place in accordance with the Conditions of Approval for Vesting Tentative Tract Map No. 6366 dated August 2, 2023.
3. DENY the appeal and UPHOLD the action of the Planning Commission in the approval of Planned Development Permit Application No. P22-04877 proposing to modify the RS-5 (Single-Family Residential, Medium Density) zone district development standards to allow for a reduction in the garage setback, rear yard setback, garage to façade setback, minimum lot size, minimum lot depth, an increase in maximum lot coverage, and gated private streets subject to the following:
  - a. Development shall take place in accordance with the Conditions of Approval for Planned Development Permit Application No. P22-04877 dated August 2, 2023.

**Sponsors:**

Planning and Development Department

**3:00 P.M.**

**[ID 23-1436](#)**

Actions pertaining to proposed Harmony Communities' proposed closure of La Hacienda Mobile Estates:

1. HEARING on sufficiency of Conversion Impact Report and Relocation Plan (the Report).

2. ADOPT findings required by Government Code Section 65863.7.

3. Take one of the following actions:

i. APPROVE the Report OR

ii. APPROVE the Report subject to conditions of approval  
OR

iii. DENY the Report

**Sponsors:** City Attorney's Office

### **3. GENERAL ADMINISTRATION**

3.-A. [ID 23-1435](#) Progress of Code Enforcement, including ASET Quarterly report.

**Sponsors:** City Attorney's Office

### **4. CITY COUNCIL**

### **5. CLOSED SESSION**

5.-A. [ID 23-1426](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION  
Government Code Section 54956.9, subdivision (d)(1)  
Sharon Jackson v. City of Fresno; Fresno Superior Court  
Case No.: 20CECG03206

**Sponsors:** City Attorney's Office

5.-B. [ID 23-1406](#) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION  
Government Code Section 54956.9, subdivision (d)(4): 1  
potential case

**Sponsors:** City Attorney's Office

5.-C. [ID 23-1453](#) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION  
Government Code Section 54956.9, subdivision (d)(4): 1  
potential case

**Sponsors:** City Attorney's Office

5.-D. [ID 23-1457](#) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Government Code Section 54956.9, subdivision (d)(4): 1 potential case.

**Sponsors:**

City Attorney's Office

**5.-E. [ID 23-1445](#)**

**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

## **ADJOURNMENT**

### **UPCOMING SCHEDULED COUNCIL HEARINGS AND MATTERS**

OCTOBER 19, 2023

*10:00 A.M. - 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)*

*10:05 A.M. - Consideration of 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)*

### **UPCOMING EMPLOYEE CEREMONIES**

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

*• 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**

*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.*