

City of Fresno

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



Meeting Agenda - Final

Thursday, September 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_jlICXVg9RgyZGy90fdwnfA

a) The above link will allow you to register in advance for remote participation in the meeting via the Zoom platform. After registering, you will receive a confirmation email containing additional details about joining the meeting.

b) To speak during a City Council meeting while attending remotely: while in the Zoom application, click on the icon labeled "Participants" at the bottom of the screen. Then select "RaiseHand" at the bottom of the Participants window. Your digital hand will now be raised. You will be asked to "unmute" when your name is called to speak. You will not be visible via video and there will be no opportunity to share your screen.

All public speakers will have up to 3 minutes to address Council pursuant to Rule No. 10 of the Rules of Procedure for the City Council of the City of Fresno (available in the City Clerk's Office).

SUBMIT DOCUMENTS / WRITTEN COMMENTS - Pursuant to Rule 11 (c) of the Rules of Procedure, no documents shall be accepted for Council review unless submitted to the City Clerk at least 24 hours prior to the Council Agenda item be heard. Documents / written comments related to an agenda item can be submitted by one of the following methods:

1) eComment – eComment allows the public to submit agenda related comments through a website prior to the meeting. Submitted comments are limited to 1440 characters and will be a part of the official record.

- a) Submit an e-Comment by visiting <https://fresno.legistar.com/Calendar.aspx> and selecting the “eComment” link.
- b) e-Comment is available for use upon publication of the agenda and closes 24 hours prior to the meeting start time [pursuant to Rule 11(c)].
- c) e-Comment is not permitted for Land use or CEQA items
- d) The e-Comment Electronic User Agreement can be viewed at:
<https://www.fresno.gov/cityclerk/>

2) E-mail – Agenda related documents and comments can be e-mailed to the Office of the City Clerk at least 24 hours prior to the agenda item being heard, pursuant to Rule 11(c).

- a) E-mail the Clerk’s Office at clerk@fresno.gov
- b) E-mails should include the agenda date, and the related agenda item number.

VIEWING CITY COUNCIL MEETINGS (non-participatory) - For your convenience, there are several ways to view Fresno City Council meetings live:

- 1) City of Fresno website: <https://fresno.legistar.com/Calendar.aspx> (click “In Progress” to view the live meeting).
- 2) Community Media Access Collaborative website: <https://cmac.tv/>
- 3) YouTube - City of Fresno Council, Boards and Commissions Channel:
<https://www.youtube.com/channel/UC3ld83D8QGn1YBDw6aD5dZA/videos>
- 4) Facebook: <https://www.facebook.com/FresnoCA/videos>
- 5) Cable Television: Comcast Channel 96 and AT&T Channel 99

Should any of the five viewing methods listed above experience technical difficulties, the Council meeting will continue uninterrupted. Council meetings will only be paused to address verifiable technical difficulties for all users participating via Zoom or in the Council Chamber.

The City of Fresno’s goal is to comply with the Americans with Disabilities Act (ADA). Anyone requiring reasonable ADA accommodations, including sign language interpreters, or other reasonable accommodations such as language translation, should contact the office of the City Clerk at (559) 621-7650 or clerk@fresno.gov. To help ensure availability of these services, you are advised to make your request a minimum of three business days prior to the scheduled meeting.

9:00 A.M. ROLL CALL

Invocation by Pastor Franklin from Cornerstone Church

Pledge of Allegiance to the Flag

APPROVE AGENDA

CEREMONIAL PRESENTATIONS

[ID 23-1293](#) Proclamation for “National Voter Registration Day”

Sponsors: Council President Maxwell

[ID 23-1324](#) Proclamation “Valley Animal Center’s Dr. James W. Thornton Dog Park”

Sponsors: Council President Maxwell

[ID 23-1213](#) Proclamation “Captain Anthony Martinez Day”

Sponsors: Councilmember Karbassi

[ID 23-1294](#) Proclamation for “Hispanic Heritage Month”

Sponsors: Vice President Perea

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 23-1321](#) Approval of Minutes for August 24, 2023, Regular Meeting.

Sponsors: Office of the City Clerk

- 1.-B. [ID 23-1327](#) Approve acceptance of 2022 Fire Prevention & Safety (FP&S) Grant Award in the amount of \$98,653, requiring a City match of \$4,697.77.
1. ***RESOLUTION - Authorizing the acceptance of the 2022 Fire Prevention & Safety (FP&S) Grant and authorizing the completion and submission of all required documents (Subject to Mayor's veto).

Sponsors:

Fire Department

- 1.-C. [ID 23-1306](#) Actions pertaining to the award of five Requirements Contracts for equipment and vehicle rentals for various departments on an as needed basis in the total aggregate amount of \$1,250,000 per year plus annual CPI increases to (Bid File 9673):
1. Enterprise Fleet Management of Fresno, California through April 18, 2026, with one optional one-year extension
 2. Caterpillar, Inc. of Fresno, California through August 27, 2024, with one optional one-year extension
 3. Altec Inc. dba Global Rental Inc. of Bakersfield, California through August 27, 2024, with one optional one-year extension
 4. Sunbelt Rentals Inc. of Fowler, California through August 27, 2024, with one optional one-year extension
 5. United Rentals (North America) Inc. of Fresno, California through August 27, 2024, with one optional one-year extension

Sponsors:

General Services Department

- 1.-D. [ID 23-1307](#) Actions pertaining to the award of six Requirements Contracts for the purchase of aftermarket vehicle parts and supplies in the total aggregate amount of \$1,000,000 per year plus annual CPI increases to (Bid Files 9671 & 9672):
1. Genuine Parts Company dba NAPA Auto Parts, of Fresno, through May 19, 2025, with one optional one-year extension
 2. Jasper Holdings, Inc., of Visalia, California through May 19, 2025, with one optional one-year extension
 3. O'Reilly Auto Enterprises dba O'Reilly Auto Parts, of Fresno, California through May 19, 2025, with one optional one-year extension
 4. Elliott Auto Supply Co. Inc. dba Factory Motor Parts, of

Fresno, California through December 14, 2024, with one optional one-year extension

5. Ford Motor Company, of Fresno, California through December 14, 2024, with one optional one-year extension

6. General Motors LLC, of Fresno, California through December 14, 2024, with one optional one-year extension

Sponsors:

General Services Department

1.-E. [ID 23-1312](#)

Approve the award of a Requirements Contract to E.J. Ward, Inc., of San Antonio, Texas for one year with one optional one-year extension for the purchase of vehicle fueling and monitoring equipment, in the amount of \$200,000 per year plus annual CPI increases. (Bid File 9674)

Sponsors:

General Services Department

1.-F. [ID 23-1313](#)

Award a requirements contract for street sweeper brooms and brushes to United Rotary Brush Corporation of Lenexa, Kansas, for four years, with three one-year optional extensions, for a total seven-year contract amount of \$2,262,817 plus annual CPI adjustments (Bid File 12302516)

Sponsors:

General Services Department

1.-G. [ID 23-1314](#)

Approve the award of a purchase contract to Elk Grove Dodge of Elk Grove, California, for the purchase of 78 Dodge Durango marked patrol vehicles in the amount of \$3,676,998 for the Police Department and Airports Department (Bid File 12400501)

Sponsors:

General Services Department

1.-H. [ID 23-1322](#)

Approve the award of a purchase contract to Swanson Fahrney Ford, of Selma, California, for the purchase of 56 Ford F-150 trucks for Department of Public Utilities, Department of Public Works, Airports Department, Fire Department, Police Department, PARCS Department, General Services Department, and Animal Center in the amount of \$2,388,274 (Bid File 12400368)

Sponsors:

General Services Department

- 1.-I. [ID 23-1315](#) Actions pertaining to acceptance of grant funding from the Fresno-Madera Area Agency on Aging (FMAAA) (Districts 1, 2, 3, 5, and 7):
1. ***RESOLUTION - Approving a one-year agreement between the City of Fresno (City) and FMAAA in the amount of \$124,000 for the Senior Hot Meals Program at six community centers and authorizing the City Manager or designee to execute the agreement and all related documents with FMAAA (Subject to Mayor's Veto)
 2. *** RESOLUTION - Adopting the 12th Amendment to the Annual Appropriation Resolution No. 2023-185 to allocate \$124,000 for the Fresno-Madera Area Agency On Aging Agreement in the PARCS Department for Senior Hot Meals Programming. (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)

Sponsors:

Parks, After School and Recreation and Community Services Department

- 1.-J. [ID 23-1326](#) ***RESOLUTION - Adopt the Second Amendment to Fiscal Year 2024 Salary Resolution No. 2023-183, amending Exhibit 3, Unit 3, Non-Supervisory White Collar (FCEA), to adjust the A Step of the Emergency Services Dispatcher II classification from \$5,405 to \$5,410 monthly and amending Exhibit 13-1, Unit 13, Exempt Supervisory and Professional (CFPEA) by increasing the Chief Surveyor monthly salary step plan range from \$9,861 - \$11,966 to \$11,353 - \$13,800 (Subject to Mayor's Veto)

Sponsors:

Personnel Services Department

- 1.-K. [ID 23-1288](#) Actions pertaining to homeless street outreach, assessment and mobile shower operations agreements provided under the Homeless Housing, Assistance, and Prevention (HHAP) program (Bid File 12302683):
1. Approve an Agreement for one-year with one optional one-year extension with Poverello House to conduct homeless street outreach and assessment in the annual amount of \$379,738.00.
 2. Approve an Agreement for one-year with one optional one-year extension with Gracebound to operate mobile shower trailers in the annual amount of \$300,000.00.

Sponsors:

Planning and Development Department

- 1.-L. [ID 23-1297](#) ***BILL B-31 (Intro'd August 24, 2023) (For Adoption)
-Amending Article 17, Chapter 9, Sections 9-1702 9-1704, 9-1706, 9-1707, 9-1708, 9-1709, 9-1711, 9-1712 and 9-1713 of the Fresno Municipal Code as it relates to police department dispatching of tow trucks. (Subject to Mayor's Veto)

Sponsors:

Police Department

- 1.-M. [ID 23-1310](#) ***RESOLUTION - Authorizing the submittal of application(s) for all CalRecycle grants and payment programs for which the City of Fresno is eligible (Citywide). (Subject to Mayor's Veto)

Sponsors:

Department of Public Utilities

- 1.-N. [ID 23-1287](#) Actions pertaining to the Requirements Contract to Furnish and Install Permanent Asphalt Concrete Pavement Repairs. (Bid File 12302384) (Citywide):

1. Adopt a finding of Categorical Exemption per staff determination pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15301(b) and (d), Class 1 (Existing Facilities) and 15302(c), Class 2 (Replacement and Reconstruction)
2. ***RESOLUTION - Adopting the 9th Amendment to the Annual Appropriation Resolution (AAR) No. 2023-185 appropriating \$960,000 for the Requirements Contract to Furnish and Install Permanent Asphalt Concrete Pavement Repairs (Requires 5 Affirmative Votes) (Subject to Mayor's Veto).
3. Award a construction contract to Dawson-Mauldin LLC., in the amount of \$1,537,300.

Sponsors:

Department of Public Utilities

- 1.-O. [ID 23-1154](#) Approve a consultant services agreement with Southwest Strategies, LLC, for an amount not to exceed \$299,744 for professional education and outreach services for City of Fresno residential food waste education and outreach program (Bid File 12301817) (Citywide)
- Sponsors:** Department of Public Utilities
- 1.-P. [ID 23-1298](#) Actions pertaining to the summary vacation of a portion of a public street easement at the southeast corner of East Shaw Avenue and North Fresno Street (Council District 4):
1. Adopt a finding of Categorical Exemption per Environmental Assessment Number D-17-120 per staff determination, pursuant to Section 15332 Class 32 of the California Environmental Quality Act (CEQA) Guidelines
 2. ***RESOLUTION - Ordering the summary vacation of a portion of a public street easement at the southeast corner of East Shaw Avenue and North Fresno Street
- Sponsors:** Public Works Department
- 1.-Q. [ID 23-1302](#) Approve a Third Amendment to the Consultant Service Agreement with SWCA Environmental Consultants, of San Luis Obispo, California in the amount of \$18,426 to provide additional environmental and technical memoranda services for the Ashlan Avenue Widening Project, for a total contract value of \$87,334 (Council District 1)
- Sponsors:** Capital Projects Department and Public Works Department
- 1.-R. [ID 23-1337](#) Actions pertaining to the New Fire Station 10 Project (Council District 7):
1. ***RESOLUTION - Adopting the 14th Amendment of the Annual Appropriation Resolution (AAR) No. 2023-185 appropriating \$756,700 in order to enter into a professional engineering services agreement with The Taylor Group Architects for design and construction services for permanent Fire Station 10 and to fund related City staff costs (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)
 2. Approve an agreement for Professional Engineering Services with The Taylor Group Architects of Clovis, CA for \$865,000, with a \$80,000 contingency, for design and construction support services for the new Fire Station 10
- Sponsors:** Capital Projects Department and Fire Department

- 1.-S. [ID 23-1304](#) Approval of a Product Purchase Utilizing a Washington Statewide Contract with Gillig LLC. for Twelve (12) 40' Low Floor CNG buses in the amount of \$11,020,284.
- Sponsors:** Department of Transportation
- 1.-T. [ID 23-1296](#) ***BILL B-32 (Intro'd September 14, 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.-U. [ID 23-1285](#) ***Bill B-27 (Intro'd August 10, 2023) (For adoption) - Amending Sections 3-616, 7-1510, 9-234 and 9-915 of the Fresno Municipal Code, relating to human rights, including protections against discrimination based on an individual's caste and indigeneity (Subject to Mayor's Veto)
- Sponsors:** Councilmember Arias, Councilmember Karbassi and Vice President Perea

CONTESTED CONSENT CALENDAR

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:05 A.M.

- [ID 23-1246](#) Actions pertaining to funding provided by the U.S. Department of Housing and Community Development Office of Community Planning and Development (HUD CPD):
1. HEARING to obtain public comments regarding Substantial Amendment 2023-01 to the 2023-2024 Annual Action Plan and submission of a \$20 million Section 108 Loan Application to the United States Department of Housing and Urban Development (HUD) for the development of a Senior Activity Center, located at 4343 North Blackstone Avenue
 2. ***RESOLUTION - Adopting Substantial Amendment 2023-01 to the Fiscal Year (FY) 2023-2024 Annual Action Plan; authorizing submission to the U.S. Department of Housing and Urban Development (HUD) to apply for a \$20 million Section 108 Loan for the development of a Senior Activity Center; and authorizing the City Manager or

designee to sign all necessary implementing documents required by HUD (Subject to Mayor's veto)

Sponsors:

Planning and Development Department

10:10 A.M.

[ID 23-1247](#)

Actions pertaining to the Program Year (PY) 2022 Consolidated Annual Performance Evaluation Report (CAPER) for U.S. Department of Housing and Urban Development (HUD) Community Planning and Development (CPD) programs:

1. HEARING to obtain public comments regarding the PY 2022 CAPER; and
2. Adopt PY 2022 CAPER and authorize submission to the U.S. Department of Housing and Urban Development (HUD).

Sponsors:

Planning and Development Department

10:25 A.M. #1

[ID 23-1276](#)

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

10:25 A.M. #2

[ID 23-1271](#)

Hearing to consider adoption of resolutions related to the designation of properties to the Local Register of Historic Resources and adoption of findings necessary to support recommendation pursuant to FMC 12-1609

1. ***RESOLUTION - A Resolution of the City Council of the City of Fresno, California, designating the Dr. Earl R. Meyers Sr. & Mrs. Mattie B. Meyers Fresno Street Medical Arts Center located at 444 Fresno Street, Fresno California to the Local Register of Historic Resources (Council District 3) (Subject to Mayor's veto).

Sponsors:

Planning and Development Department

3. GENERAL ADMINISTRATION

3.-A. [ID 23-1309](#)

Actions related to the Second Amendment to Commercial Solid Waste Franchise Agreements with Allied Waste Services of North America dba Republic Services of Fresno, LLC, and Mid-Valley Disposal, LLC, to comply with Senate Bill 1383 Short-Lived Climate Pollutants (Citywide)

1. RESOLUTION - Adopting findings pursuant to California Environmental Quality Act Guidelines Sections 15091 and 15093 as required for Responsible Agencies by the California Environmental Quality Act Guidelines Section 15096 for SB 1383 Regulations Short-Lived Climate Pollutants: Organic Waste Methane Emission Reduction

2. Approve the Second Amendment to the Commercial Solid Waste Franchise Agreement with Allied Waste Services of North America dba Republic Services of Fresno, LLC, to add Organic Waste Reductions requirements and to extend the

term of the agreement by five years to November 30, 2036
3. Approve the Second Amendment to the Commercial Solid Waste Franchise Agreement with Mid-Valley Disposal, LLC, to add Organic Waste Reductions requirements and to extend the term of the agreement by five years to November 30, 2036

Sponsors:

Department of Public Utilities

3.-B. [ID 23-1153](#)

Actions pertaining to the creation of the Animal Center Department within the City of Fresno

1. ***RESOLUTON - Creating the Animal Center Department within the City of Fresno (Subject to Mayor's Veto)
2. ***RESOLUTION - Adopting the 8th Amendment to the Annual Appropriations Resolution (AAR) No. 2023-185 reclassifying \$6,741,400 from the General City Purpose Department to the new Animal Center Department (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)
3. ***RESOLUTION - Adopt the Second Amendment to the Position Authorization Resolution (PAR) No. 2023-184 adding 75 positions and transferring 2 positions from the General City Purpose Department to the Animal Center Department (Subject to Mayor's Veto)
4. ***RESOLUTION - Adopt the Third Amendment to the FY 2024 Salary Resolution No. 2023-183, amending Exhibit 3, Unit 3, Non-Supervisory White Collar (FCEA), by adding the new classification of Animal Resource Officer I, Animal Resource Officer II and Senior Animal Resource Officer and providing a monthly salary step plan range. (Subject to Mayor's Veto).

Sponsors:

Office of Mayor & City Manager

4. CITY COUNCIL

5. CLOSED SESSION

5.-A. [ID 23-1325](#)

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Government Code Section 54956.9, subdivision (d)(1)

HAVEN #20, LLC v. City of Fresno; Fresno Superior Court
Case No.: 22CECG00238

Sponsors: City Attorney's Office

5.-B. [ID 23-1341](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Government Code Section 54956.9, subdivision (d)(1)

City of Fresno v. Pinedale County Water District; Kings County Superior Court Case No.: 18C-0051

Sponsors: City Attorney's Office

5.-C. [ID 23-1340](#) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Government Code Section 54956.9, subdivision (d)(4): 1 potential case

Sponsors: City Attorney's Office

ADJOURNMENT

UPCOMING SCHEDULED COUNCIL HEARINGS AND MATTERS

SEPTEMBER 28, 2023

10:05 A.M. - *Actions pertaining to the acquisition of fee interest and a permanent street easement and right of way for the construction of a storm drain pipeline between Armstrong Avenue and Laverne Avenue (Council District 7)*

10:10 A.M. - *Hearing to consider Text Amendment Application No. P23-02443 and related Environmental Finding pertaining to acceptance of subdivision Improvements (all Council Districts)*

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

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

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

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

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

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

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

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