

City of Fresno

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



Meeting Agenda - Final-revised

Thursday, July 25, 2024

9:00 AM

Regular Meeting

Council Chambers (In Person and/or Electronic)

<https://www.fresno.gov/council-meeting/>

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 THE COUNCIL CHAMBER,
LOCATED IN CITY HALL, 2ND FLOOR, 2600 FRESNO STREET, FRESNO, CA 93721**

Due to the remote participation of a Councilmember, the public will have the ability to address Council remotely via Zoom during the July 25, 2024, City Council meeting [Gov. Code §§ 54953(f)(2)(A)(i) and 54953(f)(1)(A)(i)]. To participate remotely via Zoom please visit

https://fresno-gov.zoom.us/webinar/register/WN_e8FhoTTYTteoKH3wnxfqbg#/registration

PUBLIC PARTICIPATION – Public participation during Fresno City Council meetings is always encouraged and can occur by attending a meeting in the Council Chambers on the 2nd floor of City Hall located at 2600 Fresno Street, Fresno, CA 93721.

To be called to speak during a meeting, please fill out a speaker card (located throughout the chamber) and place it in the speaker card collection basket at the front of the chamber. You may also approach the speaker podium upon the Council President’s call for any additional public comment.

Unless otherwise announced, 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/#information>

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

6) Zoom: <https://www.fresno.gov/council-meeting>

Should any of the six 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 interpretation should contact the office of the City Clerk at (559) 621-7650 or clerk@fresno.gov. The office of the City Clerk should also be contacted if spoken language translation is expected to be needed during a meeting. 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 Rabbi Rick Winer from the Temple Beth Israel

Pledge of Allegiance to the Flag

APPROVE AGENDA

CEREMONIAL PRESENTATIONS

[ID 24-939](#) Fresno Animal Center presents "Pet of the Month"

Sponsors: Animal Center Department

COUNCILMEMBER REPORTS AND COMMENTS

MAYOR/MANAGER REPORTS AND COMMENTS

CITY CLERK AND CITY ATTORNEY REPORTS AND COMMENTS

1. SCHEDULED COUNCIL HEARINGS AND MATTERS

9:10 A.M. #1

[ID 24-956](#) 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, to change the types of Services, the rate and method of apportionment of the special tax, and the Maximum Special Tax to be levied (Located on the northeast corner of East Church Avenue and South Peach Avenue): (Council District 5)

1. ***RESOLUTION - Authorizing the Amendment of Annexation No. 37 of Community Facilities District No. 11 and the Levy of a New Maximum Special Tax; (Subject to Mayor's Veto)
2. ***RESOLUTION - Calling Special Mailed-Ballot Election; (Subject to Mayor's Veto)
3. ***RESOLUTION - Declaring Election Results; (Subject to Mayor's Veto)

4. ***BILL - (For introduction and adoption) - Amending Ordinance No. 2011-11 and Levying a Changed Maximum Special Tax for the Property Tax Year 2024-2025 and Future Tax Years Within and Relating to Community Facilities District No. 11, Annexation No. 37, Final Tract Map No. 6410. (Subject to Mayor's Veto)

Sponsors: Public Works Department

9:10 A.M. #2 (CONTINUED TO AUGUST 15, 2024, AT 9:10 A.M.)

[ID 24-847](#)

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

9:20 A.M. (CONTINUED TO AUGUST 29, 2024, at 9:20 A.M.)

[ID 24-858](#)

HEARING to consider Conditional Use Permit Application No. P21-06064, (Council District 1) - Planning & Development.

1. DENY the appeal and UPHOLD the action of the Planning Commission to deny Conditional Use Permit Application No. P21-06064 requesting authorization to establish a State of California Alcoholic Beverage Control (ABC) Type 20 alcohol license (Off-Sale beer and wine) for a proposed Arco AM/PM combination automobile service station and convenience store.

Sponsors: Planning and Development Department

9:25 A.M. #1[ID 24-904](#)

Actions pertaining to the acquisition of fee title interest of a parcel to benefit the Blackstone McKinley BNSF Grade Separation Project: (Council Districts 1 and 7)

1. HEARING to consider a Resolution of Necessity for acquisition of fee title interest of Assessor's Parcel Number 451-064-18, owned by Erik Samuel Honarchian, for the construction of the Blackstone McKinley BNSF Grade Separation Project;
2. ***RESOLUTION - Determining that public interest and necessity require acquisition of fee interest of Assessor's Parcel Number 451-064-18, owned by Erik Samuel Honarchian, for the construction of the Blackstone McKinley BNSF Grade Separation Project and authorizing eminent domain proceedings for public use and purpose. (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)

Sponsors:

Capital Projects Department and Public Works Department

9:25 A.M. #2[ID 24-909](#)

HEARING to Consider an appeal regarding Cannabis Conditional Use Permit Application No. P23-03086 and related Environmental Assessment for property located at 4555 East Kings Canyon Road on the northeast corner of East Kings Canyon Road and South Jackson Avenue (Council District 5) - Planning and Development Department

1. ADOPT - Environmental Assessment No. P23-03086 dated November 9, 2023, a determination that the proposed project is exempt from the California Environmental Quality Act (CEQA) Guidelines through a Section 15301/Class 1 Categorical Exemption.
2. DENY the appeal and UPHOLD the action of the Planning and Development Department Director in the approval of Cannabis Conditional Use Permit Application No. P23-03086 authorizing the establishment of a cannabis retail business in an approximately 2,100 square foot existing commercial building, subject to the following:

a. Development shall take place in accordance with the Conditions of Approval for Cannabis Conditional Use Permit Application No. P23-03086 dated January 9, 2024.

Sponsors:

Planning and Development Department

9:30 A.M.

[ID 24-906](#)

Actions pertaining to the acquisition of fee title interest of a parcel to benefit the Blackstone McKinley BNSF Grade Separation Project: (Council Districts 1 and 7)

1. HEARING to consider a Resolution of Necessity for acquisition of fee title interest of Assessor's Parcel Numbers 446-232-37S and 446-232-41, owned by Donald J. Dal Porto and Shirley M. Dal Porto, Trustees of the Donald and Shirley Dal Porto Trust dated August 23, 1983, as amended and restated October 14, 2005, for the construction of the Blackstone McKinley BNSF Grade Separation Project;
2. ***RESOLUTION - Determining that public interest and necessity require acquisition of fee interest for rights of way for public street purposes of APNs 446-232-37S and 446-232-41, owned by Donald J. Dal Porto and Shirley M. Dal Porto, Trustees of the Donald and Shirley Dal Porto Trust dated August 23, 1983, as amended and restated October 14, 2005, for the construction of the Blackstone McKinley BNSF Grade Separation Project and authorizing eminent domain proceedings for public use and purpose. (Requires 5 Affirmative Votes)(Subject to Mayor's Veto)

Sponsors:

Capital Projects Department and Public Works Department

9:35 A.M.

[ID 24-884](#)

HEARING to consider Plan Amendment and Rezone Application No. P22-00388, Vesting Tentative Tract Map No. 6360, Planned Development Application No. P22-00387, and Final Environmental Impact Report (FEIR) State Clearinghouse (SCH) No. 2022080152 for a proposed 326-lot single-family residential development on the northeast corner of North Armstrong Avenue and the East McKinley Avenue Alignment (Council District 7) - Planning and

Development Department

1. CERTIFY Final EIR SCH No. 2022080152 for a proposed 326-lot single-family residential development, 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 Findings of Fact as required by Public Resources Code Section 21082(a) and CEQA Guidelines, Section 15091; and,
 - b. APPROVE the Mitigation Monitoring and Reporting Program as required by Public Resources Code Section 21081.6 and CEQA Guidelines Section 15092; and,
 - c. ADOPT the Statement of Overriding Considerations as required by Public Resources Code, Section 21081(b) and CEQA Guidelines, Section 15093.
2. RESOLUTION - Approving Plan Amendment Application No. P22-00388 proposing to amend the Fresno General Plan and McLane Community Plan from the Low Density Residential (± 28.6 acres) planned land use designation to the Medium Density Residential (± 28.6 acres) planned land use designation.
3. BILL (for introduction and adoption) - Approving Rezone Application No. P22-00388 proposing to amend the Official Zone Map to reclassify the ± 28.6 acre property from the RS-3 (Single Family Residential, Low Density) zone district to the RS-5 (Single Family Residential, Medium Density) zone district.
4. APPROVE Vesting Tentative Tract Map No. 6360 which requests authorization to subdivide an approximately 28.6-acre property for purposes of creating a 326-lot single family residential subdivision on the northeast corner of North Armstrong Avenue and the East McKinley Avenue Alignment subject to the findings and compliance with the Conditions of Approval included within the Staff Report to the Planning Commission dated July 3, 2024.
5. APPROVE Planned Development Permit Application No.

P22-00387 which requests authorization to establish a gated community with private streets and modified property development standards subject to compliance with the Conditions of Approval dated July 3, 2024.

Sponsors:

Planning and Development Department

9:40 A.M.

[ID 24-962](#)

Actions pertaining to the acquisition of fee interest of a parcel to benefit the expansion of Radio Park: (Council District 7)

1. Adopt findings of a Mitigated Negative Declaration pursuant to Sections § 15070, 15075, 15150, and 15152 of the California Quality Act Guidelines, for Assessor's Parcel Number 446-020-10;
2. HEARING to consider a Resolution of Necessity for acquisition of fee title interest of Assessor's Parcel Number 446-020-10, owned by Mohamed Nasser Salem, for the Radio Park Expansion Project;
3. ***RESOLUTION - Determining that public interest and necessity require acquisition of fee interest of Assessor's Parcel Number 446-020-10, owned by Mohamed Nasser Salem, for the Radio Park Expansion Project and authorizing eminent domain proceedings for public use and purpose. (Requires 5 affirmative votes) (Subject to Mayor's Veto)

Sponsors:

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

9:50 A.M.

[ID 24-910](#)

Actions pertaining to the acquisition of fee interest of a parcel to benefit the Blackstone McKinley BNSF Grade Separation Project: (Council Districts 1 and 7)

1. HEARING to consider a Resolution of Necessity for acquisition of fee title interest of Assessor's Parcel Numbers 451-141-05 and 451-141-16, owned by Tehal Singh Thind and Daljit Kaur, for the construction of the Blackstone McKinley BNSF Grade Separation Project;
2. ***RESOLUTION - Determining that public interest and necessity require acquisition of fee interest for rights of way

for public street purposes of APNs 451-141-05 and 451-141-16, owned by Tehal Singh Thind and Daljit Kaur, for the construction of the Blackstone McKinley BNSF Grade Separation Project and authorizing eminent domain proceedings for public use and purpose. (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)

Sponsors:

Capital Projects Department and Public Works Department

10:00 A.M.

[ID 24-968](#)

Appearance by Fernando Elizondo to discuss the use of recycled water at Roeding Park. (District 1 Resident)

Sponsors:

Office of the City Clerk

10:05 A.M.

[ID 24-969](#)

Appearance by Carol Goiburn to discuss the right to live in a peaceful world. (District 4 Resident)

Sponsors:

Office of the City Clerk

5:00 P.M.

[ID 24-899](#)

HEARING to Consider an appeal regarding Development Permit Application No. P21-00989 and related Environmental Assessment for property located at 7056 North Prospect Avenue on the northeast corner of West Herndon and North Prospect Avenues (Council District 2) - Planning and Development Department.

1. ADOPT - Environmental Assessment No. P21-00989 dated February 9, 2024, a determination that the proposed project is exempt from the California Environmental Quality Act (CEQA) under a CEQA Guidelines Section 15332/Class 32 Categorical Exemption.
2. GRANT the appeal and UPHOLD the Planning and Development Director's approval of Development Permit Application No. P21-00989 authorizing the construction of an 82-unit private gated multi-family development, subject to the following:
 - a. Development shall take place in accordance with the

Conditions of Approval for Development Permit Application
No. P21-00989 dated May 15, 2024.

Sponsors: Planning and Development Department

2. CONSENT CALENDAR

2.-A. [ID 24-967](#) Approval of the minutes for June 20, 2024, regular meeting
and June 27, 2024, regular meeting

Sponsors: Office of the City Clerk

2.-B. [ID 24-944](#) Actions pertaining to professional water lobbying, consulting,
and regulatory services:

1. Approve the First Amendment to the Consultant Services Agreement with The Gualco Group Inc., for a period of one year in the amount not to exceed \$60,000 annually, plus reimbursable costs incurred under the agreement not to exceed \$2,500 per year; and
2. Authorize the City Manager, or designee, the authority to execute the First Amendment and grant the optional one-year extension

Sponsors: Office of Mayor & City Manager

2.-C. [ID 24-947](#) Approve the reappointment of Julie Federico to the Historic Preservation Commission to a term ending June 30, 2028.

Sponsors: Office of Mayor & City Manager

2.-D. [ID 24-965](#) Approve a change order to the Master Service Agreement with Innovative Computing Systems, Inc., for \$26,000, for document management software

Sponsors: City Attorney's Office

2.-E. [ID 24-941](#) ***RESOLUTION - Authorizing the submission of applications for CalRecycle grant program funds, including up to \$350,000 annually for Waste Tire Enforcement, up to \$100,000 per two-year grant term for Waste Tire Cleanup, and up to \$40,000 per two-year grant term for Waste Tire Amnesty, and acceptance of funding in amounts to be determined by CalRecycle, and authorizing the City Attorney and/or designee to sign all necessary implementing documents

(Subject to Mayor's Veto).

Sponsors:

City Attorney's Office

2.-F. [ID 24-990](#)

Actions pertaining to the expansion of the Litigation Unit in the City Attorney's Office:

***RESOLUTION - Adopt the First Amendment to the Position Authorization Resolution ("PAR") No. 2024-121, adding one full-time Senior Deputy City Attorney, one full-time Deputy City Attorney, two full-time City Attorney Investigators, one full-time Paralegal, and one full-time Legal Secretary positions in the City Attorney's Office.

Sponsors:

City Attorney's Office

2.-G. [ID 24-926](#)

RESOLUTION - Of the Council of the City of Fresno, California, Making Certifications and Claims Concerning Measure C Extension Local Transportation Purposes Pass-Through Projects And Program Funds Annual Allocation For Fiscal Year 2024-2025 And Requesting Allocation Of Available Funds

Sponsors:

Budget and Management Studies Department

2.-H. [ID 24-984](#)

Approve the third amendment to the Bank of America contract for banking services for an additional term to expire on June 30, 2025.

Sponsors:

Finance Department

2.-I. [ID 24-961](#)

Approve the award of a cooperative purchase agreement to Golden State Fire Apparatus, Inc. of Sacramento, California, a Pierce Manufacturing distributor, for the purchase of two Pierce heavy fire apparatuses in the amount of \$2,911,410 for the Fresno Fire Department

Sponsors:

General Services Department

2.-J. [ID 24-963](#)

Award a requirements contract for Liquid Natural Gas (LNG) Fuel Station Maintenance to Chart International Inc of New Prague, Minnesota with offices in Rancho Dominguez and Valencia, California for two years, with four optional one-year extensions for \$27,380 per year and a not-to-exceed

contingency of \$10,000 per year, plus annual CPI adjustments (Bid File 12401803)

Sponsors:

General Services Department

2.-K. [ID 24-957](#)

Approve the purchase of laptops, desktops, tablets, servers and storage including related peripherals and services from Dell Technologies (Dell) in an amount not to exceed \$4,000,000, utilizing Minnesota NASPO ValuePoint Master Agreement Number 23026, California Participating Addendum Number 7-23-70-55-01.

Sponsors:

Information Services Department

2.-L. [ID 24-946](#)

***RESOLUTION - Authorizing the City Manager or designee to apply for a grant of up to \$500,000 from the California Natural Resources Agency (CNRA) to provide programming at Camp Fresno for underserved youth and Authorizing the City Manager or designee to sign all related documents on behalf of the City. (Citywide) (Subject to Mayor's Veto)

Sponsors:

Parks, After School and Recreation and Community Services Department

2.-M. [ID 24-966](#)

Actions pertaining to environmental engineering services at Maxie L. Parks Community Center:

1. Approve a Second Amendment for Consultant Services with Kleinfelder, Inc. for Environmental Engineering Services in the amount not to exceed of \$85,200 to provide additional services for Maxie L. Parks site located at 2165 South Elm Street, Fresno, CA 93706.
2. Authorize City Manager or designee to execute the agreement on behalf of the City of Fresno.

Sponsors:

Parks, After School and Recreation and Community Services Department

2.-N. [ID 24-912](#)

Actions pertaining to a State and Local Fiscal Recovery Funds Grant Agreement between the City of Fresno and Central California Land Trust:

1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 of the California Environmental Quality Act (CEQA) Guidelines; and

2. Approve a State and Local Fiscal Recovery Funds Grant Agreement in the amount of \$800,000 with Central California Land Trust for the acquisition and rehabilitation of two single-family homes to be sold and preserved as affordable housing.

Sponsors:

Planning and Development Department

2.-O. [ID 24-913](#)

Actions pertaining to land use for Tiny Homes (Bid File 12303048):

1. Adopt a finding of an Affordable Housing Exemption in accordance with Section 15194 of the California Environmental Quality Act.
2. Approve an Agreement to provide up to 24 tiny homes to the Lowell Community Development Corporation to provide affordable housing to low income households at or below 60% of the area median income.

Sponsors:

Planning and Development Department

2.-P. [ID 24-632](#)

Approve the Third amendment to the service Agreement with Poverello House for professional triage center services at Naomi's House and Clarion Pointe, and to increase funding by \$525,405.56 in Homeless, Housing Assistance, and Prevention funds (HHAP) for total program award \$3,125,195.25.

Sponsors:

Planning and Development Department

2.-Q. [ID 24-870](#)

Approve First Amendment to the \$1.8 million HOME Investment Partnerships Program Agreement with Blythe Village LP to increase the HOME funding contribution by an additional \$800,000, per funding Resolution No. 2024-085, for a total of \$2.6 million in HOME Investment Partnership Program funding to the project. (District 1)

Sponsors:

Planning and Development Department

2.-R. [ID 24-902](#)

Approve a First Amendment to the Emergency Solutions Grant (ESG) agreement between the City of Fresno and Poverello House to extend the term of the agreement through November 30, 2024, and increase the funding by \$20,707.57 for a total award of \$222,069.57 for Street Outreach within

the City of Fresno.

Sponsors:

Planning and Development Department

2.-S. [ID 24-934](#)

Actions pertaining to a Permanent Local Housing Allocation Agreement between the City of Fresno and Karahunj, LLC for the construction of a multi-family senior affordable rental housing project location at 1514 East Bullard Avenue, Fresno (District 6):

1. Adopt a Categorical Exemption per staff determination pursuant to Section 15332/Class 32 of the California Environmental Quality Act (CEQA) Guidelines
2. Approve a Permanent Local Housing Allocation (PLHA) Agreement with Karahunj, LLC, in the amount of \$1,000,000 for the construction of the Solterra Senior Living Affordable Rental Housing Development Phase I, located at 1514 East Bullard Avenue, Fresno, California 93710

Sponsors:

Planning and Development Department

2.-T. [ID 24-914](#)

Actions pertaining to the Fresno Police Department's technology contract with Axon Enterprises, Inc.

1. Award a sole source contract with Axon Enterprise, Inc., hereinafter referred to as "Axon" in an amount not to exceed \$18,368,264.68 for five years (\$1,247,549.76 year one, \$1,871,789.27 year two, \$3,702,094.40 year three, \$5,659,592.77 year four and \$5,887,238.48 year five) for the purchase, maintenance and upgrade of 800 body-worn cameras and TASERS, unlimited video and data storage through Evidence.com, a computer aided dispatch system (CAD system), a records management system (RMS system) and multiple software programs to increase efficiency, transparency and accountability within the department.
2. ***RESOLUTION - Adopt a Resolution authorizing the establishment of a contract for the purchase and service of body-worn cameras, TASERS, RMS and CAD systems, data storage and other related software with Axon Enterprises, Inc. without advertised competitive bidding (Subject to Mayor's Veto)

Sponsors:

Police Department

2.-U. [ID 24-938](#)

Actions pertaining to the 2023 Edward Byrne Memorial Justice Assistance Grant (JAG) Program:

1. Authorize the Chief of Police to accept \$416,847 in total grant funding for the 2023 JAG Program from the U.S. Department of Justice, Bureau of Justice Assistance for the City and County of Fresno
2. Authorize the Chief of Police to execute all related documents for the acceptance, modification, extension and administration of 2023 JAG Program
3. Authorize the Chief of Police to execute an agreement between the City of Fresno and the County of Fresno regarding the 2023 JAG Program
4. ***RESOLUTION - Adopt the 3rd Amendment to the Annual Appropriation Resolution (AAR) No. 2024-122 appropriating \$338,500 for the Police Department's Edward Byrne Memorial Justice Assistance (JAG) Grant Program (Requires 5 Affirmative Votes) (Subject to Mayor's veto)

Sponsors:

Police Department

2.-V. [ID 24-919](#)

Actions pertaining to the Manchester Skate Park Project: (Council District 7)

1. Affirm the City Manager's finding that Provost & Pritchard Engineering Group Inc., dba Provost & Pritchard Consulting Group, is uniquely qualified;
2. Approve the professional engineering and architectural services agreement with Provost & Pritchard Engineering Group Inc., dba Provost & Pritchard Consulting Group, of Fresno, California in the amount of \$95,500, and a \$10,000 contingency, for the design and construction support services for the Manchester Skate Park Project.

Sponsors:

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

2.-W. [ID 24-917](#)

Actions pertaining to two City owned parcels located at 4561 North Wishon Avenue, Fresno, California (Assessor Parcel Numbers 426-071-23T and 426-071-24): (City of Fresno Sphere of Influence and County of Fresno)

1. Adopt a finding that the proposed transfer of a vacant

parcel with an abandoned and sealed water pump station is exempt from the California Environmental Quality Act pursuant to the common sense exemption in that it can be seen with certainty that there is no possibility the proposed changes will have a significant effect on the environment pursuant to Section 15061(b)(3) of the California Environmental Quality Act Guidelines;

2. ***RESOLUTION - Declaring Assessor Parcel Numbers 426-071-23T and 426-071-24 located at 4561 North Wishon Avenue, Fresno, California to be exempt surplus land (Subject to Mayor's Veto);

3. Approve the execution of the Agreement for Purchase and Sale of Real Property and Escrow Instructions and authorize the City Manager, or designee, to execute the Purchase and Sale Agreement, associated Grant Deeds, and all documents relevant to the sale with Gary D. Catron and Leslie D. Catron, Trustees of the Catron Family Trust ut dated April 12, 2022, for the transfer of the Subject Property.

Sponsors:

Capital Projects Department and Department of Public Utilities

2.-X. [ID 24-920](#)

Actions pertaining to the Veterans Boulevard Interchange Weekly Landscape Maintenance Services Project. (Council District 2):

1. ***RESOLUTION - Adopting the 4th Amendment to the Annual Appropriations Resolution (AAR) No. 2024-122 appropriating \$324,900 for the Veterans Boulevard Interchange Weekly Landscape Maintenance Services; (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)

2. Award a Requirements Contract in the amount of \$264,109.39 with a \$26,410.94 contingency to Elite Maintenance & Tree Service, Inc. of Clovis, California, as the best value for Weekly Landscape Maintenance Services in the Veterans Interchange Project Area. (Request for Proposal No. 12401839)

Sponsors:

Capital Projects Department and Public Works Department

2.-Y. [ID 24-925](#)

Actions pertaining to the disposition of a City owned, undeveloped parcel situated at the northeast corner of South Hughes Avenue and West Dan Ronquillo Drive (Council District 3):

1. Adopt a Categorical Exemption per Environmental Assessment Number P21-06225, pursuant to Section 15332/Class 32 of the California Environmental Quality Act Guidelines;
2. Adopt the attached Resolution of Intention Number 1153-D to vacate a portion of public street right of way at the northeast corner of South Hughes Avenue and West Dan Ronquillo Drive;
3. ***RESOLUTION - Declaring a portion of a public street right of way located at the northeast corner of South Hughes Avenue and West Dan Ronquillo Drive to be exempt surplus land (Subject to Mayor's Veto);
4. ***RESOLUTION - Finding Good Cause and Clear and Convincing Benefit to the public pursuant to Fresno Municipal Code section 4-204, relating to the disposition of real surplus property located at the northeast corner of South Hughes Avenue and West Dan Ronquillo Drive; (Requires 5 Affirmative Votes) (Subject to Mayor's veto);
5. Approve the execution of the Agreement for Purchase and Sale of Real Property and Escrow Instructions to sell a 0.15 -acre (6,642 square feet) City owned, undeveloped parcel of land, identified as a portion of Assessor's Parcel Number 458 -090-83, located at the northeast corner of South Hughes Avenue and West Dan Ronquillo Drive in the amount of \$18,911.00 to GS Central Valley Investments, LLC a California limited liability company, and authorize the City Manager or designee to execute the Purchase and Sale Agreement and associated Grant Deed for the transfer of the subject property.

Sponsors:

Capital Projects Department and Public Works Department

2.-Z. [ID 24-915](#)

RESOLUTION - Approving the summary vacation of a portion of Arthur Avenue between West Herndon Avenue and West Spruce Avenue. (Council District 2)

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- Sponsors:** Public Works Department
2. [ID 24-821](#) Active Transportation Advisory Committee (ATAC)
-AA. Semi-Annual Report (November 2023 through April 2024).
(Citywide)
- Sponsors:** Public Works Department
2. [ID 24-918](#) RESOLUTION - Authorizing the Submission of a Grant
-BB. Application to the Fresno Council of Governments 2024/25
Measure C New Technology Reserve Grant Program for
Advanced Transit and Transportation Projects Totaling up to
\$3 Million in Requests for Funding; and Authorizing the
Execution of a Grant Application and Grant Agreement
documents by the Public Works Director or Designee.
(District 6)
- Sponsors:** Public Works Department
2. [ID 24-958](#) Authorize the Director of Public Utilities, or designee, to
-CC. accept \$1,415,099 from the Department of Resources
Recycling and Recovery - SB1383 Local Assistance Grant
Program, awarded to the Department of Public Utilities' Solid
Waste Management Division (Citywide).
- Sponsors:** Department of Public Utilities
2. [ID 24-959](#) Actions pertaining to the Advanced Metering Infrastructure
-DD. System (Citywide):
1. Affirm the City Manager's finding that Badger Meter, Inc.,
is uniquely qualified to perform services related to the City of
Fresno's Advanced Metering Infrastructure system, in
accordance with Administrative Order 6-19;
2. Approve a Software Purchase and Services Agreement
with Badger Meter, Inc., for a term of five years and a
not-to-exceed amount of \$4,731,378.75.
- Sponsors:** Department of Public Utilities
2. [ID 24-911](#) Authorize a one-year FAX revenue agreement, with two
-EE. optional one-year extensions between the City of Fresno
(City) and California State University, Fresno (CSUF), to
provide transit services for CSUF students, faculty, and staff

on Fresno Area Express (FAX) fixed-route buses for a total compensation not to exceed \$125,000 annually.

Sponsors:

Department of Transportation

2. [ID 24-922](#)
-FF.

Actions pertaining to UPholdings affordable housing development located at 3787 N. Blackstone, Fresno, California (District 4):

1. ***RESOLUTION - Adopt a Resolution authorizing acceptance of funding from the California Department of Housing and Community Development Round 7 Affordable Housing and Sustainable Communities (AHSC) Program Award in the amount of \$15,581,049.00 for Transportation Related Amenities and Sustainable Transportation Improvements associated with the Dakota affordable housing project and authorizing the City Manager, or designee, to enter into and execute a standard agreement to secure the AHSC program funds and participate in the AHSC Program (Subject to Mayor's veto).

Sponsors:

Department of Transportation

2. [ID 24-945](#)
-GG.

Actions pertaining to a State and Local Fiscal Recovery Funds Grant Agreement between the City of Fresno and Central California Land Trust:

1. Adopt Environment Assessment No. P24-945, dated July 25, 2024, a determination that the proposed project qualifies for categorical exemption as set forth in the California Environmental Quality Act (CEQA) Guidelines Section 15301/Class 1 and Section 15302/Class 2.
2. Approve an agreement with Pacific Gas and Electric Company (PG&E) in the amount of \$194,704.11 for construction services to implement an electrical service extension to the Department of Transportation/Fresno Area Express (FAX) bus facility located at 2223 G Street and authorize the Director of Transportation or designee to execute all required documents.
3. ***RESOLUTION - Adopt a resolution authorizing an exception to the formal bidding procedures and award a Sole Source Agreement with Pacific Gas and Electric Company (PG&E) for the extension of electrical service to the FAX

facility within the Municipal Service Center (Subject to Mayor's Veto).

Sponsors:

Department of Transportation

2. [ID 24-955](#)

-HH.

***RESOLUTION - to amend Resolution 2016-41 to require an annual report be made due to Council no later than April 30th of each year. (Subject to Mayor's Veto)

Sponsors:

Vice President Karbassi

2.-II. [ID 24-975](#)

BILL (For Introduction) - Amending Chapter 12, Article 4.12 of the Fresno Municipal Code Relating to the Fee Waiver Program Definition of Residential Infill Projects (Citywide)

Sponsors:

Councilmember Esparza

CONTESTED CONSENT CALENDAR**3. GENERAL ADMINISTRATION**3.-A. [ID 24-985](#)

WORKSHOP - City of Fresno Retirement Systems

Sponsors:

Office of Mayor & City Manager

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**5. CLOSED SESSION**5.-A. [ID 24-970](#)

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Government Code Section 54956.9, subdivision (d)(1)
City of Fresno v. County of Fresno; Fresno Superior Court
Case No.: 24CECG01199

Sponsors:

City Attorney's Office

5.-B. [ID 24-971](#)

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Government Code Section 54956.9, subdivision (d)(1)
GPP II, LLC v. Central Valley Community Sports Foundation;

City of Fresno; Fresno Superior Court Case No.:
24CECG02635

Sponsors:

City Attorney's Office

5.-C. [ID 24-972](#)

CONFERENCE WITH LEGAL COUNSEL-EXISTING
LITIGATION

Government Code Section 54956.9, subdivision (d)(1)
Case Name: Johnny Barbosa, et al. v. City of Fresno, et al.;
Fresno Superior Court Case No.: 23CECG03438

Sponsors:

City Attorney's Office

5.-D. [ID 24-973](#)

CONFERENCE WITH LEGAL COUNSEL-EXISTING
LITIGATION

Government Code Section 54956.9, subdivision (d)(1)
Case Name: Ella Burton v. City of Fresno, et al.; Fresno
Superior Court Case No.: 22CECG00712

Sponsors:

City Attorney's Office

5.-E. [ID 24-997](#)

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED
LITIGATION

Government Code Section 54956.9, subdivision (d)(2)
Potential Case Name: City of Fresno Fire & Police
Retirement System, et al. v. City of Fresno

Sponsors:

City Attorney's Office

5.-F. [ID 24-979](#)

CONFERENCE WITH LEGAL COUNSEL - PUBLIC
SECURITY - Government Code Section 54957(a): Discuss
security of City Hall.

Sponsors:

Office of Mayor & City Manager

5.-G. [ID 24-981](#)

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 9; 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); 11. Fresno Airports Public Safety Officers Association (FAPSOA)

Sponsors: Office of Mayor & City Manager

ADJOURNMENT

AUGUST 15, 2024

9:10 A.M. #1 - 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

AUGUST 15, 2024

9:10 A.M. #2 - 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

AUGUST 15, 2024

9:15 A.M. - Consideration of Annexation Application No. P22-03846, Pre-zone Application No. P22-04069 and the related Environmental Assessment No. P22-03846/P22-04069 pertaining to approximately 20.23 acres of property on the north and south sides of West Ashlan Avenue between North Polk and North Gregory Avenues (Council District 1).

AUGUST 29, 2024

9:15 A.M. - RESOLUTION to vacate a portion of public street right of way at the Northeast corner of South Hughes Avenue and West Dan Ronquillo Drive.

AUGUST 29, 2024

9:20 A.M. - HEARING to consider Conditional Use Permit Application No. P21-06064, (Council District 1) - Planning & Development. DENY the appeal and UPHOLD the action of the Planning Commission to deny Conditional Use Permit

Application No. P21-06064 requesting authorization to establish a State of California Alcoholic Beverage Control (ABC) Type 20 alcohol license (Off-Sale beer and wine) for a proposed Arco AM/PM combination automobile service station and convenience store.

SEPTEMBER 26, 2024

9:15 A.M. - HEARING to adopt Resolutions and Ordinance to Annex Territory and Levy a Special Tax regarding City of Fresno Community Facilities District Number 9, Annexation Number 60 (territory known as Assessor's Parcel Number 487-150-44S, 487-150-45S, and 487-150-46S) (Southwest corner of East Jensen Avenue and South Holloway Avenue) (Council District 5)

SEPTEMBER 26, 2024

9:20 A.M. - HEARING – To adopt Resolutions and Ordinance to annex territory and levy a special tax regarding City of Fresno Community Facilities District No. 18, Annexation No. 001 (Located on the northwest corner of West Indianapolis Avenue and North Garfield Avenue) (Council District 1)

SEPTEMBER 26, 2024

9:25 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 151 (Final Tract Map Number 6362) (Located on the northwest corner of West Indianapolis Avenue and North Garfield Avenue) (Council District 1)

UPCOMING EMPLOYEE CEREMONIES

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

- 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

August 15, 2024 - 9:00 A.M. (Regular Meeting)

August 29, 2024 - 9:00 A.M. (Regular Meeting)

September 12, 2024 - 9:00 A.M. (Regular Meeting)

September 26, 2024 - 9:00 A.M. (Regular Meeting)

October 10, 2024 - 9:00 A.M. (Regular Meeting)

October 31, 2024 - 9:00 A.M. (Regular Meeting)

November 7, 2024 - 9:00 A.M. (Regular Meeting)

November 21, 2024 - 9:00 A.M. (Regular Meeting)