

City of Fresno

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



Meeting Agenda - Final-revised

Thursday, June 23, 2022

9:00 AM

Regular Meeting / Vote on Budget Motions

Council Chambers (In Person And/Or Electronic)

City Council

President - Nelson Esparza

Vice President - Tyler Maxwell

Councilmembers:

Esmeralda Z. Soria, Mike Karbassi, Miguel Angel Arias, Luis Chavez,

Garry Bredefeld

City Manager - Georgeanne A. White

Interim City Attorney - Rina Gonzales

City Clerk - Todd Stermer, CMC

PUBLIC ADVISORY:

THE FRESNO CITY COUNCIL WELCOMES YOU TO CITY COUNCIL CHAMBERS, LOCATED IN CITY HALL, 2ND FLOOR, 2600 FRESNO STREET, FRESNO, CALIFORNIA 93721.

You can also participate in the meeting on our City's website click on the URL <https://fresno.legistar.com/Calendar.aspx> and click on the "In progress" link under "video" for the corresponding meeting. The Council meeting can also be viewed live at 9:00 A.M. on Comcast Channel 96 and AT&T Channel 99.

The City Council Chambers are open for public participation. However, members of the public are encouraged to participate electronically because of reduced capacity of seating in the Chambers to allow for social distancing, and masks will be required for the vaccinated and unvaccinated.

PUBLIC COMMENT: The following options are available for members of the public who want to address City Council:

1. eComment at <https://fresno.legistar.com/Calendar.aspx>.

a) eComments is a tool for citizens to use to make comments on agenda items. It will be open during the Council meeting and closed at the end of the meeting and will be a part of the official record. The User Agreement and Procedures document for eComment can be accessed by the URL <https://www.fresno.gov/cityclerk/>

b) eComments will be a maximum of 450 words.

OR

2. You are invited to a Zoom webinar.

When: June 23, 2022 9:00 AM Pacific Time (US and Canada)

Topic: June 23, 2022 Regular Meeting

a) Register in advance for this webinar:

https://zoom.us/webinar/register/WN_6tf7f2mdQnuiZTbakc8Q0A

After registering, you will receive a confirmation email containing information about joining the webinar.

b) If you do not wish for your name to appear on the screen, then use the drop down menu and click on "rename" to rename yourself.

c) If you wish to address Council during the public comment portion of the agenda, click on the icon labeled "Participants" at the bottom center of your PC or Mac screen. At the bottom of the window on the right side of the screen, click the icon labeled "RaiseHand". Your digital hand will now be raised.

d) Those addressing Council must state their name for the record.

e) To facilitate electronic access, no person shall speak until recognized by the Presiding Officer.

OR

3. Email: to clerk@fresno.gov

a) Residents may also email comments to be read during the meeting. Please include the agenda date and item number you wish to speak on in the subject line of your email.

b) Emails will be a maximum of 450 words.

c) All comments received will be distributed to Council prior and during the meeting and will be a part of the official record.

Pursuant to Rule 11 (c) of the Rules of Procedure for the City Council of the City of Fresno, 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.

All participants will be on mute until they are called upon at which point they will be unmuted. To prevent participants from having their video on, we will remove the option to show their video.

The City of Fresno's goal is to comply with the Americans with Disabilities Act, If you need additional accommodations such as interpreters, sign language signers, or the services of a translator, please contact the office of the City Clerk at (559) 621-7650 or clerk@fresno.gov. To ensure availability, you are advised to make your request at least three business days prior to the meeting.

The City of Fresno thanks you in advance for taking all precautions to prevent spreading COVID19 virus.

9:06 A.M. ROLL CALL

Invocation by Pastor Pete from Cross Church

Pledge of Allegiance to the Flag

APPROVE AGENDA

CEREMONIAL PRESENTATIONS

[ID 22-890](#) Proclamation for “John Lee Walker Day”

Sponsors: Councilmember Bredefeld

COUNCILMEMBER REPORTS AND COMMENTS

MAYOR/MANAGER 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 22-1032](#) Approval of the Minutes of the June 9, 2022 Regular City Council Meeting, June 13, 2022 Budget Hearing Meeting, June 14, 2022 Budget Hearing Meeting, and the June 15, 2022 Budget Hearing Meeting.

Sponsors: Office of the City Clerk

1.-B. [ID 22-894](#) Approve the First Amendment to Consultant Service Agreement between City of Fresno and Unison Consulting, Inc., to extend the current agreement for the Airport Concession Request for Proposals at Fresno Yosemite International Airport. (Council District 4)

Sponsors: Airports Department

1.-C. [ID 22-852](#) Actions related to the Lease Agreement for Restaurant Facility inside the Administration/Terminal Building with Henry Wang, an individual, d.b.a. The Flight Line Café, at Fresno

Chandler Executive Airport (FCH). (Council District 3)

1. Adopt a finding of Categorical Exemption pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act Guidelines
2. Approve the Lease Agreement for Restaurant Facility (Lease) inside the Administration/Terminal Building with Henry Wang, an individual, d.b.a. The Flight Line Café, at FCH for a term of three (3) years. The amount of potential revenue generated by this Lease Agreement is \$21,600. (Council District 3)

Sponsors:

Airports Department

1.-D. [ID 22-945](#)

Approve a consultant services agreement with CSDA Design Group to provide professional noise abatement related consultant services for the Fresno Yosemite International Airport Residential Sound Insulation Program in an amount not to exceed \$958,771.55 (Council District 4)

Sponsors:

Airports Department

1.-E. [ID 22-1055](#)

BILL (for introduction) - Amending Administrative Abatement, Fresno Municipal Code (FMC) Section 10-616.

Sponsors:

City Attorney's Office

1.-F. [ID 22-978](#)

Actions pertaining to purchase of document management software for the City Attorney's Office:

1. Approve the finding that Innovative Computing Systems, Inc., is uniquely qualified;
2. Approve a Master Service Agreement with Innovative Computing Systems, Inc., for \$128,840, and annual renewals up to \$20,000 per year for document management software; and
3. Approve an End User Software License Agreement with iManage LLC

Sponsors:

City Attorney's Office

1.-G. [ID 22-1020](#)

Award Outside Audit Contract to The Pun Group and authorize the Finance Director/Controller to negotiate and execute the contract for services

Sponsors:

Finance Department

- 1.-H. [ID 22-1012](#) Approve Addendum to Lease Agreement with Ray Morgan Company
- Sponsors:** Information Services Department
- 1.-I. [ID 22-987](#) Approve an amendment to extend repayment for 6-months to December 31, 2022 on the Interfund Loan Agreement between the City of Fresno Sewer Operating Fund and the City of Fresno General Fund for the purchase, acquisition, and operation of the Valley Inn motel.
- Sponsors:** Office of Mayor & City Manager
- 1.-J. [ID 22-1028](#) Actions pertaining to allocation of American Rescue Plan Act funding:
1. Approve the recommendation of fifteen service proposals allocating American Rescue Plan Act (ARPA) funding for local Community Based Organizations (CBOs) totaling \$10,000,000 (Bid File 10083) to the following organizations: (1) Arte Americas \$413,175; (2) Asian Business Institute & Resource Center \$1,000,000; (3) Bitwise \$1,000,000; (4) Boys & Girls Club \$160,000; (5) Breaking the Chains \$104,443; (6) Central Valley Children's Services Network \$1,000,000; (7) Centro La Familia Advocacy Services \$873,840; (8) Exceptional Parents Unlimited \$158,785 (9) Fresno Area Hispanic Foundation \$1,000,000; (10) Fresno Metro Black Chamber Foundation \$715,000; (11) Fresno Metro Ministry \$429,420; (12) Helping Others Pursue Excellence \$500,000; (13) Marjaree Mason Center \$1,067,297; (14) Neighborhood Industries \$1,000,000; and (15) San Joaquin Valley Manufacturing Alliance \$578,040.
 2. RESOLUTION Granting Authority to the City Manager or his or her designee to enter into agreements with Community Based Organizations to provide programs and services funded by the American Rescue Plan Act (ARPA) to aid in the COVID-19 Recovery Effort.
- Sponsors:** Office of Mayor & City Manager
- 1.-K. [ID 22-999](#) Actions pertaining to the Fresno Regional Workforce Development Board (FRWDB) - Young Adult Services Work

Experience Agreement for an amount not to exceed \$140,400 for the grant period of July 1, 2022 to June 30, 2023

Sponsors:

Personnel Services Department

1.-L. [ID 22-1051](#)

***BILL B-12 - (Intro'd 5/26/2022) (For Adoption) - Approving an Amendment to the Development Agreement by and between the City of Fresno and 2500 MLK, LLC for purposes of amending Section 3.9(a) of the Development Agreement which limits the specific number of units relative to respective residential housing types within the West Creek Village project area (Subject to Mayor's Veto).

Sponsors:

Planning and Development Department

1.-M. [ID 22-996](#)

Approve an agreement for Professional Engineering Services with Toole Design Group for \$141,015, with a \$10,000 contingency, for the preparation of the Fancher Creek Trail Plan (District 5)

Sponsors:

Public Works Department

1.-N. [ID 22-1036](#)

***RESOLUTION - Confirming emergency conditions continue to directly impact the ability of legislative bodies to meet safely in person, and authorizing remote teleconference meetings of City legislative bodies for 30 days, pursuant to Brown Act provisions (Subject to Mayor's Veto).

Sponsors:

Council President Esparza

1.-O. [ID 22-1058](#)

BILL (for introduction) - Creating the Tenant Relocation Benefits Following City Order To Vacate Due To Immediate Health And Safety Risk Ordinance, FMC section 11-338.

Sponsors:

Vice President Maxwell

1.-P. [ID 22-1054](#)

BILL (for introduction) - Repealing Ordinance No. 2018-67 of the Fresno Municipal Code and adopting an ordinance setting forth the compensation of elective officers.

Sponsors:

Vice President Maxwell, Councilmember Karbassi and Councilmember Chavez

CONTESTED CONSENT CALENDAR

2. SCHEDULED COUNCIL HEARINGS AND MATTERS**9:00 A.M. - Budget Hearings Continued**[ID 22-984](#)

Vote on Council Motions

(CONTINUED TO JUNE 30, 2022) 10:00 A.M.#1[ID 22-994](#)

HEARING Consideration of Text Amendment Application No. P21-05809 and related Environmental Finding for Environmental Assessment No. P21-05809, amending Section 15-2010 of the Fresno Municipal Code, relating to the to the Zone Districts where Electrified Fences are permitted.

1. RECOMMEND CONSIDERATION of Environmental Assessment No. P21-05809 dated April 20, 2022, that Text Amendment Application No. P21-05809 is exempt from the California Environmental Quality Act (CEQA) pursuant to the Commonsense Exemption that it can be seen with certainty that there is no possibility that the proposed text amendment may have a significant effect on the environment pursuant to CEQA Guidelines Section 15061(b)(3).
2. RECOMMEND CONSIDERATION of Text Amendment Application No. P21-05809, to amend Section 15-2010 of the Fresno Municipal Code, relating to the to the Zone Districts where Electrified Fences are permitted.

Sponsors:

Planning and Development Department

10:00 A.M. #2[ID 22-988](#)

HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding CITY OF FRESNO COMMUNITY FACILITIES DISTRICT NO. 9, Annexation No. 54 (Parcel Map No 2020-05) (Northeast corner of South Maple Avenue and East Jensen Avenue) (Council District 5)

1. ***RESOLUTION - to Annex Territory to Community Facilities District No. 9 and Authorizing the Levy of a Special Tax for Annexation No. 54 (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) - Levying a Special Tax for the Property Tax Year 2022-2023 and Future Tax Years Within and Relating to Community Facilities District No. 9, Annexation No. 54 (Subject to Mayor's Veto)

Sponsors:

Public Works Department

10:05 A.M.

[ID 22-1022](#)

Actions pertaining to citywide development impact fees (all council districts):

1. HEARING - to consider amendment to the City of Fresno's Master Fee Schedule to increase and decrease the existing Citywide Regional Streets, New Growth Area Major Streets, Traffic Signals, Police Facilities, Fire Facilities; and adopt the associated nexus studies

2. Adopt a Finding of Statutory Exemption, per staff determination in the attached environmental assessment, pursuant to Section 15273 of the California Environmental Quality Act (CEQA) Guidelines;

3. Adopt the Nexus Studies and incorporated capital improvement programs, for the impact fee programs associated with the citywide regional streets, new growth area major streets, traffic signals, police facilities, and fire facilities fees; and adopt associated findings pursuant to the Mitigation Fee Act;

4. ***RESOLUTION - Adoption of the 570th Amendment to the Master Fee Schedule Resolution No. 80-420 to increase and decrease the Citywide Regional Streets, New Growth Area Major Streets, Traffic Signals, Police Facilities, and Fire Facilities Development Impact Fees; and to delete the Urban Growth Management (UGM) Impact Fees (subject to Mayoral Veto).

Sponsors:

Public Works Department

(CONTINUED FROM JUNE 16, 2022) 10:10 A.M.

[ID 22-1052](#)

Hearing to consider a proposed Development Agreement by and between the City of Fresno and Parc West Development, Inc. relating to the development of the Parc West Project (Council District 1):

1. ADOPT - Addendum to the previously certified Final Environmental Impact Report (EIR) SCH No. 2020039061, pursuant to Section 15164 of the California Environmental Quality Act (CEQA) Guidelines.
2. BILL - (For introduction) - Approving the Development Agreement by and between the City of Fresno and Parc West Development, Inc. for purposes of the Parc West Project, pertaining to ±160 acres of property located on the west side of North Grantland Avenue between West Ashlan Avenue and the West Gettysburg Avenue alignment.

Sponsors:

Planning and Development Department

3. GENERAL ADMINISTRATION**3.-A. [ID 22-897](#)**

Actions related to the Airline Use Agreement with Aerovías de México S.A. de C.V. dba. AeroMéxico; Alaska Airlines, Inc.; Allegiant Air, LLC.; American Airlines, Inc.; Delta Air Lines, Inc.; SkyWest Airlines, Inc.; Southwest Airlines Co.; United Airlines, Inc.; and Concesionaria Vuela Compañía de Aviación S.A.P.I de C.V. dba. Volaris.

1. Adopt a finding of Categorical Exemption pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act Guidelines.
2. Approve the new Airline Use Agreement (AUA) Agreement between the City of Fresno and Aerovías de México S.A. de C.V. dba AeroMéxico; Alaska Airlines, Inc.; Allegiant Air, LLC.; American Airlines, Inc.; Delta Air Lines, Inc.; SkyWest Airlines, Inc.; Southwest Airlines Co.; United Airlines, Inc.; and Concesionaria Vuela Compañía de Aviación S.A.P.I de C.V. dba. Volaris, for a lease term of five years. (Council District 4)

Sponsors:

Airports Department

4. CITY COUNCIL

5. CLOSED SESSION

- 5.-A. [ID 22-1014](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION -Government Code Section 54956.9, subdivision (d)(1)
Case Name: Nelson Esparza v. Garry Bredefeld; Fresno Superior Court Case No. 22CECG01469

Sponsors:

City Attorney's Office

- 5.-B. [ID 22-1057](#) CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION, Government Code Section 54956.9(d)(2);
Nelson Esparza v. City of Fresno

Sponsors:

City Attorney's Office

- 5.-C. [ID 22-1039](#) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Government Code 54956.9(d)(1); Existing Litigation: J & A Mash & Barrel, LLC. v. Superior Court of Fresno County.

CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Government Code Section 54956.8; Property: 809 E Olive Ave;
Negotiating Parties: City Manager, Lawrence Abbate; Under Negotiation: Terms and Conditions of Property Acquisition.

Sponsors:

City Attorney's Office

- 5.-D. [ID 22-1033](#) CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Government Code Section 54956.8 Property: 1343 E. Barstow;
Negotiating Parties: City Manager, Wesley United Methodist Church;
Under Negotiation: Price and terms of sale or lease.

Sponsors:

Vice President Maxwell

- 5.-E. [ID 22-1034](#) CONFERENCE WITH REAL PROPERTY NEGOTIATOR -
Government Code Section 54956.8
Property: APN 438-022-21;
Negotiating Parties: City Manager, Won K. Lee and Sang D.
Lee
Under Negotiation: Price and terms of payment.

Sponsors:

Vice President Maxwell

- 5.-F. [ID 22-1035](#) CONFERENCE WITH LABOR NEGOTIATORS -
Government Code Section 54957.6
City Negotiators: TJ Miller
Employee Organizations:
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 753, 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); 8.
International Association of Firefighters, Local 753, Unit 10
(Fire Management); 9. City of Fresno Professional
Employees Association (CFPEA); 10. City of Fresno
Management Employees Association (CFMEA); 11.
Operating Engineers, Local Union No. 3, Fresno Airport
Public Safety Supervisors (FAPSS); 12. Operating
Engineers, Local Union No. 3, Fresno Airport Public Safety
Officers (FAPSO); 13. Unrepresented Employees in Unit 2
(Non-Represented Management and Confidential Classes):
Airport Public Safety Manager, Assistant City Attorney,
Assistant City Manager, Assistant Controller, Assistant
Director, Assistant Director of Personnel Services, Assistant
Director of Public Utilities, Assistant Director of Public Works,
Assistant Police Chief, Assistant Retirement Administrator,
Background Investigator, Budget Analyst, Budget Manager,
Chief Assistant City Attorney, Chief Information Officer, Chief
of Staff to Councilmember, Chief of Staff to the Mayor, City
Attorney (City Negotiator, Council President Esparza), City

Attorney Investigator, City Clerk (City Negotiator, Council President Esparza), City Engineer, City Manager (City Negotiator, Mayor Dyer), Community Coordinator, Community Outreach Specialist, Controller, Council Assistant, Deputy City Attorney II, Deputy City Attorney III, Deputy City Manager, Director, Director of Aviation, Director of Development, Director of Personnel Services, Director of Public Utilities, Director of Transportation, Economic Development Coordinator, Economic Development Director, Executive Assistant to Department Director, Executive Assistant to the City Attorney, Executive Assistant to the City Manager, Executive Assistant to the Mayor, Fire Chief, Governmental Affairs Manager, Human Resources Manager, Independent Reviewer, Internal Auditor, Investment Officer, Labor Relations Manager, Management Analyst II, Payroll Accountant, Payroll Manager, Police Chief, Principal Budget Analyst, Principal Internal Auditor, Principal Labor Relations Analyst, Public Affairs Officer, Public Works Director, Retirement Administrator, Retirement Benefits Manager, Retirement Office Manager, Senior Budget Analyst, Senior Deputy City Attorney I, Senior Deputy City Attorney II, Senior Deputy City Attorney III, Senior Human Resources/Risk Analyst, Senior Law Clerk, Supervising Deputy City Attorney Personnel Services Department

Sponsors:5.-G. [ID 22-1074](#)

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 Nelson Esparza. Unrepresented Employee: City Attorney

City Attorney's Office

Sponsors:**ADJOURNMENT**

UPCOMING SCHEDULED COUNCIL HEARINGS AND MATTERS

June 30, 2022

10:00 A.M. - HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding CITY OF FRESNO COMMUNITY FACILITIES DISTRICT NO. 11, Annexation No. 129 (Final Tract Map No. 6201) (property located on northeast corner of North Armstrong and East Floradora) (Council District 7)

June 30, 2022

10:05 A.M. - HEARING to consider the proposed Annual Assessment for the City of Fresno Landscaping and Lighting Maintenance District No. 1 (Citywide)

July 21, 2022

10:00 A.M. - HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding CITY OF FRESNO COMMUNITY FACILITIES DISTRICT NO. 11, Annexation No. 130 (Final Tract Map No. 6308) (property located on the northeast corner of North Bryan and West Ashlan) (Council District 1)

UPCOMING EMPLOYEE CEREMONIES

October 19, 2022 - Employee of the Fall Quarter

November 16, 2022 -Employee Service Awards

2022 CITY COUNCIL MEETING SCHEDULE

(Budget Hearings: June 13, 14, 15, 16, 20)

(Vote on Motions on June 23, 2022)

JUNE 16, 2022 - 9:00 A.M.

JUNE 30, 2022 - 9:00 A.M. (Vote on Final Budget)

JULY 7, 2022 - NO MEETING

JULY 14, 2022 - NO MEETING

JULY 21, 2022 - 9:00 A.M.

JULY 28, 2022 - NO MEETING

AUGUST 4, 2022 - NO MEETING

AUGUST 11, 2022 - 9:00 A.M.

AUGUST 18, 2022 - 9:00 A.M.

AUGUST 25, 2022 - NO MEETING

SEPTEMBER 1, 2022 - 9:00 A.M.

SEPTEMBER 8, 2022 - NO MEETING

SEPTEMBER 15, 2022 - 9:00 A.M.

SEPTEMBER 22, 2022 - NO MEETING

SEPTEMBER 29, 2022 - 9:00 A.M.

OCTOBER 6, 2022 - NO MEETING

OCTOBER 13, 2022 - 9:00 A.M.

OCTOBER 20, 2022 9:00 A.M.

OCTOBER 27, 2022 - NO MEETING

NOVEMBER 3, 2022 - 9:00 A.M.

NOVEMBER 10, 2022 - NO MEETING

NOVEMBER 17, 2022 - 9:00 A.M.

NOVEMBER 24, 2022 - NO MEETING

DECEMBER 1, 2022 - 9:00 A.M.

DECEMBER 8, 2022 - NO MEETING

DECEMBER 15, 2022 - 9:00 A.M.

DECEMBER 22, 2022 - NO MEETING

DECEMBER 29, 2022 - NO MEETING