

# City of Fresno

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



## Meeting Agenda - Final

Thursday, August 24, 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\\_6DUV1EVyRkGcmksgONPQ0w](https://fresno-gov.zoom.us/webinar/register/WN_6DUV1EVyRkGcmksgONPQ0w)

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 Maggie Guekguezian from the Wesley United Methodist Church

Pledge of Allegiance to the Flag

## **APPROVE AGENDA**

## **CEREMONIAL PRESENTATIONS**

[ID 23-1146](#) Proclamation for “Kapetan Brothers Day”

**Sponsors:** Councilmember Bredefeld

## **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 23-1265](#) Approval of Minutes for August 10, 2023, Regular Meeting.

**Sponsors:** Office of the City Clerk

1.-B. [ID 23-1203](#) Actions pertaining to the Fanning No. 76 Undergrounding Project (Council District 3):

1. Adopt a finding of Categorical Exemption pursuant to Section 15302/Class 2 of the California Environmental Quality Act Guidelines
2. Approve a Joint Project Agreement with the Fresno Irrigation District to provide for cost sharing on pipeline construction, for an estimated City contribution in the amount of \$225,543.75

**Sponsors:** Capital Projects Department

- 1.-C. [ID 23-1196](#) Approve the award of a Requirements Contract for retreading of commercial truck tires to Delray Tire and Retreading of Fresno, California for two years with three one-year optional extensions in the amount of \$381,551.00, plus annual CPI adjustments. (Bid File 9659)

**Sponsors:**

General Services Department

- 1.-D. [ID 23-1224](#) Actions pertaining to a Lease Agreement between the City of Fresno and Signature Flight Support LLC, a Delaware limited liability company, for the continued lease of office/hangar space for the Police Department's Air Support Unit located at 4941 E Andersen, at the Fresno Yosemite International Airport

1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines

2. Approve a three-and-a-half-year lease agreement between the City of Fresno and Signature Flight Support LLC, a Delaware limited liability company in the amount of \$44,604 annually, with annual increases by the greater of 3.5% or the CPI Adjustment, plus the proportionate CAM (Common Area Maintenance) charges at \$2,220 annually

**Sponsors:**

General Services Department and Police Department

- 1.-E. [ID 23-1231](#) Award a purchase contract to Toyota of Selma, CA, for the purchase of 11 Toyota Prius in the amount of \$330,815.38 to be utilized by the City Attorney's Office Code Enforcement Division and the Planning & Development Department (Bid File 12302272)

**Sponsors:**

General Services Department

- 1.-F. [ID 23-1251](#) Approve the appointment of Al Moncada to the Mobile Home Rent Review and Stabilization Commission as an At-Large Member for a term ending 6/30/2025. Approve the appointment of Lisa Talley to the Fresno/Clovis Community Media Authority for a term ending 6/30/2025.

**Sponsors:**

Office of Mayor & City Manager

**1.-G. [ID 23-1234](#)**

\*\*\*RESOLUTION - Authorizing the City Manager or Designee to apply for a \$500,000 grant from the California Strategic Growth Council to fund community resilience center planning and execute any grant related documents on behalf of the City (Citywide) (Subject to Mayor's Veto)

**Sponsors:**

Parks, After School and Recreation and Community Services Department

**1.-H. [ID 23-1235](#)**

Actions pertaining to a grant agreement between the City of Fresno and the Cecil C. Hinton Community Center, a Non-Profit Corporation (District 3):

1. \*\*\* RESOLUTION - A Resolution of the Council of the City of Fresno adopting the 11th Amendment to the Annual Appropriation Resolution NO. 2023-185 reallocating \$500,000 in General Fund and American Rescue Plan Act-ARPA (Revenue Replacement) Funding Between the Echo Paving McKinley to Olive Project and the Hinton Center Renovations (Requires five affirmative votes) (Subject to Mayor's Veto)
2. Approve a two-year, \$500,000 Grant Agreement between the City of Fresno and the Cecil C. Hinton Community Center non-profit for the Hinton Center Project
3. Authorize the City Manager or designee to execute all grant related documents on behalf of the City

**Sponsors:**

Parks, After School and Recreation and Community Services Department

**1.-I. [ID 23-1215](#)**

Approve a consultant services agreement with JSA Environmental Consulting in an amount not to exceed \$200,000.00 to provide professional lead-based paint inspections, testing, risk assessments, and consultant services for the City's housing rehabilitation programs.

**Sponsors:**

Planning and Development Department

1.-J. [ID 23-982](#) Actions pertaining to the West Area Neighborhoods Specific Plan:

1. Approve a consultant services amendment with De Novo Planning Group, for professional environmental analysis services related to the West Area Neighborhoods Specific Plan in the amount of \$214,353.70.

**Sponsors:**

Planning and Development Department

1.-K. [ID 23-1167](#) Consider Acceptance of the Kings Canyon Corridor Transit Oriented Development Study:

1. Adopt a finding that the project is statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15262 as a feasibility study.
2. RESOLUTION - Accepting the Kings Canyon Corridor Transit Oriented Development Study

**Sponsors:**

Planning and Development Department

1.-L. [ID 23-1205](#) Actions pertaining to renewing the Workforce Connection Young Adult Services Work Experience Agreement between Fresno Regional Workforce Development Board (FRWDB) and WIOA Young Adult FRWDB Provider of Service and the City of Fresno. Per the original agreement FRWDB will compensate up to 40 participants at minimum wage in an amount not to exceed \$140,400 and the City of Fresno will serve as the worksite. This renewal is to complete the entirety of the agreement for the remaining 22 participants and be effective July 1, 2023 through June 30, 2024.

**Sponsors:**

Personnel Services Department

1.-M. [ID 23-1248](#) Approve a Second Amendment Agreement to extend from September 1, 2023 through August 31, 2026, for Employee Assistance Program Services between the City of Fresno and Halcyon Behavioral Employee Assistance with an expected 2024 Fiscal Year expense of \$77,836, an expected 2025 Fiscal Year expense of \$82,215, and an expected 2026 Fiscal Year expense of \$86,593, for a total contract amount of \$246,644 and authorized by the Personnel Services Director

**Sponsors:**

Personnel Services Department

- 1.-N. [ID 23-1275](#)      \*\*\*Approve a Side Letter of Agreement with the Fresno Police Officers Association (FPOA), for Unit 4 - Non-Management Police, regarding Court Appearances (Subject to Mayor's Veto)

**Sponsors:**      Personnel Services Department

- 1.-O. [ID 23-1149](#)      BILL - (For Introduction)\_-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.

**Sponsors:**      Police Department

- 1.-P. [ID 23-1236](#)      Approve the FY 23 annual participation agreement for the Federal Equitable Sharing Agreement and Certification Program for the disposition funds, including interest, forfeited in connection with a crime and authorize the City Manager and the Chief of Police to execute related documents.

**Sponsors:**      Police Department

- 1.-Q. [ID 23-1001](#)      Award of a Requirements Contract to Toter, LLC, for five years, with two one-year optional extensions, in an amount of \$951,500 per year for the purchase of up to 15,000 refuse, recycling, and green waste/organics containers using a cooperative purchase agreement (Citywide).

**Sponsors:**      Department of Public Utilities

- 1.-R. [ID 23-1163](#)      Actions pertaining to the summary vacation of a storm drain basin easement lying north of East Jensen Avenue, between South Knight Avenue and South Martin Luther King Jr. Boulevard (Council District 3):
1. Adopt a finding of Categorical Exemption per Environmental Assessment Number PW13217 per staff determination, pursuant to Section 15304/Class 4 of the California Environmental Quality Act (CEQA) Guidelines
  2. \*\*\*RESOLUTION - Ordering the summary vacation of a storm drain basin easement lying north of East Jensen Avenue, between South Knight Avenue and South Martin Luther King Jr. Boulevard (Subject to Mayor's Veto)

**Sponsors:**      Public Works Department



- 1.-S. [ID 23-1230](#) \*\*\* RESOLUTION - Authorizing Submission of Applications for Grant Funds in total amount of approximately \$67,865,000 from the 2023/2024 Congestion Mitigation and Air Quality Improvement Program, Carbon Reduction Program, and the Surface Transportation Block Grant Program Call for Projects from the Fresno Council of Governments and Authorizing the Execution of all Application Related Documents by the Public Works Director, the Transportation Director, or designees (Citywide) (Subject to Mayor's Veto)

**Sponsors:** Public Works Department and Department of Transportation

- 1.-T. [ID 23-1269](#) \*\*\*Bill B-27 (Intro'd August 10, 2023) (For adoption) - Amending Sections 3-610, 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

- 1.-U. [ID 23-1281](#) BILL - (for introduction) Adding Section 9-110 to Chapter 9 of the Fresno Municipal Code, Adding the Infectious Disease Lab Accountability and Transparency Ordinance.

**Sponsors:** Councilmember Bredefeld, Councilmember Arias and Councilmember Esparza

- 1.-V. [ID 23-1282](#) \*\*\*Resolution - To Implement a Public Transportation Agency Safety Plan (Subject to Mayor's Veto)

**Sponsors:** Council President Maxwell

- 1.-W. [ID 23-1284](#) Approve the appointment of Rodney Branch (District 4 Resident) to the Fresno Regional Workforce Development Board for a term ending November 1, 2024.

**Sponsors:** Council President Maxwell

- 1.-X. [ID 23-1283](#) Approve a First Amendment to the Vendor Agreement with Fresno Police & Neighborhood Watch for Outreach Services to Extend the Term of the Agreement and Increase Compensation in the Amount of \$100,000.

**Sponsors:** Councilmember Esparza and Police Department

**CONTESTED CONSENT CALENDAR****2. SCHEDULED COUNCIL HEARINGS AND MATTERS****10:00 A.M.**[ID 23-1227](#)

Appearance by Maria Alvarez Garcia to discuss Demand accountability for animal abuse and neglect and stop back yard breeders! (Resident of District 1)

**Sponsors:**

Office of the City Clerk

**10:03 A.M.**[ID 23-1264](#)

Appearance by Jose Velasquez to discuss Code enforcement negligence/ adjacent field to my home causing damage to my home due to fire (Resident of District 1)

**Sponsors:**

Office of the City Clerk

**10:20 A.M.**[ID 23-1233](#)

Hearing to consider Development Permit Application No. P22-01346 and related Environmental Assessment No. P22-01346 pertaining to ±0.69 acres of property located on the northwest corner of East McKinley and South Fine Avenues (Council District 4) - Planning & Development Department.

1. CONSIDER Environmental Assessment (EA) No. P21-01346, dated December 8, 2022, a determination that the proposed project is categorically exempt under Section 15332/Class 32 (In-Fill Development Project) of the State of California Environmental Quality Act (CEQA) Guidelines; and,
2. DENY the appeal and UPHOLD the action of the Planning Commission and Planning and Development Department Director to approve Development Permit Application No. P22-01346, authorizing the construction of an automated car wash facility subject to compliance with the Conditions of Approval dated December 8, 2022.

**Sponsors:**

Planning and Development Department

**10:25 A.M.#1 (CONTINUED TO SEPTEMBER 14, 2023, AT 10:25 A.M.)****ID 23-1226**

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 (CONTINUED TO SEPTEMBER 14, 2023, AT 10:25 A.M.)****ID 23-1252**

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****4. CITY COUNCIL****5. CLOSED SESSION****5.-A. ID 23-1267**

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 23-1261**

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 23-1268](#)****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)

**Sponsors:**

Office of Mayor &amp; City Manager

**5.-D. [ID 23-54](#)****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

**5.-E. [ID 23-53](#)****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 Clerk

2. Government Code Section 54957.6: conference with labor negotiator. City Negotiator: Council President Tyler Maxwell. Unrepresented Employee: City Clerk

**Sponsors:**

Council President Maxwell

**ADJOURNMENT****UPCOMING SCHEDULED COUNCIL HEARINGS AND MATTERS***SEPTEMBER 14, 2023*

*10:25 A.M. – CONSIDERATION OF AN APPEAL FILED REGARDING VESTING  
TENTATIVE TRACT MAP NO. 6366*

*SEPTEMBER 14, 2023*

*10:25 A.M. – HEARING TO CONSIDER ADOPTION OF RESOLUTIONS  
RELATED TO THE DESIGNATION OF PROPERTIES TO THE LOCAL REGISTER  
OF HISTORIC RESOURCES*

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

*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.*