

# City of Fresno

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



## Meeting Agenda - Final-revised

Thursday, February 17, 2022

9:00 AM

Regular Meeting

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 White*

*City Attorney - Douglas T. Sloan*

*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: February 17, 2022 9:00 AM Pacific Time (US and Canada)

Topic: February 17, 2022 Regular Meeting

a) Register in advance for this webinar:

[https://zoom.us/webinar/register/WN\\_caKy6uA0SbGn76qy5YpCFg](https://zoom.us/webinar/register/WN_caKy6uA0SbGn76qy5YpCFg)

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](mailto: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](mailto: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.

9:00 A.M. ROLL CALL

Invocation

Pledge of Allegiance to the Flag

## **APPROVE AGENDA**

### **CEREMONIAL PRESENTATIONS**

[ID 22-300](#) Proclamation for “Summer Gaston Day” in the City of Fresno

**Sponsors:** Councilmember Chavez

[ID 22-320](#) Proclamation for “Teen Dating Violence Awareness Month”

**Sponsors:** Council President Esparza

### **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**

[ID 22-387](#) The attached public comments were submitted for the February 17, 2022 Regular City Council meeting and were not directly related to any specific item(s) on the published agenda.

### **1. CONSENT CALENDAR**

1.-A. [ID 22-230](#) Approve a consultant services agreement with Unison Consulting, Inc., to provide professional services for creating and establishing a Tenant Handbook at the Fresno Yosemite International Airport in an amount not to exceed \$50,000.  
(Council District 4)

**Sponsors:** Airports Department

1.-B. [ID 22-316](#) \*\*\*BILL No. 2 (Re-intro'd 2/10/2022) (For Adoption) -

Amending Administrative Abatement, FMC section 10-616, to clarify limits on access to restricted areas where abatements are taking place (Subject to Mayor's Veto).

**Sponsors:**

City Attorney's Office

- 1.-C. [ID 22-274](#) Approve the award of a purchase contract to Stommel Inc., dba Lehr Automotive, a Sacramento California-based company, for the purchase of 91 sets of patrol vehicle hardware and safety equipment in the amount of \$2,153,261 for the Police Department
- Sponsors:** Department of Transportation
- 1.-D. [ID 22-272](#) Award a two-year Requirements Contract with provisions for three one-year extensions to Herwaldt Automotive Group, Inc. of Fresno, California, for a maximum of 75 marked patrol BMW motorcycles over a 5-year term in the total amount of \$2,109,211.84, plus annual CPI adjustments, for the Police Department. The FY22 purchase will be 15 motorcycles in the amount of \$421,844.37 (Bid File 9626)
- Sponsors:** Department of Transportation
- 1.-E. [ID 22-275](#) Award a construction contract to AMG & Associates, Inc. of Santa Clarita, California, in the amount of \$11,631,119 for the Department of Transportation Fresno Area Express Facility Improvement project and authorize the Director of Transportation to execute all related documents (Bid File #3839) (District 3)
- Sponsors:** Department of Transportation
- 1.-F. [ID 22-276](#) RESOLUTION - Approval of Annual Update of the Public Transit Agency Safety Plan (PTASP) as required by the Federal Transit Administration
- Sponsors:** Department of Transportation
- 1.-G. [ID 22-287](#) \*\*\*RESOLUTION - Adopting the 567th Amendment to the Master Fee Schedule Resolution No.80-420 to update reduced transit fare pricing. (Subject to Mayor's Veto).
- Sponsors:** Department of Transportation
- 1.-H. [ID 22-314](#) Approve an increase to the Requirements Contract with Air Liquide U.S. LP, doing business as Alliance Gas Products, for Bulk Liquid Oxygen to an annual amount of \$275,000, and extend the contract for an additional two years (Bid File 9452) (Citywide).

**Sponsors:** Department of Public Utilities

- 1.-I. [ID 22-286](#) Actions related to the extension and increase of a Requirements Contract for Bulk Sodium Hydroxide with Univar USA Inc. (Bid File 9429) (Citywide):
1. Reject all bids for the Requirements Contract for Bulk Sodium Hydroxide (Bid File 9601)
  2. Approve an increase to the Requirements Contract with Univar USA Inc. (Univar) to an annual amount of \$1,443,365, and extend the contract for one additional year (Bid File 9429) (Citywide)

**Sponsors:** Department of Public Utilities

- 1.-J. [ID 22-281](#) \*\*\*RESOLUTION - 51st Amendment to the Annual Appropriations Resolution (AAR) No. 2021-178 appropriating \$6,141,400 under the General Fund that will fund salary increases and overtime for Bargaining Units 04 (FPOA Non-Management) and 09 (FPOA Management), 05 (IAFF Non-Management) and 10 (IAFF Management) from the American Rescue Plan Act (ARPA) ((Requires 5 Affirmative Votes) (Subject to Mayor's Veto).

**Sponsors:** Office of Mayor & City Manager

- 1.-K. [ID 22-282](#) \*\*\*RESOLUTION - 52nd Amendment to the Annual Appropriations Resolution (AAR) No. 2021-178 appropriating \$2,000,000 under the General Fund for the 911 Call Center from the American Rescue Plan Act (ARPA) (Requires 5 Affirmative Votes) (Subject to Mayor's Veto).

**Sponsors:** Office of Mayor & City Manager

- 1.-L. [ID 22-288](#) \*\*\*RESOLUTION - Adopt the Fourteenth Amendment to FY 2022 Salary Resolution No. 2021-176, amending Exhibit 13-1, Unit 13, Exempt Supervisory and Professional (CFPEA) to modify the salary ranges for Professional Engineer, Supervising Professional Engineer, Chief Surveyor, and Architect, effective February 14, 2022 (Subject to Mayor's Veto).

**Sponsors:** Personnel Services Department

**1.-M.** [ID 22-317](#)

Actions pertaining to the FY22 Position Authorization Resolution No. 2021-179:

1: \*\*\*RESOLUTION - Adopt the 5th Amendment to Position Authorization Resolution (PAR) No. 2021-179, adding one hundred seven (107) full-time and two (2) permanent part-time positions Citywide. (Subject to Mayor's Veto).

**Sponsors:**

Personnel Services Department

**1.-N.** [ID 22-309](#)

Actions pertaining to Operating Engineers, Local Union No. 3 (Airport Public Safety Officers) for Unit 11 (FAPSO/OE3):

1. \*\*\*Adopt a successor Memorandum of Understanding between the City of Fresno and Operating Engineers, Local Union No. 3 (Airport Public Safety Officers) for Unit 11 (FAPSO/OE3) (Subject to Mayor's veto)

2. \*\*\*RESOLUTION: Adopt the Fifteenth Amendment to FY 2022 Salary Resolution No. 2021-176 amending salaries in Exhibit 11, Unit 11 - Airport Public Safety Officers (FAPSO), as required by the Memorandum of Understanding between the City of Fresno and Operating Engineers, Local Union No. 3 (OE3) for Unit 11 (FAPSO/OE3) (Subject to Mayor's veto)

**Sponsors:**

Personnel Services Department

**1.-O.** [ID 22-289](#)

Actions pertaining to the CaliforniansForAll Youth Workforce Development Grant program:

1. Approve the 2021 CaliforniansForAll Youth Workforce Development Grant

2. \*\*\*RESOLUTION - Adopting the 53rd amendment to the Annual Appropriation Resolution (AAR) No. 2021-178 appropriating \$232,500 for the One Fresno Youth Workforce Development Grant (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)

3. \*\*\*RESOLUTION - 6th Amendment to the Position Authorization Resolution (PAR) No. 2021-179 adding three (3) positions to the Personnel Services Department (Subject to Mayor's Veto)

**Sponsors:**

Personnel Services Department and Office of Mayor & City Manager



- 1.-P. [ID 22-301](#)      Actions pertaining to the 2020 Environmental Protection Agency Brownfields Revolving Loan Fund Grant:  
1. Approve a Sub-Grantee award to Saint Rest Baptist Church of up to \$191,000 for the remediating of an existing building on the Saint Rest Campus from the City of Fresno's Brownfield Revolving Loan Fund.
- Sponsors:**      Planning and Development Department
- 1.-Q. [ID 22-299](#)      \*\*\*RESOLUTION - Supporting the Housing Authority of the City of Fresno's submission of a Low-Income Housing Tax Credit application for the construction of affordable housing at 1240 N. Crystal and expressing the City's intent to contribute to the Project in an amount not to exceed \$3,500,000 upon full award of tax credit funding for the Project. (Subject to Mayor's Veto)
- Sponsors:**      Planning and Development Department
- 1.-R. [ID 22-302](#)      \*\*\*RESOLUTION - Supporting the Housing Authority of the City of Fresno's submission of a Low-Income Housing Tax Credit application for the construction of affordable housing at 7521 N. Chestnut and expressing the City's intent to contribute to the Project in an amount not to exceed \$3,000,000 upon full award of tax credit funding for the Project. (Subject to Mayor's Veto)
- Sponsors:**      Planning and Development Department
- 1.-S. [ID 22-304](#)      Approve a Preliminary Engineering Services Agreement with BNSF Railway Company to perform engineered design plan review and diagnostic evaluation, in the amount of \$199,561.20, for the Blackstone Avenue and McKinley Avenue BNSF Grade Separation Project (Council Districts 1 and 7)
- Sponsors:**      Public Works Department
- 1.-T. [ID 22-269](#)      Approve an agreement with Pacific Gas and Electric Company in the amount of \$57,683.82 for the installation of a new service connection to power the proposed Herndon Avenue and Veterans Boulevard intersection as part of the

Veterans Boulevard North Extension Project (Council District 2)

**Sponsors:**

Public Works Department

1.-U. [ID 22-262](#)

Approve Contract Change Order No. 05 in the deductive amount of \$(21,083.89) to Emmett's Excavation, Inc. for the Inyo Street Overlay Between Van Ness and P, Project ID PW0788 (Council District 3)

**Sponsors:**

Public Works Department

1.-V. [ID 22-266](#)

Actions pertaining to the Veterans Boulevard Grade Separation Project (Council District 2):

1. \*\*\*RESOLUTION - 49th Amendment to the Annual Appropriation Resolution (AAR) No. 2021-178 appropriating \$1,949,800 for the Veterans Boulevard Grade Separation Project (Requires 5 affirmative votes) (Subject to Mayor's veto)
2. Approve Contract Change Order No. 15 in the amount of \$1,354,408 and an increase in contract time of one hundred sixteen (116) working days to Granite Construction Company, for the Veterans Boulevard Grade Separation, Project ID PW00683

**Sponsors:**

Public Works Department

1.-W. [ID 22-268](#)

Actions pertaining to the widening of Fowler Avenue, from Clinton Avenue to the Weldon Avenue alignment, a condition of approval for Vesting Tentative Map No. 6214 (Council District 7)

1. \*\*\*RESOLUTION - 33rd Amendment to the Annual Appropriation Resolution (AAR) No. 2021-178 appropriating \$112,500 for right-of-way (permanent easement) acquisition for Tract Map 6214 (Requires 5 affirmative votes) (Subject to Mayor's Veto)
2. Approve the Agreement for Purchase and Sale of a 21,328 square foot permanent easement from portions of APN: 496-220-16S and APN: 496-220-17S, owned by E. & J. Gallo Winery, a California Corporation for \$99,400 in compensation

**Sponsors:**

Public Works Department

- 1.-X. [ID 22-264](#) RESOLUTION - Authorizing the Submission of a Grant Application to the Fresno Council of Governments for the 2022 Measure C Transit Oriented Infrastructure for In-Fill Development Grant Program in the amount of \$450,000 for the Blackstone Avenue Smart Mobility Project; and Authorizing the Execution of Grant Application and Grant Agreement Documents by the Public Works Director or Designee (Council Districts 1, 3 and 7)
- Sponsors:** Public Works Department
- 1.-Y. [ID 22-267](#) RESOLUTION - Of Intention to Annex Final Tract Map No. 6187 as Annexation No. 131 to the CITY OF FRESNO COMMUNITY FACILITIES DISTRICT NO. 11 and to Authorize the Levy of Special Taxes; and setting the public hearing for Thursday, March 10, 2022, at 10:00 am (City Council Chambers, 2600 Fresno Street, Fresno, California, 93721) (Council District 3)
- Sponsors:** Public Works Department
- 1.-Z. [ID 22-308](#) RESOLUTION - Initiating a Text Amendment to Chapter 15, Article 27, Section 15-2761 of the Fresno Municipal Code relating to the sale of Tobacco.
- Sponsors:** Councilmember Arias
1. [ID 22-307](#) \*\*\*RESOLUTION - Directing the administration to present the processes to change Kings Canyon/Ventura Blvd to “Cesar Chavez Boulevard” and directing the formation of an resident, business owner and stakeholder committee to engage the public and receive input, recommendations (Subject to Mayor’s Veto).
- AA. **Sponsors:** Councilmember Chavez
1. [ID 22-315](#) \*\*\*RESOLUTION - Directing staff to perform the necessary meet and confer with labor unions related to declaring Cesar Chavez Day a holiday in the City of Fresno (Subject to Mayor’s Veto).
- BB. **Sponsors:** Council President Esparza

1. [ID 22-313](#) \*\*\*RESOLUTION - To Pursue the Formation of a Veterans Memorial District in the City of Fresno (Subject to Mayor's Veto).  
-CC.

**Sponsors:** Councilmember Chavez, Council President Esparza and Councilmember Arias

## **CONTESTED CONSENT CALENDAR**

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

#### **3. GENERAL ADMINISTRATION**

- 3.-A. [ID 22-219](#) WORKSHOP - Pavement Management Presentation

**Sponsors:** Public Works Department

- 3.-B. [ID 22-263](#) Actions related to Senate Bill 1383 - California's Short-Lived Climate Pollutant Reduction Strategy:
1. Adopt a finding of Categorical Exemption pursuant to Section 15308/Class 8 of the California Environmental Quality Act (CEQA) Guidelines
  2. \*\*\*BILL - (For introduction) Amending Chapter 6, Article 2 of the Fresno Municipal Code, relating to waste collection and disposal (Subject to Mayor's Veto)
  3. \*\*\*RESOLUTION - Authorizing submission to CalRecycle a Notification of Intent to Comply with the mandates of Senate Bill 1383 to achieve the organic waste reduction goals established in Section 39730.6 of the California Health and Safety Code (Subject to Mayor's Veto)
  4. \*\*\*RESOLUTION - Authorizing the submission of a grant application to CalRecycle through its SB 1383 Local Assistance Grant Program for one-time funding in the amount of \$718,149 to assist with the implementation of regulation requirements associated with Senate Bill 1383, and authorizing the Director of Public Utilities or designee to execute all application and grant agreement documents on behalf of the City of Fresno (Subject to Mayor's Veto)

**Sponsors:** Department of Public Utilities

**4. CITY COUNCIL****5. CLOSED SESSION**

- 5.-A. [ID 22-319](#) 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.-B. [ID 22-305](#) CONFERENCE WITH LEGAL COUNSEL - DECIDING  
WHETHER TO INITIATE LITIGATION Government Code  
Section 54956.9, subdivision (d)(4)  
Case Name: City of Fresno v. Siegfried Engineering, Inc.

**Sponsors:**

City Attorney's Office

- 5.-C. [ID 22-312](#) 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); 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)

**Sponsors:**

Personnel Services Department

**ADJOURNMENT****UPCOMING SCHEDULED COUNCIL HEARINGS AND MATTERS**

*March 10, 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. 131 (Final Tract Map No. 6187) (northeast corner of East Annadale Avenue and South Ivy Avenue) (Council District 3).*

*March 10, 2022*

*10:05 A.M. #1 - Proposed vacation of the most northerly corner cut-off at M Street and Inyo Street.*

*March 10, 2022*

*10:05 A.M. #2 - Proposed vacation of a portion of East Kaviland Avenue at South Rose Avenue.*

**UPCOMING EMPLOYEE CEREMONIES**

*April, 20, 2022 (Wednesday) - Employee of the Spring Quarter*

*July 20, 2022 (Wednesday) - Employee of the Summer Quarter*

*October 19, 2022 (Wednesday) - Employee of the Fall Quarter*

*April 27, 2022 - Employee Service Awards*

*November 16, 2022 -Employee Service Awards*

**2022 CITY COUNCIL MEETING SCHEDULE**

*FEBRUARY 24, 2022 - NO MEETING*

*MARCH 3, 2022 - NO MEETING*

*MARCH 10, 2022 - 9:00 A.M.*

*MARCH 17, 2022 - NO MEETING*

*MARCH 24, 2022 - 9:00 A.M.*

*MARCH 31, 2022 - NO MEETING*

*APRIL 7, 2022 - NO MEETING*

*APRIL 14, 2022 - NO MEETING*

*APRIL 21, 2022 - 9:00 A.M.*

*APRIL 28, 2022 - 9:00 A.M.*

*MAY 5, 2022 - NO MEETING*

*MAY 12, 2022 - 9:00 A.M.*

*MAY 19, 2022 - NO MEETING*

*MAY 26, 2022 - 9:00 A.M.*

*JUNE 2, 2022 - NO MEETING*

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

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

*JUNE 23, 2022 - 9:00 A.M.*

*JUNE 30, 2022 - 9:00 A.M.*

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