

City of Fresno

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



Meeting Agenda - Final

Thursday, March 10, 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 A. 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: March 10, 2022 9:00 AM Pacific Time (US and Canada)

Topic: March 10, 2022 Regular Meeting

a) Register in advance for this webinar:

https://zoom.us/webinar/register/WN_U7bT8f2_QmGtYcbsyQ6O2w

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.

9:0 A.M. ROLL CALL

Invocation by The Very Reverend Samuel Colley-Toothaker from St. James Episcopal Cathedral

Pledge of Allegiance to the Flag

APPROVE AGENDA

CEREMONIAL PRESENTATIONS

[ID 22-241](#) Proclamation for “International Sikh Women’s Day (March 7)”

Sponsors: Councilmember Soria

[ID 22-242](#) Proclamation Honoring Justin Garza Traditional Competition Cheer Team “Universal Cheerleaders Association National High School Cheerleading Championship”

Sponsors: Councilmember Soria

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 22-471](#) The attached public comments were submitted for the March 10, 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 22-306](#) Approval of the Minutes of the February 10, 2022 Regular City Council Meeting, the two February 16, 2022 Special City Council Meetings, the February 17, 2022 Special City Council Meeting, and the February 17, 2022 Regular City Council Meeting.

Sponsors: Office of the City Clerk

1.-B. [ID 22-63](#) Actions related to Amendment No. 14 to the Engineering and

Related Environmental Support Services Agreement with ERM-West, Inc.:

1. Affirm the City Manager's determination that ERM-West, Inc., is uniquely qualified to perform environmental and remedial services at Fresno Yosemite International Airport
2. Approve Amendment No. 14 to the Agreement between City of Fresno and ERM-West, Inc., to provide ongoing engineering, environmental and remedial actions concerning groundwater contamination at Fresno Yosemite International Airport for an amount not to exceed \$361,014, for a total contract amount of \$4,674,925 (Council District 4)

Sponsors:

Airports Department

1.-C. [ID 22-415](#)

Actions pertaining to entering into contracts for the demolition of dangerous structures:

1. Adopt a finding of a Statutory Exemption, per staff determination pursuant to Section 15269(c) of the CEQA Guidelines as this contract is for specific actions necessary to prevent or mitigate an emergency.
2. RESOLUTION - Declaring an urgent necessity for the preservation of life, health, and property and authorizing the City Attorney or designee to enter into and administer contracts for the demolition of dangerous structures, and the removal of hazardous materials. (Requires 5 votes)
3. Approve a requirements contract with David Knott Incorporated (DKI) for demolition services for a term of up to six months, with an amount not to exceed \$300,000.
4. Approve a requirements contract with JSA Inspections (JSA) for consultant and testing services for hazardous materials (i.e., lead and asbestos) for a term of up to six months, with an amount not to exceed \$100,000, and uphold the City Manager's determination that exigent circumstances exist to award without a RFP/RFQ process.
5. Approve a requirements contract with Centec Construction (Centec) for the removal of hazardous materials from the demolition site, for a term of up to six months, with an amount not to exceed \$250,000.
6. Approve authority for the City Attorney to sign the contracts.

Sponsors: City Attorney's Office

- 1.-D. [ID 22-340](#) Actions pertaining to a FY2019 five-year Requirements Contract awarded to Vincent Communications, of Fresno, for the purchase of radio equipment for Police Department vehicles:
1. Approve a one-time increase of \$170,346 to the Requirements Contract with Vincent Communications, Inc., of Fresno California, for a one-year total amount of \$347,403. This one-time increase is required due to the additional police vehicles approved for purchase utilizing American Rescue Plan Act funds. The FY2019 contract authorizes the purchase of a maximum of 70 units annually, whereas 121 units are needed in FY2022.
 2. Approve the purchase of 121 Kenwood radio sets for Police Department vehicles in the amount of \$347,403 (Bid File 9477).

Sponsors: Department of Transportation

- 1.-E. [ID 22-365](#) ***BILL No. 3 (Intro. 2/17/2022) (For Adoption) - Amending Chapter 6, Article 2 of the Fresno Municipal Code, relating to waste collection and disposal (Subject to Mayor's Veto).

Sponsors: Department of Public Utilities

- 1.-F. [ID 22-360](#) Approve the Requirements Contract with Core & Main LP to supply tapping sleeves and tapping gate valves for an annual amount of \$204,378.83 for one year, with the option of two one-year extensions (Bid File 9634)(Citywide).

Sponsors: Department of Public Utilities

- 1.-G. [ID 22-361](#) Award a consultant services agreement to SEAM Group, LLC in the amount not to exceed \$237,200, inclusive of a \$20,000 contingency, for providing an Occupational Safety and Health Administration compliant lockout-tagout program for equipment at the Fresno-Clovis Regional Wastewater Reclamation Facility (Council District 3).

Sponsors: Department of Public Utilities

1.-H. [ID 22-363](#) Reject the sole bid received for sewer main Access Structure Rehabilitation in Jensen Avenue from Fruit Avenue to Cherry Avenue (Bid File 3804) (Council District 3).

Sponsors:

Department of Public Utilities

1.-I. [ID 22-385](#) Actions pertaining to the replacement of pump and motor controllers in the Dewatering and Headworks Buildings at the Fresno-Clovis Regional Wastewater Reclamation Facility (Bid File 9602) (District 3):

1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines.
2. Award a construction contract to Telstar Instruments, in the amount of \$579,142.00.

Sponsors:

Department of Public Utilities

1.-J. [ID 22-362](#) ***RESOLUTION - Authorizing the Department of Public Utilities to apply for and participate in the California Water and Wastewater Arrearage Payment Program for wastewater arrearages funding (Subject to Mayor's Veto).

Sponsors:

Department of Public Utilities

1.-K. [ID 22-374](#) ***RESOLUTION: Adopt the 50th amendment to the Annual Appropriation Resolution (AAR) No. 2021-178 to appropriate \$500,000 for the new established Computer Replacement Fund in the Information Services Department. (Citywide) (Requires 5 Affirmative Votes) (Subject to Mayor's Veto).

Sponsors:

Information Services Department

1.-L. [ID 22-403](#) Approve the appointment of Jerry Zuniga to the Mobile Home Rent Review Stabilization Commission. Approve the appointment of Terry Metters and reappointments of Scott Miller and Edgar Blunt to the Fresno Regional Workforce Development Board. Approve the reappointment of Peggy Brisendine to the Consolidated Mosquito Abatement District.

Sponsors:

Office of Mayor & City Manager

- 1.-M. [ID 22-413](#) Approve a First Amendment to the Disposition and Development Agreement between Metro Hospitality Services, Inc., and City of Fresno to update the project's construction schedule for the Downtown Fresno Marriott Courtyard Hotel located at the northeast corner of Inyo and M Street (District 3)

Sponsors: Office of Mayor & City Manager

- 1.-N. [ID 22-384](#) ***RESOLUTION - Adopting the 48th Amendment to the Annual Appropriation Resolution (AAR) No. 2021-178 to appropriate \$1,995,000 for two park developments; \$1,265,000 for the Milburn and Dakota New Park Project (Council District 1) and \$730,000 for the Radio Park Renovation Project (Council District 7) (Requires 5 Affirmative Votes) (Subject to Mayor's Veto).

Sponsors: Parks, After School and Recreation and Community Services Department

- 1.-O. [ID 22-383](#) Actions pertaining to construction of 78 affordable multifamily apartments at 1538 E. Clinton Avenue in Central Fresno (District 7):

1. Adopt a finding of Categorical Exemption pursuant to Section 15332/Class 32 of the California Environmental Quality Act (CEQA) Guidelines
2. Approve an Owner Participation Agreement with 1538 E. Clinton Ave., L.P. for the construction of 78 units of affordable multi-family apartments

Sponsors: Planning and Development Department

- 1.-P. [ID 22-373](#) Award a Requirements Contract for Sexual Assault Kit Initiative Grant 2020 "Testing of Partially Tested Kits" in an amount not to exceed \$203,700 for three years with no extension options to Bode Cellmark Forensics, Bid File No. 9616.

Sponsors: Police Department

- 1.-Q. [ID 22-386](#) Actions pertaining to the 2021 Off-Highway Vehicle (OHV) Grant Program:
1. Authorize the Chief of Police to accept \$31,844 in grant funding for the 2021 Off-Highway Vehicle grant program awarded to the Fresno Police Department from the State of California Department of Parks and Recreation;
 2. Authorize the Chief of Police to execute the agreement and all related documents applicable to the 2021 OHV grant including amendments and extensions; and
 3. ***RESOLUTION - Adopt a Resolution authorizing approval of \$31,844 in grant funding from the State of California Department of Parks and Recreation for the Fresno Police Department's 2021 Off-Highway Vehicle grant (Subject to Mayor's Veto)
- Sponsors:** Police Department
- 1.-R. [ID 22-325](#) Approve a Purchase and Sale Agreement for a 3,032 square foot Permanent Easement and a 10,815 square foot Irrevocable Offer to Dedicate, from a portion of 3945 N. Polk Avenue (APN: 511-011-08), owned by Robert A. Knight and Pamela M. Knight to facilitate the Installation of the North Polk Avenue and West Ashlan Avenue Traffic Signal and the widening of North Polk Avenue and West Ashlan Avenue for \$335,000 in compensation (Council District 1).
- Sponsors:** Public Works Department
- 1.-S. [ID 22-341](#) Approve Second Amendment to Agreement with Jeff Katz Architecture adding \$50,700 for a total of \$559,700 for the Fire Station No. 18 project (Council District 1).
- Sponsors:** Public Works Department and Fire Department
- 1.-T. [ID 22-05](#) Approve a relinquishment agreement with the California Department of Transportation for a portion of the old State Route 41 Bridge at the San Joaquin River. (Council District 6)
- Sponsors:** Public Works Department

- 1.-U. [ID 22-381](#) Actions pertaining to the Sierra Avenue and West Avenue Traffic Signal Improvements Project- Bid File 3837 (Council District 2):
1. Adopt a finding of Categorical Exemption per staff determination pursuant to Section 15301/Class 1 of the California Environmental Quality Act (CEQA) Guidelines
 2. Award a construction contract in the amount of \$597,777 to Alfaro Communications Construction, Inc. of Compton, California
- Sponsors:** Public Works Department
- 1.-V. [ID 22-376](#) Actions pertaining to the Hughes Avenue and Shields Avenue Traffic Signal Improvements Project - Bid File 3840 (Council District 1):
1. Adopt a finding of Categorical Exemption per staff determination pursuant to Section 15301 of the California Environmental Quality Act (CEQA) Guidelines
 2. Award a construction contract in the amount of \$799,731.50 to American Paving Co. of Fresno, California
- Sponsors:** Public Works Department
- 1.-W. [ID 22-324](#) ***RESOLUTION - Authorizing Submission of a Grant Application to the United States Economic Development Administration (EDA) American Rescue Plan Act Build Back Better Regional Challenge for the Opportunity Walkway; and Authorizing the Execution of Grant Application and Grant Agreement Documents by the Public Works Director or Designee (Council District 3) (Subject to Mayor's Veto).
- Sponsors:** Public Works Department
- 1.-X. [ID 22-402](#) Actions pertaining to Resolution of Intention Number 1146-D to vacate the most northerly corner cut-off of M Street and Inyo Street (Council District 3):
1. Adopt a finding of Categorical Exemption per Environmental Assessment Number P21-04415 per staff determination, pursuant to Section 15301/Class 1 of the California Environmental Quality Act (CEQA) Guidelines
 2. RESOLUTION - Adopt the attached Resolution of Intention Number 1146-D to vacate the most northerly corner

cut-off of M street and Inyo Street

Sponsors:

Public Works Department

1.-Y. [ID 22-421](#)

Approve the appointments of Ken Elvington, Wyatt Meadows, and reappointments of Alysia Bonner, Delfino Neira, Sherry Neil, Chuck Riojas, Lenora Lacy Barnes, and Raine Bumatay as Joint City/County members to the Fresno Regional Workforce Development Board (FRWDB).

Sponsors:

Councilmember Bredefeld

1.-Z. [ID 22-410](#)

BILL (for introduction) - Amending Section 12-4.1603 of the Fresno Municipal Code, relating to fee waiver program for certain residential infill projects.

Sponsors:

Councilmember Arias

1. [ID 22-420](#)

-AA.

***RESOLUTION - Regarding nondisclosure agreements (Subject to Mayor's Veto).

Sponsors:

Councilmember Arias

1. [ID 22-423](#)

-BB.

RESOLUTION- Directing staff to prepare an agreement between the City of Fresno and San Joaquin Air Pollution Control District regarding notification and processing procedures for applications within the South Central Fresno Community as defined in the Central South Fresno CERP pursuant to AB 617

Sponsors:

Councilmember Arias

1. [ID 22-416](#)

-CC.

***RESOLUTION - Prioritizing certain infrastructure General Fund and ARPA Funded Projects (Subject to Mayor's Veto).

Sponsors:

Council President Esparza

1. [ID 22-389](#)

-DD.

***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

CONTESTED CONSENT CALENDAR**2. SCHEDULED COUNCIL HEARINGS AND MATTERS****10:05 A.M.**[ID 22-232](#)

HEARING to consider the vacation of a portion of East Kaviland Avenue at South Rose Avenue (Council District 3):

1. ***RESOLUTION - Ordering the vacation of a portion of East Kaviland Avenue at South Rose Avenue (Subject to Mayor's Veto)

Sponsors:

Public Works Department

3. GENERAL ADMINISTRATION3.-A. [ID 22-412](#)

Progress of Code Enforcement, including ASET Quarterly report.

Sponsors:

City Attorney's Office

4. CITY COUNCIL**5. CLOSED SESSION**5.-A. [ID 22-399](#)

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION Government Code Section 54956.9, subdivision (d)(1)
CMG Construction Management, Inc. v. City of Fresno, et al., Fresno Superior Court Case No. 22CECG00271

Sponsors:

City Attorney's Office

5.-B. [ID 22-400](#)

CONFERENCE WITH REAL PROPERTY NEGOTIATOR Government Code Section 54956.8
Property: UMC Campus; Negotiating Parties: City Manager, County of Fresno; Under Negotiations: Price and terms of sale.

Sponsors:

City Attorney's Office

5.-C. [ID 22-335](#)

CONFERENCE WITH REAL PROPERTY NEGOTIATOR Government Code Section 54956.8
Property: APN 468-400-54T
Negotiating Parties: City Manager White, Prosperous Terra,

LLC. (Ruelas, Inc.)

Under Negotiation: Price and terms of sale.

Sponsors:

Councilmember Arias

5.-D. [ID 22-411](#)

CONFERENCE WITH LEGAL COUNSEL - PUBLIC SECURITY - Government Code Section 54957(a)

Matters posing a threat to the security of public buildings, the security of essential public services, and to the public's right of access to public services and public facilities, and related actions pertaining to the Declaration by Governor Newsom of a State of Emergency to Help State Prepare for Broader Spread of COVID-19, and related local concerns.

Sponsors:

Office of Mayor & City Manager

5.-E. [ID 22-418](#)

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

Sponsors:

Office of Mayor & City Manager

5.-F. [ID 22-369](#)

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

Adjourning in the Memory of Major Nhia Long Vang

UPCOMING SCHEDULED COUNCIL HEARINGS AND MATTERS

March 24, 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).

April 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. 9, Annexation No. 55 (the Territory Known as Assessor's Parcel Number 330-021-40 (Parcel H of Parcel Map 96-22), Northpointe HAWK Traffic Signal) (South Northpointe Drive south of East Fortune Avenue) (Council District 3)

May 26, 2022

10:00 A.M. - Proposed vacation of a portion of the North Glenn Avenue - North Blackstone Avenue Alley, Between East Simpson Avenue and East Cornell 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

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)

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 - NO MEETING

DECEMBER 29, 2022 - NO MEETING