

# City of Fresno

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



## Meeting Agenda - Final-revised

Thursday, February 9, 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 CHAMBERS, LOCATED IN CITY HALL, 2ND FLOOR, 2600 FRESNO STREET, FRESNO, CALIFORNIA 93721.**

**You can 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.**

**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 comment on agenda items and those comments will become part of the official record. eComments will be available as soon as the agenda is published and will close 24 hours prior to the start of the meeting. 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 9, 2023, 9:00 AM Pacific Time (US and Canada)**

**Topic: February 9, 2023, Regular Meeting**

**a) Register in advance for this webinar:**

**[https://zoom.us/webinar/register/WN\\_xNGLaWlaSSWniq6wVCY-Qw](https://zoom.us/webinar/register/WN_xNGLaWlaSSWniq6wVCY-Qw)**

**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.

9:00 A.M. ROLL CALL

Invocation by Dr. Sigrid Horton, Assistant Minister from Our Saviour's Lutheran Church

Pledge of Allegiance to the Flag

## **APPROVE AGENDA**

### **CEREMONIAL PRESENTATIONS**

- |                                  |   |
|----------------------------------|---|
| <a href="#"><u>ID 23-265</u></a> | Proclamation for "Mid Valley - Recycler of The Year"                                      |
| <b><u>Sponsors:</u></b>          | Vice President Perea  |
| <a href="#"><u>ID 23-151</u></a> | Proclamation for "Heart Month"  |
| <b><u>Sponsors:</u></b>          | Council President Maxwell   |
| <a href="#"><u>ID 23-158</u></a> | Proclamation for "Teen Dating Violence Awareness Month."                                  |
| <b><u>Sponsors:</u></b>          | Council President Maxwell   |
| <a href="#"><u>ID 23-185</u></a> | Proclamation for "African American History Month: Black Resistance a Journey to Equality" |
| <b><u>Sponsors:</u></b>          | Councilmember Esparza   |
| <a href="#"><u>ID 23-160</u></a> | Announcement of Winter Employee of the Quarter (EOQ) Recipients                           |
| <b><u>Sponsors:</u></b>          | Office of the City Clerk  |

### **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 23-161](#) Approval of Minutes for January 19, 2023, Regular Meeting

**Sponsors:** Office of the City Clerk

- 1.-B. [ID 23-106](#) \*\*\*RESOLUTION - Adopting the 575th Amendment to the Master Fee Schedule Resolution No. 80-420 to Add, Adjust, Move, Revise or Delete Various Fees (Subject to Mayor's veto).

**Sponsors:** Budget and Management Studies Department

- 1.-C. [ID 23-228](#) Approve the appointment of Isaiah Green (Resident of District 4) to the Fresno Housing Authority for a term ending April 30, 2026.

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

- 1.-D. [ID 23-250](#) Approve the Second Amendment to the Animal Control Services Agreement between the City of Fresno and Fresno Humane Animal Services to allow the City to advance a second one-time payment of \$300,000 for a total of \$600,000 for future reimbursements (cash account.)

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

- 1.-E. [ID 23-219](#) Approve a consultant services agreement with RS&H California, Inc., to provide professional airport planning and environmental consulting services to prepare and implement an Air Traffic Control Tower Replacement Work Plan for Fresno Yosemite International Airport in the amount of \$362,585 (Council District 4)

**Sponsors:** Airports Department

- 1.-F. [ID 23-231](#) Approve a consultant services agreement with JSA Inspections & Consulting in an amount not to exceed \$200,000, to provide professional inspection, testing, and consultant services for potentially hazardous materials (lead-based paint and asbestos containing materials) as well as supervision of removal of hazardous materials for demolitions of dangerous structures conducted by Code Enforcement

**Sponsors:** City Attorney's Office

- 1.-G. [ID 23-111](#) Approve an award of \$1,500,0000 in American Rescue Plan Act (ARPA) funding to the Fresno Area Hispanic Foundation (FAHF) and authorize City Manager or designee to negotiate

and sign an agreement for services.

**Sponsors:**

Economic Development Department

1.-H. [ID 23-241](#)

Actions pertaining to the agreement with the Economic Development Corporation serving Fresno County (EDC) to assist in implementing and administering local economic development business attraction, expansion and retention activities:

1. Affirm the City Manager's finding that EDC is uniquely qualified and the sole source provider of these services; and
2. Approve a Consultant Services Agreement with the EDC for a period of one (1) year in the amount of \$150,000; and
3. Authorize the City Manager, or their designee, the authority to execute the contract and grant up to two (2) optional one-year extensions.

**Sponsors:**

Economic Development Department and Office of Mayor & City Manager

1.-I. [ID 23-155](#)

\*\*\*RESOLUTION - Authorize the acceptance of 2021 Staffing for Adequate Fire and Emergency Response (SAFER) grant award for \$7,246,600 from the Federal Emergency Management Agency (FEMA) and authorize the Fire Chief to complete all required documents (Subject to Mayor's Veto)

**Sponsors:**

Fire Department

1.-J. [ID 23-224](#)

Approve an increase to the Requirements Contract with American Guard to provide Security Services at the Municipal Service Center, City Hall, and various other city locations in the amount of \$500,000 plus annual CPI increases. The total revised contract shall not exceed \$7,366,088.38 plus annual CPI adjustments without Council approval. (Bid File 9494)

**Sponsors:**

General Services Department

1.-K. [ID 23-49](#)

Approve Consultant Services Agreement with Byrne Software Technologies, Inc. (Byrne) in an amount not to exceed \$70,000 for Cannabis Module Implementation Services.

**Sponsors:**

Information Services Department

- 1.-L. [ID 23-50](#) Approve Project Change Request to the agreement with Tyler Technologies for implementation and hosting of Financials, Human Capital Management and Utility Billing software. No additional funding is requested.
- Sponsors:** Information Services Department
- 1.-M. [ID 23-226](#) Approve a cooperative purchase agreement with DLT Solutions using a Maricopa County, AZ contract through OMNIA Partners for support services for Oracle databases in the amount of \$368,176.56.
- Sponsors:** Information Services Department
- 1.-N. [ID 23-91](#) Approve resolution establishing a Community Benefits Fund (CBF) and expenditure plan to fund mitigation improvements required in the settlement agreement with the South Fresno Community Alliance (SFCA) and Leadership Counsel for Justice and Accountability (LCJA).
- Sponsors:** Planning and Development Department
- 1.-O. [ID 23-154](#) RESOLUTION - Approving the Final Map of Tract No. 5388, and accepting dedicated public uses offered therein except for dedications offered subject to City acceptance of developer installed required improvements - located at the intersection of North Salinas Avenue and West San Jose Avenue (Council District 2)
- Sponsors:** Public Works Department
- 1.-P. [ID 23-195](#) RESOLUTION - Of Intention to Annex Final Tract Map No. 6299 as Annexation No. 137 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 30, 2023 at 10:00 am (southeast corner of East Belmont Avenue and North Armstrong Avenue) (Council District 5)
- Sponsors:** Public Works Department
- 1.-Q. [ID 23-196](#) RESOLUTION - Of Intention to Annex Final Tract Map No. 6299 as Annexation No. LS003 to the City of Fresno Community Facilities District No. 17 and to Authorize the Levy of Special Taxes; and setting the public hearing for

Thursday, March 30, 2023 at 10:05 am (southeast corner of East Belmont Avenue and North Armstrong Avenue)  
(Council District 5)

**Sponsors:**

Public Works Department

1.-R. [ID 23-197](#)

Approve the Second Amendment to the Consultant Services Agreement with UltraSystems Environmental Inc., of Irvine, California in the amount of \$32,716, for a total increased contract amount of \$146,269, for professional environmental services and preparation of technical memos for the McKinley Avenue Widening Project between Marks Avenue and Hughes Avenue (Council District 3)

**Sponsors:**

Public Works Department

1.-S. [ID 23-213](#)

\*\*\*RESOLUTION - Authorizing submission of a 2022 Urban Community Drought Relief Grant Program application to the California Department of Water Resources for the Expanded Lawn to Garden Water Conservation Rebate Program, and authorizing the Director of Public Utilities or designee to accept grant funds and execute all application and grant agreement documents on behalf of the City of Fresno (Citywide) (Subject to Mayor's Veto)

**Sponsors:**

Department of Public Utilities

1.-T. [ID 23-215](#)

Actions pertaining to the submission of grant applications for the Environmental Protection Agency (EPA) Grant Program:

1. \*\*\*RESOLUTION - Authorizing the submission of a Consumer Recycling Education and Outreach Grant Program application to the EPA for the development and execution of an education and outreach plan and authorizing the Director of Public Utilities or designee to accept grant funds and execute all application and grant agreement documents on behalf of the City of Fresno (Citywide) (Subject to Mayor's Veto)

2. \*\*\*RESOLUTION - Authorizing the submission of a Solid Waste Infrastructure for Recycling Grant Program application to the EPA for the purpose of purchasing side loader collection trucks and cameras, and authorizing the Director of Public Utilities or designee to accept grant funds and execute all application and grant agreement documents on behalf of the City of Fresno (Citywide) (Subject to Mayor's



Veto)

**Sponsors:**

Department of Public Utilities

1.-U. [ID 23-227](#)

Approve the Third Amendment to the consultant services agreement with Carollo Engineers, Inc., to extend the term of the contract from January 31, 2023, to December 31, 2023, for professional engineering services during construction for the Fresno-Clovis Regional Wastewater Reclamation Facility Waste Gas Flare Improvement Project (Council District 3)

**Sponsors:**

Department of Public Utilities

1.-V. [ID 23-264](#)

Approve the reappointment of Edward Saliba to the Fresno-Madera Area Agency on Aging Board for a term ending January 2, 2024.

**Sponsors:**

Councilmember Karbassi

1.-W. [ID 23-102](#)

Approve the reappointment of Steven Bradley to the Bicycle and Pedestrian Advisory Committee (BPAC) for a term ending February 9, 2026

**Sponsors:**

Councilmember Bredefeld

1.-X. [ID 23-136](#)

Approve the appointment of Vivian Del Toro to the Friends of Fancher Creek Committee to a term which serves at the pleasure of the Councilmember.

**Sponsors:**

Councilmember Chavez

1.-Y. [ID 23-242](#)

Approve the appointment of Bryan Bird to the Bicycle and Pedestrian Advisory Committee (BPAC) for a term ending February 9, 2026.

**Sponsors:**

Councilmember Esparza

1.-Z. [ID 23-223](#)

\*\*\*Resolution authorizing the dissolution of certain Council created Committees (Subject to Mayor's Veto)

**Sponsors:**

Council President Maxwell

1. [ID 23-157](#)  
-AA.

RESOLUTION - Amending Rule 2 of the Council Rules of Procedure Relating to the Election of Council President and Vice President

**Sponsors:**

Council President Maxwell

1. [ID 23-247](#)

-BB.

BILL (For Introduction) Ordinance to prohibit the unlawful possession of catalytic converters (Citywide)

**Sponsors:**

Council President Maxwell

1. [ID 23-280](#)

-CC.

Actions pertaining to the summary vacation of access right restrictions on a portion of the northwest corner of East Copper Avenue and North Maple Avenue (Council District 6):

1. Adopt a finding of Categorical Exemption per Environmental Assessment Number PW12771 per staff determination, pursuant to Section 15301, Class 1 (b, c) Existing Facilities of the California Environmental Quality Act (CEQA) Guidelines
2. \*\*\*RESOLUTION - Ordering the summary vacation of access right restrictions on a portion of the northwest corner of East Copper Avenue and North Maple Avenue (Subject to Mayor's Veto)

**Sponsors:**

Public Works Department

**CONTESTED CONSENT CALENDAR****2. SCHEDULED COUNCIL HEARINGS AND MATTERS****10:00 A.M.**[ID 23-112](#)

Appearance by Kevin Tolman to discuss introduction of business, number of employees, and what the business does (District 4 Resident)

**Sponsors:**

Office of the City Clerk

**10:01 A.M.**[ID 23-140](#)

Appearance by Cody Laursen to discuss the introduction of a company that operates an HP Jet Fusion 5200 industrial-grade printer between Fresno and San Diego (District 4 Resident)

**Sponsors:**

Office of the City Clerk

**10:02 A.M.**[ID 23-147](#)

Appearance by Brian Calhoun to discuss status of traffic and pedestrian safety improvements for W. Audubon Drive

(District 2 Resident)  
**Sponsors:** Office of the City Clerk

**10:03 A.M.**

[ID 23-221](#) Appearance by Mary Padilla to discuss renewing morals and values (District 2 Resident)  
**Sponsors:** Office of the City Clerk

**3. GENERAL ADMINISTRATION**

3.-A. [ID 23-243](#) WORKSHOP - Pavement Management Presentation  
**Sponsors:** Public Works Department

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

5.-A. [ID 23-119](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION  
Government Code Section 54956.9, subdivision (d)(1)  
  
Case Name: Thomas Pedro Flores v. City of Fresno, et al.  
Fresno Superior Court Case No. 19CECG00219  
**Sponsors:** City Attorney's Office

5.-B. [ID 23-220](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION  
Government Code Section 54956.9, subdivision (d)(1)  
  
Case Name: La-Kebbia Wilson, et al. v. City of Fresno, et al.;  
Eastern District Court Case No. 1:19-cv-01658  
**Sponsors:** City Attorney's Office

- 5.-C. [ID 23-168](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION Government Code Section 54956.9, subdivision (d)(1) Terance Frazier, et al. v. City of Fresno, et al.; United States District Court Case No.: 1:20-CV-01069

**Sponsors:** City Attorney's Office

- 5.-D. [ID 23-169](#) CONFERENCE WITH LEGAL COUNSEL- POTENTIAL EXPOSURE TO LITIGATION: Government Code Section 54956.9(d)(2): Central Valley NMTC Fund, LLC., v. City of Fresno

**Sponsors:** City Attorney's Office

- 5.-E. [ID 23-253](#) 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)

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

## **ADJOURNMENT**

### **UPCOMING SCHEDULED COUNCIL HEARINGS AND MATTERS**

*FEBRUARY 23, 2023*

*10:00 A.M. - HEARING for City of Fresno Community Facilities District No. 11  
(southwest corner of East Clinton Avenue and North Armstrong Avenue (District 7))*

MARCH 30, 2023

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. 137 (Final Tract Map No. 6299) (located at the southeast corner of East Belmont Avenue and North Armstrong Avenue) (Council District 5)

MARCH 30, 2023

10:05 A.M. - HEARING – To adopt Resolutions and Ordinance to annex territory and levy a special tax regarding City of Fresno Community Facilities District No. 17, Annexation LS003 (Final Tract Map No. 6299) (located at southeast corner of East Belmont Avenue and North Armstrong Avenue) (Council District 5)

MARCH 30, 2023

10:10 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. 139 (Parc West) (located at northwest corner of West Ashlan Avenue and North Grantland Avenue) (Council District 1)

MARCH 30, 2023

10:15 A.M. - Proposed vacation of a portion of a 16 foot-wide alley adjacent and south of Lot 1 and a portion of Lot 2 of Waller Track.

#### **UPCOMING EMPLOYEE CEREMONIES**

April 19, 2023 (Wednesday) - Employee of the Spring Quarter

April 26, 2023 (Wednesday) - Employee Service Awards

July 19, 2023 (Wednesday) - Employee of the Summer Quarter

October 18, 2023 (Wednesday) - Employee of the Fall Quarter

November 15, 2023 (Wednesday) - Employee Service Awards

#### **2023 CITY COUNCIL MEETING SCHEDULE**

FEBRUARY 16, 2023 - NO MEETING

FEBRUARY 23, 2023 - 9:00 A.M.

MARCH 02, 2023 - NO MEETING

MARCH 09, 2023 - 9:00 A.M.

MARCH 16, 2023 - NO MEETING

MARCH 23, 2023 - NO MEETING

MARCH 30, 2023 - 9:00 A.M.

*APRIL 06, 2023 - NO MEETING*

*APRIL 13, 2023 - NO MEETING*

*APRIL 20, 2023 - 9:00 A.M.*

*APRIL 27, 2023 - 9:00 A.M.*