

City of Fresno

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



Meeting Agenda - Final-revised

Thursday, March 21, 2024

9:00 AM

Regular Meeting

Council Chambers (In Person and/or Electronic)

<https://www.fresno.gov/council-meeting>

City Council

President - Annalisa Perea

Vice President - Mike Karbassi

Councilmembers:

Miguel Angel Arias, Tyler Maxwell, 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://www.fresno.gov/council-meeting>

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
- 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. 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.

GOVERNMENT CODE 84308 CONTRIBUTION PROHIBITIONS AND MANDATORY DISCLOSURES - The Political Reform Act of 1974 (Act) restricts campaign contributions over \$250 from a party to or participant in a proceeding involving a license, permit, contract, or entitlement for use before the City. The Act requires disclosure of the contribution and creates a conflict where a decisionmaker has received \$250 or more from a party or participant to a proceeding in the prior 12 months. A decisionmaker must disclose on the record during the proceeding that they have received contributions from a party, participant, or agent of a party or participant, greater than \$250 within the preceding 12 months and the name(s) of the contributor(s). (See 2 CCR 18438.8(a).) Parties and participants to a proceeding are required to disclose on the record if they made contributions over \$250 within the prior 12 months, and are prohibited from making contributions to a decisionmaker during the proceeding and for 12 months after the date a final decision is rendered on the proceeding. Violations of these provisions are punishable as a misdemeanor.

9:00 A.M. ROLL CALL

Invocation by Padre Nelson Serrano from St. James Episcopal Cathedral

Pledge of Allegiance to the Flag

APPROVE AGENDA

CEREMONIAL PRESENTATIONS

[ID 24-353](#) Proclamation for Fresno Elite Trypticon and Bombshell Cheer Champions

Sponsors: Council President Perea and Office of Mayor & City Manager

[ID 24-238](#) Proclamation for Special Olympics Northern California, Fresno Polar Plunge

Sponsors: Council President Perea

[ID 24-402](#) Fresno Animal Center presents "Pet of the Month"

Sponsors: Animal Center Department

COUNCILMEMBER REPORTS AND COMMENTS

MAYOR/MANAGER REPORTS AND COMMENTS

CITY CLERK AND CITY ATTORNEY REPORTS AND COMMENTS

1. SCHEDULED COUNCIL HEARINGS AND MATTERS

9:10 A.M.

[ID 24-393](#) Appearance by Pete Lugo & Juana Iris Meza to discuss the petition for a request for public workshop on the affordable housing component of the One Fresno Housing Plan (District 5 Resident)

Sponsors: Office of the City Clerk

9:15 A.M.[ID 24-355](#)

Hearing to consider Conditional Use Permit Application No. P23-00835, Planned Development Permit Application No. P23-02080, and related Environmental Assessment; regarding a phased, multi-tenant commercial community development project with Starbucks Café and drive-through located on approximately ± 2.98 acres of property located on the southwest corner of the intersection of South Martin Luther King Boulevard and East Church Avenue. (Council District 3) - Planning & Development Department.

1. ADOPT Environmental Assessment No. P23-00835/P23-02080 dated January 3, 2024, an Addendum to the Southwest Fresno Specific Plan Final Program EIR (the "Program EIR"), prepared in accordance with Section 15164 of the California Environmental Quality Act (CEQA) Guidelines.

2. DENY the appeal submitted by Councilmember Arias on January 17, 2024, and UPHOLD the action of the Planning and Development Department Director approving Conditional Use Permit Application No. P23-00835 and Planned Development Permit Application No. P23-02080 authorizing the construction of a ± 5,781 square foot multi-tenant shell building with Starbucks Café with drive-thru; and full development of the site with associated parking lot, landscaping, trash enclosures, and pad for a future building to be entitled under separate permit.

Sponsors:

Planning and Development Department

9:20 A.M.[ID 24-326](#)

HEARING to consider Rezone Application No. P23-03475, Development Permit Application No. P23-00186, and related Environmental Assessment No. P23-03475/P23-00186, pertaining to approximately 1.96 acres of property located on the north side of East Gettysburg Avenue between North First and North Second Streets (Council District 4) - Planning and Development Department.

1. ADOPT - Mitigated Negative Declaration as prepared for Environmental Assessment No. P23-03475/P23-00186, dated January 26, 2024, for the proposed project pursuant to California Environmental Quality Act (CEQA); and,
2. BILL - (for Introduction and Adoption) Amending the Official Zoning Map of the City of Fresno to rezone the subject property from the O/cz (Office/conditions of zoning) zone district to the O (Office) zone district in order to remove conditions of zoning pursuant to Article 58, Chapter 15 of the Fresno Municipal Code; and,
3. APPROVE - Development Permit Application No. P23-00186, requesting authorization to construct an approximately 11,360 square foot medical office (clinic) building and one pad for a future 5,010 square foot future medical office (clinic) building on the subject property.

Sponsors:

Planning and Development Department

9:25 A.M.**[ID 24-359](#)**

HEARING to receive public comment on the 2023 Housing Element and General Plan Annual Progress Reports

Sponsors:

Planning and Development Department

2. CONSENT CALENDAR**2.-A. [ID 24-394](#)**

Approval of the minutes for March 7, 2024, regular meeting and approval of the minutes for March 7, 2024, special meeting

Sponsors:

Office of the City Clerk

2.-B. [ID 24-375](#)

Actions pertaining to the Litigation Unit in the City Attorney's Office:

1. ***RESOLUTION - Adopt the 7th Amendment to the Position Authorization Resolution ("PAR") No. 2023-184, adding one full-time Paralegal position in the City Attorney's Office (Subject to Mayor's Veto).

Sponsors:

City Attorney's Office

- 2.-C. [ID 24-379](#) Approve the appointment of Reynaldo Villarreal to the Disability Advisory Commission to a term ending June 30, 2024. Approve the reappointment of David Criner to the Planning Commission to a term ending June 30, 2027.

Sponsors: Office of Mayor & City Manager

- 2.-D. [ID 24-389](#) Actions pertaining to the First Amendment to the Consultant Services Agreement with HdL Companies for Sales and Use Tax auditing, Information services, Quarterly sales tax reporting and Revenue projection analysis (Forecasting) and auditing sales tax records:

1. Approve the First Amendment to the Consultant Services Agreement with HdL Companies for Sales and Use Tax auditing, Information services, Quarterly sales tax reporting and Revenue projection analysis (Forecasting) and auditing sales tax records;

2. Authorize the City Manager, or designee, to sign the First Amendment to the Consultant Services Agreement with HdL Companies on behalf of the City.

Sponsors: Budget and Management Studies Department

- 2.-E. [ID 24-328](#) ***RESOLUTION - Adopting the 578th Amendment to the Master Fee Schedule Resolution No. 80-420 to revise the Fireworks Administrative Citation Fees in Compliance with FMC 10-55602.11 (Subject to Mayor's Veto)

Sponsors: Fire Department

- 2.-F. [ID 24-264](#) Authorize the Fire Chief to enter into a five-year instructional services reimbursement agreement with Fresno City College to collect state monetary reimbursement for City instructional training costs

Sponsors: Fire Department

- 2.-G. [ID 24-383](#) Actions pertaining to American Rescue Plan Act (ARPA) funding:
1. Approve an agreement with Fresno Police Neighborhood Watch (FPNW) allocating \$100,000 in ARPA funding for operational costs to enhance capacity, training and general

operations for the Neighborhood Watch program.

Sponsors:

Finance Department

2.-H. [ID 24-324](#)

Approve the award of a citywide requirements contract to Pacific Storage Company of Fresno, California for two years with three optional one-year extensions for document storage and shredding services in an amount not to exceed \$125,000 per year plus annual CPI increases (Bid File 9668)

Sponsors:

General Services Department

2.-I. [ID 24-281](#)

Reject all proposals received for a citywide requirements contract for elevator maintenance and repair services at various City locations (Bid File 9618)

Sponsors:

General Services Department

2.-J. [ID 24-347](#)

Approve a Consultant Services Agreement with Yao Engineering, Inc. of Pasadena, California, for the design of Fresno-Clovis Regional Wastewater Reclamation Facility Duct Bank at Primary Sludge Pump Station #1 in the amount of \$59,135, with a \$15,000 contingency (Council District 3)

Sponsors:

Capital Projects Department and Department of Public Utilities

2.-K. [ID 24-365](#)

Actions pertaining to the Roof Membrane Replacement at the Fresno-Clovis Regional Wastewater Reclamation Facility Warehouse and Maintenance Building and Digester-13 Heating and Mixing Building (Bid File 12401198) (Council District 3):

1. Adopt a finding of Categorical Exemption pursuant to Sections 15301/Class 1 and 15302/Class 2 of the California Environmental Quality Act (CEQA) Guidelines,
2. Award a construction contract to Nations Roof West, LLC, of Fresno, California, in the amount of \$324,889.

Sponsors:

Capital Projects Department and Department of Public Utilities

- 2.-L. [ID 24-270](#) Approve a consultant services agreement with Pcubed Associates Inc. of Buena Park, California, for the design of the Replacement of One Makeup Air Unit and Two Air Handling Units in the Headworks Building at the Fresno-Clovis Regional Wastewater Reclamation Facility in the amount of \$128,195, with a \$15,000 contingency. (Council District 3)
- Sponsors:** Capital Projects Department and Department of Public Utilities
- 2.-M. [ID 24-345](#) RESOLUTION - A Resolution of the Council of the City of Fresno, California granting authority to the City Manager or designee to execute Uniform Relocation Act Rental Assistance Program packages for the tenants being relocated as a result of the Blackstone McKinley BNSF Grade Separation Project. (Council Districts 1 and 7)
- Sponsors:** Capital Projects Department and Public Works Department
- 2.-N. [ID 24-354](#) Approve the Agreement for Purchase and Sale of Real Property and Escrow Instructions to acquire fee interest from a portion of Assessor's Parcel Number 477-040-58 for a total cost of \$32,000 for the Southwest Fresno Trail Project. (Council District 3)
- Sponsors:** Capital Projects Department and Public Works Department
- 2.-O. [ID 24-369](#) Approve the Second Amendment to the Professional Engineering Services Agreement with Community Works Design Group of Riverside, California, in the amount of \$21,860, increasing the total contract amount to \$761,500, with a remaining contingency of \$50, due to an increased scope of services for the Dolores Huerta Park (formerly Milburn and Dakota Park) Project. (Council District 1)
- Sponsors:** Capital Projects Department, Parks, After School and Recreation and Community Services Department
- 2.-P. [ID 24-331](#) RESOLUTION - Of Intention to Annex the Territory Known as Assessor's Parcel Number 329-090-19 as Annexation Number 57 to the City of Fresno Community Facilities District Number 9 and to Authorize the Levy of Special Taxes; and

setting the Public Hearing for Thursday, May 2, 2024, at 9:30 am (Southwest corner of East North Avenue and South East Avenue) (Council District 3)

Sponsors:

Public Works Department

2.-Q. [ID 24-306](#)

Approve the Second Amendment to the Consultant Services Agreement with Dudek extending the consultants performance period by three months to June 30, 2024, to continue professional services related to the development of the Urban Forest Management Plan. (Citywide)

Sponsors:

Public Works Department

2.-R. [ID 24-360](#)

RESOLUTION - Of Intention to Annex Final Parcel Map Number 2004-36 as Annexation Number 59 to the City of Fresno Community Facilities District Number 9 and to Authorize the Levy of Special Taxes; and setting the Public Hearing for Thursday, April 18, 2024, at 10:00 am (East Belmont Avenue and North Laverne Avenue). (Council District 5)

Sponsors:

Public Works Department

2.-S. [ID 24-401](#)

Approve the Second Amendment to the Plan Review and Construction Management Services Agreement, to extend the term of the agreement by three months from March 31, 2024 to June 30, 2024, with Tutor Perini/Zachry/Parsons, a Joint Venture. (Council Districts 1, 2 and 3)

Sponsors:

Public Works Department

2.-T. [ID 24-346](#)

Approve a consultant services agreement with Partners in Control Inc., dba Enterprise Automation, for a total amount not to exceed \$450,000 to provide on-call Supervisory Control and Data Acquisition support services for a three-year period. (Bid File 12401128) (Citywide)

Sponsors:

Department of Public Utilities

2.-U. [ID 24-378](#)

***RESOLUTION - Adopt the 43rd Amendment to the Annual Appropriation Resolution No. 2023-185 appropriating \$50,000 for the Department of Resources Recycling and Recovery 2023-2024 Household Hazardous Waste

Discretionary Grant Agreement in the Solid Waste Management Division of Public Utilities. (Requires 5 Affirmative Votes) (Subject to Mayor's Veto) (Citywide)

Sponsors:

Department of Public Utilities

2.-V. [ID 24-386](#)

Actions pertaining to an Extraterritorial Service and Offsite Infrastructure Agreement between Sandra R. Deazevedo and David M. Lantis and the City of Fresno (City of Fresno Sphere of Influence and County of Fresno):

1. Adopt a finding of Categorical Exemption pursuant to California Environmental Quality Act Guidelines section 15301(c)/Class 1,
2. Approve an Extraterritorial Service and Offsite Infrastructure Agreement between Sandra R. Deazevedo and David M. Lantis and the City of Fresno.

Sponsors:

Department of Public Utilities

2.-W. [ID 24-371](#)

Actions pertaining to the Supplemental Law Enforcement Services Account (SLESA) Grant program and Acquisition of new Military Equipment as required by Government Code sections 7070-7075:

1. ***RESOLUTION - Adopt the 47th Amendment to the Annual Appropriations Resolution (AAR) No. 2023-185 appropriating \$1,400,000 in the Supplemental Law Enforcement Services Account (SLESA) to continue supporting front line law enforcement operations in FY 2024 (Requires 5 Affirmative Votes)(Subject to Mayor's Veto)
2. Approve the acquisition of several new pieces of military equipment as required by Government Code sections 7070-7075 in an amount not to exceed \$279,000, to enhance the safety of officers and the community and authorize the Chief of Police or designee to execute all related and necessary documents.

Sponsors:

Police Department

2.-X. [ID 24-384](#)

***BILL B-4 (Intro'd March 7, 2024)(For Adoption) - Amending Section 4304 of Chapter 15 of the Fresno Municipal Code relating to the language of the required findings for approval of tentative map amendments from "and" to "or." (Subject to

Mayor's Veto)

Sponsors:

Planning and Development Department

2.-Y. [ID 24-267](#)

Approve a one year agreement with Computer Sciences Corporation (CSC) for the renewal of Assure Claims, MEASA (formerly known as RiskMaster) in the amount of \$27,698 for licensing and support services.

Sponsors:

Personnel Services Department and Information Services Department

2.-Z. [ID 24-406](#)

BILL (for introduction) - Adding Article 6 to Chapter 1 of the Fresno Municipal Code, Relating to City Attorney Subpoena Power

Sponsors:

Council President Perea and City Attorney's Office

2. [ID 24-363](#)

-AA.

Approve the Appointment of Edna Pedroza to the Active Transportation Advisory Committee (ATAC) for a three year term ending March 21, 2027.

Sponsors:

Councilmember Esparza

2. [ID 24-416](#)

-BB.

***Resolution - Declaring Outdoor Warming Fires to be a Health and Safety Hazard and a Public Nuisance and Direct the City Manager to Cause Them to be Extinguished (Subject to Mayor's Veto).

Sponsors:

Councilmember Arias

CONTESTED CONSENT CALENDAR

3. GENERAL ADMINISTRATION

3.-A. [ID 24-373](#)

WORKSHOP - 5-Year Budget Forecast

Sponsors:

Budget and Management Studies Department

3.-B. [ID 24-295](#)

WORKSHOP - Comprehensive Economic Development Strategy

Sponsors:

Economic Development Department

UNSCHEDULED COMMUNICATION

PLEASE NOTE: UNSCHEDULED COMMUNICATION IS NOT SCHEDULED FOR A SPECIFIC TIME AND MAY BE HEARD ANY TIME DURING THE MEETING

4. CITY COUNCIL

5. CLOSED SESSION

- 5.-A. [ID 24-388](#) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Government Code Section 54956.9, subdivision (d)(2): 1 potential case

Sponsors:

City Attorney's Office

- 5.-B. [ID 24-403](#) PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Government Code Section 54957(b): consider the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee.

Title: City Attorney

Sponsors:

Council President Perea

ADJOURNMENT

UPCOMING SCHEDULED COUNCIL HEARINGS AND MATTERS

APRIL 18, 2024

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 Number 9, Annexation Number 59 (Parcel Map Number 2004-36) (East Belmont Avenue and North Laverne Avenue) (Council District 5)

MAY 2, 2024

9:30 A.M. - HEARING to adopt Resolutions and Ordinance to Annex Territory and Levy a Special Tax regarding City of Fresno Community Facilities District Number 9, Annexation Number 57 (territory known as Assessor's Parcel Number 329-090-19) (Southwest corner of East North Avenue and South East Avenue) (Council District 3)

UPCOMING EMPLOYEE CEREMONIES

EMPLOYEE OF THE QUARTER - 10:00 A.M.

- *April 3, 2024 (Wednesday) - Employee of the Spring Quarter*
- *July 17, 2024 (Wednesday) - Employee of the Summer Quarter*
- *October 16, 2024 (Wednesday) - Employee of the Fall Quarter*

EMPLOYEE SERVICE AWARDS

- *April 25, 2024 (Wednesday) - Employee Service Awards - 10:30 A.M.*
- *November 20, 2024 (Wednesday) - Employee Service Awards - 10:00 A.M.*

2024 CITY COUNCIL MEETING SCHEDULE

April 4, 2024 - 9:00 A.M.

April 18, 2024 - 9:00 A.M.

May 2, 2024 - 9:00 A.M.

May 16, 2024 - 9:00 A.M. (Special Meeting - Mayor's Budget Presentation)

May 23, 2024 - 9:00 A.M.

June 3, 2024 - 9:00 A.M. (Budget Hearings)

June 4, 2024 - 9:00 A.M. (Budget Hearings)

June 5, 2024 - 9:00 A.M. (Budget Hearings)

June 6, 2024 - 9:00 A.M.

June 12, 2024 - 9:00 A.M. (Budget Hearings -Budget Motions)

June 13, 2024 - 9:00 A.M.

June 20, 2024 - 9:00 A.M.

June 27, 2024 - 9:00 A.M.