

City of Fresno

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



Meeting Agenda - Final

Thursday, January 30, 2020

9:00 AM

Regular Meeting

Council Chambers

City Council

President - Miguel Angel Arias

Vice President - Paul Caprioglio

Councilmembers:

*Esmeralda Z. Soria, Mike Karbassi, Luis Chavez, Garry Bredefeld, Nelson
Esparza*

City Manager - Wilma Quan

City Attorney - Douglas T. Sloan

City Clerk - Yvonne Spence, MMC

The Fresno City Council welcomes you to City Council Chambers, located in City Hall, 2nd Floor, 2600 Fresno Street, Fresno, California 93721.

The City of Fresno's goal is to comply with the Americans with Disabilities Act (ADA) in all respects. The meeting room is physically accessible. If, as an attendee or participant at the meeting, you need additional accommodations such as interpreters, signers, assistive listening devices, 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 48 hours prior to the meeting. The agenda and related staff reports are available at www.fresno.gov, as well as in the Office of the City Clerk.

The Council meeting can be viewed live on Comcast Channel 96 and AT&T Channel 99 from 9:00 a.m. and is re-played beginning at 8:00 p.m.. The meeting can also be viewed online at <https://fresno.legistar.com>.

PROCESS: For each matter considered by the Council there will first be a staff presentation followed by a presentation from the involved individuals, if present. Testimony from those in attendance will then be taken. All testimony will be limited to three minutes per person. If you would like to speak fill out a Speaker Request Form available from the City Clerk's Office and in the Council Chambers. The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker.

The green light on the podium will be turned on when the speaker begins. The yellow light will come on with one minute remaining. The speaker should be completing the testimony by the time the red light comes on and tones sound, indicating that time has expired. A countdown of time remaining to speak is also displayed on the large screen behind the Council dais.

No documents shall be accepted for Council review unless they are submitted to the City Clerk at least 24 hours prior to the Council Agenda item being heard.

Following is a general schedule of items for Council consideration and action. The City Council may consider and act on an agenda item in any order it deems appropriate. Actual timed items may be heard later but not before the time set on agenda. Persons interested in an item listed on the agenda are advised to be present throughout the meeting to ensure their presence when the item is called.

AGENDA ITEMS MARKED WITH AN ASTERISK (*) ARE SUBJECT TO MAYORAL VETO OR RECONSIDERATION**

El Consejo de la Ciudad de Fresno da la bienvenida al City Council Chambers, ubicado en la Alcaldía (City Hall), segundo piso, 2600 Fresno Street, Fresno, California 93721.

El objetivo de la Ciudad de Fresno es cumplir con la Ley de Americanos con Discapacidades (ADA) en todo aspecto. La sala para juntas es físicamente accesible. Si usted, como asistente o participante de la junta, necesita acomodaciones adicionales como intérpretes, lenguaje de señas, aparatos auditivos, o los servicios de un traductor, por favor comuníquese con la Oficina del Secretario Municipal llamando al (559) 621-7650 o al clerk@fresno.gov. Para asegurarse de la disponibilidad, se le recomienda llamar y hacer su petición por lo menos 48 horas antes de la junta. La agenda y los reportes de personal correspondientes están disponibles en el www.fresno.gov, o en la Oficina del Secretario Municipal.

Las juntas del Municipio se pueden ver en el Canal 96 de Comcast y el Canal 99 de AT&T a las 9:00 a.m. y otra vez empezando a las 8:00 p.m. La junta también se puede ver en el internet en el <https://fresno.legistar.com>

PROCESO: Por cada asunto que escuche el Consejo Municipal, habrá una presentación del personal seguida por una presentación de los individuos involucrados, si están presentes. El testimonio de los presentes se escuchará entonces. Todo testimonio se limitará a tres minutos por persona. Si usted desea hablar, llene la hoja para pedir hablar disponibles en la oficina del Secretario Municipal y en la Sala Consistorial. Las tres luces en el atril junto al micrófono indicarán cuanto tiempo le queda al orador.

La luz verde en el atril se prenderá cuando el orador comience. La luz amarilla se prenderá cuando quede un minuto. El orador debería estar concluyendo su testimonio cuando la luz roja prenda y el sonido indique que se acaba su tiempo. La cantidad del tiempo que queda también aparecerá en la pantalla grande atrás del Consejo Municipal.

No se aceptarán documentos para que repase el Consejo Municipal a menos que se sometan al Secretario Municipal por lo menos 24 horas antes de que se escuche la Agenda del Consejo Municipal.

Este es el horario general de temas para la consideración y acción del Consejo Municipal. El consejo Municipal pudiera considerar y tomar acción en un artículo de la Agenda en el orden que considere adecuado. Artículos con una hora fijada se pueden escuchar después de la hora indicada pero no antes de la hora indicada en la agenda. Se les recomienda a las personas que estén interesadas en un artículo de la agenda, que estén presentes durante toda la junta para asegurar su presencia cuando se presente ese artículo.

LOS ARTICULOS MARCADOS CON TRES ASTERISCOS (*) ESTAN SUJETOS A UN VETO POR PARTE DEL ALCALDE O UNA RECONSIDERACION**

Tso Fresno City Council tos txais koj rau City Council Chambers, nyob rau hauv City Hall, 2nd Floor, 2600 Fresno Street, Fresno, California 93721.

Lub hom phiaj ntawm nroog Fresno yuav ua kom tau txhua yam raw li txoj cai American with Disabilities Act (ADA) kom fwm txhua tus. Lub rooj sab laj txhua tus yuav tsum muaj feem koom kom tau, txawm yog cov tuaj koom, cov muaj feem rau lub rooj sab laj, yuav tsum kom muaj kev pab rau sawv daws xws li txhais lus, piav tes, tej twj mloog pob ntseg los yog ib tug txhais lus, thov hu rau Office of the City Clerk ntawm (559) 621-7650 los sis clerk@fresno.gov. Yuav kom paub tseeb tias npaj tau rau koj, koj yuav tsum tau hais ua ntej 48 xuab moos ntawm lub rooj sab laj. Daim ntawv kom tswj thiab tej ntaub ntawv cov ua dej num yuav coj los ceeb tshaj muaj nyob rau ntawm www.fresno.gov, los sis ntawm Office of the City Clerk.

Council lub rooj sab laj saib pom rau hauv Comcast tshooj 96 thiab AT&T tshooj 99 thaum 9:00 teev sauvt ntsoov thiab rov tso tawm thaum 8:00 teev tsaus ntuj. Lub rooj sab laj kuj saib tau online at <https://fresno.legistar.com>.

TXUAS NTXIV: Txhua nqe laj txheej yuav tau pom zoo los ntawm cov council ua ntej thiab yuav tau muaj ib tug staff los cej luam dhau ntawd cov uas muaj feem cuam mam los cej luam ib tug zuj zus, yog tuaj nyob rau ntawd. Dhau ntawd yuav tso rau sawv daw los tawrn suab, ib leeg twg yuav los tawm suab tsuas pub peb(3) nas this xwb. Yog koj xav los tawm suab, mus sau rau daim ntawv (Speaker Request Form) muaj nyob rau hauv City Clerk's Office thiab nyob rau huav Council Chambers. muaj peb(3) lub teeb nyob rau ntawm lub podium uas puab rau ntawm lub (microphone) qhia tias tus neeg hais lus muaj sij haum ntev li cas xwb.

Lub teeb ntsuab ntawm lub podium yuav cig thaum tus hais lus pib hais. Lub teeb daj yuav cig thaum tshuav ib(1) nas this. Tus hais lus yuav tsum hais kom tas rau thaum lub teeb liab cig thiab lub tswb nrov, qhia tias sij haum tas lawm. Ib qhov ntxiv nyob rau saum daim (screen) loj loj dai rau tom cov council nrob qaurn yuav pom lub sij hawm dhia qis zuj zus los mus.

Cov council yuav tsis txais ib yam ntaub ntawv los saib ntxiv tshwj tsis yog twb muab xa rau City Clerk 24 teev thiab muab tso rau hauv daim kom tswj ua ntej council yuav los mloog tej xwm txheej.

Dhau ntawd yuav muab sij hawm rau cov council los soj ntsuam thiab ua tes dej num, Coy tswv zos (City Council) yuav los ntsuam xyuas thiab leg raws tej nqe hauv daim kom tswj yog pom tias yam twg yuav tsim nyog. Mam muab lub sij hawm los xyuas raws tej txheej txheem tom qab tiam si yuav tsis yog ua ntej raws li daim kom tswj tau teev tseg. Cov uas txaus siab rau tei laj txheej uas tau teev tseg rau hauv daim kom tswj, xav kom nyob kom dhau lub rooj sab laj kom thaum hu txog nws thiaj nyob rau ntawd

YOG QHOV MUAJ PEB LUB HNUB QUB (*) NYOB RAU HAUV DAIM KOM TSWJ
YUAV RAUG MAYORAL VETO LOS SIS ROV SOJ NTSUAM DUA**

9:00 A.M. ROLL CALL

Invocation by Pastor Jim Mattix of the Northeast Assembly of God

Pledge of Allegiance to the Flag

APPROVE AGENDA

APPROVE MINUTES

[ID 20-00151](#) Approval of Minutes for January 16, 2020 and Special Meeting Minutes for January 16, 2020.

CEREMONIAL PRESENTATIONS

[ID 20-00115](#) Recognition of the City of Fresno as a Bronze Level Bicycle Friendly Community by the League of American Bicyclists.

Sponsors: Mayor's Office, City Manager's Office and Public Works Department

[ID 20-0029](#) Fresno City College Soccer - California Community College Athletic Association State Soccer Champions
And

Fresno City College Wrestling - California Community College Athletic Association State Wrestling Champions

Sponsors: Councilmember Soria

COUNCILMEMBER REPORTS AND COMMENTS

1. CONSENT CALENDAR

1-A [ID 20-00104](#) RESOLUTION - Of Intention to annex Final Tract Map No. 6215 as Annexation No. 108 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, February 27, 2020, at 10:00 am (southwest corner of North Hayes and West Gettysburg Avenues) (Council District 1)

Sponsors: Public Works Department

1-B [ID 20-00113](#) Actions pertaining to design for the ADA Upgrades at the City of Fresno Convention Center (Council District 3):

1. Approve Second Amendment to Agreement with Integrated Designs by SOMAM, Inc. in the amount of \$11,525; and
2. Approve Third Amendment to Agreement with Integrated Designs by SOMAM, Inc. in the amount of \$12,760 increasing the contract amount to \$131,715.

Sponsors:

Public Works Department

1-C [ID 20-00116](#)

Actions pertaining to Cedar Avenue Pavement Overlay from Barstow Avenue to Bullard Avenue - Bid File No. 3700 (Council District 4)

1. Adopt a finding of Categorical Exemption per staff's determination, pursuant to Section 15301 Class 1 of the California Environmental Quality Act (CEQA) Guidelines
2. Award a construction contract in the amount of \$563,240 to Cal Valley Construction, Inc., of Fresno, CA, as the lowest responsive and responsible bidder for the Cedar Avenue Pavement Overlay project

Sponsors:

Public Works Department

1-D [ID 20-00117](#)

Actions pertaining to Herndon Avenue and Shaw Avenue Corridor Pedestrian Signalization Upgrades - Bid File No. 3710 (Council District 1, 2, 4, and 6)

1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301/Class 1, 15302/Class 2, and 15303/Class 3 of the California Environmental Quality Act (CEQA) Guidelines
2. Award a construction contract in the amount of \$137,772.00 to Cen-Pac Engineering of Fresno, CA, as the lowest responsive and responsible bidder for the Herndon Avenue and Shaw Avenue Corridors Pedestrian Signalization Upgrade project

Sponsors:

Public Works Department

1-E [ID 20-00107](#)

Actions pertaining to the Homeless Emergency Aid Program Grant:

1. Approve Agreement with Fresno County Economic Opportunities Commission in the amount of \$100,053.90 for homeless employment program
2. Approve Revised Spending Plan for City of Fresno's HEAP funds

Sponsors:

Mayor's Office

1-F [ID 20-00108](#)

Actions pertaining to the 2017 Transformative Climate Communities (TCC) Grant and Transform Fresno Plan projects:

1. Adopt a finding that the project is categorically exempt from CEQA pursuant to the Class 1 and Class 2 Categorical Exemption set forth in CEQA Guidelines Section 15300.2; and
2. Approve a Sub-Recipient Agreement with the City of Fresno Department of Public Works for Project 11 Southwest Urban Forest Expansion totaling \$212,199.21

Sponsors:

City Manager's Office

1-G [ID 20-00109](#)

Actions pertaining to the 2017 Transformative Climate Communities (TCC) Grant and Transform Fresno Plan project regarding the Workforce Development Project - West Fresno Advance Transportation Technical (WFATT) training program:

1. Approve Sub-Recipient Agreement with the Fresno Area Workforce Investment Corporation totaling \$1,249,432
2. ***RESOLUTION - 26th amendment to the Annual Appropriation Resolution (AAR) No. 2019-133 appropriating \$1,249,400 for the TCC grant (requires 5 affirmative votes) (Subject to Mayor's Veto).

Sponsors:

City Manager's Office

1-H [ID 20-0046](#)

Approve a Sub-Recipient Agreement with the City of Fresno Department of Public Works for Park at MLK Magnet Core totaling \$5,430,466.53 pertaining to the 2017 Transformative Climate Communities (TCC) grant and Transform Fresno plan.

Sponsors:

City Manager's Office

1-I [ID 20-00123](#)

Approve the Fifth Amendment to the Agreement with Provost and Pritchard Consulting Group, Inc., amending the work completion date to March 31, 2021 for Engineering Design and Feasibility Analysis for Removal of 1,2,3-Trichloropropane from Groundwater Extraction Wells, with no impact to the previously approved contract amount of

\$1,044,000 (Citywide)

Sponsors:

Department of Public Utilities

1-J [ID 20-00125](#)

Approve the first amendment for engineering consultant services with Stantec Consulting Services, Inc., a New York corporation, for \$31,718 increasing the contract total to \$862,036 and extending the term through June 2020 for the Design of a New Odor Control System for the Headworks building at the Fresno-Clovis Regional Wastewater Reclamation Facility (Council District 3)

Sponsors:

Department of Public Utilities

1-K [ID 20-00126](#)

Actions pertaining to Water Distribution System Hydraulic Modeling On-call Services Contract (Citywide)

1. Approve a Consultant Services Agreement with Akel Engineering Group, Inc., for on-call water distribution system hydraulic modeling services for a period of three years in the amount not to exceed \$450,000
2. Authorize the Director of Public Utilities, or designee, to sign all documents on behalf of the City of Fresno

Sponsors:

Department of Public Utilities

1-L [ID 20-00124](#)

Approve the appointment of Cierra Jones to the Friends of Fancher Creek and the appointment of Gurjant Singh to the District 5 Project Review Committee

Sponsors:

Councilmember Chavez

1-M [ID 20-00145](#)

RESOLUTION - Amending certain designated positions which shall be subject to the Conflict of Interest Code and defining categories of disclosure for such positions

Sponsors:

City Clerk's Office

1-N [ID 20-0087](#)

***RESOLUTION - 25th Amendment to the Annual Appropriation Resolution No 2019-133 establishing appropriations in the amount of \$205,900 for training programs in accordance with the joint reimbursable training program contract between the Fresno City Fire Department and Fresno City College (Requires 5 affirmative votes) (Subject to Mayor's veto)

Sponsors:

Fire Department

- 1-O [ID 20-00147](#) 1. Council Boards and Commissions Communications, Reports, Assignments and/or Appointments, Reappointments, Removals to/from City and non-City Boards and Commissions
2. Approve the appointments of Councilmember Soria as Chair and Council President Arias as Vice Chair to the Successor Agency to the Redevelopment Agency of the City of Fresno

Sponsors: Council President Arias
- 1-P [ID 20-00153](#) RESOLUTION - To Amend the Council Rules of Procedure

Sponsors: Council President Arias
- 1-Q [ID 20-00150](#) Action related to amending the Cannabis Retail Business and Commercial Cannabis Business Ordinance:
1. ***BILL NO. B-3 - (Intro. 1/16/2020) (For adoption) - Amending Sections 9-3306, 9-3307, 9-3308, 9-3309, 9-3310, 9-3311, 9-3312, 9-3313, 9-3314, 9-3316, 9-3317, 9-3318, 9-3319, 9-3321, 9-3325, 9-3328, 9-3335, and 9-3337 of the Fresno Municipal Code related to Cannabis Retail Business and Commercial Cannabis Business. (Subject to Mayor's veto)

Sponsors: Council President Arias and Councilmember Soria
- 1-R [ID 20-00152](#) Approve the appointment of Lori Buffington to the District 2 Project Review Committee

Sponsors: Councilmember Karbassi
- 1-S [ID 20-0084](#) ***RESOLUTION - Authorizing a Grant Application to the California State Department of Housing and Community Development For Funding Under the CalHome Program and Execution of a Standard Agreement and Other Required Program Documents For the Repair, Rehabilitation or Replacement of Manufactured Homes in the City of Fresno (Subject to Mayor's Veto)

Sponsors: Planning and Development Department
- 1-T [ID 20-00142](#) ***RESOLUTION - 7th Amendment to the Position Authorization Resolution No. 2019-134 adding a total of one

(1) Senior Network Systems Specialist position to the Information Services Department, effective February 1, 2020. (Subject to Mayor's veto)

Sponsors:

Information Services Department

1-U [ID 20-00146](#)

***BILL NO. B-2 - (Intro. 1/16/2020) (For adoption) - Amending Fresno Municipal Code Chapter 3, Article 1 - Personnel to Update Outdated Language and Gender Specific Terms, Provide Clarity of Respective Provisions, and Make Other Preferred and Necessary Changes Regarding Leaves of Absences for all City employees, Employment Outside of City Service, Overtime, and References for the Proper Appointing Authority; Code amendments have been approved by the respective bargaining units. (Subject to Mayor's veto)

Sponsors:

Personnel Services Department

1-V [ID 20-00140](#)

***RESOLUTION - 6th Amendment to Position Authorization Resolution No. 2019-134, adding 16 permanent, full-time positions to the Fresno Police Department (FPD), as follows: two (2) Background Investigators, four (4) Emergency Services Dispatchers I, two (2) Laborers, three (3) Property and Evidence Technicians, and five (5) Police Support Services Clerks, effective February 1, 2020 (Subject to Mayor's veto).

Sponsors:

Police Department

CONTESTED CONSENT CALENDAR

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:05 A.M.

[ID 20-0030](#)

HEARING to consider adoption of resolution related to the designation of a property to the Local Register of Historic Resources

1. *** RESOLUTION - Designating the Ridge Electric Motor Company Building located at 1235 G Street, Fresno, California to the Local Register of Historic Resources (Council District 3) (Subject to Mayor's veto)

Sponsors: Planning and Development Department

10:15 A.M.

[ID 20-00148](#) CONTINUED HEARING - Appeal Request: Denial of Waiver
- Construction of Sidewalk Along S. Channing Avenue, APNs:
464-220-058, P19-01742

Sponsors: Public Works Department

10:20 A.M. SCHEDULED COMMUNICATION

[ID 20-00143](#) Appearance by Gonzalo Arambula to discuss work and labor
issues

[ID 20-00144](#) Appearance by Mary Padilla to discuss restoring peace back
to our City (Speaker resides in District 2)

10:30 A.M.

[ID 20-00155](#) WORKSHOP - Regarding Tower District Beautification Plan

Sponsors: Council President Arias and Councilmember Soria

11:00 A.M.

[ID 20-00102](#) WORKSHOP - Presentation on Tax Increment Financing
("TIF") District Preliminary Feasibility Analysis

Sponsors: Councilmember Esparza

3. 1:30 P.M. CLOSED SESSION

3-A [ID 20-00127](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING
LITIGATION - Government Code Section 54956.9,
subdivision (d)(1)
1. Jeeteen Vallabh, et al. v. City of Fresno, et al.; Fresno
Superior Court Case No.: 19CECG01582 (Transportation
Department).

Sponsors: City Attorney's Office

3-B [ID 20-00154](#) CONFERENCE WITH LEGAL COUNSEL- DECIDING
WHETHER TO INITIATE LITIGATION - Government Code
Section 54956.9, subdivision (d)(4); City of Fresno v. Darling
Ingredients, Inc.

Sponsors: City Attorney's Office

- 3-C** [ID 20-00156](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)
1. City of Fresno v. Shell Oil Company, et al.; San Bernardino County Superior Court Case No.: SCVSS120627(Public Utilities Department)

Sponsors: City Attorney's Office

- 3-D** [ID 20-00158](#) CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Government Code Section 54956.8
Property: 3400 Gap Drive (portion)
Negotiating Parties: City Manager Wilma Quan
Under Negotiation: Terms and Conditions of Property Acquisition

Sponsors: Council President Arias

4. GENERAL ADMINISTRATION

5. CITY COUNCIL

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

UNSCHEDULED COMMUNICATION

ADJOURNMENT

UPCOMING SCHEDULED COUNCIL HEARINGS AND MATTERS

February 13, 2020

10:00 AM - HEARING - Approve Plan Amendment/Rezone Application No. P18-03290 (West Creek Mixed Use Development Project) located in SW Fresno covering approximately 90 acres generally located on the SW corner of Church Avenue and MLK Boulevard.

February 13, 2020

TIME - TBA - re: Actions pertaining to FY 2020 Budget Update

February 27, 2020

10:00 AM #1 - 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. 107 (Final Tract Map No. 5434) (northeast corner of North Temperance and East McKinley Avenues) (Council District 4)

February 27, 2020

10:00 AM #2 - 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. 108 (Final Tract Map No. 6215) (southwest corner of North Hayes and West Gettysburg Avenues) (Council District 1)

February 27, 2020

10:05 AM - HEARING on the Copper River Impact Fees.

March 19, 2020

10:00 A.M. #1- HEARING re: vacation for a PUE in Dearing Avenue alignment

March 19, 2020

10:00 A.M. #2- HEARING re: vacation of a public street easement for a portion of East Palo Alto Avenue

March 19, 2020

10:10 AM - 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. 43 (Assessor's Parcel Number 403-030-07) (southeast corner of East Shepherd and North Chance Avenues) (Council District 6)

April 9, 2020

10:00 A.M. - HEARING regarding a public street vacation for the NE corner of Shields and Blackstone

UPCOMING EMPLOYEE CEREMONIES

April 22, 2020 (Wednesday - 2:00 P.M.) – Employee Service Awards

May 20, 2020 (Wednesday - 2:00 P.M.) – Employee of the Spring Quarter

July 22, 2020 (Wednesday - 2:00 P.M.) - Employee of the Summer Quarter

October 21, 2020 (Wednesday - 2:00 P.M.) - Employee of the Fall Quarter

November 18, 2020 (Wednesday - 2:00 P.M.) – Employee Service Awards

2020 CITY COUNCIL MEETING SCHEDULE

FEBRUARY 6, 2020 - NO MEETING

FEBRUARY 13, 2020 - 9:00 A.M. MEETING

FEBRUARY 20, 2020 - NO MEETING - PRESIDENT'S DAY

FEBRUARY 27, 2020 - 9:00 A.M. MEETING