City of Fresno

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



Meeting Agenda - Final

Thursday, April 28, 2022

9:00 AM

Regular Meeting

Council Chambers (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: April 28, 2022 9:00 AM Pacific Time (US and Canada)

Topic: April 28, 2022 Regular Meeting

a) Register in advance for this webinar:

https://zoom.us/webinar/register/WN_D8jEWWNqSvuCaNM64iFl6g

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.

9:08 A.M. ROLL CALL

Invocation by Chaplain Kevin Llanos from the Fresno Police Chaplaincy

Pledge of Allegiance to the Flag

APPROVE AGENDA

CEREMONIAL PRESENTATIONS

<u>ID 22-677</u> Proclamation for "John Walker Day"

Sponsors: Councilmember Karbassi and Councilmember Arias

<u>ID 22-424</u> Proclamation for the Connections Class "Community

Beautification" Adult Transition Program

Sponsors: Councilmember Soria

<u>ID 22-524</u> Proclamation of "Peace Officers Memorial Day" and May 15

through May 21, 2022 as "National Police Week"

Sponsors: Office of Mayor & City Manager

<u>ID 22-380</u> Proclamation for "Rodney Lowery Day"

Sponsors: Office of Mayor & City Manager

ID 22-652 Proclamation for "Cambodia Heritage Month"

Sponsors: Councilmember Chavez

ID 22-646 Announcement of Spring Employee of the Quarter (EOQ)

Recipients

Sponsors: Office of the City Clerk

COUNCILMEMBER REPORTS AND COMMENTS

MAYOR/MANAGER REPORTS AND COMMENTS

UNSCHEDULED COMMUNICATION

ID 22-732 Unscheduled Communication- Public Comment

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 22-641 Approval of the Minutes of April 21, 2022 Regular City

Council Meeting

Sponsors: Office of the City Clerk

1.-B. ID 22-558 Actions pertaining to the Van Ness Avenue Water

Transmission Grid Main Project (Council District 3):

 Adopt a Mitigated Negative Declaration pursuant to the California Environmental Quality Act pertaining to the construction of a new 16-inch water transmission grid main in Van Ness Avenue between Divisadero and Merced Streets,

State Clearinghouse No. 2022020073

2. Approve the Third Amendment to the consultant services agreement with Blair, Church & Flynn Consulting Engineers, Inc., to expand scope of services and increase the contract amount by \$39,820, for an amended total not to exceed the

amount of \$326,968

Sponsors: Department of Public Utilities

1.-C. <u>ID 22-552</u> Actions pertaining to the award of a sole source purchase

agreement with Trapeze Software Group, Inc. dba Vontas of Cedar Rapids, Iowa, in the amount of \$2,845,844 to upgrade the Computer Aided Dispatch Automated Vehicle Location (CAD/AVL) system for the Department of Transportation

Fresno Area Express:

1. RESOLUTION - Adopt a Resolution approving an exception to formal bidding procedures and award a sole source purchase agreement for a CAD/AVL system, software,

services, and related components

2. Approve the award of a sole source purchase agreement with Trapeze Software Group, Inc. dba Vontas of Cedar Rapids, Iowa, in the amount of \$2,845,844 to upgrade the CAD/AVL system for Fresno Area Express, and authorize the Director of Transportation, or designee, to execute all related

documents

Sponsors: Department of Transportation

1.-D. ID 22-585

Approve the award of a cooperative purchase agreement to Golden State Peterbilt of Fresno, CA, for the purchase of one Peterbilt 567 dump truck in the amount of \$229,086, procured by means of a cooperative purchase agreement with Sourcewell, for the Department of Public Utilities Wastewater Management Division

Sponsors:

Department of Transportation

1.-E. ID 22-563

BILL - (for introduction) - Amending the Fireworks Ordinance, FMC sections 10-55602.2 to 10-55602.4, to add liability for "social hosts" and increase the fine structure of the fireworks ordinance. (Subject to Mayor's Veto)

Sponsors:

Fire Department and Police Department

1.-F. <u>ID 22-653</u>

Actions pertaining to the new permanent Fire Station No. 12 project:

- 1. ***RESOLUTION Adopt the 64th Amendment to the Annual Appropriation Resolution (AAR) No. 2021-178, to appropriate \$130,200 for new permanent Fire Station No. 12 updated design costs (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)
- 2. Approve an agreement with The Taylor Group Architects in the amount of \$965,000 plus a contingency of \$80,000 for the design and preparation of construction documents for the new permanent Fire Station No. 12 Project (Council District 1)

Sponsors:

Public Works Department and Fire Department

1.-G. ID 22-640

Actions pertaining to Public Safety Radio signal strength improvement:

- 1. RESOLUTION Declaring an urgent necessity for the preservation of life, health, and property and authorizing the Chief Information Officer or designee to enter into and administer the contract with Crown Castle to install radio equipment on the tower owned by Crown Castle. (Requires 5 votes); and
- 2. ***RESOLUTION: Adopt the 57th amendment to the Annual Appropriation Resolution (AAR) No 2021-178 appropriating \$250,000 from the Information Services

Department (ISD) FY22 ISF carryover funds (Requires 5 Affirmative Votes) (Subject to Mayor's Veto); and

- 3. Affirm the City Manger's determination that Crown Castle is uniquely qualified to perform the services that establish a presence on their tower; and
- 4. Authorize the Chief Information Officer (CIO) to enter into an agreement with Crown Castle in the amount of \$232,444 for the implementation fees for radio equipment to establish a new signal presence for radio improvement; and
- 5. Authorize the Chief Information Officer to enter into an agreement with Crown Castle for monthly rent in the amount of \$4,750 per month to attach radio equipment on the tower.

Sponsors:

Information Services Department

1.-H. <u>ID 22-662</u>

Actions pertaining to Commercial Cannabis Activity:

1. *** BILL B-6 - (Intro. 04/21/2022) (For Adoption)
Amending Section 9-3307 of the Fresno Municipal Code,
relating to the location of retail cannabis businesses (Subject
to Mayor's Veto)

Sponsors:

Office of Mayor & City Manager

1.-I. ID 22-650

Approve a Consultant Services Agreement with Simon and Company, Inc. for an amount not to exceed \$129,999.92 for Professional Lobbying and Consulting Services in Washington DC.

Sponsors:

Office of Mayor & City Manager

1.-J. ID 22-651

Approve a Consultant Services Agreement with Campbell Strategy and Advocacy, LLC., for an Amount Not to Exceed \$180,000 annually, for Professional Lobbying and Consulting Services.

Sponsors:

Office of Mayor & City Manager

1.-K. ID 22-656

***RESOLUTION - Amending Resolution No. 2020-035 relating to the use and possession of weapons and security (Subject to Mayor's Veto).

Sponsors:

Office of Mayor & City Manager

1.-L. <u>ID 22-655</u>

Actions pertaining to COVID-19 emergency:

***RESOLUTION - Confirming the termination of the local emergency related to COVID-19 (Subject to Mayor's Veto)

Sponsors:

Office of Mayor & City Manager

1.-M. ID 22-622

Actions pertaining to the Cultural Arts Plan Consultant Selection (Citywide):

- 1. Award consultant services agreement to Network for Culture and Arts Policy (NCAP) in the amount of \$150,000 for the development of the City's Cultural Arts Plan.
- 2. Authorize the Director of Parks, After School, Recreation, and Community Services (PARCS) to execute the agreement on behalf of the City.
- 3. ***RESOLUTION Adopting the 63rd Amendment to the Annual Appropriation Resolution (AAR) No. 2021-178 to appropriate \$150,000 for a consultant services agreement to develop the City of Fresno's Cultural Arts Plan (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)

Sponsors:

Parks, After School and Recreation and Community Services Department

1.-N. ID 22-615

Approve a Second Amendment to the Community Development Block Grant Program Subrecipient Agreement with Self-Help Enterprises to extend the term of the agreement to September 30, 2022, at no additional cost to the City.

Sponsors:

Planning and Development Department

1.-O. ID 22-610

Actions pertaining to the CARES Act Community
Development Block Grant (CDBG-CV) funding from the
United States Department of Housing and Urban
Development (HUD):

1. ***RESOLUTION - Adopting and approving submission of Substantial Amendment 2019-07 to the 2019-2020 Annual Action Plan to the U.S. Department of Housing and Urban Development (HUD) to reprogram \$850,000 in CARES Act Community Development Block Grant (CDBG-CV) funds to prevent, prepare for, and respond to the Coronavirus (COVID-19) (Subject to Mayor's Veto)

2. Approve an agreement between the City of Fresno and the Fresno Housing Authority in the amount of \$850,000 for the operations of the Step Up on 99 emergency shelter.

Sponsors:

Planning and Development Department

1.-P. ID 22-614

Actions pertaining to the Tower District Specific Plan Update:

1. Approve a consultant services agreement with Wallace,
Roberts, and Todd, LLC., for professional planning and

environmental analysis services related to the update of the Tower District Specific Plan in the amount of \$400,000.

Sponsors:

Planning and Development Department

1.-Q. ID 22-546

Actions pertaining to the Encampment Resolution Funding Program from the State of California Business, Consumer Services and Housing Agency's California Interagency Council on Homelessness:

- 1. ***RESOLUTION Approving acceptance of a grant award from the State of California Business, Consumer Services and Housing Agency's California Interagency Council on Homelessness (Cal ICH) for funding under the Encampment Resolution Funding Program and authorizing the City Manager to sign all required implementing documents (Subject to Mayor's Veto); and
- 2. ***RESOLUTION Adopting the 60th amendment of the Annual Appropriation Resolution (AAR) No. 2021-178 appropriating \$5,070,057.68 for Encampment Resolution Funding Program related activities (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)
- 3. Approve a services agreement between the City of Fresno and Poverello House in the amount of \$4,662,554.80 for triage center services provided under the Encampment Resolution Funding Program

Sponsors:

Planning and Development Department

1.-R. ID 22-661

***RESOLUTION - Authorizing a grant application to the California Interagency Council on Homelessness (Cal ICH) for funding under the Family Homelessness Challenge Grant for accelerating efforts by local jurisdictions and continuums of care to address and end family homelessness by making families' experiences of homelessness rare, brief, and

one-time and authorizing the City Manager to sign all required implementing documents (Subject to Mayor's Veto)

Sponsors:

Planning and Development Department

1.-S. ID 22-675

***BILL B- 7 -(Intro'd 4/21/2022) (For Adoption) - Amending Article 22 of Chapter 12 of the Fresno Municipal Code, relating to At-Risk Development (Subject to Mayor's Veto).

Sponsors:

Planning and Development Department

1.-T. ID 22-619

Actions pertaining to the 2022 Law Enforcement Specialized Unit Program:

- 1. Authorize acceptance of \$203,143 in grant funding from the California Governor's Office of Emergency Services' Law Enforcement Specialized Unit Program to the Fresno Police Department
- Approve a Memorandum of Understanding with the Marjaree Mason Center

Sponsors:

Police Department

1.-U. ID 22-634

BILL - (For introduction) - Adding Chapter 5, Article 6 to the Fresno Municipal Code establishing rules for the Fresno Police Department to fund, acquire and use military equipment as defined in Assembly Bill 481.

Sponsors:

Police Department

1.-V. ID 22-605

Actions pertaining to the summary vacation of a portion of an alley between East Tyler Avenue and State Route 41 (Council District 7)

- 1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15332/Class 32 (In-Fill Development Projects) of the California Environmental Quality Act (CEQA) Guidelines, Environmental Assessment Number P21-03180
- 2. ***RESOLUTION Ordering the summary vacation of a portion of an alley between East Tyler Avenue and State Route 41 (Subject to Mayor's Veto)

Sponsors:

Public Works Department

1.-W. ID 22-608

Actions pertaining to the Webster Neighborhood Canal Barricade Project - Bid File 3826 (Council District 7):

- 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 \$296,709 to Avison Construction, Inc. of Madera, California

Sponsors:

Public Works Department

1.-X. ID 22-609

Actions pertaining to South Central Fresno AB 617 Community Truck Reroute Study, Health Assessment, and Reimbursement Agreement.

- 1. Approve the Consultant Agreement with IBI Group and Katherine Padilla & Associates, Inc. for the South Central Fresno AB 617 Community Truck Reroute Study (Council Districts 1, 3, 5, and 7).
- 2. Approve the Research Agreement with the University of California Merced for the South Central Fresno AB 617 Community Health Assessment (Council Districts 1, 3, 5, and 7)
- 3. Approve the Reimbursement Agreement with the San Joaquin Valley Air Pollution Control District (District) for the South Central Fresno AB 617 Community Truck Reroute Study and related health assessment, in the amount of \$500,000.00.

Sponsors:

Public Works Department

1.-Y. ID 22-611

Actions pertaining to the Van Ness Avenue, Fulton Street, and Wishon Avenue Cycle Track - Bid File 3849 (Council Districts 1, 3, and 7)

- 1. Adopt a finding of Categorical Exemption per staff determination pursuant to Section 15301/Class 1, Section 15302/Class 2, Section 15303/Class 3, and Section 15304/Class 4 of the California Environmental Quality Act (CEQA) Guidelines
- 2. Award a construction contract in the amount of \$696,886 to Glick Corporation, dba Asphalt Maintenance Company of CA, of Visalia, California

Sponsors:

Public Works Department

Sponsors:

ID 22-645 1. RESOLUTION - Establishing the City of Fresno Women's

-DD. Commission

> Council President Esparza and Councilmember Soria Sponsors:

1. ID 22-642 ***RESOLUTION - Confirming emergency conditions

-EE. 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).

Council President Esparza **Sponsors:**

CONTESTED CONSENT CALENDAR

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

(CONTINUED TO MAY 12, 2022) 10:00 A.M.

ID 22-602 HEARING to receive public comment on the 2021 Housing

Element Annual Progress Report

Planning and Development Department Sponsors:

(CONTINUED TO MAY 12, 2022) 10:05 A.M.

ID 22-600 Actions pertaining to the 2022-2023 Annual Action Plan:

1. HEARING to obtain public comments regarding the Draft

2022-2023 Annual Action Plan; and

2. ***RESOLUTION - Adopting the 2022-2023 Annual Action

Plan; approving submission to the U.S. Department of Housing and Urban Development (HUD) for application of \$7,535,331.93 Community Development Block Grant

(CDBG), \$3,694,681 HOME Investment Partnerships (HOME), \$606,586 Emergency Solutions Grant (ESG), and

\$875,943 Housing Opportunities for Persons with AIDS/HIV

(HOPWA) program funds; providing for subrecipient

agreements; and Authorizing the City Manager to sign all implementing documents required by HUD as approved to

form by the City Attorney (Subject to Mayor's veto)

Planning and Development Department Sponsors:

3. GENERAL ADMINISTRATION

3.-A. ID 22-670 WORKSHOP- Presentation of the Annual Report of the

Downtown Fresno Partnership

Sponsors: Office of Mayor & City Manager

3.-B. ID 22-647 WORKSHOP - City Wide Park Ranger Program

Sponsors: Parks, After School and Recreation and Community Services

Department

4. CITY COUNCIL

5. CLOSED SESSION

5.-A. ID 22-643 CONFERENCE WITH LEGAL COUNSEL - EXISTING

LITIGATION Government Code Section 54956.9, subdivision

(d)(1)

City of Fresno v. Joan Kevorkian, et al., Fresno Superior

Court Case No. 21CECG02816

Sponsors: City Attorney's Office

5.-B. ID 22-648 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: Office of Mayor & City Manager

5.-C. ID 22-671 PUBLIC EMPLOYEE PERFORMANCE EVALUATION

1. Government Code Section 54957(b): consider the

appointment, employment, evaluation of

performance, discipline, or dismissal of a public employee.

Title: City Attorney

2. Government Code Section 54957.6: conference with

labor negotiator.

City Negotiator: Council President Nelson Esparza

Unrepresented Employee: City Attorney

Sponsors: Council President Esparza

ADJOURNMENT

UPCOMING SCHEDULED COUNCIL HEARINGS AND MATTERS

May 12, 2022

10:00 A.M. - HEARING to obtain public comments regarding the Draft 2022-2023 Annual Action Plan

May 26, 2022

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. 11, Annexation No. 132 (Final Tract Map No. 6336) (Southeast of E Clinton and N Armstrong) (Council District 7).

June 9, 2022

10:00 A.M. -Proposed vacation of a portion of North Angus Street, located between East Harvard Avenue and East Clinton Avenue.

June 23, 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. 54 (Parcel Map 2020-05) (Northeast corner of South Maple Avenue and East Jensen Avenue) (Council District 5)

June 30, 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. 129 (Final Tract Map No. 6201) (property located on northeast corner of North Armstrong and East Floradora) (Council District 7)

<u>UPCOMING EMPLOYEE CEREMONIES</u>

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

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, 2022 - NO MEETING

DECEMBER 29, 2022 - NO MEETING