

City of Fresno

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



Meeting Agenda - Final-revised

Thursday, September 29, 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

Interim City Attorney - Rina Gonzales

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: September 29, 2022 9:00 AM Pacific Time (US and Canada)

Topic: September 29, 2022 Regular Meeting

a) Register in advance for this webinar:

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

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.

9:00 A.M. ROLL CALL

Invocation

Pledge of Allegiance to the Flag

APPROVE AGENDA

CEREMONIAL PRESENTATIONS

[ID 22-255](#) Proclamation for “Latino Heritage Month”

Sponsors: Councilmember Soria, Council President Esparza,
Councilmember Chavez and Councilmember Arias

[ID 22-1494](#) Proclamation for “Centro La Familia’s 50th Anniversary”

Sponsors: Councilmember Soria and Councilmember Arias

[ID 22-1408](#) Proclamation for “Sons of Italy 100th Anniversary”

Sponsors: Office of Mayor & City Manager

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 22-1409](#) Approve minutes for August 31, 2022 Special Meeting,
September 1, 2022, Regular Meeting.

Sponsors: Office of the City Clerk

1.-B. [ID 22-1405](#) Actions pertaining to Solar Energy Power Purchase
Agreements with Energea Fresno LLC at Fresno Yosemite
International Airport (Council District 4):
1. Adopt finding of a Categorical Exemption pursuant to
Section 15301 of the California Environmental Quality Act

Guidelines

2. Approve the Amended and Restated Solar Energy Power Purchase Agreement (SGIP) between Energea Fresno LLC and the City of Fresno for the 1,000 kW (AC) solar photovoltaic system

3. Approve the Amended and Restated Solar Energy Power Purchase Agreement (CSI) between Energea Fresno LLC and the City of Fresno for the 1,000 kW (AC) solar photovoltaic system under the CSI rules

Sponsors:

Airports Department

1.-C. [ID 22-1436](#)

Actions related to the Lease Agreement with John Tomaino, an individual, d.b.a. American Helicopters, which is a Specialized Aviation Service Operation (SASO) that runs a helicopter and airplane flight training business at Fresno Chandler Executive Airport (FCH). (Council District 3)

1. Adopt a finding of Categorical Exemption pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act Guidelines

2. Approve the Lease Agreement (Lease) with John Tomaino, an individual, d.b.a. American Helicopters, to continue operating a helicopter and airplane flight training business at FCH for a term of three (3) years. The amount of potential revenue generated by this Lease is \$57,203.16. (Council District 3)

Sponsors:

Airports Department

1.-D. [ID 22-1458](#)

Approve a consultant services agreement with Unison Consulting, Inc., to provide professional services for Financial Feasibility Report for bond financing of the Fresno Yosemite International Airport Terminal Expansion not to exceed \$200,000. (Council District 4)

Sponsors:

Airports Department

1.-E. [ID 22-1463](#)

Approve the Second Amendment to the Design Contract with Q&D Construction for additional preconstruction services required for the Fresno Yosemite International Airport Terminal Expansion Project in the amount of \$1,378,974.00 (Council District 4)

Sponsors:

Airports Department

1.-F. [ID 22-1364](#)

Actions pertaining to Air Service Development at Fresno Yosemite International Airport:

1. Uphold the City Manager's finding that InterVISTAS Consulting Group, Inc. is uniquely qualified vendor for Air Service Development at Fresno Yosemite International Airport (FAT)
2. Approve an agreement with InterVISTAS Consulting Group, Inc. for Air Service Development at FAT

Sponsors:

Airports Department

1.-G. [ID 22-1388](#)

Actions pertaining to auditing sales tax records:

1. ***RESOLUTION - Authorizing the examination of sales or transactions and use tax records (Subject to Mayor's veto);
2. Approve the Second Amendment and Resolution to the consultant services agreement with MuniServices, LLC (MuniServices) authorizing MuniServices to access and examine sales tax records from the California Department of Tax and Fee Administration (CDTFA) that correspond to the Fresno Clean and Safe Neighborhood Parks Tax - Measure P, as well as authorize the Controller, or designee, to sign the Second Amendment on behalf of the City

Sponsors:

Office of Mayor & City Manager

1.-H. [ID 22-1434](#)

***RESOLUTION - Adopt the 573rd Amendment to the Master Fee Schedule Resolution No. 80-420 to add and revise various fees for the Tower Theater in the General Government Section (Subject to Mayor's Veto)

Sponsors:

Office of Mayor & City Manager

1.-I. [ID 22-1505](#)

Actions pertaining to flags and ceremonial lighting at City facilities:

1. ***RESOLUTION - Providing for honorary flag raising and lighting at City facilities (Subject to Mayor's Veto)
2. ***RESOLUTION - Approving list of Honorary Flag Raising and/or Light Events for Fiscal Year 2023 (Subject to Mayor's Veto)

Sponsors:

Office of Mayor & City Manager

- 1.-J. [ID 22-1442](#) ***Resolution - Adopt the 11th Amendment to the Annual Appropriation Resolution (AAR) No 2022-154 establishing appropriations in the amount of \$975,000 for Fire Department Station 12 Design and Engineering. (Requires 5 affirmative votes)(Subject to Mayor's Veto)

Sponsors:

Fire Department

- 1.-K. [ID 22-1387](#) Approve acceptance of 2021 Assistance to Firefighters Grant (AFG) Award in the amount of \$260,250, requiring a City match of \$23,660.

1. ***RESOLUTION - Authorizing the acceptance of the 2021 AFG grant and authorizing completion and submission of all required documents (Subject to Mayor's veto)

Sponsors:

Fire Department

- 1.-L. [ID 22-1313](#) ***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.-M. [ID 22-1397](#) Approve the award of a citywide requirements contract to Office Depot, LLC for five years with two one-year optional extensions for the purchase of office supplies, in the amount of \$750,000 per year plus annual CPI increases. (Bid File 9621)

Sponsors:

General Services Department

- 1.-N. [ID 22-1422](#) Approve the award of a purchase contract to Hometown Trolley of Crandon, Wisconsin for the purchase of three Villager Trolley buses in the amount of \$865,664 for the General Services Department

Sponsors:

General Services Department

- 1.-O. [ID 22-1464](#) Approve the award of a purchase contract to Fire Apparatus Solutions of Rialto, California, for the purchase of one SVI Incident support, and one SVI Hazmat heavy fire apparatus in the amount of \$2,214,297 for the Fresno Fire Department

Sponsors:

General Services Department

1.-P. [ID 22-1471](#)

Approve the award of a purchase contract to 72 Hour LLC of Watsonville, California, for the purchase of 80 Dodge Durango marked patrol vehicles in the amount of \$3,619,710.04 for the Police Department (Bid File 12300303)

Sponsors:

General Services Department

1.-Q. [ID 22-1472](#)

Approve the award of a purchase contract to Golden State Fire Apparatus Inc. of Sacramento, California, for the purchase of two Boise Mobile Equipment type-six wildland fire engines in the amount of \$682,757 for the Fresno Fire Department

Sponsors:

General Services Department

1.-R. [ID 22-1398](#)

Actions pertaining to the Pilibos Park Irrigation Pump Controller and Turf Replacement Project:

1. Adopt finding of a Categorical Exemption pursuant to Section 15301 Existing Facilities of the California Environmental Quality Act (CEQA) Guidelines
2. Award a construction contract to Clean Cut Landscape Inc. of Clovis, CA in the amount of \$598,955 for the construction of the Pilibos Park Irrigation Pump Controller and Turf Replacement Project (Bid File 3877) (District 5)
3. Authorize the Director of General Services or designee to execute all related documents.

Sponsors:

General Services Department, Parks, After School and Recreation and Community Services Department

1.-S. [ID 22-1454](#)

Actions pertaining to Citywide Translation and Interpretation Services on an as-needed/on-demand Basis:

1. Approve an agreement with Deaf and Hard of Hearing Service Center authorizing expenditures not-to-exceed \$300,000 over a two-year period for professional American Sign Language (ASL) interpretation services on an as-needed/on-demand basis;
2. Approve an agreement with Focus Language authorizing expenditures not-to-exceed \$800,000 over a two-year period for professional translation and interpretation services on an

as-needed/on-demand basis;

3. Approve an agreement with Hanna Interpreting Services LLC authorizing expenditures not-to-exceed \$800,000 over a two-year period for professional translation and interpretation services on an as-needed/on-demand basis;

4. Approve an agreement with Translating Services, Inc. DBA Lazar Translating & Interpreting authorizing expenditures not-to-exceed \$800,000 over a two-year period for professional translation and interpretation services on an as-needed/on-demand basis;

5. Approve an agreement with Voyce, Inc. authorizing expenditures not-to-exceed \$500,000 over a two-year period for over-the-phone (OPI) and on-demand video remote interpretation (VRI) on an as-needed/on-demand basis;

6. The City will only compensate Consultants for those services performed under the Agreements;

7. Authorize the PARCS Director or designee to execute agreements approved as to form by the City Attorney; and

8. Authorize the PARCS Director or designee to extend the agreements for a two-year term with an additional value not to exceed the original agreement amount.

Sponsors:

Parks, After School and Recreation and Community Services Department

1.-T. [ID 22-1496](#)

Actions pertaining to solar projects proposed at PARCS and Public Safety sites including Mosqueda Community Center, Roeding Park, Ted C. Wills Community Center, Inspiration Park, Mary Ella Brown Community Center, Fire Department Headquarters, and Police Regional Training Center (Council Districts 1, 3, 5):

1. Adopt findings pursuant to the California Environmental Quality Act (CEQA) Guidelines:

a. Adopt a finding of Categorical Exemptions pursuant to Sections 15303/Class 3; 15304-Class 4; and 15311/Class 11 of the CEQA Guidelines;

2. Approve the award of a cooperative purchase Energy Services Agreement-Solar with FFP BTM Solar, LLC, for the design, financing, construction, installation, operation, and

maintenance of a 157 kW (DC) (estimated) solar photovoltaic system at Mosqueda Community Center;

3. Approve the award of a cooperative purchase Energy Services Agreement-Solar with FFP BTM Solar, LLC, for the design, financing, construction, installation, operation, and maintenance of a 162 kW (DC) (estimated) solar photovoltaic system at Roeding Park;

4. Approve the award of a cooperative purchase Energy Services Agreement-Solar with FFP BTM Solar, LLC, for the design, financing, construction, installation, operation, and maintenance of a 219 kW (DC) (estimated) solar photovoltaic system at Ted C. Wills Community Center;

5. Approve the award of a cooperative purchase Energy Services Agreement-Solar with FFP BTM Solar, LLC, for the design, financing, construction, installation, operation, and maintenance of a 78 kW (DC) (estimated) solar photovoltaic system at Inspiration Park;

6. Approve the award of a cooperative purchase Energy Services Agreement-Solar with FFP BTM Solar, LLC, for the design, financing, construction, installation, operation, and maintenance of a 94 kW (DC) (estimated) solar photovoltaic system at Mary Ella Brown Community Center;

7. Approve the award of a cooperative purchase Energy Services Agreement-Solar with FFP BTM Solar, LLC, for the design, financing, construction, installation, operation, and maintenance of a 110 kW (DC) (estimated) solar photovoltaic system at Fire Department Headquarters;

8. Approve the award of a cooperative purchase Energy Services Agreement-Solar with FFP BTM Solar, LLC, for the design, financing, construction, installation, operation, and maintenance of a 110 kW (DC) (estimated) solar photovoltaic system at Police Regional Training Center;

9. Authorize the Public Works Director or designee to execute subsequent documents, instruments, estoppel and acknowledgement certificates, etc. related to securing a financing party;

10. Authorize the Public Works Director or designee to approve of any changes to the PPA rates up to the maximum

amount authorized in the agreements;

11. Authorize the Public Works Director or designee to execute the Pacific Gas & Electric (PG&E) Interconnection Agreement required for the project(s).

Sponsors:

Public Works Department, Parks, After School and Recreation and Community Services Department

1.-U. [ID 22-1444](#)

***RESOLUTION - Adopt the Fourth Amendment to the FY 2023 Salary Resolution No. 2022-152, amending Exhibit 3, Unit 3, Non-Supervisory White Collar (FCEA) by adding the new classification of Park Ranger I, Park Ranger II and Senior Park Ranger and providing a salary step plan range for the respective classifications, effective October 3, 2022 (Subject to Mayor's Veto)

Sponsors:

Personnel Services Department

1.-V. [ID 22-1419](#)

***RESOLUTION - Adopt the Third Amendment to the FY 2023 Salary Resolution No. 2022-152, amending Section 9, subsection 1.b; and Exhibit 2, Non-Represented Management and Confidential Classes adding the new classification of Project Liaison/Program Administrator and the respective new E13 salary range, retitling the Labor Relations Manager to Chief Labor Negotiator and modifying the salary range from E7 to E6, modifying the Deputy City Manager salary range from E7 to E6, and retitling the Principal Labor Relations Analyst to Principal Labor Relations/Risk Analyst, effective October 3, 2022 (Subject to Mayor's Veto)

Sponsors:

Personnel Services Department

1.-W. [ID 22-1367](#)

Actions pertaining to the use of Parking Garage 7:

1. Adopt a finding of Categorical Exemption pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act Guidelines.
2. Approve the Second Amendment to the License Agreement between the City of Fresno, and T-Mobile West, LLC., to license use of certain real property, together with access and utility rights located at the Fresno City Parking Garage 7 (801 Van Ness Avenue, Fresno, CA 93721) for four

(4) five-year terms and total contract revenue of \$436,920
(District 3)

Sponsors:

Planning and Development Department

1.-X. [ID 22-1399](#)

Approve the Agreement with Mental Health Systems (MHS) to operate the Fresno HOME as a low-barrier emergency homeless shelter in the total amount of \$981,908.68 using Homeless Housing Assistance and Prevention (HHAP) funds and authorize the City Manager or designs to sign all implementing documents as approved to form by the City Attorney.

Sponsors:

Planning and Development Department

1.-Y. [ID 22-1417](#)

Approve the fourth Amendment to the Agreement with Turning Point of Central California, Inc., to increase the number of beds from 50 to 100 for triage center services at the Golden State Triage Center using HHAP funds.

Sponsors:

Planning and Development Department

1.-Z. [ID 22-1466](#)

Approve the third Amendment to the Agreement with Turning Point of Central California, Inc., for triage center services at the Journey Home Triage Center.

Sponsors:

Planning and Development Department

1. [ID 22-1429](#)
-AA.

Actions pertaining to the 2023 Selective Traffic Enforcement Program (STEP) grant

1. ***Authorize the Chief of Police to accept \$500,000 in grant funding for the 2023 STEP grant awarded to the Fresno Police Department from the National Highway Traffic Safety Administration (NHTSA) through the California Office of Traffic Safety (OTS)(Subject to Mayor's Veto)
2. Authorize the Chief of Police or his designee to execute the agreement, extensions and all related documentation applicable to the 2023 STEP grant
3. ***RESOLUTION - Adopt the 9th Amendment to the Annual Appropriation Resolution (AAR) No. 2022-154 appropriating \$375,000 for the Police Department's STEP grant (Requires five affirmative votes) (Subject to Mayor's veto).

Sponsors:

Police Department

1. [ID 22-1265](#)

-BB.

Bicycle and Pedestrian Advisory Committee (BPAC)
Semi-Annual Report (October 2021 through April 2022)
(Citywide)

Sponsors:

Public Works Department

1. [ID 22-1389](#)

-CC.

Actions pertaining to the Veterans Boulevard North Extension
Project (Bid File No. 3854) (Council District 2):

1. RESOLUTION - Adopting findings pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15091 and 15093 as required by CEQA Guidelines Section 15096 for the Veterans Boulevard North Extension Phase 4B Project
2. Award a Construction Contract in the amount of \$7,085,420.50 to Yarbs Grading and Paving Inc, of Fowler, California, as the lowest responsive and responsible bidder

Sponsors:

Public Works Department

1. [ID 22-1421](#)

-DD.

RESOLUTION - Of Intention to Establish a Community Facilities District (Community Facilities District No. 18 - Public Safety Services) and future annexation area and to Authorize the Levy of a Special Tax; and setting the public hearing for Thursday, November 3, 2022, at 10:00 am (Tract 6310, near the northwest corner of Dakota and Polk Avenues; and Tract 6234, southwest corner of Dakota and Hayes Avenues; future annexation area encompasses entire City of Fresno) (Citywide)

Sponsors:

Public Works Department

1. [ID 22-1390](#)

-EE.

Approve an agreement for Professional Engineering Services with Provost and Pritchard Consulting Group for \$1,650,000, with a \$62,500 contingency, for design and construction support services for the River West Eaton Trail Extension Project (Council District 2)

Sponsors:

Public Works Department

1. [ID 22-1450](#)

-FF.

***RESOLUTION - Adopting the Artistic Crosswalk Policy
(Subject to Mayor's veto)

Sponsors:

Public Works Department

1. [ID 22-1451](#)
-GG. Actions pertaining to the Barton Avenue and Florence Avenue Improvements Project at Calwa Park - Bid File 3831 (Council District 5):
1. Adopt a finding of Categorical Exemption per staff determination pursuant to Section 15301/Class 1 and 15302 Class 2 of the California Environmental Quality Act (CEQA) Guidelines
 2. Award a construction contract in the amount of \$636,396 to Terra West Construction of Clovis, California
- Sponsors:** Public Works Department

1. [ID 22-1453](#)
-HH. RESOLUTION - Authorizing the Submission of a Grant Application to the United States Department of Transportation Reconnecting Communities Pilot Discretionary Grant Program Totaling Up to \$2 Million in Request for Funding; and Authorizing the Execution of Grant Application and Grant Agreement Documents by the Public Works Director or Designee (Council District 3)
- Sponsors:** Public Works Department

- 1.-II. [ID 22-1394](#) Actions pertaining to the North Avenue sewer trunk main realignment (Council Districts 3 and 5)
1. RESOLUTION - Adopt Resolution authorizing an exception to the formal bidding procedures and award a sole source signal relocation agreement with Burlington Northern Santa Fe Railway Company
 2. Award a signal relocation agreement in the amount of \$379,906 with Burlington Northern Santa Fe Railway Company for the relocation of signal equipment that conflicts with the North Avenue sewer trunk main realignment
- Sponsors:** Department of Public Utilities

- 1.-JJ. [ID 22-1404](#) Approve the First Amendment to the consultant services agreement with SEAM Group, LLC, to increase the compensation by \$150,000, for a total amended contract amount not to exceed \$387,200, inclusive of a \$20,000 contingency, for the Occupational Safety and Health Administration Compliant Lockout-Tagout Program for

electrical and mechanical equipment at the Fresno-Clovis Regional Wastewater Reclamation Facility (Council District 3)

Sponsors:

Department of Public Utilities

1. [ID 22-1415](#)

-KK.

Approve two Title VI Fare Equity Analyses for the Department of Transportation/Fresno Area Express (FAX), including (1) an updated analysis of the new fare structure enacted in September 2021 which now contains a determination on free fares for veterans and active-duty military, and (2) an analysis of temporary free fares for Reduced Fare riders.

Sponsors:

Department of Transportation

1. [ID 22-1372](#)

-LL.

Actions pertaining to solar projects proposed at Department of Transportation/Fresno Area Express (FAX) sites including the FAX Employee Parking Lot and Bus Yard

1. Adopt findings pursuant to the California Environmental Quality Act (CEQA) Guidelines:
 - a. Adopt a finding of Categorical Exemptions pursuant to Sections 15303/Class 3; 15304/Class 4; and 15311/Class 11 of the California Environmental Quality Act (CEQA) Guidelines and exempt pursuant to Section 21080.35.(a) of the California Public Resources Code (PRC);
2. Approve the award of a cooperative purchase Energy Services Agreement-Solar with FFP BTM SOLAR, LLC, for the design, financing, construction, installation, operation, and maintenance of a 1.07 mW (DC) (estimated) solar photovoltaic system at the FAX Bus Yard;
3. Approve the award of a cooperative purchase Energy Services Agreement-Solar with FFP BTM Solar, LLC, for the design, financing, construction, installation, operation, and maintenance of a 219 kW (DC) (estimated) solar photovoltaic system at the FAX Employee Parking Lot;
4. Authorize the Director of Transportation or designee to execute subsequent documents, instruments, estoppel and acknowledgement certificates, etc. related to securing a financing party;
5. Authorize the Director of Transportation or designee to approve of any changes to the PPA rates up to the maximum

amount authorized in the agreements;

6. Authorize the Director of Transportation or designee to execute the Pacific Gas & Electric (PG&E) Interconnection Agreement required for the project(s).

Sponsors:

Department of Transportation

1. [ID 22-1473](#)

-MM.

Approve the cooperative purchase of fourteen (14) medium-accessible paratransit cutaway unleaded vehicles from Houston-Galveston Area Council (H-GAC) for the Department of Transportation/FAX, in the amount of \$1,768,955.35

Sponsors:

Department of Transportation

1. [ID 22-1285](#)

-NN.

Approve the Sixth Amendment to the professional consultant agreement with Stantec Architecture, Inc., to incorporate additional design due to differing as-built conditions, future facility needs, and project grant and compliance requirements for the Department of Transportation/Fresno Area Express Division Facility Improvement Project in the amount of \$19,467.00 and authorize the Director of Transportation or designee to execute all related documents

Sponsors:

Department of Transportation

1. [ID 22-1420](#)

-OO.

BILL (for introduction) - Repealing Section 9-609 of the Fresno Municipal Code relating to the business hours of pawnbrokers and secondhand dealers.

Sponsors:

Councilmember Bredefeld

1. [ID 22-1443](#)

-PP.

Approve the appointment of Lois White Murphy to the Council District 6 Project Review Committee.

Sponsors:

Councilmember Bredefeld

1. [ID 22-1374](#)

-QQ.

***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

1. [ID 22-1423](#) ***RESOLUTION - Establishing a policy for City cooling and
-RR. warming centers (Subject to Mayor's Veto)
Sponsors: Councilmember Arias, Councilmember Soria and
Councilmember Chavez
1. [ID 22-1499](#) Approve the appointment of Elisa Rivera to the City of Fresno
-SS. Women's Commission.
Sponsors: Vice President Maxwell
1. [ID 22-1502](#) Actions pertaining to public education services for Measure M
-TT. and Measure C
1a. Uphold the City Manager's finding that Local
Government Strategic Consulting (LGSC) is uniquely
qualified to provide public education services related to
Measure M (Veterans' Services and Facilities)
1b. Approve a consultant services agreement with Local
Government Strategic Consulting in an amount not to exceed
\$500,000
2a. Uphold the City Manager's finding that Jeffrey Scott
Agency (JSA) is uniquely qualified to provide public education
services related to Measure C (Transportation)
2b. Approve a consultant services agreement with Jeffrey
Scott Agency (JSA) to provide public education services
regarding Measure C in an amount not to exceed \$250,000
Sponsors: Councilmember Chavez, Vice President Maxwell and Office of
Mayor & City Manager
1. [ID 22-1503](#) ***RESOLUTION - Directing the donation and transfer of
-UU. Southern Pacific Engine 1238 (Subject to Mayor's Veto)
Sponsors: Councilmember Arias

**Joint Meeting of The City Council, The City in Its Capacity as
Housing Successor to the Redevelopment Agency of the City of
Fresno and The Fresno Revitalization Corporation**

1. [ID 22-1468](#) Actions pertaining to the disposition of the 8-acre property
-VV. located at the southeast corner of East Florence and South
Plumas Avenues (APN 477-060-04T) (District 3).
1. ***Resolution - Declaring property at the southeast corner

of East Florence and South Plumas Avenues to be exempt surplus land and directing staff to comply with the Surplus Land Act (Subject to Mayor's Veto)

2. Resolution - Finding good cause and clear and convincing benefit to the public to vary from the Request for Proposals process pursuant to FMC Section 4-204 (Requires 5 Affirmative Votes)

Sponsors:

Successor Agency to the Redevelopment Agency of the City of Fresno

1. [ID 22-1495](#)

-WW.

Actions pertaining to the Hye Project for the rehabilitation as affordable housing of historic resources located at M and Santa Clara Streets:

1. RESOLUTION - Authorizing the distribution of funds from FRC Canyon Crest, LLC., to the Fresno Revitalization Corporation (FRC Action)

2. Approve Owner Participation Agreement with Essayons, LP., for the Hye Project to rehabilitate three single family homes at M and Santa Clara Streets (City as Housing Successor and FRC Action)

3. Approve Facade Covenant (Successor Agency Action)

Sponsors:

Successor Agency to the Redevelopment Agency of the City of Fresno

CONTESTED CONSENT CALENDAR

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:00 A.M. #1

[ID 22-1407](#)

Consideration of Development Code Text Amendment Application No. P22-02413 and related Environmental Finding for Environmental Assessment No. P22-02413, amending Tables 15-1102, 15-1103, 15-1202, 15-1203, 15-4907 and Section 15-1104 of the Fresno Municipal Code and adding Sections 15-1106 and 15-5102-E to the Fresno Municipal Code, and corresponding General Plan Text Amendment relating to mixed-use development:

1. ADOPT a finding set forth in Environmental Assessment

No. P22-02413 dated July 6, 2022, and recirculated on August 19, 2022, of a Mitigated Negative Declaration pursuant to CEQA Guidelines Section 15168(d)

2. BILL (for introduction) amending the Fresno Municipal Code, Tables 15-1102, 15-1103, 15-1202, 15-1203, 15-4907 and Section 15-1104 of the Fresno Municipal Code and adding Sections 15-1106 and 15-5102-E to the Fresno Municipal Code, relating to mixed-use development, with staff corrections as recommended by Planning Commission on July 20, 2022.

3. RESOLUTION (continued to October 13, 2022) Amending Chapter 3, the Urban Form, Land Use, and Design Element of the Fresno General Plan, Table 3-1, and pages 3-41 and 3-42 consistent with the Development Code Text Amendment described above and as set forth in General Plan Text Amendment Application No. P22-02413

Sponsors:

Planning and Development Department

10:00 A.M. #2 (CONTINUED TO OCTOBER 13, 2022, AT 10:00 AM)

[ID 22-1203](#)

HEARING to Consider Plan Amendment and Rezone Application No. P20-04209, Development Permit Application No. P20-04211, and related Environmental Assessment No. P20-04209/P20-04211 pertaining to ±18.9 acres of property located on the southeast corner of South West and West Church Avenues (Council District 3)

1. ADOPT the Negative Declaration as prepared for Environmental Assessment No. P20-04211/P20-04209, dated March 4, 2022, for the proposed project pursuant to the State of California Environmental Quality Act (CEQA); and,

2. RESOLUTION approving Plan Amendment Application No. P20-04209, requesting authorization to amend the Fresno General Plan and Southwest Fresno Specific Plan to change the planned land use designation for the subject property from Residential - Medium Density (±18.9 acres) to Employment - Light Industrial (±18.9 acres); and,

3. BILL (For introduction and adoption) approving Rezone Application No. P20-04209, requesting authorization to amend the Official Zoning Map of the City of Fresno to

rezone the subject property from the RS-5/UGM (Residential Single Family, Medium Density/Urban Growth Management) (±18.9 acres) zone district to the IL (Light Industrial/Urban Growth Management) (±18.9 acres) zone district in accordance with the Plan Amendment Application; and
4. APPROVE Development Permit Application No. P20-04211, requesting authorization to construct a state of the art ±477,470 square-foot two (2) story food production, warehousing, and distribution facility, subject to compliance with Conditions of Approval dated May 18, 2022.

Sponsors:

Planning and Development Department

10:05 A.M.

[ID 22-1401](#)

HEARING to consider Official Plan Line (OPL) for the West North Avenue alignment from South Marks Avenue to South Elm Avenue, and related Environmental Assessment No. EA-18-004. (Council District 3)

1. ADOPT Environmental Assessment No. EA-18-004, filed May 18, 2018, resulting in a Mitigated Negative Declaration for purposes of the proposed project
2. ***BILL - (For introduction and adoption) - Approving the Official Plan Line for the West North Avenue alignment from South Marks Avenue to South Elm Avenue pursuant to the Fresno General Plan Land Use and Circulation Map (Subject to Mayor's Veto)

Sponsors:

Public Works Department

10:10 A.M.

[ID 22-1392](#)

Actions pertaining to the Program Year (PY) 2021 Consolidated Annual Performance Evaluation Report (CAPER) for U.S. Department of Housing and Urban Development (HUD) Community Planning and Development (CPD) programs:

1. HEARING to obtain public comments regarding the PY 2021 CAPER; and
2. Adopt PY 2021 CAPER and authorize submission to the U.S. Department of Housing and Urban Development (HUD).

Sponsors:

Planning and Development Department

10:15 A.M.**[ID 22-1411](#)**

HEARING for Consideration of Text Amendment Application No. P21-05809 and related Environmental Finding for Environmental Assessment No. P21-05809, amending Chapter 15 of the Fresno Municipal Code, Tables 15-1102, 15-1402, and 15-1502, and Section 15-2010, relating to the Zone Districts where Electrified Fences are permitted.

1. RECOMMEND ADOPTION of a finding set forth in Environmental Assessment No. P21-05809 dated April 20, 2022, that Text Amendment Application No. P21-05809 is exempt from the California Environmental Quality Act (CEQA) pursuant to the commonsense exemption that it can be seen with certainty that there is no possibility that the proposed text amendment may have a significant effect on the environment pursuant to CEQA Guidelines Section 15061(b) (3).
2. BILL (For Introduction) Amending Chapter 15 of the Fresno Municipal Code, Tables 15-1102, 15-1402, and 15-1502 and Section 15-2010, relating to the Zone Districts where Electrified Fences are permitted.

Sponsors:

Planning and Development Department

10:20 A.M.**[ID 22-1445](#)**

Consideration of Vesting Tentative Tract Map No. 6345; and related Environmental Assessment No. T-6345/P22-00411/P22-00442 for approximately 36.75 acres of property located on the southeast corner of the East California Avenue alignment and South Willow Avenue (Council District 5).

1. ADOPT - Mitigated Negative Declaration prepared for Environmental Assessment No. T-6345/P22-00411/P22-0442 dated August 12, 2022, for the proposed project pursuant to California Environmental Quality Act (CEQA) Guidelines.

2. ***RESOLUTION - Approving Annexation Application No. P22-00411 to initiate annexation proceedings for the California-Willow No. 4 Reorganization proposing incorporation of the subject property within the City of Fresno; and, detachment from the Kings River Conservation District and Fresno County Fire Protection District. (Subject to Mayor's Veto)

3. ***BILL - (For introduction and adoption) - Approving Pre-zone Application No. P22-00442 proposing to pre-zone: approximately 38.37 acres of the subject property from the Fresno County AL20 (Limited Agriculture) zone district to the City of Fresno RS-5 (Single-Family Residential, Medium Density) zone district; approximately 37.90 acres of the subject property from the Fresno County AL20 (Limited Agriculture) zone district to the RS-5/ANX (Single-Family Residential, Medium Density/Annexed Rural Residential Transitional Overlay) zone district; and, approximately 41.70 acres of the subject property from the Fresno County AL20 (Limited Agriculture) zone district to the City of Fresno RM-2/ANX (Multi-Family Residential, Urban Neighborhood/Annexed Rural Residential Transitional Overlay) zone district. (Subject to Mayor's Veto)

4. APPROVE - Vesting Tentative Tract Map No. 6345, proposing to subdivide approximately 36.75 acres of the subject property into a 199-lot conventional single-family residential development subject to compliance with the Conditions of Approval dated September 21, 2022.

Sponsors:

Planning and Development Department

1:30 P.M.

[ID 22-1410](#)

Workshop on the proposed Fresno County Multi-Jurisdictional Housing Element Update.

Sponsors:

Planning and Development Department

3. GENERAL ADMINISTRATION

3.-A. [ID 22-1467](#)

Actions related to One Fresno Housing Strategy:

1. ***RESOLUTION - Create a Voucher Incentive Program

(Subject to Mayor's Veto)

2. ***RESOLUTION - Create a Rent Stabilization Program

(Subject to Mayor's Veto)

3. ***RESOLUTION - Fund the Central California Land Trust (Subject to Mayor's Veto)

4. ***RESOLUTION - Fund the Fresno Mixed-Income Neighborhood Trust (Subject to Mayor's Veto)

5. ***RESOLUTION - Allocate American Rescue Plan Funding to the City of Fresno Local Housing Trust Fund (Subject to Mayor's Veto)

6. ***RESOLUTION - Fund the Fresno City College Tiny Home Construction Partnership (Subject to Mayor's Veto)

7. ***RESOLUTION - Acknowledge the Continuance of the Eviction Protection Program (Subject to Mayor's Veto)

Sponsors:

Office of Mayor & City Manager

3.-B. [ID 22-1413](#)

WORKSHOP - Office of Community Affairs: Strategic Plan Overview

Sponsors:

Office of Mayor & City Manager

3.-C. [ID 22-1456](#)

WORKSHOP - West Area Neighborhoods Specific Plan (P22-01351, P22-01352, & P22-01353)

Sponsors:

Planning and Development Department

3.-D. [ID 22-1475](#)

WORKSHOP - South Central Specific Plan - Status Update

Sponsors:

Planning and Development Department

4. CITY COUNCIL

4.-A. [ID 22-1501](#)

Council consideration of general enforcement approaches to address illegal disclosures of confidential closed session communications to the media that have taken place over the past two years.

Sponsors:

Councilmember Bredefeld and Councilmember Karbassi

5. CLOSED SESSION

5.-A. [ID 22-1354](#)

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Government Code Section 54956.9, subdivision (d)(1)

Case Name: Jeanine Watts v. City of Fresno, et al. WCAB
Case No. ADJ9940300

Sponsors:

Personnel Services Department

5.-B. [ID 22-1355](#)

CONFERENCE WITH LEGAL COUNSEL-EXISTING
LITIGATION

Government Code Section 54956.9, subdivision (d)(1)

Case Name: Michael Johnson v. City of Fresno, et al. Claim
No. 1010103576-ADR-1

Sponsors:

Personnel Services Department

5.-C. [ID 22-1356](#)

CONFERENCE WITH LEGAL COUNSEL-EXISTING
LITIGATION

Government Code Section 54956.9, subdivision (d)(1)

Case Name: Robin Garcia (Gregory Crawford, Dec'd) v.
COF, et al. WCAB Case No.: ADJ11870021

Sponsors:

Personnel Services Department

5.-D. [ID 22-1378](#)

CONFERENCE WITH LEGAL COUNSEL-EXISTING
LITIGATION

Government Code Section 54956.9, subdivision (d)(1)

Micheli/Flannery v. City of Fresno; (Department of Public
Utilities)

Fresno Superior Court Case No. 16CECG02937

Sponsors:

City Attorney's Office

5.-E. [ID 22-1352](#)

CONFERENCE WITH LEGAL COUNSEL - POTENTIAL
LITIGATION

Government Code Section 54956.9, subdivision (d)(4)

Case Name: City of Fresno v. Hope Beam

Sponsors:

City Attorney's Office

5.-F. [ID 22-1469](#)

CONFERENCE WITH LEGAL COUNSEL-EXISTING
LITIGATION

Government Code Section 54956.9, subdivision (d)(1)

Case Name: International Union of Operating Engineers,
Stationary Engineers, Local 39 v. City of Fresno, Grievance
Arbitration Case No. ARB-20-01250

Sponsors:

City Attorney's Office

5.-G. [ID 22-1414](#)

CONFERENCE WITH LABOR NEGOTIATORS -
Government Code Section 54957.6
City Negotiators: TJ Miller

Employee Organizations: International Union of Operating
Engineers, Stationary Engineers, Local 39 (Local 39);

Sponsors:

Office of Mayor & City Manager

5.-H. [ID 22-1504](#)

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.-I. [ID 22-1476](#)

CONFERENCE WITH LEGAL COUNSEL - POTENTIAL
LITIGATION, Government Code section 54956.9. subdivision
(d)(4)
City Council is considering whether to initiate litigation: One
(1) potential case.

Sponsors:

Councilmember Arias

5.-J. [ID 22-1425](#)

CONFERENCE WITH LEGAL COUNSEL - POTENTIAL
LITIGATION, Government Code Section 54956.9, subdivision
(d)(2);

Nelson Esparza v. City of Fresno

CONFERENCE WITH LEGAL COUNSEL - EXISTING
LITIGATION, Government Code Section 54956.9, subdivision
(d)(1);

People v. Nelson Esparza (F22905037)

ADJOURNMENT**UPCOMING SCHEDULED COUNCIL HEARINGS AND MATTERS**

October 13, 2022

10:00 A.M. #1 - Mixed Use Text Amendment (Ordinance for Adoption)

October 13, 2022

10:00 A.M. #2 - HEARING to Consider Plan Amendment and Rezone Application No. P20-04209, Development Permit Application No. P20-04211, and related Environmental Assessment No. P20-04209/P20-04211 pertaining to ±18.9 acres of property located on the southeast corner of South West and West Church Avenues (Council District 3) – Planning & Development Department

October 13, 2022

10:00 A.M. #3 - 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. 133 (Final Tract Map No. 6310) (property located on north side of West Dakota Avenue between North Hayes & North Polk Avenues) (Council District 1)

October 13, 2022

5:00 P.M. - West Area Neighborhoods Community Plan

November 3, 2022

10:00 A.M. - HEARING to adopt resolutions and ordinance to Consider the Formation of a Community Facilities District (Community Facilities District No. 18 – Public Safety Services) and future annexation area and to Authorize the Levy of a Special Tax; (T6310, near the northwest corner of Dakota and Polk Avenues; T6234, southwest corner of Dakota and Hayes Avenues; future annexation area encompasses entire City of Fresno) (Districts 1-7)

UPCOMING EMPLOYEE CEREMONIES

October 19, 2022 - Employee of the Fall Quarter

November 16, 2022 -Employee Service Awards

2022 CITY COUNCIL MEETING SCHEDULE

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