

City of Fresno

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



Meeting Agenda - Final-revised

Thursday, February 17, 2022

9:00 AM

Regular Meeting

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 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: February 17, 2022 9:00 AM Pacific Time (US and Canada)

Topic: February 17, 2022 Regular Meeting

a) Register in advance for this webinar:

https://zoom.us/webinar/register/WN_caKy6uA0SbGn76qy5YpCFg

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 22-300](#) Proclamation for “Summer Gaston Day” in the City of Fresno

Sponsors: Councilmember Chavez

[ID 22-320](#) Proclamation for “Teen Dating Violence Awareness Month”

Sponsors: Council President Esparza

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

[ID 22-387](#) The attached public comments were submitted for the February 17, 2022 Regular City Council meeting and were not directly related to any specific item(s) on the published agenda.

1. CONSENT CALENDAR

1.-A. [ID 22-230](#) Approve a consultant services agreement with Unison Consulting, Inc., to provide professional services for creating and establishing a Tenant Handbook at the Fresno Yosemite International Airport in an amount not to exceed \$50,000.
(Council District 4)

Sponsors: Airports Department

1.-B. [ID 22-316](#) ***BILL No. 2 (Re-intro'd 2/10/2022) (For Adoption) -

Amending Administrative Abatement, FMC section 10-616, to clarify limits on access to restricted areas where abatements are taking place (Subject to Mayor's Veto).

Sponsors:

City Attorney's Office

- 1.-C. [ID 22-274](#) Approve the award of a purchase contract to Stommel Inc., dba Lehr Automotive, a Sacramento California-based company, for the purchase of 91 sets of patrol vehicle hardware and safety equipment in the amount of \$2,153,261 for the Police Department
- Sponsors:** Department of Transportation
- 1.-D. [ID 22-272](#) Award a two-year Requirements Contract with provisions for three one-year extensions to Herwaldt Automotive Group, Inc. of Fresno, California, for a maximum of 75 marked patrol BMW motorcycles over a 5-year term in the total amount of \$2,109,211.84, plus annual CPI adjustments, for the Police Department. The FY22 purchase will be 15 motorcycles in the amount of \$421,844.37 (Bid File 9626)
- Sponsors:** Department of Transportation
- 1.-E. [ID 22-275](#) Award a construction contract to AMG & Associates, Inc. of Santa Clarita, California, in the amount of \$11,631,119 for the Department of Transportation Fresno Area Express Facility Improvement project and authorize the Director of Transportation to execute all related documents (Bid File #3839) (District 3)
- Sponsors:** Department of Transportation
- 1.-F. [ID 22-276](#) RESOLUTION - Approval of Annual Update of the Public Transit Agency Safety Plan (PTASP) as required by the Federal Transit Administration
- Sponsors:** Department of Transportation
- 1.-G. [ID 22-287](#) ***RESOLUTION - Adopting the 567th Amendment to the Master Fee Schedule Resolution No.80-420 to update reduced transit fare pricing. (Subject to Mayor's Veto).
- Sponsors:** Department of Transportation
- 1.-H. [ID 22-314](#) Approve an increase to the Requirements Contract with Air Liquide U.S. LP, doing business as Alliance Gas Products, for Bulk Liquid Oxygen to an annual amount of \$275,000, and extend the contract for an additional two years (Bid File 9452) (Citywide).

Sponsors:

Department of Public Utilities

1.-I. [ID 22-286](#)

Actions related to the extension and increase of a Requirements Contract for Bulk Sodium Hydroxide with Univar USA Inc. (Bid File 9429) (Citywide):

1. Reject all bids for the Requirements Contract for Bulk Sodium Hydroxide (Bid File 9601)
2. Approve an increase to the Requirements Contract with Univar USA Inc. (Univar) to an annual amount of \$1,443,365, and extend the contract for one additional year (Bid File 9429) (Citywide)

Sponsors:

Department of Public Utilities

1.-J. [ID 22-281](#)

***RESOLUTION - 51st Amendment to the Annual Appropriations Resolution (AAR) No. 2021-178 appropriating \$6,141,400 under the General Fund that will fund salary increases and overtime for Bargaining Units 04 (FPOA Non-Management) and 09 (FPOA Management), 05 (IAFF Non-Management) and 10 (IAFF Management) from the American Rescue Plan Act (ARPA) ((Requires 5 Affirmative Votes) (Subject to Mayor's Veto).

Sponsors:

Office of Mayor & City Manager

1.-K. [ID 22-282](#)

***RESOLUTION - 52nd Amendment to the Annual Appropriations Resolution (AAR) No. 2021-178 appropriating \$2,000,000 under the General Fund for the 911 Call Center from the American Rescue Plan Act (ARPA) (Requires 5 Affirmative Votes) (Subject to Mayor's Veto).

Sponsors:

Office of Mayor & City Manager

1.-L. [ID 22-288](#)

***RESOLUTION - Adopt the Fourteenth Amendment to FY 2022 Salary Resolution No. 2021-176, amending Exhibit 13-1, Unit 13, Exempt Supervisory and Professional (CFPEA) to modify the salary ranges for Professional Engineer, Supervising Professional Engineer, Chief Surveyor, and Architect, effective February 14, 2022 (Subject to Mayor's Veto).

Sponsors:

Personnel Services Department

1.-M. [ID 22-317](#)

Actions pertaining to the FY22 Position Authorization Resolution No. 2021-179:

1: ***RESOLUTION - Adopt the 5th Amendment to Position Authorization Resolution (PAR) No. 2021-179, adding one hundred seven (107) full-time and two (2) permanent part-time positions Citywide. (Subject to Mayor's Veto).

Sponsors:

Personnel Services Department

1.-N. [ID 22-309](#)

Actions pertaining to Operating Engineers, Local Union No. 3 (Airport Public Safety Officers) for Unit 11 (FAPSO/OE3):

1. ***Adopt a successor Memorandum of Understanding between the City of Fresno and Operating Engineers, Local Union No. 3 (Airport Public Safety Officers) for Unit 11 (FAPSO/OE3) (Subject to Mayor's veto)

2. ***RESOLUTION: Adopt the Fifteenth Amendment to FY 2022 Salary Resolution No. 2021-176 amending salaries in Exhibit 11, Unit 11 - Airport Public Safety Officers (FAPSO), as required by the Memorandum of Understanding between the City of Fresno and Operating Engineers, Local Union No. 3 (OE3) for Unit 11 (FAPSO/OE3) (Subject to Mayor's veto)

Sponsors:

Personnel Services Department

1.-O. [ID 22-289](#)

Actions pertaining to the CaliforniansForAll Youth Workforce Development Grant program:

1. Approve the 2021 CaliforniansForAll Youth Workforce Development Grant

2. ***RESOLUTION - Adopting the 53rd amendment to the Annual Appropriation Resolution (AAR) No. 2021-178 appropriating \$232,500 for the One Fresno Youth Workforce Development Grant (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)

3. ***RESOLUTION - 6th Amendment to the Position Authorization Resolution (PAR) No. 2021-179 adding three (3) positions to the Personnel Services Department (Subject to Mayor's Veto)

Sponsors:

Personnel Services Department and Office of Mayor & City Manager

- 1.-P. [ID 22-301](#) Actions pertaining to the 2020 Environmental Protection Agency Brownfields Revolving Loan Fund Grant:
1. Approve a Sub-Grantee award to Saint Rest Baptist Church of up to \$191,000 for the remediating of an existing building on the Saint Rest Campus from the City of Fresno's Brownfield Revolving Loan Fund.
- Sponsors:** Planning and Development Department
- 1.-Q. [ID 22-299](#) ***RESOLUTION - Supporting the Housing Authority of the City of Fresno's submission of a Low-Income Housing Tax Credit application for the construction of affordable housing at 1240 N. Crystal and expressing the City's intent to contribute to the Project in an amount not to exceed \$3,500,000 upon full award of tax credit funding for the Project. (Subject to Mayor's Veto)
- Sponsors:** Planning and Development Department
- 1.-R. [ID 22-302](#) ***RESOLUTION - Supporting the Housing Authority of the City of Fresno's submission of a Low-Income Housing Tax Credit application for the construction of affordable housing at 7521 N. Chestnut and expressing the City's intent to contribute to the Project in an amount not to exceed \$3,000,000 upon full award of tax credit funding for the Project. (Subject to Mayor's Veto)
- Sponsors:** Planning and Development Department
- 1.-S. [ID 22-304](#) Approve a Preliminary Engineering Services Agreement with BNSF Railway Company to perform engineered design plan review and diagnostic evaluation, in the amount of \$199,561.20, for the Blackstone Avenue and McKinley Avenue BNSF Grade Separation Project (Council Districts 1 and 7)
- Sponsors:** Public Works Department
- 1.-T. [ID 22-269](#) Approve an agreement with Pacific Gas and Electric Company in the amount of \$57,683.82 for the installation of a new service connection to power the proposed Herndon Avenue and Veterans Boulevard intersection as part of the

Veterans Boulevard North Extension Project (Council District 2)

Sponsors:

Public Works Department

1.-U. [ID 22-262](#)

Approve Contract Change Order No. 05 in the deductive amount of \$(21,083.89) to Emmett's Excavation, Inc. for the Inyo Street Overlay Between Van Ness and P, Project ID PW0788 (Council District 3)

Sponsors:

Public Works Department

1.-V. [ID 22-266](#)

Actions pertaining to the Veterans Boulevard Grade Separation Project (Council District 2):

1. ***RESOLUTION - 49th Amendment to the Annual Appropriation Resolution (AAR) No. 2021-178 appropriating \$1,949,800 for the Veterans Boulevard Grade Separation Project (Requires 5 affirmative votes) (Subject to Mayor's veto)
2. Approve Contract Change Order No. 15 in the amount of \$1,354,408 and an increase in contract time of one hundred sixteen (116) working days to Granite Construction Company, for the Veterans Boulevard Grade Separation, Project ID PW00683

Sponsors:

Public Works Department

1.-W. [ID 22-268](#)

Actions pertaining to the widening of Fowler Avenue, from Clinton Avenue to the Weldon Avenue alignment, a condition of approval for Vesting Tentative Map No. 6214 (Council District 7)

1. ***RESOLUTION - 33rd Amendment to the Annual Appropriation Resolution (AAR) No. 2021-178 appropriating \$112,500 for right-of-way (permanent easement) acquisition for Tract Map 6214 (Requires 5 affirmative votes) (Subject to Mayor's Veto)
2. Approve the Agreement for Purchase and Sale of a 21,328 square foot permanent easement from portions of APN: 496-220-16S and APN: 496-220-17S, owned by E. & J. Gallo Winery, a California Corporation for \$99,400 in compensation

Sponsors:

Public Works Department

- 1.-X. [ID 22-264](#) RESOLUTION - Authorizing the Submission of a Grant Application to the Fresno Council of Governments for the 2022 Measure C Transit Oriented Infrastructure for In-Fill Development Grant Program in the amount of \$450,000 for the Blackstone Avenue Smart Mobility Project; and Authorizing the Execution of Grant Application and Grant Agreement Documents by the Public Works Director or Designee (Council Districts 1, 3 and 7)

Sponsors: Public Works Department

- 1.-Y. [ID 22-267](#) RESOLUTION - Of Intention to Annex Final Tract Map No. 6187 as Annexation No. 131 to the CITY OF FRESNO COMMUNITY FACILITIES DISTRICT NO. 11 and to Authorize the Levy of Special Taxes; and setting the public hearing for Thursday, March 10, 2022, at 10:00 am (City Council Chambers, 2600 Fresno Street, Fresno, California, 93721) (Council District 3)

Sponsors: Public Works Department

- 1.-Z. [ID 22-308](#) RESOLUTION - Initiating a Text Amendment to Chapter 15, Article 27, Section 15-2761 of the Fresno Municipal Code relating to the sale of Tobacco.

Sponsors: Councilmember Arias

1. [ID 22-307](#) ***RESOLUTION - Directing the administration to present the processes to change Kings Canyon/Ventura Blvd to "Cesar Chavez Boulevard" and directing the formation of an resident, business owner and stakeholder committee to engage the public and receive input, recommendations (Subject to Mayor's Veto).
-AA.

Sponsors: Councilmember Chavez

1. [ID 22-315](#) ***RESOLUTION - Directing staff to perform the necessary meet and confer with labor unions related to declaring Cesar Chavez Day a holiday in the City of Fresno (Subject to Mayor's Veto).
-BB.

Sponsors: Council President Esparza

1. [ID 22-313](#) ***RESOLUTION - To Pursue the Formation of a Veterans Memorial District in the City of Fresno (Subject to Mayor's Veto).
-CC.

Sponsors: Councilmember Chavez, Council President Esparza and Councilmember Arias

CONTESTED CONSENT CALENDAR

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

3. GENERAL ADMINISTRATION

- 3.-A. [ID 22-219](#) WORKSHOP - Pavement Management Presentation

Sponsors: Public Works Department

- 3.-B. [ID 22-263](#) Actions related to Senate Bill 1383 - California's Short-Lived Climate Pollutant Reduction Strategy:
1. Adopt a finding of Categorical Exemption pursuant to Section 15308/Class 8 of the California Environmental Quality Act (CEQA) Guidelines
 2. ***BILL - (For introduction) Amending Chapter 6, Article 2 of the Fresno Municipal Code, relating to waste collection and disposal (Subject to Mayor's Veto)
 3. ***RESOLUTION - Authorizing submission to CalRecycle a Notification of Intent to Comply with the mandates of Senate Bill 1383 to achieve the organic waste reduction goals established in Section 39730.6 of the California Health and Safety Code (Subject to Mayor's Veto)
 4. ***RESOLUTION - Authorizing the submission of a grant application to CalRecycle through its SB 1383 Local Assistance Grant Program for one-time funding in the amount of \$718,149 to assist with the implementation of regulation requirements associated with Senate Bill 1383, and authorizing the Director of Public Utilities or designee to execute all application and grant agreement documents on behalf of the City of Fresno (Subject to Mayor's Veto)

Sponsors: Department of Public Utilities

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

- 5.-A. [ID 22-319](#) CONFERENCE WITH REAL PROPERTY NEGOTIATOR -
Government Code Section 54956.8
Property: 1343 E. Barstow;
Negotiating Parties: City Manager, Wesley United Methodist
Church;
Under Negotiation: Price and terms of sale or lease.

Sponsors:

Vice President Maxwell

- 5.-B. [ID 22-305](#) CONFERENCE WITH LEGAL COUNSEL - DECIDING
WHETHER TO INITIATE LITIGATION Government Code
Section 54956.9, subdivision (d)(4)
Case Name: City of Fresno v. Siegfried Engineering, Inc.

Sponsors:

City Attorney's Office

- 5.-C. [ID 22-312](#) CONFERENCE WITH LABOR NEGOTIATORS -
Government Code Section 54957.6
City Negotiators: TJ Miller
Employee Organizations: 1. International Union of Operating
Engineers, Stationary Engineers, Local 39 (Local 39); 2.
Fresno City Employees Association (FCEA); 3. Fresno Police
Officers Association (FPOA Basic); 4. International
Association of Firefighters, Local 753, Unit 5 (Fire Basic); 5.
Amalgamated Transit Union, Local 1027 (ATU); 6.
International Brotherhood of Electrical Workers, Local 100
(IBEW); 7. Fresno Police Officers Association (FPOA
Management); 8. International Association of Firefighters,
Local 753, Unit 10 (Fire Management); 9. City of Fresno
Professional Employees Association (CFPEA); 10. City of
Fresno Management Employees Association (CFMEA); 11.
Operating Engineers, Local Union No. 3, Fresno Airport
Public Safety Supervisors (FAPSS); 12. Operating
Engineers, Local Union No. 3, Fresno Airport Public Safety
Officers (FAPSO)

Sponsors:

Personnel Services Department

ADJOURNMENT**UPCOMING SCHEDULED COUNCIL HEARINGS AND MATTERS**

March 10, 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. 131 (Final Tract Map No. 6187) (northeast corner of East Annadale Avenue and South Ivy Avenue) (Council District 3).

March 10, 2022

10:05 A.M. #1 - Proposed vacation of the most northerly corner cut-off at M Street and Inyo Street.

March 10, 2022

10:05 A.M. #2 - Proposed vacation of a portion of East Kaviland Avenue at South Rose Avenue.

UPCOMING EMPLOYEE CEREMONIES

April, 20, 2022 (Wednesday) - Employee of the Spring Quarter

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

FEBRUARY 24, 2022 - NO MEETING

MARCH 3, 2022 - NO MEETING

MARCH 10, 2022 - 9:00 A.M.

MARCH 17, 2022 - NO MEETING

MARCH 24, 2022 - 9:00 A.M.

MARCH 31, 2022 - NO MEETING

APRIL 7, 2022 - NO MEETING

APRIL 14, 2022 - NO MEETING

APRIL 21, 2022 - 9:00 A.M.

APRIL 28, 2022 - 9:00 A.M.

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)



Legislation Details (With Text)

File #: ID 22-300 **Version:** 1 **Name:**
Type: Ceremonial Item **Status:** Agenda Ready
File created: 2/4/2022 **In control:** City Council
On agenda: 2/17/2022 **Final action:** 2/17/2022
Title: Proclamation for "Summer Gaston Day" in the City of Fresno
Sponsors: Luis Chavez
Indexes:
Code sections:
Attachments: [Proclamation](#)

Date	Ver.	Action By	Action	Result
2/17/2022	1	City Council	PRESENTED	

REPORT TO THE CITY COUNCIL

FROM: LUIS CHAVEZ, Councilmember
District 5, City Council

SUBJECT

Proclamation for "Summer Gaston Day" in the City of Fresno

Attachment: Proclamation



Legislation Details (With Text)

File #: ID 22-320 **Version:** 1 **Name:**
Type: Ceremonial Item **Status:** Agenda Ready
File created: 2/11/2022 **In control:** City Council
On agenda: 2/17/2022 **Final action:** 2/17/2022
Title: Proclamation for "Teen Dating Violence Awareness Month"
Sponsors: Nelson Esparza
Indexes:
Code sections:
Attachments: [Proclamation](#)

Date	Ver.	Action By	Action	Result
2/17/2022	1	City Council	PRESENTED	

REPORT TO THE CITY COUNCIL

FROM: NELSON ESPARZA, Council President
District 7, City Council

SUBJECT
Proclamation for "Teen Dating Violence Awareness Month"

Attachment: Proclamation



Legislation Details (With Text)

File #: ID 22-387 **Version:** 1 **Name:**
Type: Action Item **Status:** Agenda Ready
File created: 2/24/2022 **In control:** City Council
On agenda: 2/17/2022 **Final action:**
Title: The attached public comments were submitted for the February 17, 2022 Regular City Council meeting and were not directly related to any specific item(s) on the published agenda.
Sponsors:
Indexes:
Code sections:
Attachments: [Supplement_Feb17RegMeeting_UnscheduledCommunication](#)

Date	Ver.	Action By	Action	Result
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REPORT TO THE CITY COUNCIL

FROM: TODD STERMER, City Clerk
Office of the City Clerk

SUBJECT

The attached public comments were submitted for the February 17, 2022 Regular City Council meeting and were not directly related to any specific item(s) on the published agenda.

Attachment: Public Comments



Legislation Details (With Text)

File #: ID 22-230 **Version:** 1 **Name:**
Type: Action Item **Status:** Agenda Ready
File created: 1/27/2022 **In control:** City Council
On agenda: 2/17/2022 **Final action:**
Title: Approve a consultant services agreement with Unison Consulting, Inc., to provide professional services for creating and establishing a Tenant Handbook at the Fresno Yosemite International Airport in an amount not to exceed \$50,000. (Council District 4)
Sponsors: Airports Department
Indexes:
Code sections:
Attachments: [02-17-2022 Consultant Services Agreement \(Unison Tenant Handbook\).pdf](#)

Date	Ver.	Action By	Action	Result
2/17/2022	1	City Council	TABLED	

REPORT TO THE CITY COUNCIL

FROM: HENRY THOMPSON, Director of Aviation
Airports Department

BY: MELISSA GARZA-PERRY, Airports Properties Manager
Airports Department

SUBJECT

Approve a consultant services agreement with Unison Consulting, Inc., to provide professional services for creating and establishing a Tenant Handbook at the Fresno Yosemite International Airport in an amount not to exceed \$50,000. (Council District 4)

RECOMMENDATION

Staff recommends approval of a consultant services agreement with Unison Consulting, Inc., (Unison) not to exceed the amount of \$50,000 for professional services for creating and establishing a Tenant Handbook at Fresno Yosemite International Airport (FAT), and to authorize the City Manager, or designee, to execute the agreement on behalf of the City.

EXECUTIVE SUMMARY

Creating and establishing consistent practices for tenant operations and improvements at FAT is

necessary with the continued growth and operations of the Airport. The Airport does not have a controlling document that tenants can refer to for current operational and tenant improvement guidelines and requirements. This Handbook will be the official rules and regulations, which will be updated regularly, regarding all tenant operation requirements and improvement guidelines, and will provide Airport staff with the tools and the essential information necessary to address tenant inquiries.

BACKGROUND

Unison is a consulting company that responded to and was chosen as part of a Request for Qualifications (RFQ) completed in 2018 (the results were valid for 5 years). In that RFQ, one of the requirements was for “performing airport concessions analyses, developing concessions plans, assisting with concessions RFP development, selection and negotiations, including determinations of optimal merchandise and food/beverage pricing and airport revenue models.” Unison currently has several contracts with FAT under this RFP. The total amount of these contracts exceed City Manager/Department contracting authority; therefore, this contract requires Council approval.

Since its inception, FAT has never had a written policy for concession operational requirements and/or tenant improvements, other than what was written in the initial concessions agreement and any of their subsequent amendments.

One of the exhibits incorporated in the agreement is the development of a Tenant Handbook. Since most spaces are concessions based within the terminal, this handbook is needed as a base guideline for all concessionaires. There currently are no written rules or procedures on how basic items should be addressed. Since these are daily operations and can change throughout the life of the lease, a handbook is the best place to have them spelled out so they can be changed as needed. This document will be an exhibit to the Concession agreement and Request for Proposals (RFP) that is due to go out to the public in June 2022. Since its inception, FAT has never had a written policy for concession operational requirements and/or tenant improvements, other than what was written in the initial concessions agreement and any of their subsequent amendments.

This Handbook will streamline processes and allow for maximum staff engagement with tenants. Unison is currently working on the Concession RFP for FAT. Consequently, Unison is very familiar with FAT operations and industry standards. They have assisted other airports in creating similar document(s).

The agreement utilizes Standard Document #ALL-S 3.1, which is pre-approved as to form by the City Attorney's Office and used without modification as certified by Airports staff.

ENVIRONMENTAL FINDINGS

This is not a "project" for the purpose of CEQA pursuant to CEQA Guidelines Section 15378.

LOCAL PREFERENCE

Local preference is not applicable to this Project pursuant to Fresno Municipal Code 4-109(b).

FISCAL IMPACT

FAT is the largest driver in economic activity in the Central San Joaquin Valley generating \$928 million in annual economic activity and creating 10,769 direct, induced, and indirect jobs (2019 data). There is no impact to the General Fund or to the ratepayers of the City of Fresno from this action.

Attachment:

- Consultant Services Agreement



Legislation Details (With Text)

File #: ID 22-316 **Version:** 1 **Name:**

Type: Action Item **Status:** Passed

File created: 2/10/2022 **In control:** City Council

On agenda: 2/17/2022 **Final action:** 2/17/2022

Title: ***BILL No. 2 (Re-intro'd 2/10/2022) (For Adoption) - Amending Administrative Abatement, FMC section 10-616, to clarify limits on access to restricted areas where abatements are taking place (Subject to Mayor's Veto).

Sponsors: City Attorney's Office

Indexes:

Code sections:

Attachments: [Ordinance](#)

Date	Ver.	Action By	Action	Result
2/17/2022	1	City Council	APPROVED ON CONSENT CALENDAR	Pass

REPORT TO THE CITY COUNCIL

FROM: DOUGLAS SLOAN, City Attorney
City Attorney's Office, Code Enforcement

SUBJECT

***BILL No. 2 (Re-intro'd 2/10/2022) (For Adoption) - Amending Administrative Abatement, FMC section 10-616, to clarify limits on access to restricted areas where abatements are taking place (Subject to Mayor's Veto).

RECOMMENDATION

Staff recommends adopting amendments to FMC section 10-616 related to safety during administrative abatements.

EXECUTIVE SUMMARY

The Code Enforcement Abatement Team and City retained contractors regularly conduct abatements of junk, rubbish, weeds, and other materials from privately owned property. Interference by the public puts the safety of the public and Code Enforcement staff at risk. These amendments would allow Code Enforcement staff to designate the work site as a restricted area and erect barriers to prevent public interference, while still allowing advocates and service providers to assist those in need. Violators would be provided a verbal warning to vacate the area. Violations would be punishable as a misdemeanor or by administrative citation.

BACKGROUND

Code Enforcement duties include abating public nuisances on privately owned property. These nuisances include junk, rubbish, tall grass, weeds, and other hazards. To abate, the Code Enforcement abatement team or a retained contractor uses equipment to include skid steer, tractor (with front loader, disc, or box blade), dump truck and trailers, saws, drills, and grinders. This equipment requires focus by staff to operate, and it can be dangerous if used improperly or if an unauthorized person enters the work site.

The Abatement Team's primary goal during abatements is to maintain the safety of employees and the public. Requirements promulgated by the California Division of Occupational Safety and Health (CAL/OSHA) obligate the City to provide its employees with a safe working environment. In addition, the City may be subject to liability for unauthorized persons harmed during the abatement.

Prior to an abatement taking place at an occupied location, advocates and other service providers would be allowed to enter the property to provide the occupants services and assist with removal of property. After a reasonable time, the proposed amendments would allow staff to designate a restricted area by erecting a barrier or cordoning off an area with caution tape. The violator will be given a verbal warning and an opportunity to comply. However, noncompliance after the opportunity to comply has elapsed shall be punishable either as a misdemeanor or as an administrative citation, at the election of the City Attorney.

ENVIRONMENTAL FINDINGS

This item is not a project as defined by the California Environmental Quality Act.

LOCAL PREFERENCE

N/A.

FISCAL IMPACT

There is no fiscal impact.

Attachment: Ordinance



Legislation Details (With Text)

File #: ID 22-274 **Version:** 1 **Name:**

Type: Action Item **Status:** Passed

File created: 2/1/2022 **In control:** City Council

On agenda: 2/17/2022 **Final action:** 2/17/2022

Title: Approve the award of a purchase contract to Stommel Inc., dba Lehr Automotive, a Sacramento California-based company, for the purchase of 91 sets of patrol vehicle hardware and safety equipment in the amount of \$2,153,261 for the Police Department

Sponsors: Department of Transportation

Indexes:

Code sections:

Attachments: [Supplier Contract](#)
[Bid File](#)

Date	Ver.	Action By	Action	Result
2/17/2022	1	City Council	APPROVED ON CONSENT CALENDAR	Pass

REPORT TO THE CITY COUNCIL

FROM: BRIAN BARR, Assistant Director
Department of Transportation

BY: CLIFF TRAUGH, Business Manager
Department of Transportation, Municipal Fleet Division

SUBJECT

Approve the award of a purchase contract to Stommel Inc., dba Lehr Automotive, a Sacramento California-based company, for the purchase of 91 sets of patrol vehicle hardware and safety equipment in the amount of \$2,153,261 for the Police Department

RECOMMENDATION

Staff recommends Council approve the award of a purchase contract to Stommel Inc., dba Lehr Automotive, a Sacramento California-based company, for the purchase of 91 sets of patrol vehicle hardware in the amount of \$2,153,261.

EXECUTIVE SUMMARY

Council awarded a purchase contract for 91 marked patrol Dodge pursuit vehicles on December 2, 2021. To complete the buildout of these vehicles, the Public Safety Fleet Division seeks to piggyback a cooperative agreement awarded by the County of Placer, to Stommel Inc., dba Lehr Automotive for the associated patrol vehicle hardware and safety equipment required to build the vehicle into a fully functioning patrol unit for the Police Department. The hardware includes radios, mobile computers for report writing, prisoner partition, window barriers, emergency lighting, and other equipment necessary to carry out daily law enforcement duties.

BACKGROUND

With an emphasis on community partnerships, the Police Department is responsible for daily policing operations within the city of Fresno. The overall goal of the Police Department is to maintain the highest level of service while keeping our community safe. To accomplish this goal, PD officers utilize 397 active marked units to conduct daily patrols, respond to emergency calls, and proactively engage in community outreach.

The police patrol vehicles are often referred to as the front-line police officer's workstation. These vehicles are filled with specialized equipment consisting of the following components: radios, mobile computers for report writing, prisoner partitions, window barriers, emergency lighting, and other equipment necessary to carry out daily law enforcement duties. Radio equipment will be purchased separately through a Requirements Contract awarded by Council in 2019, with Vincent Communications, Inc. located in the city of Fresno. The radio equipment purchase is valued at \$350,000 and will be provided to Lehr Automotive for installation consistent with prior patrol vehicle buildouts.

The 91 sets of hardware will be used to complete the buildout of the Dodge Durango Pursuit patrol vehicles approved by Council on December 2, 2021. The Public Safety Fleet Division is seeking to piggyback a cooperative purchase agreement from the County of Placer for emergency response vehicle supplies, equipment, and installation services. The County of Placer contract is effective from October 1, 2021, to September 30, 2022. The Purchasing Division has approved the cooperative purchase and recommends Council approval.

City Attorney Office has reviewed and approved to form.

ENVIRONMENTAL FINDINGS

By the definition provided in the California Environmental Quality Act Guidelines Section 15378, the award of this contract does not qualify as a "project."

LOCAL PREFERENCE

Local preference is not applicable. The City is not issuing a request for quote for this cooperative purchase agreement.

FISCAL IMPACT

General Funds will be used to lease purchase 33 upfit packages valued at \$780,853. Funding to cover the first lease payment on these vehicles has been included in the FY2022 adopted budget under the operations of the Police Department. An additional 58 upfit packages will be purchased as a cash acquisition in the amount of \$1,372,408 utilizing American Rescue Plan Act (ARPA) funds appropriated in the 30th Amendment to the Annual Appropriation Resolution No. 2021-1020 on December 9, 2021.

Attachments:

Supplier Contract

Bid File



Legislation Details (With Text)

File #: ID 22-272 **Version:** 1 **Name:**

Type: Action Item **Status:** Passed

File created: 2/1/2022 **In control:** City Council

On agenda: 2/17/2022 **Final action:** 2/17/2022

Title: Award a two-year Requirements Contract with provisions for three one-year extensions to Herwaldt Automotive Group, Inc. of Fresno, California, for a maximum of 75 marked patrol BMW motorcycles over a 5-year term in the total amount of \$2,109,211.84, plus annual CPI adjustments, for the Police Department. The FY22 purchase will be 15 motorcycles in the amount of \$421,844.37 (Bid File 9626)

Sponsors: Department of Transportation

Indexes:

Code sections:

Attachments: [Bid Eval 9626](#)

Date	Ver.	Action By	Action	Result
2/17/2022	1	City Council	APPROVED ON CONSENT CALENDAR	Pass

REPORT TO THE CITY COUNCIL

FROM: JOE VARGAS, Director
Department of Transportation

BRIAN BARR, Assistant Director
Department of Transportation

BY: CLIFF TRAUGH, Business Manager
Department of Transportation, Municipal Fleet Division

SUBJECT

Award a two-year Requirements Contract with provisions for three one-year extensions to Herwaldt Automotive Group, Inc. of Fresno, California, for a maximum of 75 marked patrol BMW motorcycles over a 5-year term in the total amount of \$2,109,211.84, plus annual CPI adjustments, for the Police Department. The FY22 purchase will be 15 motorcycles in the amount of \$421,844.37 (Bid File 9626)

RECOMMENDATION

Staff recommends Council approve the award of a two-year Requirements Contract with provisions for three one-year extensions to Herwaldt Automotive Group, Inc. of Fresno, California, for a maximum of 75 marked patrol BMW RT1250P motorcycles in the total amount of \$2,109,211.84, plus annual CPI adjustments.

EXECUTIVE SUMMARY

The City of Fresno Police Department is requesting approval to purchase a maximum of 75 BMW RT1250P marked patrol motorcycles over a five-year term. Initially, the Police Department will purchase 15 motorcycles from this contract as replacements in FY22. The new units will mobilize law enforcement officers and transport all needed equipment safely and securely. The motorcycles will be purchased through a competitive bidding procurement process and will be funded by the adopted FY2022 budget and American Rescue Plan Act (ARPA) funds appropriated December 9, 2021. Bids expire March 14, 2022.

BACKGROUND

With an emphasis on community partnerships, the Police Department is responsible for daily policing operations within the city of Fresno. The overall goal of the Police Department is to maintain the highest level of service while keeping our community safe. To accomplish this goal, PD officers utilize 397 active marked units, including 76 motorcycles, to conduct daily patrols, respond to emergency calls, and proactively engage in community outreach.

The motorcycle patrol units are on a 5 year or 60,000-mile replacement schedule which has been established by the Public Safety Division as the optimum replacement time. A Requirements Contract was identified as the most appropriate method of procurement to expedite these replacements. The Public Safety Fleet Division reasonably anticipates the replacement of 75 motorcycles over the next five years. For FY22, 15 units have been identified that meet or exceed these guidelines and will be replaced. The Department of Transportation recommends this purchase based on the replacement schedule and the needs of the Police Department.

Industry standard tests performed by Michigan State Police and Los Angeles County Sheriff's Office evaluated police patrol motorcycles from BMW, Harley-Davidson, Honda Powersports and Yamaha Motorsports. The BMW RT1250P was determined to be the best available unit for police patrol duties. Evaluations considered dynamic handling, acceleration, braking, ergonomics and fuel economy. The Police Department has been utilizing BMW motorcycles for patrol needs since 2003 and has experienced success in the functionality, performance, and durability of the product.

Competitive bids were solicited for the BMW RT1250P marked patrol motorcycles on November 19, 2021 and advertised in the Fresno Business Journal. The Notice Inviting Bids was sent to two exchanges and specifications were distributed to four potential bidders. One bid was received and reviewed on December 14, 2021. Herwaldt Automotive Group, Inc was determined to be the sole responsive and responsible bidder. Purchasing Division has approved this requirements contract and recommends Council to approve. The initial term of this contract is for two years, with three one-year provisional extensions. Staff will evaluate vendor performance, quality, and market prices prior to renewal of each extension. Bids expire March 14, 2022.

The City Attorney's Office has reviewed and approved to form.

ENVIRONMENTAL FINDINGS

By the definition provided in the California Environmental Quality Act Guidelines Section 15378, the award of this contract does not qualify as a project.

LOCAL PREFERENCE

Local preference is applicable to this award, and sole responsive and responsible bidder is local to the city of Fresno.

FISCAL IMPACT

General Funds will be used to lease purchase seven marked patrol motorcycles valued at \$196,860.71. Funding to cover the first lease payment on these motorcycles has been included in the FY2022 adopted budget under the operations of the Police Department. An additional 8 units will be purchased as a cash acquisition in the amount of \$224,983.66, utilizing American Rescue Plan Act (ARPA) funds appropriated in the 30th Amendment to the Annual Appropriation Resolution No. 2021-1020 on December 9, 2021.

Attachments:

Bid Evaluation 9626



Legislation Details (With Text)

File #: ID 22-275 **Version:** 1 **Name:**

Type: Action Item **Status:** Passed

File created: 2/1/2022 **In control:** City Council

On agenda: 2/17/2022 **Final action:** 2/17/2022

Title: Award a construction contract to AMG & Associates, Inc. of Santa Clarita, California, in the amount of \$11,631,119 for the Department of Transportation Fresno Area Express Facility Improvement project and authorize the Director of Transportation to execute all related documents (Bid File #3839) (District 3)

Sponsors: Department of Transportation

Indexes:

Code sections:

Attachments: [Bid Evaluation 3839.pdf](#)

Date	Ver.	Action By	Action	Result
2/17/2022	1	City Council	APPROVED ON CONSENT CALENDAR	Pass

REPORT TO THE CITY COUNCIL

FROM: JOE VARGAS, Director
Department of Transportation

BY: BRIAN BARR, Assistant Director
Department of Transportation

SUBJECT

Award a construction contract to AMG & Associates, Inc. of Santa Clarita, California, in the amount of \$11,631,119 for the Department of Transportation Fresno Area Express Facility Improvement project and authorize the Director of Transportation to execute all related documents (Bid File #3839) (District 3)

RECOMMENDATION

Staff recommends Council award a construction contract in the amount of \$11,631,119 to AMG & Associates, Inc., of Santa Clarita, California, as the lowest responsive and responsible bidder for the Department of Transportation Fresno Area Express (FAX) Facility Improvement project and authorize the Director of Transportation to execute all related documents.

EXECUTIVE SUMMARY

FAX seeks to award a contract to modernize and address deferred maintenance of the FAX facilities. This project will modernize bus cleaning equipment, construct a new building to support bus cleaning operations, add solar canopies, reorganize employee parking, add a dedicated entry gate, and

increase site safety in heavily traveled areas of the facility. Improvements to the Bus Wash building are a central focus of this project and will significantly improve FAX's capability to vacuum, disinfect and wash the bus fleet nightly.

This contract is in compliance with Resolution 2021-242 Project Labor Agreement as allowed by the federal government through Executive Order 13502 and the Infrastructure and Investment Jobs Act enacted November 15, 2021.

BACKGROUND

In 2014, Council approved a master plan study of FAX's facilities to determine the condition, deferred maintenance, necessary upgrades, and expectations for costs associated with these improvements. Also included in this report were scenarios for what the potential upgrade paths would look like from a design and layout perspective. This report was coined the FAX Facilities Master Plan and FAX has been using this document to guide its capital program.

The Fresno Area Express Facility has not had any major improvements since the original completion in the 1970/80s. The facility's age has begun to show in the increasing number of maintenance issues and equipment failures. These failures impact the effectiveness of nightly bus cleaning operations, staff safety, and livability of the office spaces. In addition, FAX has continued to expand revenue service operations, increase fleet size and add employees, exceeding the facilities capacities. FAX now intends to upgrade and modernize its facilities to remediate several of these issues in accordance with the Facilities Master Plan.

This project includes a new Annex building, reconfigured employee parking lot, dedicated employee parking entry gate, underground stormwater filtration systems, Americans with Disabilities Act (ADA) improvements, solar covered parking, and upgraded bus washing and vacuuming equipment. These upgrades are focused on capacity improvements, reliability, safety, and employee livability.

The Annex building will be constructed next to the existing Bus Wash. It will house modern bus vacuuming equipment, office space, revenue service operations, ADA restrooms, server room, and a supervisor office. The new vacuum equipment replaces antiquated equipment which relied upon sweeping dust into the air to be captured by the vacuum system at the door of the bus. The new system utilizes a traditional hose and will provide a more consistent and thorough cleaning of the buses. The nightly bus cleaning staff has grown and exceeded the available capacity at the Bus Wash. This team will receive a break/training room, new office for the supervisor and lead worker, improvements to accessibility and elimination of safety hazards. Modern bus washing equipment will replace a system more than 20 years old. The modern bus washing equipment includes reclaimed water systems and will provide FAX with the ability to wash vehicles daily, rather than once a week with the existing system. These improvements will increase the quality of service provided to riders.

As FAX has grown, so has the number of employees. The existing employee parking lot is at capacity. This project will provide a new layout, additional parking stalls, solar covered parking, improved lighting, and a new vehicle entry gate. The new lighting and employee vehicle entrance will improve staff safety, particularly in the early morning and late evening hours when the majority of drivers are either starting or ending their shifts.

In 2019, 2020, and 2021, Council awarded other projects related to addressing deferred maintenance and planning for future needs such as the replacement of the Administration building's HVAC

equipment, removal of diesel underground storage tanks, a new bus entry gate and battery electric bus charging infrastructure.

This contract is in compliance with Resolution 2021-242 Project Labor Agreement. Executive Order 135052 issued by the President in 2009, encouraged the use of Project Labor Agreements in construction contracts, but did not change federal law prohibiting hiring based upon local or geographical preference. The Infrastructure and Investment Jobs Act, enacted November 15, 2021, changed federal law to enable hiring based upon local or geographical preference for federally assisted projects. Therefore, the use of Federal Transit Administration (FTA) funds does not preclude the use of a Project Labor Agreement or hiring based upon local/geographical preference.

A Notice Inviting Bids was published in the Fresno Business Journal on January 3, 2022, posted on the City's website, advertised in local community groups, construction organizations, MassTransit.org, Engineer News Record online, and faxed to 10 building exchanges. The specifications were distributed to 47 prospective bidders. Two sealed bid proposals were received and opened in a public bid opening on February 8, 2022. AMG & Associates, Inc. was determined to be the lowest responsive and responsible bidder. The bids will expire on April 13, 2022.

The City Attorney has approved the contract as to form.

ENVIRONMENTAL FINDING

On April 9, 2020, Council adopted a finding of Categorical Exemption for this project. Staff determined this project is exempt under Section 15301/Class 1 of the CEQA Guidelines for Existing Facilities, as the improvements to the FAX Division facilities involve the restoration or rehabilitation of existing facilities with negligible or no expansion of capacity. This project is also exempt under Section 15303/Class 3 of the CEQA Guidelines for New Construction or Conversion of Small Structures, as the improvements are located in an urbanized area, are less than 10,000 square feet of floor space, located at a site zoned for the proposed use, does not involve significant amounts of hazardous substances and is not in an environmentally sensitive area. Furthermore, none of the exceptions set forth in CEQA Guidelines Section 15300.2 applies to this project.

LOCAL PREFERENCE

Local preference pursuant to Article 1 Section 4-108 of the Municipal Code was not implemented as the use of federal funding precludes the use of local preference in contracts requiring competitive bidding.

FISCAL IMPACT

This project has no fiscal impact to the General Fund. The project will be funded by the following sources as appropriated in the FY22 budget:

State of California Prop. 1B, Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA): \$4,435,511

State of California SB1 State of Good Repair Program Funding: \$1,740,000

FTA 5339 Bus and Bus Facilities Apportionment Funding: \$4,364,486

Local Match: \$1,091,122

Attachment:
Bid Evaluation



Legislation Details (With Text)

File #: ID 22-276 **Version:** 1 **Name:**

Type: Action Item **Status:** Passed

File created: 2/1/2022 **In control:** City Council

On agenda: 2/17/2022 **Final action:** 2/17/2022

Title: RESOLUTION - Approval of Annual Update of the Public Transit Agency Safety Plan (PTASP) as required by the Federal Transit Administration

Sponsors: Department of Transportation

Indexes:

Code sections:

Attachments: [Resolution](#)
[Public Transit Agency Safety Plan](#)
[49 CFR Part 673](#)

Date	Ver.	Action By	Action	Result
2/17/2022	1	City Council	APPROVED ON CONSENT CALENDAR	Pass

REPORT TO THE CITY COUNCIL

FROM: JOE VARGAS, Interim Director
Department of Transportation

BY: BELINDA McMILLAN HAENER, Administrative Manager
Department of Transportation

SUBJECT

RESOLUTION - Approval of Annual Update of the Public Transit Agency Safety Plan (PTASP) as required by the Federal Transit Administration

RECOMMENDATION

Staff recommends the City Council approve the annual update of the Department of Transportation/FAX Public Transit Agency Safety Plan (PTASP), as required by the Federal Transit Administration (FTA) and authorize the Director of Transportation or designee to execute and file all necessary documents on behalf of the City. This annual update is required by the FTA and the changes reflect new leadership within FAX and updated safety targets.

EXECUTIVE SUMMARY

The Federal Transit Administration (FTA) published a final rule for Public Transportation Agency Safety Plans, as authorized by the Moving Ahead for Progress in the 21st Century Act (MAP-21).

This final rule requires operators of public transportation systems that receive Federal financial assistance under 49 U.S.C. Chapter 53 to develop Public Transportation Agency Safety Plans (PTASP) based on the Safety Management System (SMS) approach. Operators of public transportation systems will be required to implement the safety plans and submit annual updates to the FTA. The development and implementation of safety plans will help ensure that public transportation systems are safe nationwide.

The PTASP was approved May 21, 2020, by the Fresno City Council. This is an update which reflects new leadership within the FAX department and updated safety targets.

BACKGROUND

On July 19, 2018, the Federal Transit Administration (FTA) published the Public Transportation Agency Safety Plan (PTASP) Final Rule (49 C.F.R. Part 673), which requires certain operators of public transportation systems that receive federal funds under FTA's Urbanized Area Formula Grants to develop safety plans that include the processes and procedures to implement Safety Management Systems (SMS).

Operators of public transportation systems are required to implement the safety plans by July 20, 2020, and provide annual updates to their plans to the FTA. The development, implementation, and updates of safety plans will help ensure that public transportation systems are safe, nationwide.

The public transportation industry remains among the safest surface transportation modes in terms of total reported safety events, fatalities, and injuries. Nonetheless, given public transportation service complexities, the condition of transit equipment and facilities, turnover in the transit workforce, and the quality of policies, procedures, and training, the public transportation industry remains vulnerable to catastrophic accidents.

This rule outlines requirements for Public Transportation Agency Safety Plans that would carry out explicit statutory mandates in the Moving Ahead for Progress in the 21st Century Act (MAP- 21), which was reauthorized by the Fixing America's Surface Transportation Act (FAST Act) and codified at 49 U.S.C. 5329 (see attached), to strengthen the safety of public transportation systems that receive Federal financial assistance under 49 U.S.C. Chapter 53.

This rule requires the adoption of SMS principles and methods; the development, certification, implementation, and update of Public Transportation Agency Safety Plans; and the coordination of Public Transportation Agency Safety Plan elements with other FTA programs and rules, as specified in 49 U.S.C. 5303, 5304, and 5329.

The Fresno Area Express (FAX) Public Transit Agency Safety Plan is made up of the elements required by the FTA that includes:

- Safety Performance Targets
- Safety Management Policy
- Safety Risk Management Strategies
- Safety Assurance
- Safety Promotion

The FAX Public Transit Agency Safety Plan was developed in collaboration with department leadership and safety staff, under guidance of the Federal Transit Administration. The FAX Public Transit Agency Safety Plan meets all FTA requirements for the size of the City's transit system. The benefits of a Public Transit Agency Safety Plan include

- Improved transparency and accountability for safety management compliance
- Data-driven safety performance monitoring
- Transit system safety performance outcomes
- Maintaining eligibility for FTA funds and complying with the FAST Act.

The consequences of not having a FTA-compliant Public Transit Agency Safety Plan include, but are not limited to:

- Loss or reduction of FTA funding
- Higher safety risk liability (determined by accidents per 100,000 miles)
- Decreased transit system operational safety
- Higher vulnerability for a catastrophic event

ENVIRONMENTAL FINDINGS

Approval of the annual update of the Department of Transportation/FAX Public Transit Agency Safety Plan (PTASP), is not a "project" for the purposes of the California Environmental Quality Act, pursuant to CEQA Guidelines section 15378.

LOCAL PREFERENCE

Local preference was not considered because this resolution does not include a bid or award of a construction or services contract.

FISCAL IMPACT

There is no fiscal impact to the General Fund from this request. Approval and implementation of the PTASP will help mitigate the loss of physical and human assets through injuries, accidents or other serious accidents.

Attachments:

Resolution

Public Transit Agency Safety Plan

49 CFR Part 673



Legislation Details (With Text)

File #: ID 22-287 **Version:** 1 **Name:**

Type: Action Item **Status:** Passed

File created: 2/2/2022 **In control:** City Council

On agenda: 2/17/2022 **Final action:** 2/17/2022

Title: ***RESOLUTION - Adopting the 567th Amendment to the Master Fee Schedule Resolution No.80-420 to update reduced transit fare pricing. (Subject to Mayor's Veto).

Sponsors: Department of Transportation

Indexes:

Code sections:

Attachments: [567th Amendment to the Master Fee Schedule Resolution](#)
[Transportation Master Fee Schedule Amendment](#)

Date	Ver.	Action By	Action	Result
2/17/2022	1	City Council	APPROVED ON CONSENT CALENDAR	Pass

REPORT TO THE CITY COUNCIL

FROM: JOE VARGAS, Interim Director
Department of Transportation

BY: BELINDA MCMILLAN HAENER, Administrative Manager
Department of Transportation, Administration Division

SUBJECT

***RESOLUTION - Adopting the 567th Amendment to the Master Fee Schedule Resolution No.80-420 to update reduced transit fare pricing. (Subject to Mayor's Veto).

RECOMMENDATION

Staff recommends the City Council approve the action pertaining to an amendment to the Master Fee Schedule Resolution No. 80-420 to Adjust Various Fees in the Transportation/FAX Department, as discussed by the City Council during FY22 budget hearings.

EXECUTIVE SUMMARY

The Department of Transportation/Fresno Area Express (FAX) seeks approval from the City Council to amend the Master Fee Schedule reducing transit fares on the fixed route and paratransit system. The Department provided free bus rides on its fixed route and paratransit systems from March 1, 2021, through August 31, 2021, as part of the Zero Fare Clean Air (ZFCA) Act to assist passengers experiencing financial difficulties during the COVID-19 pandemic. Under CFR C 4702.1B, the FTA allows for a temporary fare reduction of up to 6 months.

During the FY22 budget hearing process, the City Council and FAX staff agreed upon completion of the six-month free fare period to reinstate transit fares at a reduced price, beginning September 1, 2021. This action formally adopts that direction.

BACKGROUND

FAX is the City's fixed route bus system and Handy Ride is the City's demand responsive, curb-to-curb service for the disabled mandated by Americans with Disabilities Act (ADA) law. In FY2019, FAX provided over 10.5 million individual passenger trips on fixed routes and Handy Ride provided over 200,000 trips. Due to the COVID-19 pandemic beginning in FY2020, ridership has decreased. In FY2021, FAX provided 5.6 million individual passenger trips on fixed routes and Handy Ride provided nearly 100,000 trips. The cost of providing those services continues to climb, particularly the cost of fuel, bus parts, and labor.

A zero-fare transit system had short-term benefits to the residents of Fresno. The city is home to a large percentage of population who utilize public transit as their primary transportation option to access jobs, education, medical care, and other essential services. The COVID-19 pandemic has uniquely impacted this rider population in terms of job security, access to healthcare, and ability to pay bills, making access to quality, reliable public transportation more important than ever. The zero-fare transit system was an economic relief tool that helped sustain the local economy during the ongoing recovery from the COVID-19 pandemic.

The ZFCA Act was implemented on March 1, 2021, to also encourage more residents to take public transit as an automotive alternative, thereby decreasing traffic and its effect on the environment. The project lasted six months due to FTA requirements. Under CFR C 4702.1B, the FTA allows for a temporary fare reduction of up to six months. If a temporary fare reduction lasts longer than six months, the FTA considers the fare reduction permanent, and the transit provider must conduct a fare equity analysis. Upon completion on August 31, 2021, the City Council directed the Department of Transportation to reinstate transit fares at a reduced price of \$1.00 for a Single Ride Card starting September 1, 2021. The new lowered price agreement changes are commensurate to the reduced pricing for 10 Ride Cards, 31-Day Ride Passes, bulk purchases, and paratransit.

In compliance with Title VI of the Civil Rights Act of 1964, the Federal Transit Administration (FTA) requires all transit agencies that receive federal funding to monitor the performance of their systems, ensuring services are made available and/or distributed equitably. One component of ensuring compliance is performing an equity analysis for all fare changes and any major service changes to determine its impact on minority (race, color, or national origin) and low-income populations.

The Fare Equity Analysis completed and approved by Council in October 2021, determined that due to the consistency of fare reductions across all fare types and due to the relatively similar rates at which low-income and non-low-income and minority and non-minority individuals use different fare types, there is no disparate impact or disproportionate burden on fixed route service due to the fare reduction. There was also no disparate impact or disproportionate burden found for Handy Ride services, for similar reasons.

The table below represents current transit fare prices and compares them to the proposed prices calculated in accordance:

Fresno Area Express (FAX) Transit Fares	Current	Proposed
1 Ride Card	\$ 1.25	\$ 1.00
1 Ride Card (Reduced Fare)	\$ 0.60	\$ 0.50
(10) 1 Ride Cards	\$ 11.25	\$ 9.00
(10) 1 Ride Cards (Reduced Fare)	\$ 6.00	\$ 4.50
(20) 1 Ride Cards	\$ 22.50	\$ 18.00
(20) 1 Ride Cards (Reduced Fare)	\$ 12.00	\$ 9.00
(50) 1 Ride Cards	\$ 55.00	\$ 45.00
(50) 1 Ride Cards (Reduced Fare)	\$ 29.00	\$ 22.50
31-Day Pass	\$ 48.00	\$ 36.00
31-Day Pass (Reduced Fare)	\$ 24.00	\$ 18.00
(10) 31-Day Passes	N/A	\$ 324.00
(10) 31-Day Passes (Reduced Fare)	N/A	\$ 162.00
(20) 31-Day Passes	N/A	\$ 648.00
(20) 31-Day Passes (Reduced Fare)	N/A	\$ 324.00
(50) 31-Day Passes	N/A	\$ 1,620.00
(50) 31-Day Passes (Reduced Fare)	N/A	\$ 810.00
Handy Ride - One Way	\$ 1.50	\$ 1.25
Handy Ride - 31-Day Pass	\$ 48.00	\$ 36.00

Additionally, the fare policy has been revised to allow Active Military, Veterans, and children 12 and younger to ride for free. This differs from the previous policy which allowed children under 6 to ride for free.

The policy related to transfers is also being updated. Cash/Card fares are entitled to unlimited transfers during a 90-minute window. This timeframe reflects industry standards and analysis of FAX ridership data. Approximately 24% of passengers utilize transfers, with an average passenger trip length of 2 miles, equivalent to 10 minutes at 12 MPH.

The proposed transit fare prices were previously considered in the Department's FY2022 operating budget and therefore no new budget appropriations are requested. The proposed fares for FAX are at a historic low, below is a summary of the price of a single ride ticket over the past 20 years:

Year	Single Fare - Fixed Route	Single Fare - Reduced Fare	Single Fare - Handy Ride	Monthly Pass
1991	\$.75	\$.35		
2010	\$ 1.00	\$.60	\$.75	\$ 40.00
2020	\$ 1.25	\$.60	\$ 1.50	\$ 48.00
2021- 2022	\$ 1.00	\$.50	\$ 1.25	\$ 36.00

ENVIRONMENTAL FINDINGS

Pursuant to the definition in California Environmental Quality Act Guidelines section 15378, the proposed changes to the Master Fee Schedule are not a "project."

LOCAL PREFERENCE

Local preference was not considered because this agenda item does not include a bid or award of

construction or services contract.

FISCAL IMPACT

Enterprise funds are self-generated and there is no fiscal impact to the general fund.

The ZFCA Act, in conjunction with the ongoing pandemic, has significantly reduced farebox revenue. The department's FY2021 fare revenue was estimated at \$3.3M but had an actual ending revenue of \$2.2M (a decrease of \$1.1M). In total, the 6-months of free fares during the ongoing pandemic contributed to a loss of \$1.6M in transit enterprise revenue.

Transit fares are used in calculating the farebox recovery ratio, a performance metric used in qualifying for Transportation Development Act (TDA) state funding, estimated at \$30M for FY2022. While this ratio is temporarily suspended by the state of California for transit providers, it is important to make responsible fiscal decisions to continue to receive TDA funding. The loss of revenue from the ZFCA Act in FY2021 and the pandemic may place future burdens on operating dollars. Federal relief funding (CARES, CRRSSA, and ARPA) is not allowable to replace theoretical lost fare revenue.

Attachments:

567th Amendment to the Master Fee Schedule Resolution
Transportation Master Fee Schedule Amendment



Legislation Details (With Text)

File #: ID 22-314 **Version:** 1 **Name:**

Type: Action Item **Status:** Passed

File created: 2/10/2022 **In control:** City Council

On agenda: 2/17/2022 **Final action:** 2/17/2022

Title: Approve an increase to the Requirements Contract with Air Liquide U.S. LP, doing business as Alliance Gas Products, for Bulk Liquid Oxygen to an annual amount of \$275,000, and extend the contract for an additional two years (Bid File 9452) (Citywide).

Sponsors: Department of Public Utilities

Indexes:

Code sections:

Attachments: [Attachment 1 - Product Requirement Contract BF9452.pdf](#)
[Attachment 2 - Notice of Award.pdf](#)

Date	Ver.	Action By	Action	Result
2/17/2022	1	City Council	APPROVED ON CONSENT CALENDAR	Pass

REPORT TO THE CITY COUNCIL

FROM: BUD TICKEL, Assistant Director - Water
Department of Public Utilities - Water Division

BY: MARTIN WENDELS, Project Manager
Department of Public Utilities - Water Division

SUBJECT

Approve an increase to the Requirements Contract with Air Liquide U.S. LP, doing business as Alliance Gas Products, for Bulk Liquid Oxygen to an annual amount of \$275,000, and extend the contract for an additional two years (Bid File 9452) (Citywide).

RECOMMENDATION

Staff recommends that Council approve an increase in contract amount and extend the duration by two additional years for the Requirements Contract for Bulk Liquid Oxygen (LOX) - Bid File 9452.

EXECUTIVE SUMMARY

The Department of Public Utilities - Water Division (Water) utilizes LOX to disinfect water for protection against viruses and bacteria pursuant to the California Department of Public Health regulations. The City's Northeast Surface Water Treatment Facility (NESWTF) and the Southeast Surface Water Treatment Facility (SESWWF) collectively produce over 80 million gallons of drinking water per day. Ozone is produced on site at both locations utilizing LOX to achieve the desired disinfectant. LOX is necessary for both facilities to produce potable drinking water and without it, production of ozone cannot occur and the NESWTF and SESWTF cannot operate.

Council approval of an increase in the annual contract amount to \$275,000 and an additional two-year extension of the Requirements Contract with Alliance Gas Products (Alliance), will allow the continued delivery of LOX to both the NESWTF and the SESWTF and continued production of safe drinking water will continue.

BACKGROUND

The NESWTF produces up to 30 million gallons of drinking water a day and the SESWTF produces over 50 million gallons of drinking water a day. To protect the public against viruses and bacteria, the State Water Resources Control Board Division of Drinking Water' regulations require that the water is disinfected. LOX is used in the on-site production of ozone, which is the primary disinfectant. Without the delivery of Bulk LOX, Water cannot produce ozone, and consequently the NESWTF and the SESWTF will not be able to produce potable drinking water.

A Notice inviting Bids was published on April 20, 2018, per the City of Fresno Charter Section 1208. Two bids were received ranging from \$137,786 to \$164,981. Alliance submitted the lowest bid in the amount of \$137,786. While the bid specifications allowed for a contract duration of three years with the option to add two one-year extensions, Staff presented Council with a one-year contract with two one-year extension options; on September 27, 2018; the contract was approved.

Staff recommends exercising the two one-year options that were originally in the bid specifications and increase the annual contract amount to \$275,000. This will allow for continued delivery of LOX and uninterrupted production of safe drinking water.

ENVIRONMENTAL FINDINGS

By definition provided in the California Environmental Quality Act Guidelines Section 15378, an extension to a requirements contract does not qualify as a "project".

LOCAL PREFERENCE

Local preference is not applicable because this is an extension of an existing contract.

FISCAL IMPACT

The General Fund is not impacted by this citywide expenditure, as the appropriations for the purchase of Bulk Liquefied Oxygen is included in the FY 2022 and FY 2023 Water Enterprise Fund budget.

Attachments:

Attachment 1 - Product Requirement Contract

Attachment 2 - Notice of Award



Legislation Details (With Text)

File #:	ID 22-286	Version:	1	Name:	
Type:	Action Item	Status:		Passed	
File created:	2/2/2022	In control:		City Council	
On agenda:	2/17/2022	Final action:		2/17/2022	
Title:	Actions related to the extension and increase of a Requirements Contract for Bulk Sodium Hydroxide with Univar USA Inc. (Bid File 9429) (Citywide): 1. Reject all bids for the Requirements Contract for Bulk Sodium Hydroxide (Bid File 9601) 2. Approve an increase to the Requirements Contract with Univar USA Inc. (Univar) to an annual amount of \$1,443,365, and extend the contract for one additional year (Bid File 9429) (Citywide)				
Sponsors:	Department of Public Utilities				
Indexes:					
Code sections:					
Attachments:	Attachment 1 - Bid Eval Form - BF9601.pdf Attachment 2 - Notice of Award-BF9429.pdf				

Date	Ver.	Action By	Action	Result
2/17/2022	1	City Council	APPROVED ON CONSENT CALENDAR	Pass

REPORT TO THE CITY COUNCIL

FROM: BROCK D. BUCHE, PE, PLS, Interim Director
Department of Public Utilities

BY: BUD TICKEL, Assistant Director - Water
Department of Public Utilities - Water Division

MARTIN WENDELS, Project Manager
Department of Public Utilities - Water Division

SUBJECT

Actions related to the extension and increase of a Requirements Contract for Bulk Sodium Hydroxide with Univar USA Inc. (Bid File 9429) (Citywide):

1. Reject all bids for the Requirements Contract for Bulk Sodium Hydroxide (Bid File 9601)
2. Approve an increase to the Requirements Contract with Univar USA Inc. (Univar) to an annual amount of \$1,443,365, and extend the contract for one additional year (Bid File 9429) (Citywide)

RECOMMENDATIONS

Staff recommends that Council reject all bids for the Requirements Contract for Bulk Sodium Hydroxide Bid File 9601; and approve an increase in the contract amount to \$1,443,365 and extend the duration for one additional year for the Requirements Contract for Bulk Sodium Hydroxide (Bid

File 9429).

EXECUTIVE SUMMARY

The Department of Public Utilities - Water Division (Water) routinely uses sodium hydroxide as an additive in finished drinking water at the Northeast Surface Water Treatment Facility (NESWTF), Southeast Surface Water Treatment Facility (SESWTF) and Tank 3 Surface Water Treatment and Water Storage Facility (T-3).

On October 5, 2021 bids were opened for the Requirements Contract for Bulk Sodium Hydroxide, 25% and 50%. Four vendors provided bids and all four vendors were considered non-responsive. Staff recommends that Council reject all bids for Bulk Sodium Hydroxide (Bid File 9601).

During a review of Bid File 9429, it was discovered that the original bid specifications allowed for an additional two one-year terms that were not captured in the approved February 8, 2018 Council Report. An approval by Council to extend BF 9429 by an additional one year and increase the annual contract amount to \$1,443,365 will allow for uninterrupted production of safe drinking water.

BACKGROUND

Bulk Sodium Hydroxide is used in the post-treatment process at the NESWTF, SESWTF and T-3 treatment facilities for corrosion control in the potable water distribution system. It is considered to be an effective enhancement chemical for the City of Fresno's water supply by conditioning raw water and enhancing the chemical reaction with the primary coagulant, to facilitate effective cleansing of the water. It also adjusts the pH of the treated water entering the water distribution system and ultimately the end user's facilities (homes, businesses, etc.), thereby controlling the corrosive quality of the treated water within water mains, pipes and other appurtenances.

On February 29, 2019, City Council approved a contract with Univar USA Inc. for the purchase and delivery of Bulk Sodium Hydroxide in the amount of \$307,998.68. With an increase in demand for product due to unanticipated increases of production at the SESWTF, additional funding was required. On April 8, 2021, City Council approved an interim contract with Univar USA Inc., in an amount not to exceed \$1,037,000 for the purchase and delivery of bulk sodium hydroxide. This interim contract will expire on March 19, 2022.

A Notice inviting Bids was published on September 7, 2021. The bid opening was October 5, 2021, and there were four bidding vendors. All four bidders were determined to be non-responsive due to requested exceptions to the specifications or failure to submit required documentation.

Staff has determined that the exceptions in the bid are material or would materially alter the terms of the contract and therefore the bids must be considered non-responsive. Upon review of Bid File 9429, it was discovered that the original bid specifications allowed for additional two one-year terms that were not captured in the approved February 8, 2018 Council Report. Staff recommends that Council approve an additional one year and increase the annual contract amount to \$1,443,365 allowing for uninterrupted production of safe drinking water.

ENVIRONMENTAL FINDINGS

By definition provided in the California Environmental Quality Act Guidelines Section 15378, the

award is this requirements contract does not qualify as a “project”.

LOCAL PREFERENCE

Local preference was not applicable because this item is rejecting all bids and is an extension of an existing contract.

FISCAL IMPACT

The General Fund is not impacted by this citywide expenditure, as the appropriations for the purchase of the Bulk Sodium Hydroxide is included in the FY 2022 and FY 2023 Water Enterprise Fund budget.

Attachments:

Attachment 1 - Bid Evaluation

Attachment 2 - Notice of Award - Bid File 9429



Legislation Details (With Text)

File #: ID 22-281 **Version:** 1 **Name:**

Type: Action Item **Status:** Passed

File created: 2/1/2022 **In control:** City Council

On agenda: 2/17/2022 **Final action:** 2/17/2022

Title: ***RESOLUTION - 51st Amendment to the Annual Appropriations Resolution (AAR) No. 2021-178 appropriating \$6,141,400 under the General Fund that will fund salary increases and overtime for Bargaining Units 04 (FPOA Non-Management) and 09 (FPOA Management), 05 (IAFF Non-Management) and 10 (IAFF Management) from the American Rescue Plan Act (ARPA) ((Requires 5 Affirmative Votes) (Subject to Mayor's Veto).

Sponsors: Office of Mayor & City Manager

Indexes:

Code sections:

Attachments: [51st Amendment to the AAR No. 2021-178](#)

Date	Ver.	Action By	Action	Result
2/17/2022	1	City Council	APPROVED ON CONSENT CALENDAR	Pass

REPORT TO THE CITY COUNCIL

FROM: GEORGEANNE A. WHITE, City Manager
Office of Mayor & City Manager

BY: HENRY FIERRO, Budget Manager
Budget and Management Studies Division

SUBJECT

***RESOLUTION - 51st Amendment to the Annual Appropriations Resolution (AAR) No. 2021-178 appropriating \$6,141,400 under the General Fund that will fund salary increases and overtime for Bargaining Units 04 (FPOA Non-Management) and 09 (FPOA Management), 05 (IAFF Non-Management) and 10 (IAFF Management) from the American Rescue Plan Act (ARPA) ((Requires 5 Affirmative Votes) (Subject to Mayor's Veto).

RECOMMENDATION

The Administration recommends the Fresno City Council approve the 51st Amendment to the Annual Appropriations Resolution No. 2021-178 to allocate \$6,141,400 of American Rescue Plan Act (ARPA) funding for eligible uses as defined in the ARPA Final Rules, published as of January 6, 2022.

EXECUTIVE SUMMARY

The American Rescue Plan Act (ARPA) is a \$1.9 trillion emergency relief measure authorized by Congress and signed into law by the President March 11, 2021, to address the adverse impacts of COVID-19 on public health and the national economy. The City of Fresno has been programmed to

receive \$170,808,029, which will be paid in two tranches: May 2021 and May 2022.

Based on the eligible uses defined in the ARPA Final Rules, the Administration recommends assigning \$6,141,400 of the first ARPA funding tranche towards the cost of the approved MOU agreements between the City of Fresno and the Fresno Police Officers Associations (FPOA: Unit 04, Non-Management and Unit 09, Management) along with a three percent salary rate change retroactively to June 2021 for the International Association of Firefighters (IAFF: Unit 05, Non-Management and Unit 10, Management), as well as to fully fund anticipated Fire's overtime activity in FY 2022.

The Administration recommends the Fresno City Council approve the 51st Amendment to the Annual Appropriations Resolution No. 2021-178 to allocate \$6,141,400 of ARPA funding for eligible uses, such as Public Safety salary increases and overtime, as defined in the ARPA Final Rules.

BACKGROUND

Based on the eligible uses defined in the ARPA Final Rules, the Administration recommends assigning \$6,141,400 of the first ARPA funding tranche towards the following cost items:

- \$4,608,200: per Council approval on January 27, 2022 of the MOU agreements between the City of Fresno and the Fresno Police Officers Associations (FPOA: Unit 04, Non-Management and Unit 09, Management).
- \$369,600: associated with a 3% wage rate change retroactively to June 2021 for International Association of Firefighters (IAFF: Unit 05, Non-Management and Unit 10, Management). This cost corresponds to the approved IAFF MOU agreements' "Me-Too" clause in conjunction to the approved FPOA MOU agreements' effective date.
- \$1,163,600: To fully fund anticipated Fire's overtime activity. This funding recommendation was identified during the FY 2022 budget process. The plan was to utilize ARPA funding to assist with fully funding the Fire Department's overtime costs once Final Rules were established.

The recommended expenditure of \$6,141,400 will provide funding to cover the recently approved MOU agreement between the City of Fresno and FPOA's Units 04 and 09, address "Me-Too" language per the approved MOU agreements with IAFF Units 05 and 10, and fully fund Fire's overtime activity.

ENVIRONMENTAL FINDINGS

By the definition in the California Environmental Quality Act (CEQA) Guidelines Section 15378, this AAR does not qualify as a "project" as defined by CEQA.

LOCAL PREFERENCE

Local Preference does not apply.

FISCAL IMPACT

As described above, the source of funds for the AAR is the City's award of American Rescue Plan Act (ARPA) funds. The General Fund will not be impacted.

Attachments:

51st Amendment to the Annual Appropriations Resolution No. 2021-178



Legislation Details (With Text)

File #: ID 22-282 **Version:** 1 **Name:**

Type: Action Item **Status:** Passed

File created: 2/1/2022 **In control:** City Council

On agenda: 2/17/2022 **Final action:** 2/17/2022

Title: ***RESOLUTION - 52nd Amendment to the Annual Appropriations Resolution (AAR) No. 2021-178 appropriating \$2,000,000 under the General Fund for the 911 Call Center from the American Rescue Plan Act (ARPA) (Requires 5 Affirmative Votes) (Subject to Mayor's Veto).

Sponsors: Office of Mayor & City Manager

Indexes:

Code sections:

Attachments: [52nd Amendment to the Annual Appropriations Resolution No. 2021-178](#)

Date	Ver.	Action By	Action	Result
2/17/2022	1	City Council	APPROVED ON CONSENT CALENDAR	Pass

REPORT TO THE CITY COUNCIL

FROM: GEORGEANNE A. WHITE, City Manager
Office of Mayor & City Manager

BY: HENRY FIERRO, Budget Manager
Budget and Management Studies Division

SUBJECT

***RESOLUTION - 52nd Amendment to the Annual Appropriations Resolution (AAR) No. 2021-178 appropriating \$2,000,000 under the General Fund for the 911 Call Center from the American Rescue Plan Act (ARPA) (Requires 5 Affirmative Votes) (Subject to Mayor's Veto).

RECOMMENDATION

The Administration recommends the Fresno City Council approve the 52nd Amendment to the Annual Appropriations Resolution No. 2021-178 to allocate \$2,000,000 of American Rescue Plan Act (ARPA) funding for eligible uses as defined in the ARPA Final Rules, published as of January 6, 2022.

EXECUTIVE SUMMARY

The American Rescue Plan Act (ARPA) is a \$1.9 trillion emergency relief measure authorized by Congress and signed into law by the President March 11, 2021, to address the adverse impacts of COVID-19 on public health and the national economy. The City of Fresno has been programmed to receive \$170,808,029, which will be paid in two tranches: May 2021 and May 2022.

Based on the eligible uses defined in the ARPA Final Rules, the Administration recommends

assigning \$2,000,000 of the first ARPA funding tranche towards Phase I of the relocation and consolidation of the City's 911 Call Center. The current location has no additional space to add additional dispatchers to the Call Center. Relocation of the Call Center will provide an increase in additional space which will accommodate additional staff capacity that will result in faster response times to emergency calls for service under all demand conditions.

The Administration recommends the Fresno City Council approve the 52nd Amendment to the Annual Appropriations Resolution No. 2021-178 to allocate \$2,000,000 of ARPA funding for eligible uses, such as the City's 911 Call Center, as defined in the ARPA Final Rules.

BACKGROUND

The Fresno Police Department is designated a Public Safety Access Point (PSAP) by the State of California for the City of Fresno, and all 911 calls in the City of Fresno are received at the Fresno Police Department 911 Call Center by Fresno Police Department Call Takers. Depending on the nature of the call, the Call Taker then routes the call to the appropriate authority having jurisdiction to respond to the emergency call for service. For example, for medical events or fire events, Fresno Police Department Call Takers transfer the calls to the Fresno County Fire/EMS Call Center, who assumes responsibility for dispatching resources for the call for service.

The Fresno Police Department 911 Call Center has an authorized employee count of 105 staff and receives more than 1 million calls for service per year. The 911 Call Center's goal is to answer 90 percent of all emergency calls within 15 seconds and based on current demands for 911 Call Center service, that performance standard is not being achieved. As stated above, this is due to the fact that the Police Department has experienced a 70-percent, 17-percent, and 22-percent increase in homicides, rapes, and auto thefts, respectively, and the Fire Department a 72-percent increase in fires from pre-pandemic conditions, which has increased the amount of calls coming into the 911 Call Center at a corresponding level.

To address the issue, it is necessary to add additional Call Takers and equipment to the 911 Call Center; however, it is not feasible to add additional staff and additional equipment within the existing 911 Call Center location in the basement of Police Headquarters due to space limitations. Accordingly, there is a need to relocate the 911 Call Center to a larger location, and to consolidate Police and Fire 911 Call Center service.

The recommended expenditure of \$2,000,000 to relocate and consolidate the City's 911 Call Center will increase the capacity of the City's 911 Call Center to respond to 90 percent of emergency calls for service within 15 seconds under all demand conditions. The Administration is currently evaluating alternative locations for a consolidated 911 Call Center.

ENVIRONMENTAL FINDINGS

By the definition in the California Environmental Quality Act (CEQA) Guidelines Section 15378, this AAR does not qualify as a "project" as defined by CEQA.

LOCAL PREFERENCE

Local Preference does not apply.

FISCAL IMPACT

As described above, the source of funds for the AAR is the City's award of American Rescue Plan Act (ARPA) funds. The General Fund will not be impacted.

Attachments:

52nd Amendment to the Annual Appropriations Resolution No. 2021-178



Legislation Details (With Text)

File #: ID 22-288 **Version:** 1 **Name:**
Type: Action Item **Status:** Passed
File created: 2/2/2022 **In control:** City Council
On agenda: 2/17/2022 **Final action:** 2/17/2022
Title: ***RESOLUTION - Adopt the Fourteenth Amendment to FY 2022 Salary Resolution No. 2021-176, amending Exhibit 13-1, Unit 13, Exempt Supervisory and Professional (CFPEA) to modify the salary ranges for Professional Engineer, Supervising Professional Engineer, Chief Surveyor, and Architect, effective February 14, 2022 (Subject to Mayor's Veto).

Sponsors: Personnel Services Department

Indexes:

Code sections:

Attachments: [Resolution: Fourteenth Amendment to FY22 Salary Resolution No. 2021-176](#)
[Salary Tables: 14th Amendment to FY22 Salary Resolution No. 2021-176 - Redline.pdf](#)
[Salary Tables - 14th Amendment to FY22 Salary Resolution Final.pdf](#)

Date	Ver.	Action By	Action	Result
2/17/2022	1	City Council	APPROVED ON CONSENT CALENDAR	Pass

REPORT TO THE CITY COUNCIL

FROM: TJ MILLER, Director
Personnel Services Department

SUBJECT

***RESOLUTION - Adopt the Fourteenth Amendment to FY 2022 Salary Resolution No. 2021-176, amending Exhibit 13-1, Unit 13, Exempt Supervisory and Professional (CFPEA) to modify the salary ranges for Professional Engineer, Supervising Professional Engineer, Chief Surveyor, and Architect, effective February 14, 2022 (Subject to Mayor's Veto).

RECOMMENDATION

It is recommended that Council approve the Fourteenth Amendment to the FY22 Salary Resolution No. 2021-176 effective February 14, 2022, to:

- Modify salary ranges for Professional Engineer, Supervising Professional Engineer, Chief Surveyor and Architect in Exhibit 13-1, Unit 13, Exempt Supervisory and Professional (CFPEA).

EXECUTIVE SUMMARY

In collaboration with the respective departments, Personnel Services has revised four salary ranges within Unit 13-1 to gain a competitive salary position for these certificated, hard to fill classifications.

This action will not require an increase in total positions in the Public Works, Public Utilities or Planning and Development Departments.

To implement these actions, it is necessary to approve the Fourteenth Amendment to FY 2022 Salary Resolution No. 2021-176.

BACKGROUND

The salary range for the following classifications are being revised: Professional Engineer, Supervising Professional Engineer, Chief Surveyor and Architect. All four classifications require valid registration either as a professional engineer, land surveyor, or architect by the State of California, and are considered hard to fill and take significant recruiting efforts to attract qualified candidates. These classifications are critical in supporting and administering various capital and engineering projects throughout the City and it is imperative that the salaries be competitively aligned. Currently, the City has several Professional Engineer vacancies, and the applicant pool for this classification is minimal. In addition, there has been an exodus of these positions to other governmental entities who pay significantly more than the City. Through discussion with the Departments of Public Works, Public Utilities and Planning & Development, it was determined that salary has been a factor in attracting new hires and retaining staff.

A summary of the changes are below:

- The modified salary range for the Professional Engineer
 - Current C step will become the new A-step.
 - Current D-step will become the new B-step.
 - Current E-step will become the new C-step, continuing with a new respective D-step and E-step.
 - Approximately 10% increase to this salary range.

The City intends to place the Architect position in the same pay range as Professional Engineer.

- The modified salary range for the Supervising Professional Engineer and Chief Surveyor
 - Current B-step will become the new A-step.
 - Current C-step will become the new B-step.
 - Current D-step will become the new C-step.
 - Current E-step will become the new D-step, continuing with a new respective E-step.
 - Approximately 5% increase to this salary range.

Current employees in these respective classifications shall be adjusted to their same relative step in the new salary range, and such adjustment shall not alter the employee's anniversary date for purposes of future step increases in the class, per Salary Resolution, SECTION 2. Salary Step Plan (k).

The City provided notice to the respective bargaining unit regarding the modified salary ranges and has concluded its meet and confer obligation.

The City Attorney's Office has approved the Fourteenth Amendment to Salary Resolution No. 2021-176 as to form.

ENVIRONMENTAL FINDINGS

By the definition provided in the California Environmental Quality Act Guidelines Section 15378 this item does not qualify as a “project” and is therefore exempt from the California Environmental Quality Act requirements.

LOCAL PREFERENCE

Local preference is not implicated because this item does not involve public contracting or bidding with the City of Fresno.

FISCAL IMPACT

Revising the salary ranges for the classifications of Professional Engineer, Supervising Professional Engineer, Chief Surveyor and Architect within Exhibit 13-1, may result in increased salary and benefit expenses in Fiscal Year 2022 of approximately \$120,077 to all funds. The impact to the General Fund will be an increase of approximately \$56,382 for Fiscal Year 2022. The additional expenses do not require additional appropriations for the various departments.

Attachments:

Resolution: Fourteenth Amendment to FY22 Salary Resolution No. 2021-176

Salary Table: Fourteenth Amendment to FY22 Salary Resolution No. 2021-176 - Redline

Salary Table: Fourteenth Amendment to FY22 Salary Resolution No. 2021-176 - Final



Legislation Details (With Text)

File #:	ID 22-317	Version:	1	Name:	
Type:	Action Item	Status:		Passed	
File created:	2/10/2022	In control:		City Council	
On agenda:	2/17/2022	Final action:		2/17/2022	
Title:	Actions pertaining to the FY22 Position Authorization Resolution No. 2021-179: 1: ***RESOLUTION - Adopt the 5th Amendment to Position Authorization Resolution (PAR) No. 2021-179, adding one hundred seven (107) full-time and two (2) permanent part-time positions Citywide. (Subject to Mayor's Veto).				
Sponsors:	Personnel Services Department				
Indexes:					
Code sections:					
Attachments:	5th Amendment to Position Authorization Resolution ("PAR") No. 2021-179 Supplement 22-317 Revised Staff Report RevisedPAR Reso				

Date	Ver.	Action By	Action	Result
2/17/2022	1	City Council	ADOPTED	Pass

REPORT TO THE CITY COUNCIL

FROM: GEORGEANNE A. WHITE, City Manager
Office of the Mayor & City Manager

TJ MILLER, Director
Personnel Services Department

SUBJECT

Actions pertaining to the FY22 Position Authorization Resolution No. 2021-179:
1: ***RESOLUTION - Adopt the 5th Amendment to Position Authorization Resolution (PAR) No. 2021-179, adding one hundred seven (107) full-time and two (2) permanent part-time positions Citywide. (Subject to Mayor's Veto).

RECOMMENDATION

Staff recommends that Council authorize the adoption of the 5th Amendment to Position Authorization Resolution (PAR) No. 2021-179 adding a total of one hundred seven (107) full-time and (2) permanent part-time positions; three (3) to the Mayor and City Manager's Department, seven (7) to the Finance Department; one (1) to the Information Services Department; five (5) to the PARCS Department, eight (8) to the Personnel Services Department; nine (9) to the Planning and Development Department, three (3) to the Fire Department, forty-two (42) to the Police Department, four (4) to the Public Utilities Department, twenty-two (22) to the Public Works Department, and five (5) to the Transportation Department.

EXECUTIVE SUMMARY

The proposed amendment will add one hundred seven (107) full-time and two (2) permanent part-time positions citywide to improve service delivery and project delivery throughout the City.

BACKGROUND

During the economic downturn of 2008 the City significantly reduced staff and attempted to maintain a steady approach to staffing growth which balanced available resources to the most important needs. The pandemic has brought about unanticipated financial opportunities and growth that have highlighted the need to increase staffing capacity to ensure that the over \$300 million of Federal Funds along with State and Grant opportunities make Fresno an enviable place to live, work and visit. At each Council meeting and thru various Community engagement forums, Staff continue to hear the concern of not seeing tangible progress on projects - projects that are just not moving at a fast enough pace. Much of the constraints to project delivery are driven by the lack of staffing capacity. In a concentrated effort to reduce these barriers, Staff is recommending the approval of one hundred seven (107) full-time and two (2) permanent part-time positions that are critical to ensuring that investments made in the community progress in a timely manner and that the Citizens of Fresno can see their investments in the community flourish.

Office of the Mayor and City Manager

The Budget and Management Studies Division is requesting **one (1) new Budget Analyst** position. This position will be responsible for preparing, reviewing and communicating the monthly expenditure projections in comparison to budgets, preparing ad-hoc reports, processing appropriation transfer requests, for and to the Council Districts. This additional position will provide a needed rebalance of staff assignments that have also experienced increased workloads. Major assignments that have increased in workload include the development and publication of the City's annual budget and the production of ongoing Administrative Amendment Resolutions (AAR). Over the last five years, a staff of five analysts, one technician, and a manager oversaw the formalization of the City's FY 2022 budget for 17 departments that reached \$1.4 billion, a \$500 million or 46% growth while AAR's have also increased dramatically by 69% percent during this same time period. Staff has continuously worked in excess of 50 hours weekly to meet the demand of this increased workload and continuation of this practice will increase employee burnout and potentially negatively impact critical processes.

The Office of the Mayor and City Manager is requesting **two (2) new Deputy City Managers**. The receipt of over \$300 million in Federal Funds from CARES, ARPA, and ERAP along with other high profile priorities and funds have created a significant need to ensure that projects are properly funded, and consistently moving as prioritized by Council. The Deputy City Manager positions will be assigned the point of contact for coordinating and directing the completion of city-wide projects and will serve to eliminate the barriers that may hinder continuing project progression. The positions will also have a direct connection to the City Manager and Assistant City Managers to ensure communication and direction does not prevent the projects from moving forward.

Finance

With the receipt of over \$300 million from multiple federal and state grants for the COVID pandemic, the demand for reporting, auditing, and collection of documents to support the City's expenditures on these grants has significantly increased. The additional grant dollars have created a corresponding increase in the volume of payments being processing by Finance staff. Consequently, the Finance Department is recommending Council approve the addition of seven (7) positions to meet the increases in workload.

Federal awards of CARES, ERAP, and ARPA have extensive time sensitive reporting and auditing requirements which has become increasingly difficult to complete with the existing staff's current workload. A team consisting of **one (1) Senior Management Analyst, one (1) Management Analyst II and three (3) Accountant Auditors** is proposed to meet the demands and minimize the risk of penalization or loss of revenue due to noncompliance in reporting. The team will oversee the large amounts of documentation that needs to be collected, prepare in-depth weekly, monthly, quarterly, and annual reports for submission to the granting agencies, in addition to ensuring that any subrecipient of these funds, such as Community Based Organizations, are also complying with the regulatory guidelines. Other reporting requirements the team will be addressing include Single Audit, ad-hoc reports for operational evaluations, and analysis requested by Council, the Mayor, and City Manager's Offices. The inability to add these critical positions will overly tax current Finance staff, and will likely prevent them from addressing the duties for which they were hired. This in turn can potentially lead to penalization for non-compliance and demand for repayment for reimbursements made that were not in accordance to the regulations. It should also be pointed out that most of the cost of these positions can be covered by the grants themselves, making the cost to the General Fund minimal.

Over the last few years, the number of payments processed and changes in the payment methods (check vs. ACH) have increased the amount of work necessary to process timely payments to vendors. In FY 2021, 60,977 payments were processed. For the first six months of FY 2022, the volume of payments processed has increased by 15 percent, or approximately 700 payments per month, over the same time period in FY 2021. At the current pace, Finance will process about 69,400 payments in FY 2022, which would be a record for the City. In an effort to address this additional workload while maintaining segregation of duties and internal controls, Finance is recommending the addition of **two (2) Principal Account Clerk positions**. These positions will create financial documents and assist Accountant Auditors in reviewing citywide vouchers that need to be processed for payment. Other duties will include preparing emergency check runs, confirming correct sales/use tax is being paid on each voucher, and paying Cal-Cards/City issued credit cards. The additional positions will ensure the continued timely and accurate payments to vendors.

ISD

The Information Services Department is responsible for maintaining the citywide inventory for all technological hardware. This inventory has grown over the last few years due to the impacts of COVID-19 and now includes over 4,000 laptops/desktops and does not include monitors and ancillary equipment that has become necessary in the day to day needs of the workforce, including telework. Due to the need to accurately maintain inventory and control costs, **one (1) Account Clerk** is necessary. This position will manage orders from departments, coordinate deployments with City users and schedule the Desktop team, assign fund/orgs to the devices and oversee the inventory system. The position will also conduct ongoing inventory audits of equipment which will be used to build the annual budget allocations. Currently, some of this work is performed by a temporary employee who is limited to 29 hours of work per week, and because of the nature of temporary work there is turnover which then requires additional work to train replacement staff. The conversion of the temporary staff to a permanent is anticipate to reduce employee turnover and to more effective continue to streamline the inventory process.

PARCS

The Parks, After School Recreation and Community Services Department is requesting the

approval of five (5) additional positions, one (1) position for the consolidation and improvement of customer service, two (2) of these positions are intended to transition service delivery by temporary staff to permanent staff in order to create sustainable community based knowledge and consistency; one (1) additional position to meet the regulatory requirements and oversight of the Department's finances; and one (1) will be responsible for all safety, guest services, programming, and operations of Camp Fresno.

One (1) Community Coordinator who will provide oversight for the PARCS Customer Service Team which is responsible for centralized customer service for all reservations, enrollments, bookings, and coordination of work orders. This position will oversee the modernization and standardization of the software utilized to track request and work orders, implement best practice training models thru continuous process evaluations. The current staff is fully tasked with the day to day operations, this position will require a Supervisory level class that can move the goals forward.

Two (2) Recreation Specialists to support and maintain long term service level sustainability in the Therapeutic Recreation Program and the Action Sports & Bicycle/Pedestrian Safety Programs. The PARCS Therapeutic Recreation program utilizes recreation and other activity-based interventions to address the assessed needs of individuals with illnesses and/or disabling conditions, as a means to psychological and physical health, recovery and well-being. The program operates at two locations - Inspiration Park, and Ted C. Wills Community Center. The Action Sports program is responsible for coordinating the BMX, Skate, and Bicycle & Pedestrian Safety activities including: operation of the Woodward BMX track, providing lead direction and training for temporary staff who attend three skate parks (Lions Park, Mosqueda Park, and Todd Beamer Park), and implementing the Bicycle and Pedestrian Safety program, which implements strategies to reduce the number of persons killed and injured in crashes involving pedestrians and bicyclists by conducting classroom education, bicycle rodeos, community events, presentations, and workshops. Both of these programs are currently supported by temporary employees. The sophistication of these programs requires specialized, long-term support from dedicated employees who strive to understand and implement best practices in their respective fields and build long-standing relationships with the community. By utilizing temporary staff, the programs experience a higher level of turnover which results in a training burden and lower service levels while onboarding new staff. Supporting these programs with permanent specialists will allow them to acquire institutional and community-based knowledge in order to maintain service levels at existing locations as well as identify opportunities for program evolution and expansion.

One (1) Accountant/Auditor II will support ongoing budget evaluation, midyear and annual budget efforts, and provide ad-hoc reporting to assess cost-effectiveness of operations and programs. The PARCS Budget has increased from \$26.4 million in 2021 to \$58.1 million (an increase of 120%), and additional funding sources have been added with specialized monitoring, tracking, and reporting requirements including Measure P and various grant programs including CalVIP, OJJDP, and Proposition 68. This position is necessary to ensure that accounting information is entered accurately, and to support quick turnaround of budgetary and financial assessments and information. Without the added support this position is intended to provide, the result would be less-frequent reporting and monitoring of financial performance potentially leading to missed opportunities in realizing financial efficiencies, staff burnout, and increased risk associated with compliance to the requirements of specialized funding sources.

One (1) Division Manager will be responsible for all safety, guest services, programming, and operations of Camp Fresno. Camp Fresno was previously supported by a 6-month limited Division

Manager, however during the Summer 2022 operating season it became apparent that, in order to provide sustained programming and operational continuity from year-to-year, the operation requires year-round management. The operation of Camp Fresno requires a high-level of planning, institutional, and specialized knowledge - not only to provide the best services to City of Fresno youth attending the Camp operations and service to the public for reservations; but also to maintain compliance to all federal, state, and local guidelines related to the operation of a youth camp and hospitality operation. These requirements include the provision of on-site medical staff, certification for food handling, and specialized safety requirements for persons providing overnight services for youth. Without a permanent, year-round Division Manager, the Department will face difficulties in opening the camp on-time, providing a full scope of services, raising revenue from reservations, and may be faced with the choice of reducing service levels of existing City-centered community services & recreation programs or operating the Camp in the event that the same human resources are utilized for both operations.

Personnel

The current labor challenges have highlighted the need for the City to attract and retain the best talent. In order to accomplish this, the Personnel Services Department (PSD) will require eight (8) additional positions to increase the staffing capacity that will move the City forward and make it the employer of choice, not only for the City of Fresno, but the entire San Joaquin Valley. PSD's goal is to reduce the City's vacancy rate through proactive, focused recruiting efforts with efficient onboarding; improve employee retention by providing employees with a competitive benefit plan as well as organizational leadership and employee development; reduce employee injuries through a proactive approach to safety and training; manage workers' compensation claims to return employees to work; and reduce liability and risk and to control costs. The following positions will help the Department meet these goals.

One (1) Senior Human Resources Technician is necessary to provide support in Benefits Administration by creating a team approach in each division, particularly for those divisions that currently only have one employee, such as Employee Benefits. PSD processes, on average, over 795 FMLA requests each year; hires/rehires on average throughout a year 640 benefit eligible employees which requires data entry enrollment and coordination through a 3rd party administrator; reconciles health plan benefits and flex spending benefits; educates employees on available benefits; coordinates the employee assistance program and establishes Health Retirement Arrangement accounts. These duties are currently performed by a Benefits Manager and due to the significant workload being administered by one person, it does not allow the flexibility to become mobile and bring benefit information to employees in the various remote work locations. The addition of this position will allow the Benefits Manager to focus on maximizing cost effectiveness and developing attractive benefit packages that would help the City become the employer of choice.

One (1) Human Resources Analyst and **one (1) Senior Human Resources Technician** to support the citywide Training program. PSD just recently purchased Cornerstone software which is a full Learning Management system that will eventually integrate with Tyler Human Resources Management System. This complex software requires configuration, comes loaded with training videos that require vetting, has the capability to incorporate training modules built by PSD and much more. Additionally, these positions will analyze the current job specification and recommend modifications to include this training as part of employee development that will enhance career paths for staff. The positions will also be working with departments on succession planning as employees either promote or retire from the City. These positions will be instrumental in the day to day transactions of approving class enrollments, reconciling rosters, loading learning content, and

customer service by assisting employees with navigating the software and ensuring the City consistently develops its employees and ensures their long term retention.

Two (2) Senior Human Resources/Risk Analysts to support the Labor Division in negotiations and management of eleven (11) represented bargaining units and over four thousand (4,000) employees. There are currently two (2) positions assigned to Labor Relations, the additional positions will create capacity to ensure our employees have up to date contracts and timely resolution for concerns and issues brought forth. With additional staff, pro-active analysis of contract language and provisions can be performed to improve the overall content and application of the Memorandums of Understanding. These positions are critical to improve timeliness in employer labor relations in general as well as allow for improvements in overall processes and procedures. Approval of the positions will restore the Labor Division to the staffing level prior to 2009.

Two (2) Senior Human Resources/Risk Analyst in the Operations Division to assist with the citywide outreach and recruitment efforts and to supervise recruitment and examination activities. The City's vacancy rate is at an all-time high while the demand for services and projects continues to grow - it is imperative that the recruiting team put all efforts forth to open recruitments, advertise our positions, examine candidates, and connect job seekers with our open positions. This position will be critical in supervising these recruitment duties and will also be a key player when the City moves towards a new recruiting software system, which will require significant oversight, building the application process, and ensuring the new software is seamless to our applicants. Furthermore, the position will be tasked with performing high level, complex analytical assignments; analysis of applicant demographics; and ensure the City's outreach efforts are robust and target diverse and underrepresented groups.

One (1) Risk Analyst to support the loss control efforts. The Risk Management Division currently has one risk analyst who's solely responsible for all property claims within the City of Fresno. Claim count over the last five years has increased and this amount of activity cannot be completed by only one person, the additional position would help address the case load, process claims faster - returning resources to the departments more quickly, and would improve the City's ability for quicker and increased subrogation recovery, with a potential of increasing recovery by over \$1M annually.

Planning and Development

To maximize operational efficiency, increase response to demand, engage the community in inclusive economic development and address homelessness and housing challenges the Planning and Development Department is recommending the approval of nine (9) additional positions to meet these challenges.

In July 2021, the City Council authorized Ordinance No. 2021-028 recognizing the transfer of jurisdiction and oversight of Mobilehome Parks (MHP) from the State of California to the City of Fresno. This action involved 27 mobile home parks with 3,754 mobile home units within them. This assumption of responsibility includes the review and approval of construction and installation permit applications, including related building inspections, by the Building and Safety Services Division of the Planning and Development Department. Although limited information was provided by the state, per previous jurisdictional experience, the City's Chief Building Official estimates an anticipated workload projection of approximately 150+ permits, 350+ inspections, and 45 plan reviews per month. Based on these projections, an additional (five) 5 positions will be needed to successfully carry out the tasks associated with this program. These positions include: **one (1) Plans and Permit Technician** to process all mobile home applications as well as receive specialty training on Title 25

requirements as required by the state; **one (1) Residential Inspector** to inspect all mobile home permits for compliance to state guidelines, Title 25 and the CBC as well as have specialty training specific to Mobile Homes. The residential inspector would also assist Code as needed for inspections; **one (1) Commercial Inspector** to inspect all mobile home community permits, such as clubhouses, laundry rooms etc. for compliance to state guidelines, Title 25 and the CBC as well as have specialty training specific to Mobile Homes. The commercial inspector would also assist Code enforcement as needed for inspections; **one (1) Residential Plans Examiner** to review all plans associated with mobile homes and parks in the City of Fresno, they will also receive specialty training related to Title 25 and **one (1) Planner I/II** to review all mobile home applications for compliance with setbacks and other mobile home regulations.

In October 2021, the City Council authorized an amendment to Ordinance No. 2021-044. These changes will involve the preparation of public hearing notice; development of mailing lists; and mailings for the average of 2-3 items on the Historic Preservation Committee agenda on a monthly basis. Currently, Historic Preservation Specialists receives numerous inquiries regarding historic preservation matters; numerous appointments and field visits that need to be scheduled and coordinated with members of the public; overall logistics have increased over the past year. With the amendment to the ordinance, administrative requirements will increase including, preparation of Historic Preservation Committee agenda; agenda minutes; increased interest in Economic Incentive Programs (Mills Act, Mitigation Program); annual report preparation to the State. There is a strong need for clerical support for the Historic Preservation Specialist. This position will be situated within the Historic Preservation Program and report directly to the Assistant Director. The addition of **one (1) Administrative Clerk I on a permanent part time** basis will ensure that the additional workload does not negatively impact the workload of current staff. The position will be tasked with the preparation of Historic Preservation Committee agendas and meeting minutes, scheduling for the Historic Preservation Specialist, organizing Historic Preservation library and electronic files, perform preliminary research for Historic Preservation Specialist, scan documents and assist with various Current Planning clerical duties.

The department is also requesting **one (1) Community Coordinator** in the Planning Division. The current Planning Division presently acts as the liaison for six Council District Committees and two Design Review Committees. These Committees typically meet monthly but have met bi-monthly dependent on the number of projects that are submitted. It is estimated that work involved to prepare material for the meeting (agendas, minutes, project summaries, communications with applicants, etc.) can take as up as much as 20 percent of staff time per week. This workload spread over 8 Planners has had a tremendous impact on processing of projects that end up causing time delays. A Community Coordinator would increase the capacity of 8 staff members by at least 20% each, as result of the delegation of all Committees to a single staff member (Community Coordinator). Staff would then be able to focus on the analysis of projects and allow projects to be completed in a timely manner on more consistent basis. This also provides staff the opportunity to continue with Process Improvements that will continue to streamline the project evaluation process.

As a cornerstone of the One Fresno Vision, Inclusive Economic Development requires frequent and meaningful engagement of the city's stakeholders, and the Planning and Development (P&D) Department's FY22/23 project pipeline proves to provide the community with many of these opportunities. To successfully plan, organize, prepare, execute, and follow-up for each outreach effort, P&D requests **one (1) Staff Assistant** position. P&D will participate in or independently execute a variety of outreach activities across the many projects within each division. These activities will include surveys, stakeholder interviews, collaborative workshops, informational webinars, video

shorts, advisory committee meetings, neighborhood pop-ups, and more. A typical project may involve all of these activities within a very short timeframe (3-6 months). Among the 15 active projects across the building and planning divisions, the Department is anticipating creating or facilitating at minimum: 5 question and response surveys, requiring collation, documenting, and summarizing; 6 stakeholder interview sessions, requiring the coordination of external and internal stakeholders over a multitude of meetings; more than 30 public workshops; each requiring noticing, logistical coordination, material preparation and distribution, and after workshop follow-up; more than 20 informational webinars or videos, requiring logistical coordination; and more than 9 advisory committees, all with at least one meeting a month to prepare materials for. Professional staff are currently responsible for all duties required to execute these activities, including basic scheduling and materials distribution.

Given the significant challenges of the city related to homelessness and anemic affordable housing construction, our Agency's efforts to capture as much State and Federal funding as possible to address these needs, in addition to the Mayor's and City Council's leadership to prioritize resources has created an unsustainable workload for the Assistant Director of Development. Staff of the Housing Division are all grant-funded and can only allocate their time to grant-specific activities. Therefore, the work of building the housing continuum, including Real Property acquisition and project management requires specific expertise and capacity currently unavailable within the Division. The addition of **one (1) Senior Real Estate Agent** would add the necessary experience to manage the growing number of Real Estate transactions, including negotiations, environmental reports, closings, and renovations.

Fire Department

The Fire Department is requesting three (3) additional positions, two (2) of these positions will help meet an increase in demand for fire inspections anticipated with the approval of the Mobile Home Parks, Accessory Dwelling Units and Cannabis permits and one (1) position to replace temporary staffing with permanent staffing to ensure consistency and long term retention.

Two (2) Fire Inspector to address the increase in workload anticipated from the Council authorized Ordinance No. 2021-028 recognizing the transfer of jurisdiction and oversight of Mobile home parks which includes the review and approval of construction and installation permit applications, including related building and fire inspections, by both the Building and Safety Services Division and the Fire Prevention Division. Fire Inspectors staff will also conduct regular inspections in collaboration with the City's Code Enforcement Division. In addition, in the past three years, the State has also addressed the ongoing challenge of affordable housing through legislation related to Accessory Dwelling Units (ADU's). A current Mayoral Administration program includes City approval of ADU standard plans, and an abbreviated submittal and permitting process has recently been formed with the goal to create several City approved standard ADU plans. This abbreviated time for review and approval has two separate and distinct impacts on the FPD: First, for these applications staff must still review and confirm the existing fire hydrant spacing and fire hose pull distances (since these new dwellings will likely be in older areas with larger lot sizes) are acceptable and do not place undue difficulty for manual firefighting operations, and Second, in areas where the lot is of insufficient size to meet setback requirements, the ADU must be fire sprinklered to mitigate the new dwelling unit's proximity to the adjacent property owners. In the event that any of these conditions are present, additional staff time will be required to address the conditions in and expedited manner. On the back end, these applications will also require additional inspections by Fire Inspectors when the ADU is required to be fire sprinklered. The third item that is anticipated to impact demand is the permitting of cannabis related business which will require staff time to review and process a number of specialty concerns, specifically, cannabis cultivation and extraction of terpenes and THC/CBD extracts have

risks associated with them that need additional expertise to address. Cultivation of cannabis generally presents two specific concerns; these include the use of carbon dioxide enrichment systems and gas detection systems. The California Fire Code (CFC) has specific provisions and requirements related to the use of carbon dioxide enrichment systems. These systems present the risk of asphyxiation and/or frostbite injuries to occupants and operational staff, and these uses of large, permanently mounted tanks create hazards to adjacent properties. When solvent-based extraction of cannabis products is proposed, the list of hazards grows substantially, as the use and storage of flammable and/or combustible liquids is present, as well as the use of pressure vessels and other closed system components. The primary regulating official as noted in the CFC is the fire code official for both of these circumstances. The installation of these systems will also consume additional staff time for the subsequent field inspections of these operations and systems.

One (1) Senior Administrative Clerk to replace temporary staffing. For the last three years, the department has utilized a temporary Senior Administrative Clerk to fill front counter needs and increasing administrative work. With the increased administrative plan check duties, scheduling, and the additional administrative tasks associated with new programs identified with new Fire Inspector positions, it is vital that the department fill this position with a full time senior administrative clerk.

Police Department

The Police Department is requesting the approval of 42 positions. The economic downturn of 2008 severely impacted the Police Department's (PD) civilian workforce by reducing staffing levels which have not been restored since. The duties performed by these employees were not eliminated however, and PD was forced to allocate Sworn Officers to the completion of these task, precluding them from performing dedicated policing duties and reducing the presence of Officers in the field. The recent investments made in the Police Department and approved by Council also laid the expectation of service improvements. In order to relieve Sworn Officers from performing duties that would best be suited to non-sworn personnel at lower cost levels and allow the return of Sworn Officers to focus on the Department's mission of providing excellent service in those areas that are valued most by our citizens, Staff recommends the approval of 15 new non-sworn positions, these positions include one (1) Senior Secretary, six (6) Background Investigators, six (6) Community Outreach Specialists and one (2) Risk Analyst. Additionally new ordinances, regulations and the need to better communicate with the citizens, have increased workload which will require the addition of one (1) Background Investigator and one (1) Community Coordinator positions. Furthermore, twenty-five (25) Cadet II's positions are being requested to combat current staffing challenges that have uncovered opportunities for improvement in the recruitment pipelines, these new positions will allow the Department to better prepare and ensure the continued recruitment of staffing into various areas of public safety duties.

One (1) Senior Secretary position assigned to the Support Division. The Senior Secretary position will provide clerical and administrative support to the Deputy Chief assigned to the Support Division which currently lacks administrative support. Approval of this position will improve response time in processing requests and tracking information. Currently sworn staff are assisting with the functions, therefore, the addition of this position will assist in restoring capacity for sworn services. The department has four (4) Senior Secretary positions. Three (3) positions are assigned to provide clerical and administrative support to Deputy Chiefs assigned to the Administrative Services Division, Patrol Division, and the Investigative Services Division. One (1) Senior Secretary is assigned to the Internal Affairs (IA) Bureau to provide to provide clerical and administrative support to the IA Bureau Commander and five (5) sergeants. The addition of this position will allow for the Sworn staff to fully focus on policing duties.

Six (6) Background Investigators to the Unit in the Administrative Services Division. These duties are currently being performed by Sworn Officers. Background Investigators are responsible for conducting in-depth investigations that ensure applicants for positions in the department comply with all applicable minimum standards for appointment and screen out candidates who, based on their history or other relevant information, are found unsuitable for positions in the department. The responsibilities include conduct inquiries regarding the applicants' character, conduct, driving history, use of illegal drugs, employment history, criminal history, credit history, education history, residential history, personal and professional references, and citizenship and age verification. Daily tasks include conduct interviews with applicants, contact employment supervisors and co-workers, personal references, neighbors, and landlords of applicants. Use a computer to complete standard, formatted background investigation reports consistent with POST guidelines. Make serious attempts to verify all negative or derogatory information gained in investigations. Maintain the confidentiality of all investigations, including all applicant file contents, investigation working documents and reports. Forward background investigation materials to the Personnel Bureau Commander at the conclusion of investigations. The new positions will allow the return of Officers to policing duties with an anticipated saving to the performance of these specific duties.

Six (6) Community Outreach Specialist to be assigned to the Duty Office in the Patrol Division which will allow Sworn Officers to maximize the presence of officers in the field. The on-duty sworn officer responsible for security operations at the Fresno Police Department and Police Annex. The duty officer coordinates the daily schedules to meet minimum staffing needs, achieve training objectives, and minimize overtime expenditures, and overall operations related to the daily patrol matrix. The duty officer assists in the Patrol Matrix construction, duty assignments, transfers, and documentation of patrol operations. The duty officer coordinates department response to critical incidents including officer involved shootings, in-custody deaths, SWAT or Crisis Negotiations Team callouts, mutual aid requests (fires), and other unusual occurrences. The duty officer maintains sufficient emergency inventories of firearms, radios, and specific miscellaneous equipment needed by members after hours. The duty officer answers phones, directs messages, and points of contacts, and takes citizen complaints. Check hundreds of e-reports weekly, all daily, weekly, monthly overtime reports staff requires, maintain logs for loaning officers, mandatory overtime, volunteer overtime, vacation logs, all OTTO entries for all patrol, DCB, EPCD monitoring and maintenance including resetting passwords, maintaining all department operation manuals. Responsible for three (3) vehicles used for out-of-town training. Conduct audits as staffing members require based on information maintained. Responsible for scheduling ride-alongs, and maintaining all forms required. Oversee all contract services which is a full-time assignment and assist with crime stoppers. Open 24 hours a day.

Two (2) Risk Analyst assigned to the Workers' Compensation Unit in the Administrative Services Division has been identified for civilianization. The Risk Analysts will be responsible for all worker's compensation paperwork for the department. Daily tasks include ensure Form DWC-1 is given to every member the day the department has knowledge of a work related or potential work-related injury. Ensure Form Supervisor's Report of Injury/Accident is filled out within 24 hours of being reported. Enter claim information into the City's third-party administrator software system. Light duty coordinator duties. Employee assistance program referrals. Receive, track and file medical provider work status reports. Maintain confidential member medical files. Receive, process, track, and file FMLA/CFRA requests. Maintain and distribute the department's LTA/LD list of industrial and non-industrial absences and light duty assignments. Maintain Cal/OSHA Form 300 including annual closeout of prior year log and begin new log, obtain required signatures, and post prior year

summaries. Participate in interactive process meetings. Telephone and email communications with members, medical providers, third-party claims adjusters, Risk Management, and department executive and supervisory members.

One (1) Background Investigator will be assigned to the Special Investigations Bureau in the Investigative Services Division to complete the required background checks for a commercial cannabis business permit. Pursuant to FMC Section 9-3318(c): At the time of submission of an application for a commercial cannabis business permit, all operators, owners, investors, and managers of a commercial cannabis business or cannabis retail business shall submit information for a background check.

One (1) Community Coordinator (CC) position will be assigned to the Office of Media and Community Engagement in the Chief's Office. The CC serves as the liaison between the police department and the media. The CC acts as a confidential aide to the Chief in matters of the media and may attend meetings on behalf of the Chief as directed. The CC has a variety of job duties, but written and verbal communication is the basis for all they do. They liaise between the department and the public and may be responsible for issuing press releases, social media updates, answering queries from the media, and arranging interviews with department members.

Twenty-five (25) Police Cadet II positions will allow the Department the flexibility to onboard and ensure that the positions are being accorded the proper benefits. Per City policy, Cadets in the approved Position Control Numbers (PCN) approved by Council are considered benefited while those that are not hired in a PCN are treated as temporary staff. The creation of these PCN's is merely a procedural allowance that would build a pipeline that would improve recruitment efforts; create additional capacity for non-sworn police services; and create a steady pipeline of recruits that as they cycle through the cadet program in the various areas of public safety. This would also allow the Department the ability to continue striving to meet the mayor's goal of hiring 120 new officers in 15 months to deliver on its commitment of providing excellent service. These positions will not require additional funding, they will merely afford the Department the flexibility to transition staff in the pipeline and expenses related to these positions will be entirely covered with savings generated from vacant approved positions. In 2021, the department hired 24 new recruits from various academies; 11 from FCC 163; 1 from COS 151; 12 from FCC 165. The department anticipates hiring additional new recruits from the current academies; 24 from FCC 166 (Recruit hire date March 28, 2022); 19 FCC 167 (Recruit hire date July 4, 2022); One (1) additional candidate is in the hiring process who is currently enrolled in FCC 167. The additional 25 Cadet II positions will allow the department to hire cadets who are 20.5 years of age and sponsor directly into the upcoming academies - FCC 168 commencing April 18, 2022, and FCC 169 commencing June 6, 2022. The department anticipates sponsoring 40 cadets to the April academy and 20 to the June academy. In partnership with the Department of Defense, Skill Bridge Program, military personnel who are at the end of their contract are allowed to intern at the department with the option to apply for cadet positions. The department hired two (2) cadets from Skill Bridge. One is sponsored to FCC 166 and one to FCC 167. Two (2) Cadet II recruitments have been completed, one in November 2021 and one in January 2022. 95 candidates from the January recruitment are invited to the physical agility test on Saturday, February 5, 2022. There are 57 candidates in the hiring process from the November recruitment. The approval of these positions, coupled with the available PCN's from vacancies will allow the Department to ensure that all cadets are afforded the benefits allotted to them by City policy and increase retention and attractiveness to future candidates.

Department of Public Utilities

The Department of Public Utilities is requesting four (4) positions that will assist the Department with meeting several upcoming Federal and State regulatory mandates and standards as well as provide support to Capital Projects and several Water Management Plans.

The Solid Waste Division is requesting **one (1) Solid Waste Manager** to meet existing and upcoming Federal and State regulatory mandates established for solid waste operations and to achieve the goal of delisting the Fresno Sanitary Landfill (FSL) from the US National Priority List. This manager will also manage the resources to meet requirements set forth on a Consent Decree to protect groundwater on areas impacted by the FSL. The manager will be involved on the regulatory aspects of AB 939, AB 1826, SB 1383, all legislative mandates regarding solid waste reduction and recycling programs, and will help provide the Solid Waste Assistant Director with the best course of action to implement those regulations. The Solid Waste Division only has one Manager supervising 10 Supervisors providing oversight to 84 residential drivers and 63 field service workers in operation clean-up, litter control and HART program, that provides service to 114,544 residential customers. The addition of these duties to the current manager can severely impact the ongoing operations while increasing the risk of penalties for not meeting these mandates in a timely manner.

The Wastewater Management Division (WMD) is requesting **one (1) Laboratory Assistant** for the WMD Environmental Laboratory, an accredited laboratory with the State of California. The Environmental Laboratory Accreditation Program (ELAP) is the accrediting body for all environmental laboratories in California. In January 2021, ELAP adopted a version of *The NELAC Institute* (TNI-2) Standard for managing all factors that could potentially affect the quality of laboratory results. All accredited laboratories in California are required to meet and continuously comply with TNI-2 standards within three years of implementation of the new ELAP Regulations. The TNI-2 standards dramatically increase the tracking and documentation requirements for testing, document control, training and meetings will increase the workload of laboratory technicians, senior laboratory staff and the supervisor of the laboratory. The current staff is dedicated to laboratory work and without a new position, these additional duties will have to be absorbed by existing staff resulting in overtime costs, delaying test results which are highly time sensitive and overall impacting current workloads that can result in negative audit reviews, and a potential risk to losing laboratory accreditation.

The department is also requesting **one (1) permanent part time (PPT) Projects Administrator** position to provide additional necessary special projects support work on various department administrative activities as well as overseeing preparation and execution of extra-territorial agreements, coordination with other public utilities agencies within the city, preparation of various city council materials and agenda items. The position will also coordinate with the Utilities Planning & Engineering Capital Improvement Projects on an as needed basis. These duties are currently performed by temporary Supervising Professional Engineer, however, given the current demand for higher level administrative support, the Department would significantly benefit from a permanent Projects Administrator instead to maintain consistency and to ensure that these activities progress in a timely and efficient manner.

The department is also requesting **one (1) Supervising Professional Engineer (SPE)** Position to provide additional necessary lead, oversight and management of the Utilities, Planning and Engineering Division staff in the activities of engineering work of capital improvement projects, to include, but not limited to; tank projects, recharge and water banking facilities, new pump station and pipeline installations, reclaimed water system for landscape irrigation, technical review on large

planning and environmental documents such as the, Metropolitan Water Resources Management Plan, Downtown Neighborhood Community Plan, Fulton Corridor Specific Plan, and the Upper Kings Basin Integrated Regional Water Management Plan. These duties are currently performed by temporary Supervising Professional Engineer, however, given the current demand for Engineering staff and turnover rates experienced with temporary labor, the Division would significantly benefit from a permanent administrator to support, maintain consistency and to ensure that these projects progress on schedule.

Department of Public Works

With the passage of Measure “P”, the American Rescue Plan Act of 2021 (ARPA), and the new Federal infrastructure bill, the Public Works Department is in need of increased capacity for Project Management and Construction Management functions. The Facilities Management Division is in the process of restructuring their service delivery to best meet the building needs of the City, through the consolidation of services that create efficiencies and extend the life of city assets. With the intent of meeting these goals, Staff recommend the Council authorize a total of 22 additional positions, three (3) in Project Management, three (3) positions in Construction Management and sixteen (16) in Facilities Management for these critical infrastructure and maintenance projects, in order that the projects may be delivered as efficiently and expeditiously as possible.

In the Engineering Services Division, the Department proposes to add **two (2) Projects Administrators** to serve in senior project management roles and **one (1) Professional Engineer** to serve in a project manager role for the capital program. One of the Projects Administrator positions and the Professional Engineer will be added to a new Site Development Project Management Section within the Engineering Services Division. This new section will also include three existing staff positions acting in the project manager role. This new section will manage the project workload that is currently managed by the Facilities Management Division within Public Works and the additional new infrastructure projects proposed under the Measure “P” Program. These additional positions will provide the senior project manager and technical engineering expertise that the new section needs to deliver the complex project workload. The second Projects Administrator position proposed in the Engineering Services Division would be added to the Special Projects Section, which currently manages projects such as Veterans Boulevard, Blackstone and McKinley Grade Separation and the Midtown Trail program. This new position will provide additional senior project manager expertise to assist in project delivery of some of the most complex projects in the City. This section will also play a significant role in delivering projects under the ARPA and the new Federal infrastructure bill.

In the Construction Management Division, the Department proposes to add **one (1) Engineering Inspector I/II** for field inspection, **one (1) Engineering Technician I/II** for the office support of field inspection staff, and **one (1) Contract Compliance Officer** to handle duties associated with the new Measure P projects and the Project Labor Agreement (PLA) that was approved by the Council in September 2021. Currently Construction Management is administering over 99 active projects with a construction value of over \$190 million dollars and it is anticipated that the Measure P and PLA projects will place a significant increased workload on the Construction Management Division in three key job areas. The first is the Engineering Inspector II who performs inspections services and ensures the projects are constructed in accordance with the plans and specifications, verifies installed bid item quantities for payment, drafts monthly payments to the contractor, drafts correspondence to the contractors, and drafts any needed Contract Change Orders. The second new position is the Engineering Technician II who will be assigned the complex administrative project tasks such as monitoring the contractor’s Requests for Information and product submittals and

routing them to the appropriate Consultant or Engineer, assists the Engineering Inspector in the preparation of payments to the contractor and any Contract Change Orders. Lastly the Contract Compliance Officer position will be used to provide much needed backup assistance to the current Contract Compliance Officer who currently is the only person monitoring and tracking all certified payroll requirements on the nearly 100 construction projects overseen by Public Works. With the recently approved PLA by City Council in September 2021, the new Contract Compliance Officer will also verify and track compliance with the new PLA. This position will verify that City of Fresno residents are being utilized and registered local trade apprentices are being hired. In addition, this position will track and create labor usage data derived from actual labor utilized and provide that data to the City Administration.

During the Great Recession the Facilities Management Division was severely impacted and a significant portion of the workforce was reduced to meet budgetary constraints. Much of the preventative maintenance was discontinued and focus to emergency repairs were prioritized, at times by the skeleton crew of remaining internal staff or by outside contractors at an increased cost to the City. Over the last decade, Facilities has regained some of the positions but not enough to fully address the building maintenance needs and deficiencies of City buildings that have been outlined in various Facility Condition Indexes. The inability to attend to the maintenance has caused that the Division pay more for repairs and diminished life expectancy of critical assets such as HVAC's and the aesthetics of many City Buildings have also been impacted by the reduction in the Painter classification. Facilities is changing the way it does business by shifting the focus to maintenance work only and through the consolidation of similar functions and to address the maintenance functions of the new Public Utilities Administration Facility. The Division is requesting a total of 16 positions to enable it to meet these goals.

One (1) new Capital Development Specialist has a working title of Project Manager. Facilities Management currently has four (4) Project Managers and is averaging 70 -80 projects at any given time. This means close to 20 projects per Project Manager, which is an unacceptable workload. Considering Measure P funding, that number of project is expected to increase. Facilities Management needs to add a Capital Development Specialist to assist with this workload.

Four (4) new A/C Mechanic positions. Facilities Management currently has two (2) A/C Mechanic positions to maintain all units at City Hall, the MSC, PD sites, DPU sites, Santa Fe Depot, the MET, Fresno Art Museum, Parking Garages and all PARCS locations. Sometimes it is necessary to call in outside vendors to assist with the workload. Analysis shows the current average time between the time a work order request is assigned to the time the work is finished is 17 days. We consider this to be unacceptable particularly during intense heat waves and need to reduce this response time. Facilities will also be taking on the maintenance responsibilities of several additional sites, such as the DPU Admin building (Old Fresno Bee), which is approximately 220,000 square feet with aging equipment. In addition to this, the positions will assist in developing and delivering a manageable, comprehensive Preventative Maintenance program. Without the increased staffing capacity, imminent failures of system can prove to more costly.

Four (4) new Property Maintenance Worker positions. Facilities Management currently has six (6) Property Maintenance Worker positions, 2 of which are dedicated to the Fulton Fountain maintenance. The other four (4) are tasked with all of the building maintenance needs for City Hall, the MSC, PD sites, DPU sites, Santa Fe Depot, the MET, Fresno Art Museum, Parking Garages and all PARCS locations. Sometimes it is necessary to call in outside vendors to assist with the workload. Analysis shows the current average time between the time a work order request is assigned to the

time the work is finished is 14 days. We consider this to be unacceptable and need to reduce this response time. The positions also must address ongoing vandalism at multiple City locations, which recently have included: Santa Fe Depot, the H Street Warehouse, Veterans Memorial Auditorium, Romain Park, Roeding Park, Fresno Art Museum, Fulton Fountains, Gottschalks and the Meux Home. Facilities will also be taking on the maintenance responsibilities of several additional sites, such as the DPU Admin building (Old Fresno Bee), which is approximately 220,000 square feet was built in 1977. In addition to this, the positions will assist with developing and delivering a manageable, comprehensive Preventative Maintenance program, without these critical positions, response times and necessary preventative maintenance will not be completed and can potentially increase repair and replacement costs of systems in the future.

Four (4) new Painter positions. Facilities Management currently does not have any Painter positions. Painting work has been limited to requests from departments and has been completed by a vendor which can increase the cost in comparison to in house performance. The additional Painters would participate in the implementation of a maintenance painting program to bring all of our City buildings back to an aesthetically pleasing state and contribute to the overall goal of Beautifying Fresno.

Three (3) new Electrician positions. Facilities Management currently has three (3) Electrician positions to address all of the electrical needs for City Hall, the MSC, PD sites, DPU sites, Santa Fe Depot, the MET, Fresno Art Museum, Parking Garages and all PARCS locations. Sometimes it is necessary to call in outside vendors to assist with the workload. Analysis shows the current average time between the time a work order request is assigned to the time the work is finished is 11 days. This response is unacceptable and this response time needs to be reduced. Electricians also have to address ongoing vandalism at multiple City locations, which recently have included: Santa Fe Depot, the H Street Warehouse, Veterans Memorial Auditorium, Romain Park, Roeding Park, Fresno Art Museum, Fulton Fountains, Gottschalks and the Meux Home. Facilities will also be taking on the maintenance responsibilities of several additional sites, such as the DPU Admin building (Old Fresno Bee), which is approximately 220,000 square feet was built in 1977. In addition to this, the positions will participate in developing and delivering a manageable, comprehensive Preventative Maintenance program.

Department of Transportation

In an effort to sustain the City-provided services effectively, FAX is requesting approval of the following five (5) additional positions to help meet these critical functions.

The department requests **one (1) Principal Account Clerk (PAC)** position to add to the 2-person team that is currently tasked with processing the payroll activities of a 543-employee department. These duties include posting, balancing, and preparing departmental payroll documents, adjusting for employee sign-ups (up to 8 times per year over several Bargaining Units), tracking/posting Workers Compensation claims (appx. 200 cases), Family Medical Leave Act (FMLA) (appx. 250 cases), light duty, COVID-19, time donations, State Disability Insurance, and Federal Labor Standards Act. Other tasks include audit/research regarding overtime, FMLA, Employee Development Department claims and timecards, as well as the administration of acting, provisional and certificate pay. The magnitude of these duties has had significant impact on the current staff which has been required to consistently work overtime, to delay scheduled vacations in order to meet the critical deadlines of the positions. The performance of current staff is not sustainable, and the new position will alleviate the workload and provide flexibility and consistency while ensuring that sufficient coverage exists in case of long-term absences and employee burnout.

The department requests **two (2) Communication Technician II** positions to perform preventative maintenance, repair, and installation of transit technology system-wide, which is relied upon to provide service daily. FAX's current systems have aged and require additional repair and preventative maintenance well exceeding available resources. The Federal Transit Administration (FTA) requires FAX to maintain our assets in state of good repair and malfunctions of these systems may prevent compliance with FTA regulations, including both State of Good Repair and the reporting of key passenger data to the FTA's National Transit Database. Frequent repairs are required to the onboard camera systems which are heavily relied upon for internal use, including defending the City's position in vehicle collisions and injury claims. FAX has increased its cellular-based equipment onboard buses, as well as deployed real-time bus arrival displays to Bus Rapid Transit (BRT), Manchester Transit Center, and Courthouse Park. Additionally, the radio systems, computer-aided dispatch/automatic vehicle location (CAD/AVL), automatic passenger counters, automatic Americans with Disability Act (ADA) announcements, real time information communication and displays, and security cameras require constant software management. These resources will also be responsible for the installation of new/upgraded vehicle technology as FAX works to replace the fleet.

The department requests **one (1) Risk Analyst II (RAII)** position in the Personnel section of the Administration Division. Due to the extraordinary impacts of long-term absences of the operations staff, a division with more than 300 FTEs, the current workload exceeds the capacity of the one dedicated analyst. This RAII will be tasked with confidential duties to include, managing caseloads and analysis of Worker's Compensation, Family Medical Leave Act (FMLA), providing specific payroll activity oversight, Annual Evaluation compliance and partnering with a peer RAII who is tasked with writing discipline to find the nexus of all the variables with the goal of improving reliability and attendance throughout the department.

The department requests **one (1) Management Analyst II (MAII)** position in the Administration Division. The department lacks a dedicated staff member to manage mandated statistical analysis and Federal and State reporting compliance and currently relies on several overburdened staff members to achieve compliance. The FTA and Caltrans require regular reporting and data analytics, as well as a comprehensive annual audit of all key performance indicators. Failure to meet these requirements jeopardizes eligibility for existing and new grant funding. If not approved, these tasks, which include National Transit Database (NTD) annual reports for both fixed route and paratransit, NTD monthly service statistics report, NTD monthly safety and security/accident report --"major" and "non-major" accidents, monthly statistical report to director (attendance, productivity), audit participation (FTA, TDA, NTD, Single Audit, etc.), APTA quarterly reporting (fixed route and paratransit), State Controller's Office (SCO) reporting--fixed route and paratransit: ridership, employee hours, Vehicle Revenue Miles (VRM), and Vehicle Revenue Hours (VRH) for use in the City's report to the State Controller's Office, Triennial Automated Passenger Count (APC) validation studies (APC/DavisWeb requires validation for the FTA), will be at risk for timely and thoughtful compilation, completion and submittal.

ENVIRONMENTAL FINDINGS

This is not a "project" for the purpose of the California Environmental Quality Act ("CEQA") Guidelines Section 15378 and is therefore exempt from the CEQA requirements.

LOCAL PREFERENCE

Local preference is not implicated because this item does not involve public contracting or bidding with the City of Fresno.

FISCAL IMPACT

The addition of one hundred seven (107) full time and two (2) part time positions will not result in increased salary and benefit expense in Fiscal Year 2022, as there is sufficient funding in the respective Department's budget as appropriated in the Fiscal Year 2022 Annual Appropriation Resolution.

Attachment:

5th Amendment to Position Authorization Resolution ("PAR") No. 2021-179



Legislation Details (With Text)

File #: ID 22-309 **Version:** 1 **Name:**

Type: Action Item **Status:** Passed

File created: 2/9/2022 **In control:** City Council

On agenda: 2/17/2022 **Final action:** 2/17/2022

Title: Actions pertaining to Operating Engineers, Local Union No. 3 (Airport Public Safety Officers) for Unit 11 (FAPSO/OE3):

1. ***Adopt a successor Memorandum of Understanding between the City of Fresno and Operating Engineers, Local Union No. 3 (Airport Public Safety Officers) for Unit 11 (FAPSO/OE3) (Subject to Mayor's veto)
2. ***RESOLUTION: Adopt the Fifteenth Amendment to FY 2022 Salary Resolution No. 2021-176 amending salaries in Exhibit 11, Unit 11 - Airport Public Safety Officers (FAPSO), as required by the Memorandum of Understanding between the City of Fresno and Operating Engineers, Local Union No. 3 (OE3) for Unit 11 (FAPSO/OE3) (Subject to Mayor's veto)

Sponsors: Personnel Services Department

Indexes:

Code sections:

Attachments: [City of Fresno and FAPSO MOU - Redline](#)
[City of Fresno and FAPSO MOU - Final](#)
[Costing for Proposed MOU](#)
[Resolution - Fifteenth Amendment to FY 2022 Salary Resolution No. 2021-176 CAO Initialed](#)
[Salary Tables - Fifteenth Amendment to FY 2022 Salary Resolution No. 2021 - 176 - Redline](#)
[Salary Tables - Fifteenth Amendment to FY 2022 Salary Resolution No. 2021 - 176 - Final](#)

Date	Ver.	Action By	Action	Result
2/17/2022	1	City Council	APPROVED ON CONSENT CALENDAR	Pass

REPORT TO THE CITY COUNCIL

FROM: TJ MILLER, Director
Personnel Services Department

SUBJECT

Actions pertaining to Operating Engineers, Local Union No. 3 (Airport Public Safety Officers) for Unit 11 (FAPSO/OE3):

1. ***Adopt a successor Memorandum of Understanding between the City of Fresno and Operating Engineers, Local Union No. 3 (Airport Public Safety Officers) for Unit 11 (FAPSO/OE3) (Subject to Mayor's veto)

2. ***RESOLUTION: Adopt the Fifteenth Amendment to FY 2022 Salary Resolution No. 2021-176 amending salaries in Exhibit 11, Unit 11 - Airport Public Safety Officers (FAPSO), as required by the Memorandum of Understanding between the City of Fresno and Operating Engineers, Local

Union No. 3 (OE3) for Unit 11 (FAPSO/OE3) (Subject to Mayor's veto)

RECOMMENDATIONS

It is recommended Council: (1) approve the attached successor Memorandum of Understanding (MOU) to implement wages, hours and other terms and conditions of employment for employees in Unit 11, Airport Public Safety Officers, represented by FAPSO/OE3; (2) adopt the Fifteenth Amendment to the Fiscal Year 2022 Salary Resolution No. 2021-176 to amend salaries in Exhibit 11.

EXECUTIVE SUMMARY

The City and FAPSO/OE3 reached a tentative agreement on a successor MOU which will replace the MOU that expired on October 1, 2021. The MOU provides for an agreement through December 31, 2022, increases to salaries, and other changes in terms or conditions of employment.

To implement the MOU, it is necessary to approve the Fifteenth Amendment to FY 2022 Salary Resolution No. 2021-176.

BACKGROUND

The City and FAPSO/OE3 started meeting in December 2021 to work towards reaching agreement on a successor MOU. The parties have reached a tentative agreement and members of the Unit ratified on February 4, 2022.

Major points of the attached MOU are summarized below:

- **Term:** February 28, 2022, through December 31, 2022.
- **Wages:**
 - Lump sum equivalent to 3% of actual base wages earned from October 2, 2021 through February 27, 2022. This lump sum payment is pensionable.
 - 3% wage increase, effective February 28, 2022.
 - Creation of a new "G" Step effective February 28, 2022, which is 5% above "F" Step. Update of COLA language for DROP members and retirees to reflect the new step.
 - 3% wage increase, effective June 20, 2022.
- **Health Reimbursement Arrangement (HRA):** Benefit expansion to include qualified medical expenses and an increase to the value factor from 40% to 80% of base hourly rate.
- **P.O.S.T. Certificate Pay:** Increase Advanced P.O.S.T. Certificate pay from three percent (3%) to seven percent (7%).
- **Uniform Allowance:** Increase by \$200 annually to \$1,200.

- **Health Insurance Opt Out:** Codify existing practice of providing proof of other health insurance when opting out of the City's Health and Welfare plan.
- **Limited Reopeners:** Meet quarterly, at minimum, for the sole purpose of discussing and evaluating the following:
 - Compensatory Time Off accrual limit.
 - Night Shift Premium hourly rate.
 - The impact of leave used by Permanent Part Time (PPT) employees on the applicable overtime rate pursuant to FLSA, use of Sick Leave by PPT employees for scheduled overtime beyond the employee's base hours.

In addition to the above, there were language updates and cleanup throughout the MOU.

The City Attorney's Office has approved the new MOU and Salary Resolution Amendment as to form.

ENVIRONMENTAL FINDINGS

By the definition provided in the California Environmental Quality Act Guidelines Section 15378 this item does not qualify as a "project" and is therefore exempt from the California Environmental Quality Act requirements.

LOCAL PREFERENCE

Local preference is not implicated because this item does not involve public contracting or bidding with the City of Fresno.

FISCAL IMPACT

Approval of the MOU and Exhibit 11 of the Salary Resolution will result in estimated additional salary and benefit expenses of \$37,251 to All Funds in Fiscal Year 2022, and \$121,206 to All Funds in Fiscal Year 2023, for a total of \$158,457 for the term of the MOU which expires 12/31/2022.

Attachments:

City of Fresno and FAPSO MOU - Redline

City of Fresno and FAPSO MOU - Final

Costing for Proposed MOU

Resolution - Fifteenth Amendment to FY 2022 Salary Resolution No. 2021-176

Salary Tables - Fifteenth Amendment to FY 2022 Salary Resolution 2021-176 - Redline

Salary Tables - Fifteenth Amendment to FY 2022 Salary Resolution No. 2021-176 - Final



Legislation Details (With Text)

File #: ID 22-289 **Version:** 1 **Name:**

Type: Action Item **Status:** Passed

File created: 2/3/2022 **In control:** City Council

On agenda: 2/17/2022 **Final action:** 2/17/2022

Title: Actions pertaining to the CaliforniansForAll Youth Workforce Development Grant program:
1. Approve the 2021 CaliforniansForAll Youth Workforce Development Grant
2. ***RESOLUTION - Adopting the 53rd amendment to the Annual Appropriation Resolution (AAR) No. 2021-178 appropriating \$232,500 for the One Fresno Youth Workforce Development Grant (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)
3. ***RESOLUTION - 6th Amendment to the Position Authorization Resolution (PAR) No. 2021-179 adding three (3) positions to the Personnel Services Department (Subject to Mayor's Veto)

Sponsors: Personnel Services Department, Office of Mayor & City Manager

Indexes:

Code sections:

Attachments: [53rd Amendment to the AAR No. 2021-178](#)
[6th Amendment to the PAR No. 2021-179](#)

Date	Ver.	Action By	Action	Result
2/17/2022	1	City Council	ADOPTED	Pass

REPORT TO THE CITY COUNCIL

FROM: JERRY DYER, Mayor
Office of the Mayor & City Manager

THROUGH: GEORGEANNE WHITE, City Manager
Office of the Mayor & City Manager

BY: TJ MILLER, Director
Personnel Services Department

SUBJECT

Actions pertaining to the CaliforniansForAll Youth Workforce Development Grant program:

1. Approve the 2021 CaliforniansForAll Youth Workforce Development Grant
2. ***RESOLUTION - Adopting the 53rd amendment to the Annual Appropriation Resolution (AAR) No. 2021-178 appropriating \$232,500 for the One Fresno Youth Workforce Development Grant (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)
3. ***RESOLUTION - 6th Amendment to the Position Authorization Resolution (PAR) No. 2021-179 adding three (3) positions to the Personnel Services Department (Subject to Mayor's Veto)

RECOMMENDATION

Staff recommends that Council approve the 2021 CaliforniansForAll Youth Workforce Development Grant for the “One Fresno Youth Workforce Development Program” (“Program”), adopt the 53rd amendment to AAR No. 2021-178 appropriating \$232,500; approve the 6th Amendment to Position Authorization Resolution No. 2021-179, adding three (3) grant-funded positions to Personnel Services; and authorize the City Manager to execute all related documents to the administration, modification, monitoring and closeout of the Sub-Recipient Agreement. The classifications of the three (3) grant-funded positions are as follow: one Senior Management Analyst, one Staff Assistant and one Senior Human Resources Technician.

EXECUTIVE SUMMARY

The CaliforniansForAll Youth Workforce Program is a Governor’s initiative administered by CaliforniaVolunteers in partnership with cities across California. The City of Fresno (“City”) applied for funding to implement a youth workforce development program for youth ages 16-30 in the city of Fresno. This program will recruit, train, mentor and hire residents (“Fellows”) for jobs with the City over a 2-year period in order to prepare them for future career opportunities.

On January 27, 2022, Mayor Dyer along with other Big City Mayors across California’s thirteen largest cities, participated in a virtual news conference announcing \$7.4 million awarded to the City of Fresno for the One Fresno Youth Workforce Development program. The grant program period will begin once the grant agreement is executed through June 30, 2024.

BACKGROUND

Authorized through the federal Serve America Act (2009) and Executive Order S-24-06, CaliforniaVolunteers is the State Service Commission for California. CaliforniaVolunteers is responsible for engaging Californians in service, volunteering, and civic action to tackle our State’s most pressing challenges and lift-up all communities.

As a part of Mayor Dyer’s vision for ‘One Fresno’ and specific initiatives related to youth in our city, a workforce development program that invests in the next generation of workers and leaders in the city of Fresno is an essential piece. The primary goal of the Program is to provide inclusive economic investment that includes creating opportunities for our most vulnerable youths, so that they might ultimately realize economic mobility. The Program will assist us in reaching this goal by providing resources necessary to invest in our young people in an inclusive way.

Strategic objectives to meet this goal include:

- Identifying the highest need 16- to 30-year-old youth and providing opportunities for entry-level employment in city government, as well as career paths for future upward mobility
- Removing existing barriers of vulnerable residents for training and employment with the City
- Providing job training, case management and mentorship through existing partnerships for all Fellows in the Program
- Providing Fellows with tools for success in future employment with the City or other outside organizations
- Providing a living wage for Fellows throughout the duration of the program

The Program will focus on successful skills development, mentorship, and case management for our most vulnerable youths, which will ultimately change the path of our future workforce. Built on four

core components 1) recruitment, 2) training and skills development, 3) mentorship and case management and 4) employment, the Program will enable the City youth ages 16 to 30 who may have difficulty finding employment to gain skills, experience, and have a source of income over the course of two years and potentially beyond. This Program will help participants expand their horizon for gainful employment opportunities. Our desire is to offer a solution and an alternative to connect youths with training, on-the-job skills, mentorship, and ultimately gain a meaningful work experience within the city that will translate to future employment and career opportunities

The City has identified an array of entry-level positions and career paths in various City departments. These pathways will provide both hands-on and technical training to equip each Fellow with experience and know-how to qualify for future permanent employment with the City, and potential employment with other organizations. The City will partner with local Community Based Organizations (“CBOs”), chosen through a Request For Proposals (RFP) process, that have an expertise serving the targeted populations. CBOs will provide recruitment, training, case management, and general wrap-around services. We anticipate a wide variety of individual needs surfacing during the recruitment process due to varying educational levels, job experiences, and backgrounds. We are also partnering with Fresno Adult School, an educational institution that is committed to providing free career technical education and training. The ideal career development program will depend on each Fellow’s interest and position. Additional online training will be provided at the beginning and throughout the Program.

Other important wrap-around services for Program Fellows include transportation to and from work, in-person training classes, childcare services, and food vouchers for Fellows in need, thus removing as many barriers to employment as possible.

The City has developed a comprehensive staffing plan for this Program to ensure Fellows can explore City departments and positions in which they are interested. Our current staff will be augmented to provide project support in the form of data collection, analysis and metrics tracking, program reporting, and communications, monitoring and oversight of the Fellows within the Program. Fellows will have a direct link to Program staff to help mitigate any barriers and issues they are experiencing while employed. A key focus of our process included identifying positions that can garner transferrable skills and paths that provide upward mobility within City departments. There will be over 100 Fellows trained, mentored, and employed in year-round, seasonal, or summer programs.

The duties that will be performed by the three (3) grant funded positions through June 2024 will include, but may not be limited to:

Senior Management Analyst: performs data collection, cost analysis, and research, as well as prepares financial reports, consistent with project goals, objectives and required metrics; ensures compliance with grant requirements; and assists with non-financial grant reporting duties.

Staff Assistant: monitors utilization and reassignment of Fellows, as well as any issues that arise; assists Grant Program Administrator with program operation, including general communication and data collection in support of City's media and communications team, obtaining testimonials for metrics reporting and other related duties; and serves as a liaison between Personnel Managers and Fellows in participating Departments.

Senior Human Resources Technician: assists Personnel Services staff with onboarding Fellows upon entry into the program, as well as offboarding at the conclusion of the Fellows’ work experience; and

assists with training coordination, tracking and related support services.

ENVIRONMENTAL FINDINGS

By the definition provided in the California Environmental Quality Act Guidelines Section 15378 this item does not qualify as a “project” and is therefore exempt from the California Environmental Quality Act requirements.

LOCAL PREFERENCE

Local preference was not considered based upon conditions of state funding.

FISCAL IMPACT

There is no impact to the General Fund. The program will be funded solely by the Grant, with funding distributed on a reimbursement basis.

Attachments:

1. 53rd Amendment to the AAR No. 2021-178
2. 6th Amendment to the PAR No. 2021-179



Legislation Details (With Text)

File #: ID 22-301 **Version:** 1 **Name:**

Type: Action Item **Status:** Passed

File created: 2/4/2022 **In control:** City Council

On agenda: 2/17/2022 **Final action:** 2/17/2022

Title: Actions pertaining to the 2020 Environmental Protection Agency Brownfields Revolving Loan Fund Grant:
1. Approve a Sub-Grantee award to Saint Rest Baptist Church of up to \$191,000 for the remediating of an existing building on the Saint Rest Campus from the City of Fresno's Brownfield Revolving Loan Fund.

Sponsors: Planning and Development Department

Indexes:

Code sections:

Attachments: [Exhibit A - Grant Application Agreement](#)
[Exhibit B – Analysis of Brownfield Cleanup Alternatives](#)

Date	Ver.	Action By	Action	Result
2/17/2022	1	City Council	APPROVED ON CONSENT CALENDAR	Pass

REPORT TO THE CITY COUNCIL

FROM: JENNIFER CLARK, Director
Planning and Development Department

BY: SOPHIA PAGOULATOS, Planning Manager
Planning and Development Department

SUBJECT

Actions pertaining to the 2020 Environmental Protection Agency Brownfields Revolving Loan Fund Grant:

1. Approve a Sub-Grantee award to Saint Rest Baptist Church of up to \$191,000 for the remediating of an existing building on the Saint Rest Campus from the City of Fresno's Brownfield Revolving Loan Fund.

RECOMMENDATION

Staff recommends approval.

EXECUTIVE SUMMARY

Fresno Metropolitan Ministry (Fresno Metro) has submitted a grant request for up to \$191,000 to remediate a building on the Saint Rest Baptist Church campus. The Environmental Protection Agency (EPA) awarded the City of Fresno an \$800,000 Brownfields Revolving Loan Fund (RLF)

Grant to complement ongoing revitalization efforts in Downtown, Chinatown, and Southwest Fresno, specifically within the Transformative Climate Communities (TCC) project area. The TCC project area was targeted because of the number of planned investments, the economically and environmentally disadvantaged neighborhoods, and the most leverageable infrastructure, and has been the focus for multiple recent planning processes. Saint Rest Baptist Church in partnership with Fresno Metro received funding through TCC for the St. Rest + Food to Share Hub: Healthy Food Rescue and Redistribution. The project will improve the former Farmer John Meat Company Warehouse building for expanded capacities as a Healthy Food Rescue/Redistribution Hub, and a new building will be constructed that will include offices, a training center, and a commercial kitchen operations center. Phase I and II environmental site assessments and an Analysis of Brownfield Cleanup Alternatives were completed to identify the level of contamination and the cost to remediate them for the proposed project. The Property was identified as a catalyst site in the City's application for the RLF Grant awarded to the City in 2020, and the grant allows for funding to be granted for abatement of regulated building materials through subgrant awards.

BACKGROUND

City of Fresno Brownfields Program Development. The City has received two EPA Brownfield Grants since 2019; the Brownfields Coalition Assessment Grant and the EPA Brownfields Revolving Loan Fund. The assessment grant was applied for in partnership with Fresno County Department of Public Health, The Chinatown Foundation, and Saint Rest Community Economic Development Corporation and the goals for the plan include the assessment and identification of environmental hazards with defined strategies for cleanup on selected brownfield sites. The RLF Grant is intended to complement the Coalition Assessment Grant by providing financial opportunities to implement potential identified remediation for assessed sites.

Saint Rest is a vital partner. The Saint Rest Campus and Saint Rest Church Organization have been included and involved throughout the entirety of the City's development of a Brownfield's Program. The Saint Rest Campus was included as a catalyst site in the Elm Avenue Revitalization Strategy: A Brownfields Area-Wide Plan (2019). The purpose of the Strategy was to develop a "Roadmap to Development" for key brownfield sites on the Elm Avenue Corridor. The Strategy provided implementation actions to achieve the community's vision for the corridor and three key catalysts sites along the corridor. The Strategy envisioned four potential concepts for the Saint Rest site all of which included a food distribution center.

Stacking Resources. On March 4, 2021, City Council approved the contract for St. Rest + Food to Share Hub TCC Projects #16 and #17. These projects will combine daily metropolitan and community level healthy food rescue, storage and redistribution, certified commercial kitchen operations, and community cooking skills and nutrition education classes. Through the development of the projects, it was decided that the existing warehouse building on the Saint Rest Campus would be repurposed, with the understanding that it would need to be fully evaluated for contamination and would require remediation. The project currently has secured and pending funding commitments of \$3,945,217. The funding sources include the TCC grant, Kaiser Permanente, and Tarlton & Son, Inc. As part of the Brownfields Coalition Assessment Grant, Phase I and II environmental site assessments were completed in 2021. The site assessments identified and evaluated potential environmental concerns associated with the past use of the Property as an orchard, a bakery, and a meat processing company, as well as concerns associated with neighboring properties (several of which were used as gas stations or auto repair facilities). Results of these studies suggest that the primary environmental concern impacting redevelopment plans is the presence of asbestos containing materials (ACMs)

within the building, and in particular, ACMs present in the form of a ceiling skim coat throughout the building. Mold is a secondary concern related to the ceiling areas and interior of the warehouse. For the property to be fully remediated an Analysis of Brownfield Cleanup Alternatives (ABCA) was completed to evaluate remedial alternatives needed to address ACMs and mold. The ABCA evaluated three alternatives: a no-action alternative, an enclosing/encapsulating the contaminants alternative, and full removal of contaminated material alternative. The ABCA concluded that the best course of action would be to fully remove all contaminated materials and provide a cost for the removal.

EPA Grant Benefits. The EPA's Brownfields Program is designed to empower communities and stakeholders to partner through economic redevelopment to prevent, assess, safely clean up, and sustainably reuse brownfields. The program, on average, leverages \$16.86 for each EPA Brownfield grant dollar spent and 8.6 jobs per \$100,000 expended on assessment, cleanup, and revolving loan fund cooperative agreements. Once brownfield properties have been cleaned up, residential property value increases have been observed between 5% and 15.2% within 1.29 miles of the sites and a 2017 study found that an estimated \$29 to \$97 million in additional tax revenue was generated for local governments in a single year after properties had been cleaned up. Properties that have been identified as brownfield sites and that are included in an EPA process gain access to additional support from future EPA Brownfield planning and clean-up efforts. The Elm Avenue Revitalization Strategy recommended prioritizing catalyst sites in the project area for additional EPA assessment and remediation funds. The environmental site assessments and ABCA have allowed the St. Rest + Food to Share Hub to identify what is required to fully remediate the site and approval of the subgrant will allow the project to receive the gap funded needed to move the project forward.

ENVIRONMENTAL FINDINGS

This is not a "project" for purposes of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378.

LOCAL PREFERENCE

Not applicable.

FISCAL IMPACT

This will be the first grant or loan funded through the City's RLF. The remaining balance of the RLF for grants or loans will be \$529,000.

Attachments

Exhibit A - Grant Application Agreement

Exhibit B - Analysis of Brownfield Cleanup Alternatives



Legislation Details (With Text)

File #: ID 22-299 **Version:** 1 **Name:**

Type: Action Item **Status:** Passed

File created: 2/4/2022 **In control:** City Council

On agenda: 2/17/2022 **Final action:** 2/17/2022

Title: ***RESOLUTION - Supporting the Housing Authority of the City of Fresno's submission of a Low-Income Housing Tax Credit application for the construction of affordable housing at 1240 N. Crystal and expressing the City's intent to contribute to the Project in an amount not to exceed \$3,500,000 upon full award of tax credit funding for the Project. (Subject to Mayor's Veto)

Sponsors: Planning and Development Department

Indexes:

Code sections:

Attachments: [Resolution](#)
[Resolution V.2](#)

Date	Ver.	Action By	Action	Result
2/17/2022	1	City Council	APPROVED ON CONSENT CALENDAR	Pass

REPORT TO THE CITY COUNCIL

February 17, 2022

FROM: JENNIFER CLARK, Director
Planning and Development Department

BY: PHIL SKEI, Assistant Director
Planning and Development Department

SUBJECT

***RESOLUTION - Supporting the Housing Authority of the City of Fresno's submission of a Low-Income Housing Tax Credit application for the construction of affordable housing at 1240 N. Crystal and expressing the City's intent to contribute to the Project in an amount not to exceed \$3,500,000 upon full award of tax credit funding for the Project. (Subject to Mayor's Veto)

RECOMMENDATION

Staff recommends the City Council approve the resolution supporting the Housing Authority of the City of Fresno's submission of a Low-Income Housing Tax Credit (LIHTC) application for the construction of affordable housing at 1240 N. Crystal (Project) and expressing the City's intent to contribute to the Project in an amount not to exceed \$3,500,000 upon full award of tax credit funding for the Project.

EXECUTIVE SUMMARY

The Housing Authority of the City of Fresno (Developer) desires to apply for LIHTC to develop and construct 63 units, located at 1240 N. Crystal in Fresno, referred to as Step Up on 99. The City's resolution to appropriate an amount not to exceed \$3,500,000 to the Project would assist the Developer to obtain and leverage funding for the Project. This commitment would be funded through the America Rescue Plan Act of 2021 (ARPA).

BACKGROUND

The California Tax Credit Allocation Committee (TCAC) facilitates the investment of private capital into the development of affordable rental housing for low-income Californians. TCAC allocates federal and state tax credits to the developers of these projects. Corporations provide equity to build the projects in return for the tax credits. TCAC verifies that the developers have met all the requirements of the program and ensures the continued affordability and habitability of the developments for the succeeding 55 years.

Developer plans to apply for the March 2022 round of LIHTC for its Step Up on 99 project. Developer previously applied for tax credits in 2021 and did not receive an award. This Project includes the construction of 63 units, located at 1240 N. Crystal. One of the key scoring criteria for the LIHTC application is the applicant's ability to locate and leverage affordable housing resources. The City's resolution to appropriate an amount not to exceed \$3,500,000 would assist the developer's ability to obtain leverage funding for the Project. The City's investment represents an average investment of \$55,500 per unit, an amount that falls within a typical public investment range for affordable housing development and is less than other previously funded projects. The City would not be an applicant or co-applicant with the Developer's application for the Project. Rather, the resolution would show the City's support of the Project and its commitment to provide \$3,500,000 upon award of the Developer's full LIHTC allocation and ability to show that the Project is fully funded.

Should Developer receive a LIHTC award from the March 2022 round, staff will bring a funding agreement in a total amount not to exceed \$3,500,000 to Council for approval. If Developer is not awarded LIHTC funds in the March 2022 round, the City's commitment to the Project shall terminate.

ENVIRONMENTAL FINDINGS

This is not a project for purposes of CEQA pursuant to CEQA guidelines Section 15378. These plans, strategies and studies are an exempt activity under HUD NEPA Requirements (24 CFR 58.34 (1)).

LOCAL PREFERENCE

Local preference is not applicable because the resolution provides support for a state funding application.

FISCAL IMPACT

The action today does not approve a funding agreement, and as such, has no fiscal impact.

Attachments: Resolution



Legislation Details (With Text)

File #: ID 22-302 **Version:** 1 **Name:**

Type: Action Item **Status:** Passed

File created: 2/4/2022 **In control:** City Council

On agenda: 2/17/2022 **Final action:** 2/17/2022

Title: ***RESOLUTION - Supporting the Housing Authority of the City of Fresno's submission of a Low-Income Housing Tax Credit application for the construction of affordable housing at 7521 N. Chestnut and expressing the City's intent to contribute to the Project in an amount not to exceed \$3,000,000 upon full award of tax credit funding for the Project. (Subject to Mayor's Veto)

Sponsors: Planning and Development Department

Indexes:

Code sections:

Attachments: [Resolution](#)
[Resolution V.2](#)

Date	Ver.	Action By	Action	Result
2/17/2022	1	City Council	APPROVED ON CONSENT CALENDAR	Pass

REPORT TO THE CITY COUNCIL

February 17, 2022

FROM: JENNIFER CLARK, Director
Planning and Development Department

BY: PHIL SKEI, Assistant Director
Planning and Development Department

SUBJECT

***RESOLUTION - Supporting the Housing Authority of the City of Fresno's submission of a Low-Income Housing Tax Credit application for the construction of affordable housing at 7521 N. Chestnut and expressing the City's intent to contribute to the Project in an amount not to exceed \$3,000,000 upon full award of tax credit funding for the Project. (Subject to Mayor's Veto)

RECOMMENDATION

Staff recommends the City Council approve the resolution supporting the Housing Authority of the City of Fresno's submission of a Low-Income Housing Tax Credit (LIHTC) application for the construction of affordable housing at 7521 N. Chestnut (Project) and expressing the City's intent to contribute to the Project in an amount not to exceed \$3,000,000 upon full award of tax credit funding for the Project.

EXECUTIVE SUMMARY

The Housing Authority of the City of Fresno (Developer) desires to apply for LIHTC to develop and

construct 60 units, located at 7521 N. Chestnut in Fresno, referred to as Avalon Commons 1. The City's resolution to appropriate an amount not to exceed \$3,000,000 to the Project would assist the Developer to obtain and leverage funding for the Project. This commitment would be funded through the Permanent Local Housing Allocation (PLHA).

BACKGROUND

The California Tax Credit Allocation Committee (TCAC) facilitates the investment of private capital into the development of affordable rental housing for low-income Californians. TCAC allocates federal and state tax credits to the developers of these projects. Corporations provide equity to build the projects in return for the tax credits. TCAC verifies that the developers have met all the requirements of the program and ensures the continued affordability and habitability of the developments for the succeeding 55 years.

Developer plans to apply for the March 2022 round of LIHTC for its Avalon Commons 1 project. Developer previously applied for tax credits in 2021 and did not receive an award. This Project includes the construction of 60 units, located at 7521 N. Chestnut. One of the key scoring criteria for the LIHTC application is the applicant's ability to locate and leverage affordable housing resources. The City's resolution to appropriate an amount not to exceed \$3,000,000 would assist the developer's ability to obtain leverage funding for the Project. The City's investment represents an average investment of \$50,000 per unit, an amount that falls within a typical public investment range for affordable housing development and is less than other previously funded projects. The City would not be an applicant or co-applicant with the Developer's application for the Project. Rather, the resolution would show the City's support of the Project and its commitment to provide \$3,000,000 upon award of the Developer's full LIHTC allocation and ability to show that the Project is fully funded.

Should Developer receive a LIHTC award from the March 2022 round, staff will bring a funding agreement in a total amount not to exceed \$3,000,000 to Council for approval. If Developer is not awarded LIHTC funds in the March 2022 round, the City's commitment to the Project shall terminate.

ENVIRONMENTAL FINDINGS

This is not a project for purposes of CEQA pursuant to CEQA guidelines Section 15378. These plans, strategies and studies are an exempt activity under HUD NEPA Requirements (24 CFR 58.34 (1)).

LOCAL PREFERENCE

Local preference is not applicable because the resolution provides support for a state funding application.

FISCAL IMPACT

The action today does not approve a funding agreement, and as such, has no fiscal impact.

Attachments: Resolution



Legislation Details (With Text)

File #:	ID 22-304	Version:	1	Name:	
Type:	Action Item	Status:		Passed	
File created:	2/7/2022	In control:		City Council	
On agenda:	2/17/2022	Final action:		2/17/2022	
Title:	Approve a Preliminary Engineering Services Agreement with BNSF Railway Company to perform engineered design plan review and diagnostic evaluation, in the amount of \$199,561.20, for the Blackstone Avenue and McKinley Avenue BNSF Grade Separation Project (Council Districts 1 and 7)				
Sponsors:	Public Works Department				
Indexes:					
Code sections:					
Attachments:	22-304 Preliminary Engineering Services Agreement 22-304 Vicinity Map				

Date	Ver.	Action By	Action	Result
2/17/2022	1	City Council	APPROVED ON CONSENT CALENDAR	Pass

REPORT TO THE CITY COUNCIL

FROM: SCOTT L. MOZIER, PE, Director
Public Works Department

BY: RANDALL W. MORRISON, PE, Assistant Director
Public Works Department, Engineering Division

JESUS AVITIA, PE, Deputy City Engineer/Special Projects Program Manager
Public Works Department, Special Projects Section

SUBJECT

Approve a Preliminary Engineering Services Agreement with BNSF Railway Company to perform engineered design plan review and diagnostic evaluation, in the amount of \$199,561.20, for the Blackstone Avenue and McKinley Avenue BNSF Grade Separation Project (Council Districts 1 and 7)

RECOMMENDATION

Staff recommends that the City Council approve a Preliminary Engineering Services Agreement (PEA) with BNSF Railway Company (BNSF) to perform engineered design plan review and diagnostic evaluation for the Blackstone Avenue and McKinley Avenue BNSF Grade Separation Project and authorize the Public Works Director or designee to execute the agreement on behalf of the City of Fresno (City).

EXECUTIVE SUMMARY

The Blackstone Avenue and McKinley Avenue BNSF Grade Separation Project will eliminate two existing at-grade crossings by grade separating North Blackstone Avenue and East McKinley Avenue under the BNSF Mainline Track. The City has begun presenting design plan elements to BNSF for discussion, however in order for BNSF to review and accept engineered plan submittals, a PEA between BNSF and the City is required. Execution of the PEA will allow the City and BNSF to engage in engineering and site diagnostic meetings to jointly establish critical design elements necessary to complete the Project, such as construction phasing, traffic detours, shoofly alignments, and bridge types.

The PEA with BNSF in the amount of \$199,561.20, will allow BNSF to provide support services necessary to complete project design. All project costs for the engineering design phase, including this agreement, are funded by Measure C Grade Separation Program funds.

BACKGROUND

The City has long-planned for future grade separations at locations with high traffic volumes, such as the BNSF crossing at Shaw Avenue, which was grade-separated nearly 20 years ago. In the early 1970s, the City prepared a grade separation study, which evaluated many citywide locations, such as Blackstone Avenue and McKinley Avenue. In FY2020, City staff completed an update of the Blackstone Avenue and McKinley Avenue Grade Separation Feasibility Study. The Blackstone Avenue and McKinley Avenue corridors serve as primary routes by the community, the City's Bus Rapid Transit system, emergency vehicles, and is also part of the Blackstone Smart Mobility Plan providing Class IV protected bike lanes along Blackstone Avenue through the project area. The Blackstone Avenue and McKinley Avenue project location has experienced the highest traffic volumes and number of accidents of any at-grade crossing on the BNSF corridor. The City is now moving the Blackstone Avenue and McKinley Avenue BNSF Grade Separation Project forward from the feasibility planning stage into the preliminary engineering design stage.

The 2006 Measure C Expenditure Plan included a percentage of the transportation sales tax revenue to be dedicated to Rail Consolidation, which was then converted by the Fresno County Transportation Authority (FCTA) Board to the Measure C Grade Separation Program in April 2020. At their April 22, 2020 meeting, the FCTA Board also selected the Blackstone Avenue and McKinley Avenue BNSF Grade Separation Project as the highest priority project and approved a Cooperative Project Agreement. The Cooperative Project Agreement was later approved by City Council on June 25, 2020.

On April 8, 2021, City Council approved Amendment No. 1 to Cooperative Project Agreement, Grade Separation Program (GSP), Blackstone & McKinley BNSF Grade Separation Project, in the amount of \$2,119,938.00, with the FCTA, and the Consultant Services Agreement with AECOM Technical Services, Inc. (AECOM) for \$6,483,786.23, with a \$325,000.00 contingency, and authorized the Public Works Director or designee to execute the agreements on behalf of the City of Fresno. Since the April 2021 approval the preliminary design and alternatives analysis has been progressing toward the detailed design stage.

The City has begun presenting design plan elements to BNSF for discussion, however in order for BNSF to review and accept engineered plan submittals, a PEA between BNSF and the City is required. Execution of the PEA will allow the City and BNSF to engage in engineering and site diagnostic meetings to jointly establish critical design elements necessary to complete the Project, such as construction phasing, traffic detours, shoofly alignments, and bridge types.

The PEA with BNSF in the amount of \$199,561.20, will allow BNSF to provide support services necessary for the City to complete engineering design by July 2024 and begin grade separation construction in Fall 2024.

The City Attorney's Office has reviewed and approved the agreement as to form.

ENVIRONMENTAL FINDINGS

On June 25, 2020, City Council Adopted a finding of statutory exemption pursuant to Sections 21080.13(a) of the California Public Resources Code, and 15282(g) of the California Environmental Quality Act (CEQA) Guidelines. This project is statutorily exempt because this is a railroad grade separation project which eliminates an existing grade crossing.

LOCAL PREFERENCE

Local preference is not applicable to this agreement because the subject property is owned by BNSF and the preliminary engineering work is necessary to determine the feasibility of the grade separation project.

FISCAL IMPACT

This action item will have no impact to the General Fund. The project is located in Council Districts 1 and 7. All project costs for the engineering design phase will be paid by Measure C Grade Separation Program funds. All funds necessary for the contract award are included in the current fiscal year budget as previously adopted by the Council.

Attachments:

Preliminary Engineering Services Agreement

Vicinity Map



Legislation Details (With Text)

File #: ID 22-269 **Version:** 1 **Name:**

Type: Action Item **Status:** Passed

File created: 1/31/2022 **In control:** City Council

On agenda: 2/17/2022 **Final action:** 2/17/2022

Title: Approve an agreement with Pacific Gas and Electric Company in the amount of \$57,683.82 for the installation of a new service connection to power the proposed Herndon Avenue and Veterans Boulevard intersection as part of the Veterans Boulevard North Extension Project (Council District 2)

Sponsors: Public Works Department

Indexes:

Code sections:

Attachments: [22-269 Utility Agreement](#)
[22-269 Vicinity Map](#)

Date	Ver.	Action By	Action	Result
2/17/2022	1	City Council	APPROVED ON CONSENT CALENDAR	Pass

REPORT TO THE CITY COUNCIL

FROM: SCOTT L. MOZIER, PE, Director
Public Works Department

BY: RANDALL W. MORRISON, PE, Assistant Director
Public Works Department, Engineering Division

JESUS AVITIA, PE Deputy City Engineer
Public Works Department, Engineering Division

SUBJECT

Approve an agreement with Pacific Gas and Electric Company in the amount of \$57,683.82 for the installation of a new service connection to power the proposed Herndon Avenue and Veterans Boulevard intersection as part of the Veterans Boulevard North Extension Project (Council District 2)

RECOMMENDATION

Staff recommends that the City Council approve an agreement with Pacific Gas and Electric Company (PG&E) in the amount of \$57,683.82 for the installation of a new service connection to power the proposed Herndon Avenue and Veterans Boulevard intersection as part of the Veterans Boulevard North Extension Project and authorize the Public Works Director, or his designee, to execute the agreement on behalf of the City.

EXECUTIVE SUMMARY

The Veterans Boulevard North Extension Project will complete construction of Veterans Boulevard,

widen Hayes Avenue, and realign Herndon Avenue to create two new signalized intersections at Herndon Avenue and Veterans Boulevard and at Hayes Avenue and Veterans Boulevard. In addition, the project will modify existing traffic signals at the existing Herndon Avenue and Hayes Avenue Intersection. The proposed agreement with PG&E is for PG&E to provide the necessary electrical service connection to power the traffic signals and streetlights being installed as part of the Veterans Boulevard North Extension Project. The subject agreement is fully funded by local Measure C funding allocated to the Veterans Boulevard North Extension Project.

BACKGROUND

Veterans Boulevard, originally referred to as the Herndon-Grantland Diagonal, was originally part of the 1984 General Plan and is now a planned six-lane super arterial in the 2035 General Plan. In recent years, staff has completed the Project Study Report (PSR), Project Report and Environmental Impact Report (EIR) and progressed the design of the various phases of Veterans Boulevard from Shaw Avenue to Herndon Avenue with the help of Fresno County Transportation Authority (FCTA) and Fresno Council of Governments (FCOG) with the funding for completing the final design and right-of-way acquisition. The Project proposes a new partial cloverleaf interchange connecting State Route 99 and Veterans Boulevard. The new roadway will have six travel lanes, a Class I bicycle lane/pedestrian trail on one side and Class II bicycle lanes on both sides. The project will include three bridge structures, one to cross over State Route 99, one to cross over future Golden State Boulevard and one to cross over the existing UPRR tracks and the future HSR tracks.

The first phase of the Veterans Boulevard Project, the Bullard Extension package, which was funded by the California High Speed Rail Authority (CHSRA), was opened to traffic on September 24, 2019. The Veterans Boulevard Grade Separation Project, which is also funded by the CHSRA, was the second phase of the overall project and is under construction as of May 21, 2020. The Veterans Boulevard South Extension Project, which is referred to as Phase 4a, was the third phase of the overall project and is under construction as of November 23, 2021. Phase 3, the Veterans Boulevard/State Route 99 Interchange was awarded on November 4, 2021, and construction is anticipated to start in February 2022. The Veterans Boulevard North Extension Project, Phase 4b, completes construction of Veterans Boulevard, widens Hayes Avenue, and realigns Herndon Avenue to create two new signalized intersections at Herndon Avenue and Veterans Boulevard Intersection and the Hayes Avenue and Veterans Boulevard intersection. In addition, the Project will modify existing traffic signals at the Herndon Avenue and Hayes Avenue Intersection.

City staff has coordinated with PG&E on the necessary utility relocations and new electrical services needed for the Project. The primary location for the electrical needs is the intersection of Herndon Avenue and Veterans Boulevard, where the traffic signal facilities are proposed and where most of the streetlight runs originate. Due to the distant proximity to the nearest electrical source, PG&E determined that they would need to extend the electrical distribution facilities in order to provide the needed service. The attached agreement was developed following an extensive design that was coordinated between PG&E and the City.

Staff recommends that the City Council approve an agreement with PG&E in the amount of \$57,683.82 for the installation of a new service connection to power the proposed Herndon Avenue and Veterans Boulevard intersection as part of the Veterans Boulevard North Extension Project and authorize the Public Works Director, or his designee, to execute the agreement on behalf of the City.

The City Attorney has reviewed and approved as to form.

ENVIRONMENTAL FINDINGS

The California Department of Transportation, as Lead Agency, prepared an EIR for the Veterans Boulevard/State Route 99 Interchange Project/Veterans Boulevard Grade Separation Project, identified by SCH No. 2010021054 (the “Veterans Boulevard EIR”). The Veterans Boulevard EIR was certified on June 16, 2013, and analyzed several components of the Veterans Boulevard Project, including but not limited to a new interchange at State Route 99 and Veterans Boulevard, grade separated crossings to connect Veterans Boulevard and Golden State Boulevard, the construction of Veterans Boulevard as a six-lane super arterial from West Shaw to Herndon Avenues, drainage basins, and landscaping. A resolution will be brought forward for each phase of the Project at the time of the award of a construction contract for the City Council to adopt the findings related to the specific phase.

A CEQA resolution for the Veterans Boulevard North Extension project will be brought for adoption with the construction contract award.

LOCAL PREFERENCE

Local preference was not considered because PG&E will perform the work on their own facilities and this agreement does not include a bid or award of a construction or services contract by the City.

FISCAL IMPACT

The Veterans Boulevard Project is located in Council District 2 and will have no impact to the General Fund. This electrical service connection is being fully funded by local Measure “C” funding.

Attachment:
Utility Agreement
Vicinity Map



Legislation Details (With Text)

File #: ID 22-262 **Version:** 1 **Name:**

Type: Action Item **Status:** Passed

File created: 1/31/2022 **In control:** City Council

On agenda: 2/17/2022 **Final action:** 2/17/2022

Title: Approve Contract Change Order No. 05 in the deductive amount of \$(21,083.89) to Emmett's Excavation, Inc. for the Inyo Street Overlay Between Van Ness and P, Project ID PW0788 (Council District 3)

Sponsors: Public Works Department

Indexes:

Code sections:

Attachments: [22-262 Contract Change Order No. 05](#)
[22-262 Resolution 2017-158](#)

Date	Ver.	Action By	Action	Result
2/17/2022	1	City Council	APPROVED ON CONSENT CALENDAR	Pass

REPORT TO THE CITY COUNCIL

FROM: SCOTT L. MOZIER, PE, Director
Public Works Department

BY: WILLIAM C. HERR, Assistant Director
Public Works Department, Facilities and Construction Management Divisions

BRAD OBERG, Senior Engineering Inspector
Public Works Department, Construction Management Division

SUBJECT

Approve Contract Change Order No. 05 in the deductive amount of \$(21,083.89) to Emmett's Excavation, Inc. for the Inyo Street Overlay Between Van Ness and P, Project ID PW0788 (Council District 3)

RECOMMENDATION

Staff recommends that City Council approve Contract Change Order No. 05 with Emmett's Excavation Inc. for a total decrease in contract amount of \$(21,083.89) for the Inyo Street Overlay Project.

EXECUTIVE SUMMARY

Staff recommends that City Council approve Contract Change Order No. 05 for the Inyo Overlay Project. This change order provides for Contract Bid Item quantity underruns and overruns, increases and decreases to previously approved contract change orders and provides for all labor,

equipment, materials, traffic control and incidentals on a time and materials basis to perform additional roadway excavation, asphalt crack filling and concrete saw cutting extra work.

City Council approval of Contract Change Order No. 05 balances all contract bid items, contract change orders and extra work to allow for final payment to be made to the contractor and acceptance of this project. Council approval of this deductive change order is required by Resolution 2017-158 which sets the approval thresholds for contract change orders which in aggregate exceed ten percent of the original contract. The aggregate amount of all approved contract change orders is \$228,814 which is 39% of the original contract amount. The project is funded through a Federal grant under the Regional Surface Transportation Improvement Program (RSTP).

BACKGROUND

On May 14, 2020, a Contract was awarded in the amount of \$583,240 to Emmett's Excavation, Inc. for the Inyo overlay project between Van Ness and P Streets. The Notice to Proceed was issued with a starting date of September 28, 2020, and completion date of December 2, 2020. With all applicable time extensions, the project substantial completion was issued October 15, 2021. There have been four contract change orders executed to date for a total amount of \$228,814 and a net change of 39% of the original contract price, the most significant being a change order to remove a previously unknown slab of concrete pavement which had been paved over decades ago. City Council approval of Contract Change Order No. 05 balances all Contract Bid Items, Contract Change Orders and Extra Work to allow for final payment to be made to the contractor and acceptance of this project.

Staff recommends that City Council approve Contract Change Order No. 05 on behalf of the City of Fresno.

ENVIRONMENTAL FINDINGS

This is not a project for the purposes of CEQA pursuant to CEQA guidelines section 15378(b)(5), as it is an administrative action that will not result in direct or indirect changes to the environment.

LOCAL PREFERENCE

Local Preference was not considered because this action does not include a bid or an award of a City construction contract.

FISCAL IMPACT

This Contract Change Order has no impact to the General Fund and will be 100% Federally Funded through the Regional Surface Transportation Improvement Program (RSTP).

Attachments:

Contract Change Order No. 05
Resolution 2017-158



Legislation Details (With Text)

File #:	ID 22-266	Version:	1	Name:	
Type:	Action Item	Status:		Passed	
File created:	1/31/2022	In control:		City Council	
On agenda:	2/17/2022	Final action:		2/17/2022	
Title:	<p>Actions pertaining to the Veterans Boulevard Grade Separation Project (Council District 2):</p> <ol style="list-style-type: none">1. ***RESOLUTION - 49th Amendment to the Annual Appropriation Resolution (AAR) No. 2021-178 appropriating \$1,949,800 for the Veterans Boulevard Grade Separation Project (Requires 5 affirmative votes) (Subject to Mayor's veto)2. Approve Contract Change Order No. 15 in the amount of \$1,354,408 and an increase in contract time of one hundred sixteen (116) working days to Granite Construction Company, for the Veterans Boulevard Grade Separation, Project ID PW00683				
Sponsors:	Public Works Department				
Indexes:					
Code sections:					
Attachments:	22-266 Contract Change Order No. 15 22-266 49th Amendment to AAR No. 2021-178				

Date	Ver.	Action By	Action	Result
2/17/2022	1	City Council	APPROVED ON CONSENT CALENDAR	Pass

REPORT TO THE CITY COUNCIL

FROM: SCOTT L. MOZIER, PE, Director
Public Works Department

BY: RANDALL W. MORRISON, PE, Assistant Director
Public Works Department, Engineering Division

BRIAN KUJAWSKI, Senior Engineering Inspector
Public Works Department, Construction Management Division

SUBJECT

Actions pertaining to the Veterans Boulevard Grade Separation Project (Council District 2):

1. ***RESOLUTION - 49th Amendment to the Annual Appropriation Resolution (AAR) No. 2021-178 appropriating \$1,949,800 for the Veterans Boulevard Grade Separation Project (Requires 5 affirmative votes) (Subject to Mayor's veto)
2. Approve Contract Change Order No. 15 in the amount of \$1,354,408 and an increase in contract time of one hundred sixteen (116) working days to Granite Construction Company, for the Veterans Boulevard Grade Separation, Project ID PW00683

RECOMMENDATION

Staff recommends that City Council adopt the attached 49th Amendment to the Annual Appropriation

Resolution (AAR) No. 2021-178 and approve Contract Change Order No. 15 with Granite Construction Company of Fresno, California (Granite) for a total increase in contract amount of \$1,354,408 and an increase in contract time of one hundred sixteen (116) working days for the Veterans Boulevard Grade Separation Project.

EXECUTIVE SUMMARY

Staff recommends City Council approval of Contract Change Order No. 15 for the Veterans Boulevard Grade Separation Project to construct traffic signal safety lighting infrastructure and an asphalt pavement access road from existing Golden State Boulevard to the proposed realigned future of Golden State Boulevard for the purpose of providing temporary access to the newly constructed bridge crossing over the Union Pacific Railroad tracks and connecting to Bullard Extension/Riverside Drive.

City Council approval of Contract Order No. 15 provides vehicular access to Veterans Boulevard Grade Separation and allows the Contractor to reconstruct existing Carnegie Avenue per the Contract Plans which cuts off access over the Union Pacific Railroad tracks at Carnegie Avenue and Golden State Boulevard per the City's agreement with the Railroad. The proposed change order will be fully funded by the California High Speed Rail Authority (CHSRA) with available contingency funds under the HSR 16-57 funding agreement.

BACKGROUND

Veterans Boulevard, originally referred to as the Herndon-Grantland Diagonal, was originally part of the 1984 General Plan and is now a planned six-lane super arterial in the 2035 General Plan. In recent years, staff has completed the Project Study Report (PSR), Project Report and Environmental Impact Report (EIR) and progressed the design of the various phases of Veterans Boulevard from Shaw Avenue to Herndon Avenue. Partnerships with the Fresno County Transportation Authority (FCTA) and Fresno Council of Governments (FCOG) provided funding for completing the final design and right-of-way acquisition. The Project proposes a new partial cloverleaf interchange connecting State Route 99 and Veterans Boulevard. The new roadway will have six travel lanes, a Class I bicycle lane/pedestrian trail on one side and Class II bicycle lanes on both sides. The project will include bridge structures for the overcrossing of State Route 99 and future Golden State Boulevard and one to cross over the existing UPRR tracks and the future HSR tracks.

The EIR for the California HSR Project's Merced to Fresno segment included the selection of an at-grade alignment just west of the UPRR tracks through much of northwest Fresno including the area near Shaw Avenue, Carnegie Avenue and the Veterans Boulevard alignment. At locations such as Shaw Avenue, the HSR project proposes to construct a grade separation to carry Shaw Avenue over the UPRR and HSR tracks. This is also the case at other locations along the HSR corridor such as Herndon Avenue (underpass) to the north and further south at McKinley Avenue (overpass), Olive Avenue (overpass), Tulare Street (underpass), Ventura Avenue (underpass) and Church Avenue (overpass). Carnegie Avenue is a short street segment between Golden State Boulevard and Bullard Avenue which was deemed to be infeasible for a grade separation at that location, due to the close proximity of Golden State and Bullard Avenues. The high volume of traffic utilizing Carnegie Avenue made it also infeasible to close the crossing and re-route as far as Herndon and Shaw Avenues. The City Administration, City staff and CHSRA representatives developed a solution which is set forth in the EIR for the Merced to Fresno segment, of mitigating the Carnegie Avenue at-grade railroad crossing closure through constructing Veterans Boulevard between Golden State Boulevard and

Bullard Avenue, including the Bullard Avenue extension from Carnegie to Bullard Avenues. City staff and CHSRA representatives have agreed it makes much more sense for the City to construct the Veterans Boulevard grade separation and Bullard Avenue extension given that it is part of the larger City project and will ensure compatibility with subsequent phases of Veterans Boulevard. The City Council approved the cooperative funding agreement for the Veterans Boulevard Project with CHSRA on November 17, 2016. The agreement allows for the City to construct the facility with the CHSRA to pay 100% of all construction costs including City bidding costs, construction management, inspection and testing. The agreement was amended in 2020 to include additional funding when the City awarded the construction contract for the Veterans Grade Separation.

The first phase of the Veterans Boulevard Project, the Bullard Extension package, which was also funded by the CHSRA, was opened to traffic on September 24, 2019. The Veterans Boulevard Grade Separation Project is the second phase of the overall project and the last phase needed to complete the HSR related work. The construction work of this package will result in two lanes of Veterans Boulevard; a bridge structure over the existing UPRR and future HSR tracks, and a roadway connection from Veterans Boulevard to future Golden State Boulevard. The project is currently at 97% completion of the original scope items yet will not be able to open up to traffic, without the addition of a temporary connection to existing Golden State Boulevard. When the City bid the project, it was assumed that the new Golden State Boulevard would be in service by the completion of the Grade Separation. For several reasons the High Speed Rail Project contractor has not been able to complete their work on Golden State Boulevard so the City proposes this additional work in order to complete our contract work.

On March 05, 2020, a Contract was awarded in the amount of \$20,038,376 to Granite Construction Company, for the Veterans Boulevard Grade Separation Project. The Notice to Proceed was issued with a starting date of May 20, 2020, and a completion date of October 21, 2020. There have been fourteen Contract Change Orders executed to date for a total amount of \$431,221 and an increase in the Contract Time of thirty working days (30), twenty-four (24) suspension days and twenty-three (23) weather days for a net change of 2.2% of the original contract price. Contract Change Order No. 15 will increase the contract amount by \$1,354,408, an increase of 6.7%, and increase the contract time by one hundred sixteen (116) working days for the Veterans Boulevard Grade Separation Project.

ENVIRONMENTAL FINDINGS

On March 5, 2020, the City Council adopted findings pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15091 and 15093 as required by CEQA Guidelines Section 15096. Based upon these findings, it has been determined that a subsequent EIR is not required for this approval.

The California Department of Transportation, as Lead Agency, prepared an EIR for the Veterans Boulevard/State Route Interchange Project/Veterans Boulevard Grade Separation Project, identified by SCH No. 2010021054 (the "Veterans Boulevard EIR"). The Veterans Boulevard EIR was certified on June 16, 2013, and analyzed several components of the Veterans Boulevard project, including but not limited to a new interchange at State Route 99 and Veterans Boulevard, grade separated crossings to connect Veterans Boulevard and Golden State Boulevard, the construction of Veterans Boulevard as a six-lane super arterial from West Shaw to Herndon Avenues, drainage basins, and landscaping.

An analysis has been performed pursuant to CEQA Guidelines Section 15162 to determine whether

subsequent environmental review is required for this project. Based upon this analysis the following findings were made to support the determination that no subsequent environmental review is required:

1. No substantial changes are proposed in the project which will require major revisions to the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects because the project is being implemented as planned.
2. No substantial changes occurred with respect to the circumstances under which the project was undertaken which will require major revisions to the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
3. There is no new information, which was not known and could not have been known at the time of the previous EIR showing that:
 - a. The project will have one or more significant effects not discussed in the previous EIR;
 - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - c. Mitigation measures or alternatives previously found to be not feasible are now feasible and would substantially reduce one or more significant effects of the project.

Based upon these findings, it has been determined that a subsequent EIR is not required the Project.

LOCAL PREFERENCE

Local preference is not applicable because the approval of a Contract Change Order does not entail a competitive bidding process.

FISCAL IMPACT

The Veterans Boulevard Project, which is located in Council District 2, will have no impact on the General Fund. The overall Veterans Boulevard Project is being funded through CHSRA funding, various types of Measure C funding, Regional Transportation Mitigation Impact Fees (RTMF), State and Federal grant funds and City of Fresno Development Impact Fees. This contract falls under the Veterans Boulevard Grade Separation Project scope and is included in the cooperative funding agreement with CHSRA. The overall cost associated with the contract change order is \$1,354,408.00, which is within the project contingency amount identified in the CHSRA funding agreement. Adoption of the attached AAR amendment resolution will appropriate the necessary funding needed from CHSRA to complete the project.

Attachments:

Contract Change Order No. 15

49th Amendment to the Annual Appropriation Resolution No. 2021-178



Legislation Details (With Text)

File #:	ID 22-268	Version:	1	Name:	
Type:	Action Item	Status:		Passed	
File created:	1/31/2022	In control:		City Council	
On agenda:	2/17/2022	Final action:		2/17/2022	
Title:	<p>Actions pertaining to the widening of Fowler Avenue, from Clinton Avenue to the Weldon Avenue alignment, a condition of approval for Vesting Tentative Map No. 6214 (Council District 7)</p> <p>1. ***RESOLUTION - 33rd Amendment to the Annual Appropriation Resolution (AAR) No. 2021-178 appropriating \$112,500 for right-of-way (permanent easement) acquisition for Tract Map 6214 (Requires 5 affirmative votes) (Subject to Mayor's Veto)</p> <p>2. Approve the Agreement for Purchase and Sale of a 21,328 square foot permanent easement from portions of APN: 496-220-16S and APN: 496-220-17S, owned by E. & J. Gallo Winery, a California Corporation for \$99,400 in compensation</p>				
Sponsors:	Public Works Department				
Indexes:					
Code sections:					
Attachments:	22-268 33rd Amendment to the Annual Appropriation Resolution No. 2021-178 22-268 Agreement for Purchase and Sale 22-268 Deed of Easement 22-268 Location Map 22-268 Vicinity Map				

Date	Ver.	Action By	Action	Result
2/17/2022	1	City Council	APPROVED ON CONSENT CALENDAR	Pass

REPORT TO THE CITY COUNCIL

FROM: SCOTT L. MOZIER, PE, Director
Public Works Department

BY: RANDALL W. MORRISON, PE, Assistant Director
Public Works Department, Engineering Division

R. SCOTT BEYELIA, Supervising Real Estate Agent
Public Works Department, Engineering Services

SUBJECT

Actions pertaining to the widening of Fowler Avenue, from Clinton Avenue to the Weldon Avenue alignment, a condition of approval for Vesting Tentative Map No. 6214 (Council District 7)

1. ***RESOLUTION - 33rd Amendment to the Annual Appropriation Resolution (AAR) No. 2021-178 appropriating \$112,500 for right-of-way (permanent easement) acquisition for Tract Map 6214 (Requires 5 affirmative votes) (Subject to Mayor's Veto)

2. Approve the Agreement for Purchase and Sale of a 21,328 square foot permanent easement from portions of APN: 496-220-16S and APN: 496-220-17S, owned by E. & J. Gallo Winery, a

California Corporation for \$99,400 in compensation

RECOMMENDATION

Staff recommends the City Council approve the 33rd Amendment to the Annual Appropriation Resolution (AAR) No. 2021-178 appropriating \$112,500 in developer contributions for right-of-way acquisition needed to widen Fowler Avenue, from Clinton Avenue to the Weldon Avenue alignment; approve the Agreement for Purchase and Sale for the acquisition of a 21,328 square foot permanent street easement from portions of APN: 496-220-16S and APN: 496-220-17S, from E. & J. Gallo Winery, a California Corporation in the amount of \$99,400; and authorize the Public Works Director or his designee to sign all documents necessary to complete the subject acquisition.

EXECUTIVE SUMMARY

The conditions of approval of Vesting Tentative Map No. 6214 imposed the requirement to widen Fowler Avenue, from Clinton Avenue to the Weldon Avenue alignment. The Subdivider has executed the Subdivision Agreement with an addendum that provides for the City to negotiate and/or exercise its power of eminent domain, to acquire the necessary right-of-way easement. All right-of-way acquisition expenses are being paid for by the developer. E. & J. Gallo Winery, a California Corporation, as owner of the parcels, has agreed to accept the appraised value of \$99,400 as full compensation for the permanent street easement. Approval by the Council of the AAR amendment will provide the appropriations necessary to complete the transaction.

BACKGROUND

The Fresno County Planning Commission, on August 15, 2018, recommended that the City Council approve Vesting Tentative Map No. 6214 (Tentative Map) for a 210-lot single-family residential subdivision on 43.22 acres. The City Council, on August 30, 2018, approved the Tentative Map consistent with the Fresno General Plan and the McLane Community Plan to comply with the provisions of the Subdivision Map Act. The Final Map of Tract No. 6214, Phase 1 of Tentative Map No. 6214, and the Subdivision Agreement of the Final Map of Tract No. 6214, Phase 1, including the Addendum to Subdivision Agreement for Right of Way Acquisition, was approved, and recorded on July 28, 2020. The acquisition of right of way from portions of APN: 496-220-16S and APN: 496-220-17S, owned by E. & J. Gallo Winery, a California Corporation are required pursuant to the conditions of the approval of Vesting Tentative Map 6214, and the Final Map of Tract No. 6214, Phase 1. The right-of-way is required to widen Fowler Avenue from Clinton Avenue to the Weldon Avenue alignment to accommodate the additional traffic generated by the subdivision.

The Subdivider posted a deposit in the aggregate amount of \$157,000 for the estimated cost of acquisitions to facilitate the widening of Fowler Avenue. An appraisal for the acquisition of the subject easement was conducted by Joshua J. Palmer with James G. Palmer Appraisals, Inc., with a total appraised value of \$99,400. E. & J. Gallo Winery, a California Corporation, is the owner of the property and has agreed to accept the appraised value as full compensation.

The City Attorney's Office has approved the Agreement for Purchase and Sale of a Street Easement and Escrow Instructions and the Deed of Easement as to form.

ENVIRONMENTAL FINDINGS

A Mitigated Negative Declaration (Environmental Assessment No. T-6214/UGM) was prepared for Vesting Tentative Tract Map No. T-6214/UGM and adopted on August 30, 2018, wherein a 210-lot single family residential subdivision was to be developed. This approval is to implement a portion of the conditions of that project. Specifically, the requirement to widen Fowler Avenue to a 12' travel lane, 5' shoulder, and median, between Clinton Avenue and the southern limit of the subdivision which is the Weldon Avenue alignment. Approval of this acquisition is a necessary component to implement the aforementioned condition of Approval.

An analysis was performed pursuant to CEQA Guidelines 15177 to determine whether a subsequent environmental review was required for the widening of Fowler Avenue. The following findings were made to support the determination that no subsequent environmental review is required: 1. There is no new information, which was not known and could not have been known at the time of the previous Mitigated Negative Declaration, 2. There are no substantial changes which have been proposed that would require major revisions of the previous Mitigated Negative Declaration. It has been determined that no further environmental documentation is required for this project.

LOCAL PREFERENCE

Local preference does not apply because approval of the Purchase and Sale Agreement does not include a bid or award of a construction or service contract.

FISCAL IMPACT

The acquisition is located in Council District 7. There will be no impact to the City's General Fund. Aggregate funds in the amount of \$157,000 for acquisition costs have been provided by the developer. Adoption of the attached resolution amending the AAR will appropriate the necessary funding for the subject acquisition in the current fiscal year.

Attachments:

33rd Amendment to the Annual Appropriation Resolution No. 2021-178
Agreement for Purchase and Sale
Deed of Easement
Location Map
Vicinity Map



Legislation Details (With Text)

File #:	ID 22-264	Version:	1	Name:	
Type:	Action Item	Status:		Passed	
File created:	1/31/2022	In control:		City Council	
On agenda:	2/17/2022	Final action:		2/17/2022	
Title:	RESOLUTION - Authorizing the Submission of a Grant Application to the Fresno Council of Governments for the 2022 Measure C Transit Oriented Infrastructure for In-Fill Development Grant Program in the amount of \$450,000 for the Blackstone Avenue Smart Mobility Project; and Authorizing the Execution of Grant Application and Grant Agreement Documents by the Public Works Director or Designee (Council Districts 1, 3 and 7)				
Sponsors:	Public Works Department				
Indexes:					
Code sections:					
Attachments:	22-264 Resolution				

Date	Ver.	Action By	Action	Result
2/17/2022	1	City Council	APPROVED ON CONSENT CALENDAR	Pass

REPORT TO THE CITY COUNCIL

FROM: SCOTT L. MOZIER, PE, Director
Public Works Department

BY: RANDALL W. MORRISON, PE, Assistant Director
Public Works Department, Engineering Division

MARY CHURCH, Grants Administrator
Public Works Department, Administration Division

SUBJECT

RESOLUTION - Authorizing the Submission of a Grant Application to the Fresno Council of Governments for the 2022 Measure C Transit Oriented Infrastructure for In-Fill Development Grant Program in the amount of \$450,000 for the Blackstone Avenue Smart Mobility Project; and Authorizing the Execution of Grant Application and Grant Agreement Documents by the Public Works Director or Designee (Council Districts 1, 3 and 7)

RECOMMENDATIONS

Staff recommends that the City Council adopt a resolution authorizing the submission of a grant application to the 2022 Measure C Transit Oriented Infrastructure for In-Fill Development Grant Program for the Blackstone Avenue Smart Mobility Project in the amount of \$450,000; and authorize the execution of all grant application and grant agreement documents by the Public Works Director or designee.

EXECUTIVE SUMMARY

Staff is requesting authorization to submit a grant application to the Measure C Transit Oriented Infrastructure for In-Fill Development (Measure C TOD) Grant Program. The application will request funds to design the next phase of the Blackstone Avenue Smart Mobility Corridor Plan, between State Route 180 and Pine Avenue, just south of McKinley Avenue. The proposed project concept is consistent with the Blackstone Smart Mobility Strategy previously adopted by the Council, including protected bicycle lanes, pedestrian-scale lighting, crosswalk improvements, landscaping, and wider sidewalks to transform Blackstone Avenue into a mixed-use, transit-oriented, and walkable corridor. The Measure C TOD Program was created to support community-based transit projects that are developed through an inclusive planning process with broad private-public partnerships and outreach; improve the range of transportation choices by supporting transit facilities and improving links between facilities and activity nodes; and to support well-designed, high-density housing and mixed uses near transit. The Measure C TOD project provides funding to three types of projects: planning projects, transportation infrastructure capital improvement projects, and a housing in-fill incentive program.

BACKGROUND

The Measure C TOD program was created in the 2006 Measure C Extension Plan. The call for projects is administered annually through the Fresno Council of Governments, with final approval by the Fresno County Transportation Authority (FCTA) Board. FCTA is the authority responsible for administering Measure C funding. The goals of the Measure C TOD allocation are to support community-based transit projects that are developed through an inclusive planning process with broad public-private partnership and outreach, improve the range of transportation choices by supporting transit facilities and improving links between facilities and activity nodes, and support well-designed, high-density housing and mixed uses near transit. City and County governments in Fresno County are eligible for the TOD program. Private sector or non-profit organizations can apply for the funding through the representation of the local government where the project is located. Projects must be located within 1/2 mile of an existing bus stop or proposed High Speed Rail Station that is in the latest Regional Transportation Plan.

As described in the 2006 Measure C Extension Expenditure Plan, the TOD program provides funding to three types of competitive projects:

- A. Transportation infrastructure to transit facilities to encourage safety and access to transit facilities, support in-fill development or revitalization, reduce traffic congestion at transit stations, and provide for a wider range of transportation choices and improved internal mobility. Funds can be used for preliminary design and environmental studies, engineering, land acquisition, and construction.
- B. Planning projects or matching money to identify nodal transit sites on transit corridors for transit-oriented development, planning retrofit projects for existing neighborhoods, downtowns, commercial cores, and transit station areas and stops in order to create access to transit and mixed-use development in transit friendly environments. The community planning process must result in transportation/land-use concept plans, streetscape design concept plans, environmental studies, detailed drawings, construction cost estimates or implementation plans for specific capital projects.

- C. Housing in-fill incentive projects which reward local governments for encouraging developers to build compact designs with higher housing densities, affordable, accessible housing, and mixed uses that are characteristic of well-implemented transit-oriented design in other cities developments at transit stops. Local government agencies can spend funds to supplement development fees or on a capital project that supports new housing development connections to transit.

There is a total of \$1.4 million available for the Cycle 10 Call for Projects, but only projects with high scores can be awarded grant funds. Projects must receive a minimum score of 70 points in order to be considered for funding. To meet this requirement, City staff has carefully screened potential projects to present the most competitive package as dictated by grant criteria. Grant scoring is weighted in favor of projects that can present a strong nexus to transit-oriented development, proximity/support for high-density land use characteristics, transportation infrastructure that increases accessibility to transit, TOD friendly parking policies, green features, and affordable housing.

This application will request funds for the Blackstone Avenue Smart Mobility Project, between State Route 180 and Pine Avenue, just south of McKinley Avenue. The proposed project concept is consistent with the Blackstone Smart Mobility Strategy previously adopted by the Council, including protected bicycle lanes, pedestrian-scale lighting, crosswalk improvements, landscaping, and wider sidewalks to transform Blackstone Avenue into a mixed-use, transit-oriented, and walkable corridor.

Applications are due on February 28, 2022. Projects selected for funding by the scoring committee will receive final approval by the Fresno County Transportation Authority Board on June 8, 2022. Projects selected for funding must be able to enter into an agreement with FCTA within a year of award. The City Attorney's office has reviewed and approved the resolution as to form.

ENVIRONMENTAL FINDINGS

This item is not a project for the purposes of the California Environmental Quality Act.

LOCAL PREFERENCE

Local preference is not included because this resolution does not include a bid or award of a construction or services contract.

FISCAL IMPACT

This resolution will have no impact on the General Fund. No matching funds are required. Should the grant be awarded, Measure C TOD funds will be incorporated into the City of Fresno annual budget for the fiscal year(s) in which they will be available for reimbursement.

Attachment:
Resolution



Legislation Details (With Text)

File #: ID 22-267 **Version:** 1 **Name:**

Type: Action Item **Status:** Passed

File created: 1/31/2022 **In control:** City Council

On agenda: 2/17/2022 **Final action:** 2/17/2022

Title: RESOLUTION - Of Intention to Annex Final Tract Map No. 6187 as Annexation No. 131 to the CITY OF FRESNO COMMUNITY FACILITIES DISTRICT NO. 11 and to Authorize the Levy of Special Taxes; and setting the public hearing for Thursday, March 10, 2022, at 10:00 am (City Council Chambers, 2600 Fresno Street, Fresno, California, 93721) (Council District 3)

Sponsors: Public Works Department

Indexes:

Code sections:

Attachments: [22-267 Location Map](#)
[22-267 Feature Map](#)
[22-267 Resolution of Intention](#)

Date	Ver.	Action By	Action	Result
2/17/2022	1	City Council	APPROVED ON CONSENT CALENDAR	Pass

REPORT TO THE CITY COUNCIL

FROM: SCOTT L. MOZIER, PE, Director
Public Works Department

BY: ANDREW J. BENELLI, PE, City Engineer/Assistant Director
Public Works Department, Traffic Operations and Planning Division

HARMANJIT DHALIWAL, PE, Supervising Professional Engineer
Public Works Department, Traffic Operations and Planning Division

SUBJECT

RESOLUTION - Of Intention to Annex Final Tract Map No. 6187 as Annexation No. 131 to the CITY OF FRESNO COMMUNITY FACILITIES DISTRICT NO. 11 and to Authorize the Levy of Special Taxes; and setting the public hearing for Thursday, March 10, 2022, at 10:00 am (City Council Chambers, 2600 Fresno Street, Fresno, California, 93721) (Council District 3)

RECOMMENDATION

Adopt Resolution of Intention to Annex Final Tract Map No. 6187 to City of Fresno Community Facilities District No. 11 (CFD No. 11).

EXECUTIVE SUMMARY

The landowner has petitioned the City of Fresno to have Final Tract Map No. 6187 annexed to CFD No. 11 to provide funding for the Services (as hereafter defined) pertaining to certain required above ground public improvements associated with this subdivision. The cost for the Services for these improvements is \$325.05 per lot annually for Fiscal Year 2021-2022. Final Tract Map No. 6187 is located entirely within City limits. The Resolution of Intention begins the process, sets the required public hearing for Thursday, March 10, 2022, at 10:00 am, and defines the steps required to complete the annexation. (See attached Location and Feature Maps.)

BACKGROUND

Subdivision	Developer	Number of Lots	Maximum Special Tax Per Lot
6187	Self Help Enterprises	22	\$325.05
Features: Landscaping, trees & irrigation, street name signage, and streetlighting			

On November 15, 2005, the Council of the City of Fresno adopted Council Resolution No. 2005-490 forming CFD No. 11 to fund public maintenance of landscaping, open spaces, local streets, local streetlights and street furniture, curbs, gutters, sidewalks, street trees and other public facilities and services as defined by the City of Fresno Special Tax Financing Law, Chapter 8, Division 1, Article 3 of the Fresno Municipal Code (City Law).

The landowner has made a request to the City of Fresno to have Final Tract Map No. 6187 annexed to CFD No. 11 to provide the funding for the operation and reserves for maintenance (Services) pertaining to certain required above ground public improvements within the dedicated City public easements and outlots; this includes the landscaping, trees and irrigation systems, street name signage, and streetlighting associated with this subdivision. (See attached Location and Feature Maps.)

Final Tract Map No. 6187 is not a phased map and is located entirely within City limits.

The attached Resolution initiates the annexation process, sets the public hearing on this matter for Thursday, March 10, 2022 at 10:00 am, sets the Maximum Special Tax at \$325.05 annually per residential lot for Fiscal Year 2021-2022 and sets the annual adjustment of the Special Tax to be adjusted upward annually by 2% or by the rise of the Construction Cost Index (CCI), if it exceeds 2% for the San Francisco Region.

Annexations to existing community facilities districts are permitted under City Law. The legislative body must follow certain prescribed procedures as outlined below:

- Adoption of a Resolution of Intention to Annex to CFD No. 11
- Required 7-day minimum Notice of Public Hearing
- Public hearing on Annexation and Levy of Special Tax
- Call a Special Mailed-Ballot Election on the proposed Special Tax
- Declare the Results of the Election
- Formal Adoption of Special Tax Levy (if election passes)

The attached Resolution has been approved as to form by the City Attorney's Office.

ENVIRONMENTAL FINDINGS

Pursuant to the definition in California Environmental Quality Act Guidelines Section 15378, this action is not a project.

LOCAL PREFERENCE

Local preference was not implemented, as this item does not include a bid or award of a construction or services contract.

FISCAL IMPACT

No City funds will be involved. All costs for services will be borne by the property owners within the subject tract.

Attachments:

Location Map

Feature Map

Resolution of Intention



Legislation Details (With Text)

File #: ID 22-308 **Version:** 1 **Name:**

Type: Action Item **Status:** Passed

File created: 2/8/2022 **In control:** City Council

On agenda: 2/17/2022 **Final action:** 2/17/2022

Title: RESOLUTION - Initiating a Text Amendment to Chapter 15, Article 27, Section 15-2761 of the Fresno Municipal Code relating to the sale of Tobacco.

Sponsors: Miguel Angel Arias

Indexes:

Code sections:

Attachments: [Resolution](#)

Date	Ver.	Action By	Action	Result
2/17/2022	1	City Council	ADOPTED	Pass

REPORT TO THE CITY COUNCIL

FROM: MIGUEL ARIAS, Councilmember
District 3, City Council

SUBJECT

RESOLUTION - Initiating a Text Amendment to Chapter 15, Article 27, Section 15-2761 of the Fresno Municipal Code relating to the sale of Tobacco.

Attachment: Resolution



Legislation Details (With Text)

File #: ID 22-307 **Version:** 1 **Name:**

Type: Action Item **Status:** Passed

File created: 2/8/2022 **In control:** City Council

On agenda: 2/17/2022 **Final action:** 2/17/2022

Title: ***RESOLUTION - Directing the administration to present the processes to change Kings Canyon/Ventura Blvd to "Cesar Chavez Boulevard" and directing the formation of an resident, business owner and stakeholder committee to engage the public and receive input, recommendations (Subject to Mayor's Veto).

Sponsors: Luis Chavez

Indexes:

Code sections:

Attachments: [22-307 Draft - Resolution Directing Admin to Pursue Renaming of Kings Canyon Ventura Blvd](#)

Date	Ver.	Action By	Action	Result
2/17/2022	1	City Council	APPROVED ON CONSENT CALENDAR	Pass

REPORT TO THE CITY COUNCIL

FROM: LUIS CHAVEZ, Councilmember
District 5, City Council

SUBJECT

***RESOLUTION - Directing the administration to present the processes to change Kings Canyon/Ventura Blvd to "Cesar Chavez Boulevard" and directing the formation of an resident, business owner and stakeholder committee to engage the public and receive input, recommendations (Subject to Mayor's Veto).

Attachment: Resolution



Legislation Details (With Text)

File #: ID 22-315 **Version:** 1 **Name:**

Type: Action Item **Status:** Passed

File created: 2/10/2022 **In control:** City Council

On agenda: 2/17/2022 **Final action:** 2/17/2022

Title: ***RESOLUTION - Directing staff to perform the necessary meet and confer with labor unions related to declaring Cesar Chavez Day a holiday in the City of Fresno (Subject to Mayor's Veto).

Sponsors: Nelson Esparza

Indexes:

Code sections:

Attachments: [Resolution](#)

Date	Ver.	Action By	Action	Result
2/17/2022	1	City Council	APPROVED ON CONSENT CALENDAR	Pass

REPORT TO THE CITY COUNCIL

FROM: NELSON ESPARZA, Council President
District 7, City Council

SUBJECT

***RESOLUTION - Directing staff to perform the necessary meet and confer with labor unions related to declaring Cesar Chavez Day a holiday in the City of Fresno (Subject to Mayor's Veto).

Attachment: Resolution



Legislation Details (With Text)

File #: ID 22-313 **Version:** 1 **Name:**
Type: Action Item **Status:** Passed
File created: 2/9/2022 **In control:** City Council
On agenda: 2/17/2022 **Final action:** 2/17/2022
Title: ***RESOLUTION - To Pursue the Formation of a Veterans Memorial District in the City of Fresno (Subject to Mayor's Veto).
Sponsors: Luis Chavez, Nelson Esparza, Miguel Angel Arias
Indexes:
Code sections:
Attachments: [Resolution](#)

Date	Ver.	Action By	Action	Result
2/17/2022	1	City Council	APPROVED ON CONSENT CALENDAR	Pass

REPORT TO THE CITY COUNCIL

FROM: LUIS CHAVEZ, Councilmember
District 5, City Council

NELSON EZPARZA, Council President
District 7, City Council

MIGUEL ARIAS, Councilmember
District 3, City Council

SUBJECT

***RESOLUTION - To Pursue the Formation of a Veterans Memorial District in the City of Fresno (Subject to Mayor's Veto).

Attachment: Resolution



Legislation Details (With Text)

File #: ID 22-219 **Version:** 1 **Name:**
Type: Action Item **Status:** Agenda Ready
File created: 1/24/2022 **In control:** City Council
On agenda: 2/17/2022 **Final action:** 2/17/2022
Title: WORKSHOP - Pavement Management Presentation
Sponsors: Public Works Department
Indexes:
Code sections:
Attachments: [22-219 Pavement Management Presentation](#)

Date	Ver.	Action By	Action	Result
2/17/2022	1	City Council	PRESENTED	

REPORT TO THE CITY COUNCIL

FROM: SCOTT L. MOZIER, P.E., Director
Public Works Department

BY: BRIAN E. RUSSELL, Assistant Director
Public Works Department, Streets, Landscape, and Graffiti Divisions

SUBJECT
WORKSHOP - Pavement Management Presentation



Legislation Details (With Text)

File #:	ID 22-263	Version:	1	Name:	
Type:	Action Item	Status:		Passed	
File created:	1/31/2022	In control:		City Council	
On agenda:	2/17/2022	Final action:		2/17/2022	
Title:	<p>Actions related to Senate Bill 1383 - California's Short-Lived Climate Pollutant Reduction Strategy:</p> <ol style="list-style-type: none">1. Adopt a finding of Categorical Exemption pursuant to Section 15308/Class 8 of the California Environmental Quality Act (CEQA) Guidelines2. ***BILL - (For introduction) Amending Chapter 6, Article 2 of the Fresno Municipal Code, relating to waste collection and disposal (Subject to Mayor's Veto)3. ***RESOLUTION - Authorizing submission to CalRecycle a Notification of Intent to Comply with the mandates of Senate Bill 1383 to achieve the organic waste reduction goals established in Section 39730.6 of the California Health and Safety Code (Subject to Mayor's Veto)4. ***RESOLUTION - Authorizing the submission of a grant application to CalRecycle through its SB 1383 Local Assistance Grant Program for one-time funding in the amount of \$718,149 to assist with the implementation of regulation requirements associated with Senate Bill 1383, and authorizing the Director of Public Utilities or designee to execute all application and grant agreement documents on behalf of the City of Fresno (Subject to Mayor's Veto)				
Sponsors:	Department of Public Utilities				
Indexes:					
Code sections:					
Attachments:	Attachment 1 - Environmental Assessment (003).pdf Attachment 2 - Bill Amending Chapter 6 Article 2 of FMC.pdf Attachment 3 - Resolution authorizing submission of NOIC.pdf Attachment 4 - Resolution authorizing submission of SB 1383 grant.pdf				

Date	Ver.	Action By	Action	Result
2/17/2022	1	City Council	ADOPTED	Pass

REPORT TO THE CITY COUNCIL

FROM: BROCK D. BUCHE, PE, PLS, Interim Director
Department of Public Utilities

BY: AHMAD ALKHAYYAT, PE, MBA, Assistant Director - Solid Waste
Department of Public Utilities - Solid Waste Management Division

CHERYL BURNS, MPA, Senior Management Analyst
Department of Public Utilities - Administration

SUBJECT

Actions related to Senate Bill 1383 - California's Short-Lived Climate Pollutant Reduction Strategy:
1. Adopt a finding of Categorical Exemption pursuant to Section 15308/Class 8 of the California

Environmental Quality Act (CEQA) Guidelines

2. ***BILL - (For introduction) Amending Chapter 6, Article 2 of the Fresno Municipal Code, relating to waste collection and disposal (Subject to Mayor's Veto)
3. ***RESOLUTION - Authorizing submission to CalRecycle a Notification of Intent to Comply with the mandates of Senate Bill 1383 to achieve the organic waste reduction goals established in Section 39730.6 of the California Health and Safety Code (Subject to Mayor's Veto)
4. ***RESOLUTION - Authorizing the submission of a grant application to CalRecycle through its SB 1383 Local Assistance Grant Program for one-time funding in the amount of \$718,149 to assist with the implementation of regulation requirements associated with Senate Bill 1383, and authorizing the Director of Public Utilities or designee to execute all application and grant agreement documents on behalf of the City of Fresno (Subject to Mayor's Veto)

RECOMMENDATIONS

Staff recommends that City Council:

1. Adopt a finding of Categorical Exemption pursuant to Section 15308/Class 8 of the California Environmental Quality Act (CEQA) Guidelines.
2. Approve an ordinance amending Chapter 6, Article 2 of the Fresno Municipal Code, related to waste collection and disposal.
3. Approve a resolution authorizing submission to CalRecycle a Notification of Intent to Comply with the mandates of Senate Bill 1383 to achieve the organic waste reduction goals established in Section 39730.6 of the California Health and Safety Code.
4. Approve a resolution authorizing the submission of a grant application to CalRecycle through its SB 1383 Local Assistance Grant Program for one-time funding in the amount of \$718,149 to assist with the implementation of regulation requirements associated with Senate Bill 1383 and authorizing the Director of Public Utilities, or designee, to execute all application and grant agreement documents on behalf of the City of Fresno.

EXECUTIVE SUMMARY

The Solid Waste Management Division of the Department of Public Utilities (DPU) has been working to assess and understand the impacts of the Senate Bill (SB) 1383 regulations on the City's operations. Before the City can proceed with any of the tasks required by SB 1383, Chapter 6, Article 2 of the Fresno Municipal Code (FMC) must be updated to incorporate all the requirements imposed by SB 1383.

Due to a variety of factors, including the COVID-19 pandemic, the City was not able to achieve compliance with the SB 1383 regulations by the effective date of January 1, 2022. DPU is, therefore,

requesting City Council's approval of a resolution authorizing the submission of a Notification of Intent to Comply (NOIC) to CalRecycle. Additionally, CalRecycle recently opened the SB 1383 Local Assistance Grant Program, a non-competitive grant program for one-time funding to local jurisdictions to assist with the implementation of regulation requirements associated with SB 1383. Through this program, the City is eligible to receive an estimated funding amount of \$718,149. The City Council must approve authorizing resolutions for the submittals of the NOIC and the SB 1383 Local Assistance Grant Program application today in order for DPU to meet the March 1, 2022, submittal deadlines.

BACKGROUND

In September 2016, Governor Brown signed into law Senate Bill (SB) 1383 (Lara, Chapter 395, Statutes of 2016) implementing a statewide plan to reduce emissions of short-lived climate pollutants (SLCP). SB 1383 establishes a statewide target of 75% reduction in the disposal of organic waste by 2025. In addition, SB 1383 requires that not less than 20% of edible food that is currently disposed be recovered for human consumption by 2025.

On November 3, 2020, the California Department of Resources Recycling and Recovery (CalRecycle) received a Notice of Approval of Regulatory Action from the Office of Administrative Law on its SB 1383 regulations, making them final with an effective date of January 1, 2022. The approved regulations impose regulatory responsibilities on jurisdictions, all of which will have some level of impact on the City of Fresno (City) operations:

1. Organic waste collection services
2. Edible food recovery programs and services
3. Education and outreach
4. Procurement of recovered organic waste products
5. Organic waste recovery and processing capacity
6. Inspection and enforcement
7. Recordkeeping and reporting

The Solid Waste Management Division of the Department of Public Utilities (DPU) has been working to assess and understand the impacts of the SB 1383 regulations on the City's operations. The following key tasks must be completed for the City to achieve compliance with the regulations:

1. Negotiate amendments to agreements with the City's commercial franchise haulers, Non-Exclusive Roll-Off (NERO) haulers, and green waste processing facilities to incorporate food scraps into the residential green waste collection stream
2. Develop and implement an edible food generator inspection plan

3. Develop and implement an education and outreach plan
4. Develop a plan for City procurement of recovered organic waste products
5. Develop a recordkeeping system to collect, store, and report on all SB 1383 related activities
6. Complete a residential solid waste rate study and approve rates that incorporate the increased costs related to SB 1383 compliance

ORDINANCE UPDATE

Before the City can proceed with any of the key tasks identified above, the City must first update Chapter 6, Article 2 of the Fresno Municipal Code (FMC) to incorporate all of the requirements imposed by SB 1383. The ordinance being presented for introduction today and approval on March 10, 2022, incorporates the requirements of SB 1383 and brings the City into compliance with this portion of the regulations. Once the FMC is amended, DPU will then be able to proceed with negotiation of agreements, development of the various plans, and all other tasks required for SB 1383 compliance.

The Municipal Code of the City of Fresno Article 2, Waste Collection and Disposal Ordinance must be amended to ensure that it is compliant with SB 1383. This would allow the City to amend all contracts and consultant agreements that pertain to solid waste management to make them SB 1383 compliant.

NOTIFICATION OF INTENT TO COMPLY (NOIC)

On October 5, 2021, Governor Newsom approved SB 619 (Laird, Chapter 508, Statutes of 2021), which allows for jurisdictions that are struggling to implement the SB 1383 regulations due to the COVID-19 pandemic, and are facing continuing violations and administrative civil penalties, to submit to CalRecycle a NOIC by March 1, 2022. When approved by CalRecycle, the NOIC provides relief from civil penalties for calendar year 2022, and the implementation of a corrective action plan establishing a maximum compliance deadline, depending on the circumstances of each individual jurisdiction.

Due to a variety of factors, including the COVID-19 pandemic, the City was not able to achieve compliance with the SB 1383 regulations by the effective date of January 1, 2022. DPU is, therefore, requesting City Council's approval of a resolution authorizing the submission of a NOIC to CalRecycle. In the City's NOIC, DPU has identified all aspects of the regulation with which the City is not in compliance, as well as a timeline identifying the anticipated completion of each task. DPU intends to achieve full compliance with all regulations by September 1, 2023, with the implementation of the full residential organic waste collection program. The City Council must approve this authorizing resolution today in order for DPU to meet the March 1, 2022, deadline for submittal of the NOIC.

SB 1383 LOCAL ASSISTANCE GRANT PROGRAM

On January 4, 2022, CalRecycle opened the SB 1383 Local Assistance Grant Program, a non-

competitive grant program for one-time funding to local jurisdictions to assist with the implementation of regulation requirements associated with SB 1383. Through this program, the City is eligible to receive an estimated funding amount of \$718,149. A resolution authorizing the application is required with the application. Applications were due on February 1, 2022, but understanding the difficulties with obtaining authorizing resolutions in such a short time frame, CalRecycle extended the deadline to submit the authorizing resolution to March 1, 2022. The City Council must approve this authorizing resolution today in order for DPU to meet the deadline and be eligible for the first round of funding, which is expected to be announced on April 1, 2022.

SUMMARY

DPU is asking for Council approval of an ordinance amending Chapter 6, Article 2 of the Fresno Municipal Code, related to waste collection and disposal; a resolution authorizing submission of a Notification of Intent to Comply with the mandates of SB 1383; and a resolution authorizing submission of a grant application for funding through the SB 1383 Local Assistance Grant Program for one-time funding in the amount of \$718,149 to assist with the implementation of regulation requirements associated with SB 1383. The City is currently out of compliance with the regulations and the approval of these actions today will bring the City closer to compliance, will allow the City to pursue relief from administrative civil penalties, and will allow for grant funding to help cover some of the costs incurred due to the regulations.

The ordinance and resolutions have been approved as to form by the City Attorney's Office.

ENVIRONMENTAL FINDINGS

This project is exempt from CEQA pursuant to Section 15308, Class 8 of the CEQA Guidelines as an action that will not have a significant impact on the environment and as an action taken by a regulatory agency for the protection of the environment, specifically, for the protection of the climate. There are no unusual circumstances that would cause this ordinance to have a significant effect on the environment. Furthermore, none of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, Section 15300.2 apply to this Project. The determination was reviewed and approved by the City Attorney's Office.

LOCAL PREFERENCE

Local preference was not implemented, as this item does not involve a bid or award of a construction or services contract.

FISCAL IMPACT

There is no impact to the General Fund. Outside consulting and City staff costs associated with the actions submitted today are included in the FY 2022 DPU Solid Waste Operating Fund (41001) Amended Budget. If the SB 1383 grant funds are approved and awarded, the grant amount of \$718,149 will be deposited in a designed Solid Waste Grant Fund SB 1383.

Attachments:

Attachment 1 - Environmental Assessment

Attachment 2 - Bill Amending Chapter 6, Article 2 of the Fresno Municipal Code, relating to waste collection and disposal

Attachment 3 - Resolution authorizing submission to CalRecycle of a Notification of Intent to Comply with the mandates of Senate Bill 1383

Attachment 4 - Resolution authorizing the submission of a grant application to CalRecycle



Legislation Details (With Text)

File #: ID 22-319 **Version:** 1 **Name:**

Type: Action Item **Status:** Agenda Ready

File created: 2/11/2022 **In control:** City Council

On agenda: 2/17/2022 **Final action:** 2/17/2022

Title: CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Government Code Section 54956.8
Property: 1343 E. Barstow;
Negotiating Parties: City Manager, Wesley United Methodist Church;
Under Negotiation: Price and terms of sale or lease.

Sponsors: Tyler Maxwell

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
2/17/2022	1	City Council	DISCUSSED	

CLOSED SESSION ITEM

SUBJECT

CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Government Code Section 54956.8
Property: 1343 E. Barstow;
Negotiating Parties: City Manager, Wesley United Methodist Church;
Under Negotiation: Price and terms of sale or lease.



Legislation Details (With Text)

File #: ID 22-305 **Version:** 1 **Name:**
Type: Closed Session Item **Status:** Agenda Ready
File created: 2/8/2022 **In control:** City Council
On agenda: 2/17/2022 **Final action:** 2/17/2022
Title: CONFERENCE WITH LEGAL COUNSEL - DECIDING WHETHER TO INITIATE LITIGATION
Government Code Section 54956.9, subdivision (d)(4)
Case Name: City of Fresno v. Siegfried Engineering, Inc.
Sponsors: City Attorney's Office
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
2/17/2022	1	City Council	DISCUSSED	

CLOSED SESSION ITEM

SUBJECT

CONFERENCE WITH LEGAL COUNSEL - DECIDING WHETHER TO INITIATE LITIGATION
Government Code Section 54956.9, subdivision (d)(4)
Case Name: *City of Fresno v. Siegfried Engineering, Inc.*



Legislation Details (With Text)

File #: ID 22-312 **Version:** 1 **Name:**

Type: Closed Session Item **Status:** Agenda Ready

File created: 2/9/2022 **In control:** City Council

On agenda: 2/17/2022 **Final action:** 2/17/2022

Title: CONFERENCE WITH LABOR NEGOTIATORS - Government Code Section 54957.6
City Negotiators: TJ Miller
Employee Organizations: 1. International Union of Operating Engineers, Stationary Engineers, Local 39 (Local 39); 2. Fresno City Employees Association (FCEA); 3. Fresno Police Officers Association (FPOA Basic); 4. International Association of Firefighters, Local 753, Unit 5 (Fire Basic); 5. Amalgamated Transit Union, Local 1027 (ATU); 6. International Brotherhood of Electrical Workers, Local 100 (IBEW); 7. Fresno Police Officers Association (FPOA Management); 8. International Association of Firefighters, Local 753, Unit 10 (Fire Management); 9. City of Fresno Professional Employees Association (CFPEA); 10. City of Fresno Management Employees Association (CFMEA); 11. Operating Engineers, Local Union No. 3, Fresno Airport Public Safety Supervisors (FAPSS); 12. Operating Engineers, Local Union No. 3, Fresno Airport Public Safety Officers (FAPSO)

Sponsors: Personnel Services Department

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
2/17/2022	1	City Council	DISCUSSED	

CLOSED SESSION ITEM

SUBJECT

CONFERENCE WITH LABOR NEGOTIATORS - Government Code Section 54957.6
City Negotiators: TJ Miller
Employee Organizations: 1. International Union of Operating Engineers, Stationary Engineers, Local 39 (Local 39); 2. Fresno City Employees Association (FCEA); 3. Fresno Police Officers Association (FPOA Basic); 4. International Association of Firefighters, Local 753, Unit 5 (Fire Basic); 5. Amalgamated Transit Union, Local 1027 (ATU); 6. International Brotherhood of Electrical Workers, Local 100 (IBEW); 7. Fresno Police Officers Association (FPOA Management); 8. International Association of Firefighters, Local 753, Unit 10 (Fire Management); 9. City of Fresno Professional Employees Association (CFPEA); 10. City of Fresno Management Employees Association (CFMEA); 11. Operating Engineers, Local Union No. 3, Fresno Airport Public Safety Supervisors (FAPSS); 12. Operating Engineers, Local Union No. 3, Fresno Airport Public Safety Officers (FAPSO)