

City of Fresno

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



Meeting Agenda - Final-revised

Thursday, December 9, 2021

9:00 AM

Regular Meeting

In Person and/or Electronic

City Council

President - Luis Chavez

Vice President - Nelson Esparza

Councilmembers:

Esmeralda Z. Soria, Mike Karbassi, Miguel Angel Arias, Tyler Maxwell, Garry Bredefeld

City Manager - Thomas Esqueda

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: December 9, 2021 9:00 AM Pacific Time (US and Canada)

Topic: December 9, 2021 Regular Meeting

a) Register in advance for this webinar:

https://zoom.us/webinar/register/WN_-viGsuqRQOSpFrzG6a5Hbg

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.

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) 6217650 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 by Reza Nekumanesh with the Islamic Culture Center of Fresno

Pledge of Allegiance to the Flag

APPROVE AGENDA

CEREMONIAL PRESENTATIONS

[ID 21-976](#) Proclamation for “Jenna Liston Day”

Sponsors: Council President Chavez and Councilmember Karbassi

COUNCILMEMBER REPORTS AND COMMENTS

MAYOR/MANAGER REPORTS AND COMMENTS

UNSCHEDULED COMMUNICATION

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

1. CONSENT CALENDAR

1.-A. [ID 21-966](#) Approval of the minutes for the December 2, 2021 Special Closed Session City Council Meeting and the December 2, 2021 Regular City Council Meeting.

Sponsors: Office of the City Clerk

1.-B. [ID 21-943](#) Approve the Second Amendment to the consultant services agreement with Carollo Engineers Inc., to extend the agreement term from December 17, 2021, to March 31, 2023, due to longer than expected railroad crossing permitting efforts for the North Avenue Sewer Trunk Main Realignment Project (Council Districts 3 & 5, and Fresno County)

Sponsors: Department of Public Utilities

1.-C. [ID 21-962](#)

Actions pertaining to the Renewable Natural Gas Diversion into Natural Gas Pipeline Project (Council District 3 and Fresno County):

1. Affirm City Manager's determination that Sterns, Conrad and Schmidt Consulting Engineers is uniquely qualified
2. Award the Professional Engineering Services Agreement with Stearns, Conrad and Schmidt Consulting Engineers for design, bidding and construction support, in the amount not to exceed \$222,758.64

Sponsors:

Department of Public Utilities

1.-D. [ID 21-1014](#)

Actions pertaining to the waste gas flare at the Fresno-Clovis Regional Wastewater Reclamation Facility (Bid File No. 3750) (District 3):

1. Award a construction contract to W.M. Lyles Co., in the amount of \$6,395,900 for construction of Waste Gas Flare Improvements
2. Approve the Second Amendment to the consultant services agreement with Carollo Engineers, Inc., to extend the term of the contract from March 31, 2022, to January 31, 2023, for professional engineering services during construction

Sponsors:

Department of Public Utilities

1.-E. [ID 21-1016](#)

***BILL B-46- (Intro. 12/2/2021)(For Adoption) Amending Article 1 of Chapter 6 of the Fresno Municipal Code, relating to billing and collection procedures for municipal utilities (Subject to Mayor's Veto).

Sponsors:

Department of Public Utilities and Finance Department

- 1.-F. [ID 21-958](#) Actions pertaining to a requirements contract to Rehabilitate Public Water Supply Wells in North Quadrant (Bid File 9617) (Districts 2 & 6):
1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines for the rehabilitations of public water supply wells No. 98, 128, 130, 176, 185, 186, and 187.
 2. Award a requirements contract to Zim Industries, Inc., for a term of one year in the amount not to exceed \$825,680 per year, with provision for up to two one-year extensions.

Sponsors: Department of Public Utilities

- 1.-G. [ID 21-940](#) Approve the award of a cooperative purchase agreement with Ruckstell Sales of Fresno, California, for the purchase of 11 Mack model LR 64R side loading refuse trucks in the amount of \$4,718,065 for the Department of Public Utilities Solid Waste Management Division. Due to pandemic related supply constraints and global material shortages, price quote is valid through December 10, 2021.

Sponsors: Department of Transportation

- 1.-H. [ID 21-959](#) Approve the First Amendment to the professional consultant agreement with Intueor Consulting, Inc., to incorporate a radio system assessment into the Computer Aided Dispatch Automatic Vehicle Locator project for the Department of Transportation, Fresno Area Express in the amount of \$93,050, for a total contract value of \$480,113.68 and authorize the Director of Transportation or designee to execute all related documents. The original contract value approved by Council was \$387,063.68

Sponsors: Department of Transportation

- 1.-I. [ID 21-935](#) Actions Pertaining to Modification of Audit Requirement in Convention Center Management Contract:
1. Approve the First Amendment to the 2020 Convention Center Management Agreement between the City and ASM Global Fresno, LLC. removing the audit requirement for Fiscal Year 2021's financial results.
 2. Accept correspondence from the City's external auditor, Brown Armstrong, in which Brown Armstrong commits to a review of the Convention Center's Fiscal Year 2021 financial results as part of their Annual Comprehensive Financial Report audit.

Sponsors:

Finance Department

- 1.-J. [ID 21-953](#) Approve the Cisco FLEX agreement with AMS.Net in the amount of \$507,705.60 for four years with annual payments of \$126,926.40 for licensing, maintenance, and support of the City's phone system in accordance with purchasing procedures from cooperative agreements as laid out in Administrative Order 3-1 and priced from a cooperative agreement, Merced County FOCUS Agreement 2021092 (FOCUS).

Sponsors:

Information Services Department

- 1.-K. [ID 21-909](#) Approve the renewal of Cisco Security Enterprise Agreement with AMS.Net in the amount of \$1,766,696.40 for a five-year agreement in accordance with purchasing procedures from cooperative agreements as laid out in Administrative Order 3-1 and priced from a cooperative agreement, Merced County FOCUS Agreement 2021092 (FOCUS).

Sponsors:

Information Services Department

- 1.-L. [ID 21-910](#) Approve the purchase from AMS.NET of Cisco network switches, services, and support for a public safety switch upgrade in the amount of \$299,811.25. This purchase is made in accordance with purchasing procedures from cooperative agreements as laid out in Administrative Order 3-1 and priced from a cooperative agreement, Merced County FOCUS Agreement 2021092 (FOCUS).

Sponsors:

Information Services Department

- 1.-M. [ID 21-1009](#) ***RESOLUTION - 41st Amendment to the Annual Appropriations Resolution (AAR) No. 2021-178 appropriating \$1,935,600 under the General Fund that will fund salary increases for Bargaining Units 03 (FCEA), 05 (IAFF Basic), 07 (IBEW), 10 (IAFF Management) and 13 (CFPEA) (Requires 5 Affirmative Votes) (Subject to Mayor's Veto).

Sponsors:

Office of Mayor & City Manager

- 1.-N. [ID 21-849](#) Actions pertaining to the International Brotherhood of Electrical Workers (IBEW) Local 100 for Unit 7, Non-Supervisory Groups and Crafts for Unit 7 :
1. ***Adopt a successor Memorandum of Understanding between the City of Fresno and International Brotherhood of Electrical Workers (IBEW) Local 100 for Unit 7, Non-Supervisory Groups and Crafts (Subject to Mayor's Veto).
 2. ***RESOLUTION: Adopt the 4th Amendment to FY 2022 Salary Resolution No. 2021-176, amending Exhibit 7, Unit 7 - Non-Supervisory Groups and Crafts (IBEW), to provide a salary increase for respective classes as required by the Memorandum of Understanding between the City of Fresno and International Brotherhood of Electrical Workers (IBEW) Local 100 (Subject to Mayor's Veto).

Sponsors:

Personnel Services Department

1.-O. [ID 21-850](#)

Actions pertaining to the City of Fresno Professional Employees Association for Unit 13

1. ***Adopt a successor Memorandum of Understanding between the City of Fresno and City of Fresno Professional Employees Association, Inc. (CFPEA), Exempt Supervisory and Professional and Non-Exempt Professional, Unit 13 (Subject to Mayor's Veto)
2. ***RESOLUTION: Adopt the 5th Amendment to FY 2022 Salary Resolution No. 2021-176, amending Exhibit 13-1, Exempt Supervisory and Professional (CFPEA), and Exhibit 13-2, Non-Exempt Professional (CFPEA), to provide a salary increase for respective classes as required by the Memorandum of Understanding between the City of Fresno and City of Fresno Professional Employees Association, Inc. (CFPEA), (Subject to Mayor's veto)

Sponsors:

Personnel Services Department

1.-P. [ID 21-854](#)

Actions pertaining to the Fresno City Employees Association for Unit 3:

1. ***Adopt a successor Memorandum of Understanding between the City of Fresno and Fresno City Employees Association (FCEA), Non-Supervisory White Collar, Unit 3 (Subject to Mayor's Veto).
2. ***RESOLUTION: Adopt the 6th Amendment to FY 2022 Salary Resolution No. 2021-176, amending Exhibit 3, Non-Supervisory White Collar (FCEA), to provide a salary increase for respective classes as required by the Memorandum of Understanding between the City of Fresno and Fresno City Employees Association (FCEA) (Subject to Mayor's Veto).

Sponsors:

Personnel Services Department

1.-Q. [ID 21-855](#)

Actions pertaining to the International Association of Fire Fighters (IAFF), Local 202 for Unit 5:

1. ***Adopt a successor Memorandum of Understanding between the City of Fresno and International Association of Fire Fighters (IAFF), Local 202 for Unit 5 (Subject to Mayor's Veto).
2. ***RESOLUTION: Adopt the 7th Amendment to FY 2022 Salary Resolution No. 2021-176, amending Exhibit 5, Fire-Non Management (IAFF), to provide a salary increase for respective classes as required by the Memorandum of Understanding between the City of Fresno and International Association of Fire Fighters (IAFF), Local 202 (Subject to Mayor's Veto).

Sponsors:

Personnel Services Department

1.-R. [ID 21-856](#)

Actions pertaining to the International Association of Fire Fighters (IAFF), Local 202 for Unit 10:

1. ***Adopt a successor Memorandum of Understanding between the City of Fresno and International Association of Fire Fighters (IAFF), Local 202 for Unit 10 (Subject to Mayor's Veto).
2. ***RESOLUTION: Adopt the 8th Amendment to FY 2022 Salary Resolution No. 2021-176, amending Exhibit 10, Fire Management (IAFF), to provide a salary increase for respective classes as required by the Memorandum of Understanding between the City of Fresno and International Association of Fire Fighters (IAFF), Local 202 (Subject to Mayor's Veto).

Sponsors:

Personnel Services Department

- 1.-S. [ID 21-993](#) Actions pertaining to the acquisition of 959 N. Parkway Drive (APN 449-324-11) (District 3):
1. Adopt a finding that of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines.
 2. Approve Assignment of Purchase and Sale Agreement from the Fresno Housing Authority in the amount not to exceed of \$3,234,000.
 3. Approve an Option Agreement for 959 N. Parkway Drive (APN 449-324-11) with the Fresno Housing Authority for \$1,000.

Sponsors: Planning and Development Department

- 1.-T. [ID 21-830](#) Approve a First Amendment to the Agreement with Turning Point of Central California, Inc., for triage center services provided under the Homeless Housing, Assistance, and Prevention (HHAP) program at the Journey Home Triage Center to extend the term of the agreement through December 31, 2022, with no increase in the contract amount.

Sponsors: Planning and Development Department

- 1.-U. [ID 21-923](#) Approve the Second Amendment to the consultant services agreement between the City of Fresno and De Novo Planning Group, regarding land use, planning and environmental services for the West Area Neighborhoods Specific Plan and Environmental Impact Report, extending the contract performance period to December 31, 2022, with no additional funding required.

Sponsors: Planning and Development Department

- 1.-V. [ID 21-922](#) Approve the 4th Amendment to the Consultant Services Agreement with Raimi + Associates for professional services related to the Central Southeast Specific Plan to extend the contract term length to December 31, 2022, and to increase by \$37,008, for a total contract amount of \$587,008.

Sponsors: Planning and Development Department

- 1.-W. [ID 21-1021](#) ***RESOLUTION - Authorizing joint application to and participation in the HomeKey Program to sustain and rapidly expand housing for youth experiencing homelessness or at risk of homelessness, and who are, thereby, inherently impacted by or at increased risk for medical diseases or conditions due to the COVID-19 pandemic. (Subject to Mayor's Veto).
- Sponsors:** Planning and Development Department
- 1.-X. [ID 21-1018](#) ***BILL B-47 (Intro. 12/2/2021) (For Adoption) - Approving the Development Agreement by and between the City of Fresno and Fagundes Bros. Dairy, pertaining to the Oasis Master Plan Area, which consists of Vesting Tentative Tract Map Nos. 5456, 5463, 6183, and 6184, situated on the east and west side of South Valentine Avenue, north of West Madison Avenue (Subject to Mayor's Veto).
- Sponsors:** Planning and Development Department
- 1.-Y. [ID 21-1019](#) ***BILL B-48 (Intro. 12/2/2021) (For Adoption) - Amending Section 15-2706 to the Fresno Municipal Code, relating to the use regulations for alcohol sales Subject to Mayor's Veto).
- Sponsors:** Planning and Development Department
- 1.-Z. [ID 21-954](#) ***RESOLUTION - Authorizing application to and participation in the Homekey Program to sustain and rapidly expand housing for persons experiencing homelessness or at risk of homelessness, and who are, thereby, inherently impacted by or at increased risk for medical diseases or conditions due to the COVID-19 pandemic (Villa Motel and Ambassador Inn & Suites). (Subject to Mayor's Veto).
- Sponsors:** Planning and Development Department

1. [ID 21-1017](#) ***RESOLUTION - Authorizing application to and
-AA. participation in the Homekey Program to sustain and rapidly
expand housing for persons experiencing homelessness or at
risk of homelessness, and who are, thereby, inherently
impacted by or at increased risk for medical diseases or
conditions due to the COVID-19 pandemic (Valley Inn,
Parkway Inn, Tiny Homes). (Subject to Mayor's Veto).

Sponsors:

Planning and Development Department

1. [ID 21-904](#) ***RESOLUTION - Authorizing a grant application to the
-BB. California Homeless Coordinating and Financing Council
(HCFC) for funding under the Encampment Resolution
Funding Program for local demonstration projects that
provide services to address the immediate crisis of
experiencing unsheltered homelessness in encampments, to
support people living in encampments onto paths to safe and
stable housing and result in sustainable restoration of public
spaces to the intended uses while safeguarding the needs of
unhoused people seeking shelter and authorizing the City
Manager to sign all required implementing documents
(Subject to Mayor's Veto).

Sponsors:

Planning and Development Department

1. [ID 21-948](#) Approve a three -year agreement, with an option to extend for
-CC. two additional years, with the County of Fresno to reserve
five bed spaces in the Fresno County Jail for the purpose of
housing Fresno Police Department Arrestees, at a rate of
\$650.00 per day for years one through three and \$670.00 per
day for years four and five, for a total amount not to exceed
\$1,161,200 (Years 1 - 5).

Sponsors:

Police Department

1. [ID 21-965](#) Approve an Agreement between the City of Fresno and
-DD. ProForce to purchase 300 Glock pistols, holsters, and
Streamlight TLR-7 in the amount of \$217,838.55.

Sponsors:

Police Department

1. [ID 21-914](#) Annual Review and Acceptance of the FY 2021 Impact Fee
-EE. Annual Report as Required By California Government Code.

Sponsors: Public Works Department

1. [ID 21-942](#) Annual Review and Acceptance of the FY 2021 Summary of
-FF. Impact Fee Waivers.

Sponsors: Public Works Department

1. [ID 21-916](#) Approve Contract Change Order No. 04 in the amount of
-GG. \$45,000 to Euro Style Management for the Rehabilitation of
Digester 8 at the Fresno/Clovis Regional Wastewater
Reclamation Facility (Council District 3).

Sponsors: Public Works Department

1. [ID 21-941](#) Approve an agreement for professional engineering services
-HH. with Sherwood Design Engineers, Inc., of Santa Cruz,
California for \$144,923, with a \$10,000 contingency, for
design and construction support services for the Southwest
Fresno Trail Project (Council District 3)

Sponsors: Public Works Department

- 1.-II. [ID 21-932](#) Actions pertaining to the Rebid Barstow Avenue and Palm
Avenue Traffic Signal Project - Bid File No. 3827 (Council
District 2):
1. Adopt a finding of Categorical Exemption per staff's determination, pursuant to Sections 15301, 15302, and 15303 of the California Environmental Quality Act (CEQA) guidelines.
 2. ***RESOLUTION - 32nd Amendment to the Annual Appropriation Resolution (AAR) No. 2021-178 appropriating \$737,400 for the Barstow Avenue and Palm Avenue Traffic Signal Project (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)
 3. Award a construction contract in the amount of \$699,308 to American Paving Company of Fresno, California.

Sponsors: Public Works Department

1.-JJ. [ID 21-917](#)

Actions pertaining to Final Map of Tract No. 6300:

1. RESOLUTION - Approving the Final Map of Tract No. 6300, of Vesting Tentative Tract Map No. 6300, and accepting dedicated public uses offered therein except for dedications offered subject to City acceptance of developer installed required improvements, to the northeast of the intersection of East Copper and North Maple Avenues, within the Copper River Ranch planned community (Council District 6).

Sponsors:

Public Works Department

1. [ID 21-937](#)

-KK.

Actions pertaining to Resolution of Intention No. 1144-D to vacate East Townsend Avenue, South Garden Avenue, and East Heaton Avenue, lying west of South Winery Avenue in Tract Number 1552 - Campus Homesites (Council District 5):

1. Adopt Initial Study and a Negative Declaration finding per staff determination, pursuant to California Environmental Quality Act (CEQA) Guidelines §15070
2. Adopt Resolution of Intention No. 1144-D to vacate East Townsend Avenue, South Garden Avenue, and East Heaton Avenue, lying west of South Winery Avenue in Tract Number 1552 - Campus Homesites.

Sponsors:

Public Works Department

1. [ID 21-919](#)

-LL.

Actions pertaining to Final Map of Tract No. 6266:

1. RESOLUTION - Approving the Final Map of Tract No. 6266, of Vesting Tentative Tract Map No. 6266, and accepting dedicated public uses offered therein except for dedications offered subject to City acceptance of developer installed required improvements - northeast corner of Ashlan and Hayes (Council District 1).

Sponsors:

Public Works Department

1. [ID 21-926](#)
-MM. Actions pertaining to the River West Eaton Trail Extension Planning Project (Council District 2):
1. ***RESOLUTION - Approving the application for grant funds from the Wildlife Conservation Board and authorizing execution of grant related documents for the River West Eaton Trail Extension Planning Project (Subject to Mayor's Veto).
 2. ***RESOLUTION - Adopting the 34th amendment to the Annual Appropriation Resolution (AAR) No. 2021-178 appropriating \$65,500 for the River West Eaton Trail Extension Planning (Requires 5 Affirmative Votes) (Subject to Mayor's Veto).
- Sponsors:** Public Works Department
1. [ID 21-902](#)
-NN. Actions pertaining to Peach Avenue and McKenzie Trail High Intensity Activated Crosswalk (HAWK) Project - Bid File 3792 (Council District 7):
1. Adopt a finding of Categorical Exemption per staff's determination pursuant to Section 15301 and Section 15303 of the California Environmental Quality Act Guidelines.
 2. Award a construction contract in the amount of \$209,009 to PTM General Engineering Services, Inc., of Riverside, CA.
- Sponsors:** Public Works Department
1. [ID 21-931](#)
-OO. Actions pertaining to provision of Certified Access Specialist training and mentoring services:
1. Approve an agreement with California Certified Accessibility Specialists, Inc., in the amount of \$65,000 for Certified Access Specialist training and mentoring services.
 2. Approve an agreement with SZS Engineering Access, Inc., in the amount of \$49,980 for Certified Access Specialist mentoring and incidental services.
- Sponsors:** Public Works Department

1. [ID 21-968](#)**-PP.**

Actions pertaining to the acquisition of a 7,600 square foot building on a 1.95-acre parcel located at 3315 W. Ashlan Avenue (APN: 433-391-30) to serve as a permanent facility for Fire Station 12 (Council District 1):

1. ***RESOLUTION Adopting the 36th Amendment to the Annual Appropriation Resolution No. 2021-178 to appropriate \$2,361,700 for the purchase of property located at 3315 West Ashlan Avenue, Fresno, California, and design of construction documents for permanent Fire Station 12 (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)
2. Adopt a finding of Categorical Exemption pursuant to section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA)
3. Approve a Purchase and Sale Agreement with Rajinder Singh Sungu for \$1,450,000

Sponsors:

Public Works Department and Fire Department

1. [ID 21-928](#)**-QQ.**

Actions pertaining to the Hinton Park Field Lighting Addition (Bid File 3824) (Council District 3)

1. Adopt finding of a Categorical Exemption pursuant to Sections 15301 and Section 15303 of the California Environmental Quality Act Guidelines
2. Award a construction contract with CINC 818, Inc., dba C2 Electrical of Fresno, CA, for \$157,765

Sponsors:

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

1. [ID 21-975](#)
-RR. Actions pertaining to a Donation Agreement for property located at 770 East Shaw Avenue (APN 418-091-12), south of the intersection of East Keats Avenue and North Sherman Avenue (Council District 4):
1. Adopt a finding of Categorical Exemption pursuant to Sections 15304 and 15316 of the California Environmental Quality Act (CEQA) Guidelines
 2. Approve an Agreement for Donation of Property for 14,825 square feet of property for public park purposes
- Sponsors:** Public Works Department, Parks, After School and Recreation and Community Services Department
1. [ID 21-918](#)
-SS. RESOLUTION - Approving the Final Map of Tract No. 6333 located on the northwest corner of East Alhambra and North Van Ness Avenues (Council District 3).
- Sponsors:** Public Works Department
1. [ID 21-967](#)
-TT. ***RESOLUTION - Adopt the 9th Amendment to FY 2022 Salary Resolution No. 2021-176, amending Exhibit 14, Unit 14, Management Classes (CFMEA) to reclassify the salary step range for the Assistant City Clerk to an "A" step of \$6,584 to an "I" step of \$8,021. (Subject to Mayor's Veto).
- Sponsors:** Councilmember Karbassi and Councilmember Maxwell
1. [ID 21-1012](#)
-UU. ***RESOLUTION - Adopt the 10th Amendment to FY 2022 Salary Resolution No. 2021-176, amending "Exhibit 8, Unit 8, Non-Represented effective January 1, 2022," to adjust the salary range for the Services Aide position from \$15.00 - \$17.00 per hour to \$15.00 - \$19.00 per hour. (Subject to Mayor's Veto).
- Sponsors:** Councilmember Maxwell
1. [ID 21-1015](#)
-VV. Items related to Campus Pointe development:
1. Approve Implementation Agreement modifying 2007 Settlement Agreement with Kashian Enterprises, L.P.
- Sponsors:** Councilmember Maxwell

1. [ID 21-1006](#)

-WW.

Actions pertaining to California/Tupman Park project:

1. ***RESOLUTION - Reclassifying the California/Tupman Park improvement project to be funded with General Fund rather than CDBG, due to delay created by requirements of CDBG process (Subject to Veto)
2. ***RESOLUTION - __ Amendment to the Annual Appropriations Resolution (AAR) No. 2021-178 appropriating \$ _____ of Parks General Fund revenue to reimburse CDBG funds paid and fully fund the improvement project at the California/Tupman Park (Requires 5 Votes)(Subject to Veto).

Sponsors:

Councilmember Arias

1. [ID 21-996](#)

-XX.

***RESOLUTION - Renaming the property currently known as Hyde Park to be more accurately known as Hyde Landfill and removing its designation as a City park (Subject to Mayor's Veto).

Sponsors:

Councilmember Arias

1. [ID 21-997](#)

-YY.

Actions pertaining to the expansion of the Abatement Team in the City Attorney's Office, Division of Code Enforcement:

1. ***RESOLUTION - Adopting the 3rd Amendment to the Position Authorization Resolution (PAR) No. 2021-179, adding six new Laborer positions in the City Attorney's Office for the Code Enforcement Abatement Team (subject to Mayor's veto).
2. ***RESOLUTION - Adopting the 39th Amendment to the Annual Appropriation Resolution (AAR) No. 2021-178 to appropriate \$420,000 from the Council Projects fund of the City Attorney's Office budget for the City Attorney's Office abatement team personnel, equipment, and operating expenses for FY22 (requires 5 affirmative votes) (subject to Mayor's veto).

Sponsors:

Council President Chavez

1.-ZZ. [ID 21-973](#)

Actions pertaining to the agreement with Local Government Strategic Consulting, LLC.:

1. Approve an agreement with Local Government Strategic Consulting, LLC., for public affairs, strategic communications, and public relations services for an amount not to exceed \$145,000; and
2. ***RESOLUTION - Adopting the 42nd amendment to the Annual Appropriation Resolution (AAR) No. 2021-178 appropriating \$145,000 from the City Attorney's Office budget, Council Projects, for the Local Government Strategic Consulting, LLC., contract (Requires 5 Votes)(Subject to Veto).

Sponsors:

Council President Chavez

1. [ID 21-839](#)

-AAA

.

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

Sponsors:

Office of the City Clerk

CONTESTED CONSENT CALENDAR**2. SCHEDULED COUNCIL HEARINGS AND MATTERS****10:00 A.M. #1****[ID 21-886](#)**

Appearance by Matthew Gillian to Discuss Services of Inspiration Transportation

Sponsors:

Office of the City Clerk

10:00 A.M. #2

[ID 21-944](#)

HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding CITY OF FRESNO COMMUNITY FACILITIES DISTRICT NO. 9, Annexation No. 53 (the Adjusted Parcel B of Lot Line Adjustment No. 2020-15, DSS Campus West Dakota Avenue HAWK Traffic Signal) (southeast corner of West Dakota Avenue and East Airways Boulevard) (Council District 4).

1. ***RESOLUTION - to Annex Territory to Community Facilities District No. 9 and Authorizing the Levy of a Special Tax for Annexation No. 53 (Subject to Mayor's Veto)
2. ***RESOLUTION - Calling Special Mailed-Ballot Election (Subject to Mayor's Veto)
3. ***RESOLUTION - Declaring Election Results (Subject to Mayor's Veto)
4. ***BILL - (For introduction and adoption) - Levying a Special Tax for the Property Tax Year 2021-2022 and Future Tax Years Within and Relating to Community Facilities District No. 9, Annexation No. 53 (Subject to Mayor's Veto)

Sponsors:

Public Works Department

10:05 A.M.

[ID 21-960](#)

HEARING to consider Plan Amendment and Rezone Application No. P21-01875, Vesting Tentative Tract Map Nos. 6238 and 6246, and Final Subsequent Environmental Impact Report (FSEIR) State Clearinghouse (SCH) No. 2000021003 relative to property generally located between North Friant Road, East Copper Avenue, North Willow Avenue and the East Silaxo Road (Council District 6) - Planning and Development Department.

1. REVIEW AND CONSIDER Final SEIR SCH No. 2000021003, apply the Council's independent judgment and analysis to the review, and then adopt the resolution certifying the FSEIR, as having been completed in compliance with the California Environmental Quality Act (CEQA) based on the Planning Commission's recommendations on the proposed Final SEIR and comments thereon; and,

a. ADOPT Findings of Fact as required by Public Resources Code Section 21082(a) and CEQA Guidelines, Section 15091; and,

b. ADOPT the Statement of Overriding Considerations as required by Public Resources Code, Section 21081(b) and CEQA Guidelines, Section 15093; and

c. APPROVE the Mitigation Monitoring and Reporting Program as required by Public Resources Code Section 21081.6 and CEQA Guidelines Section 15092; and,

2. RESOLUTION - Approving Plan Amendment Application No. P21-01875 proposing to amend the Fresno General Plan from the Medium Density Residential (\pm 35.59 acres) planned land use designation to the Low Density Residential (\pm 35.59 acres), Medium High Density Residential (\pm 0.93 acres) planned land use designation to the Urban Neighborhood (\pm 0.93 acres), Medium High Density Residential (\pm 7.23 acres) planned land use designation to Medium Density Residential (\pm 7.23 acres), Medium High Density Residential (\pm 0.79 acres) planned land use designation to Medium Low Density Residential (\pm 0.79 acres), Medium High Density Residential (\pm 2.68 acres) planned land use designation to Community

Commercial (± 2.68 acres), Golf Course (± 2.07 acres) planned land use designation to Medium Low Density Residential (± 2.07 acres), Community Commercial (± 1.17 acres) planned land use designation to Low Density Residential (± 1.17 acres), Community Commercial (± 8.17 acres) planned land use designation to Urban Neighborhood (± 8.17 acres), Community Commercial (± 2.68 acres) planned land use designation to Medium Low Density Residential (± 2.68 acres), General Commercial (± 4.53 acres) planned land use designation to Low Density Residential (± 4.53 acres).

3. BILL (for introduction and adoption) - Rezone Application No. P21-01875 proposing to amend the Official Zone Map to reclassify: ± 35.59 acres of property from the RS-5/UGM/cz (Single Family Residential, Medium Density/Urban Growth Management/conditions of zoning) zone district to RS-3/UGM/cz (Single-Family Residential, Low Density/Urban Growth Management/conditions of zoning) zone district, ± 0.93 acres of property from the RM-1/UGM/cz (Multi-Family Residential, Medium High Density/Urban Growth Management/conditions of zoning) zone district to RM-2/UGM/cz (Multi-Family Residential, Urban Neighborhood/Urban Growth Management/conditions of zoning) zone district, ± 7.23 acres of property from the RM-1/UGM/cz (Multi Family Residential, Medium High Density/Urban Growth Management/conditions of zoning) zone district to RS-5/UGM/cz (Single Family Residential, Medium Density/Urban Growth Management/conditions of zoning) zone district, ± 0.79 acre of property from the RM-1/UGM/cz (Multi Family Residential, Medium High Density/Urban Growth Management/conditions of zoning) zone district to RS-4/UGM/cz (Single Family Residential, Medium Low Density/Urban Growth Management/conditions of zoning) zone district, ± 2.68 acres of property from the RM-1/UGM/cz (Multi-Family Residential, Medium High Density/Urban Growth Management/conditions of zoning) zone district to CC/UGM/cz (Community Commercial/Urban

Growth Management/conditions of zoning) zone district, ± 2.07 acres of property from the PR/UGM/cz (Parks and Recreation/Urban Growth Management/conditions of zoning) zone district to RS-4/UGM/cz (Single Family Residential, Medium Low Density/Urban Growth Management/conditions of zoning) zone district, ± 1.17 acres of property from the CC/UGM/cz (Community Commercial/Urban Growth Management/conditions of zoning) zone district to RS-3/UGM/cz (Single Family Residential, Low Density/Urban Growth Management/conditions of zoning) zone district, ± 8.17 acres of property from the CC/UGM/cz (Community Commercial/Urban Growth Management/conditions of zoning) zone district to RM-2/UGM/cz (Multi-Family Residential, Urban Neighborhood/Urban Growth Management/conditions of zoning) zone district, ± 2.68 acres of property from the CC/UGM/cz (Community Commercial/Urban Growth Management/conditions of zoning) zone district to RS-4/UGM/cz (Single Family Residential, Medium Low Density /Urban Growth Management/conditions of zoning) zone district, and ± 4.53 acres of property from the GC/UGM/cz (General Commercial/Urban Growth Management/conditions of zoning) zone district to RS-3/UGM/cz (Single Family Residential, Low Density /Urban Growth Management/conditions of zoning) zone district.

4. ADOPT findings pursuant to Government Code Section 65863(b)(2) that there is substantial evidence in the record that remaining sites identified in the Housing Element can accommodate the City of Fresno's share of the Regional Housing Needs Assessment (RHNA).

5. APPROVE Vesting Tentative Tract Map No. 6238/UGM which requests authorization to subdivide approximately 14.01 acres of property for purposes of creating a 47-lot single family residential planned development subdivision located near the southeast corner of North Alicante Drive and North Crest View Drive subject to compliance with the Conditions of Approval dated November 17, 2021.

6. APPROVE Planned Development No. P21-02863 subject to compliance with the Conditions of Approval dated November 17, 2021.

7. APPROVE Vesting Tentative Tract Map No. 6246/UGM which requests authorization to subdivide approximately 41.58 acres of property for purposes of creating a 144-lot single family residential subdivision near the northeast corner of North Alicante Drive and North Crest View Drive subject to compliance with the Conditions of Approval dated November 17, 2021.

8. APPROVE Indemnification Agreement with CRD EAST, Inc., a California Corporation for indemnity related to claims arising from SEIR SCH# 2000021003 and related land use approvals.

Sponsors:

Planning and Development Department

10:10 A.M. #1

[ID 21-945](#)

HEARING to consider Plan Amendment and Rezone Application No. P19-00417 and the Addendum to Final Environmental Impact Report (EIR) State Clearinghouse (SCH) No. 2020039061 for the proposed "Parc West" development on the northwest corner of North Grantland and West Ashlan Avenues. (Council District 1) - Planning and Development Department

1. ADOPT the Addendum to Final Environmental Impact Report SCH No. 2020039061 dated September 28, 2021, for the proposed project pursuant to the California Environmental Quality Act (CEQA).

2. RESOLUTION - Approving Plan Amendment Application No. P19-00417 proposing to amend the Fresno General Plan from the Community Commercial (±7.33 acres) planned land use designation to the Medium Density Residential (±7.33 acres) planned land use designation.

3. BILL (for introduction and adoption) - Approving Rezone Application No. P19-00417 proposing to amend the Official Zone Map to reclassify an ±7.33-acre portion of the subject property from the CC/UGM/cz (Commercial - Community/Urban Growth Management/conditions of zoning) zone district to the RS-5/UGM/cz (Single Family Residential, Medium Density/Urban Growth Management/conditions of zoning) zone district.

Sponsors:

Planning and Development Department

10:10 A.M. #2

[ID 21-946](#)

HEARING to consider Plan Amendment and Rezone Application No. P21-01202 and related Environmental Assessment No. P21-01202, for property located on the east side of North Fowler Avenue between East Shields and East Princeton Avenues (Council District 4) - Planning and Development Department.

1. ADOPT the Negative Declaration as prepared for Environmental Assessment No. P21-01202 dated July 23, 2021, for the proposed project pursuant to the California Environmental Quality Act (CEQA).
2. RESOLUTION - Approving Plan Amendment Application No. P21-01202 proposing to amend the Fresno General Plan to change the planned land use designation for the subject property from Employment - Business Park (± 7.94 acres) to Medium Density Residential (± 7.94 acres).
3. BILL (for introduction and adoption) - Approving Rezone Application No. P21-01202 proposing to amend the Official Zoning Map of the City of Fresno to rezone the subject property from the BP/UGM/cz (Business Park/Urban Growth Management/conditions of zoning) zone district to the RS-5 (Single Family Residential, Medium Density) zone district in accordance with Plan Amendment Application No. P21-01202.

Sponsors:

Planning and Development Department

10:15 A.M.

[ID 21-936](#)

Actions pertaining to adoption of the new definition of highest-need neighborhoods as it pertains to the Fresno Clean and Safe Neighborhoods Parks Transactions and Use Tax, also known as Measure P (Citywide):

1. Adopt the weighted index incorporating the equity factors as defined in FMC 7-1508 (e)(2) and as recommended by the Parks Recreation and Arts Commission;
2. Adopt the top 50 percent of Fresno census tracts that will make up the highest-need neighborhoods while prioritizing the top 25 percent census tracts for initial funding.

Sponsors:

Parks, After School and Recreation and Community Services Department

6:00 P.M.[ID 21-995](#)

Actions pertaining to Redistricting:

1. HEARING - regarding redistricting
2. ***BILL (Intro. 12/2/2021) (For Adoption) - Adopting new Council District boundaries pursuant to the Council redetermination process set forth in Section 304.1 of the Charter of the City of Fresno, Section 21621-21629 of the California Elections Code, and Article 2, Chapter 2, of the Fresno Municipal Code (Subject to Mayor's Veto).

Sponsors:

Vice President Esparza, Councilmember Arias and Councilmember Maxwell

3. GENERAL ADMINISTRATION3.-A. [ID 21-863](#)

WORKSHOP - Formation of a Fresno Veterans Memorial District.

Sponsors:

Council President Chavez

- 3.-B. [ID 21-913](#) RESOLUTION - Approve and authorize the City Manager to execute and submit all necessary settlement documents and the intrastate allocation agreement to resolve the City's claims against the Distributor Defendants in the National Prescription Opiate Litigation, U.S. District Court for the Northern District of Ohio, Case No. 1:17-md-02804; Approve and authorize the City Manager to execute and submit all necessary settlement documents and the intrastate allocation agreement to resolve the City's claims against Janssen (Johnson & Johnson) in the National Prescription Opiate Litigation, U.S. District Court for the Northern District of Ohio, Case No. 1:17-md-02804.

Sponsors:

City Attorney's Office

- 3.-C. [ID 21-1020](#) Action pertaining to budgeting American Rescue Plan Act of 2021 (ARPA) funds:
1. ***RESOLUTION - 30th Amendment to the Annual Appropriations Resolution (AAR) No. 2021-178 appropriating \$38,155,000 for citywide operational support that will be funded from first tranche of ARPA funds (Requires 5 Affirmative Votes)(Subject to Mayor's Veto)

Sponsors:

Office of Mayor & City Manager

4. CITY COUNCIL

5. CLOSED SESSION

- 5.-A. [ID 21-915](#) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Government Code Section 54956.9, subdivision (d)(1)
National Prescription Opiate Litigation, U.S. District Court for the Northern District of Ohio, Case No. 1:17-md-02804; and U.S. District Court for the Northern District of Ohio, Case No. 1:17-md-02804.

Sponsors:

City Attorney's Office

- 5.-B. [ID 21-999](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Government Code Section 54956.9, subdivision (d)(1)

City of Fresno v. W.M. Lyles Co. and Carollo Engineering
Fresno Superior Court Case No. 21CECG03426

Sponsors: City Attorney's Office
- 5.-C. [ID 21-969](#) CONFERENCE WITH REAL PROPERTY NEGOTIATOR -
Government Code Section 54956.8
Property: APN 438-022-21
Negotiating Parties: City Manager, Won K. Lee and Sang D. Lee
Under Negotiation: Price and terms of payment.

Sponsors: Councilmember Maxwell
- 5.-D. [ID 21-1013](#) CONFERENCE WITH REAL PROPERTY NEGOTIATOR
-Government Code Section 54956.8
Property: APNs 464-020-07; 464-020-08; 464-020-09;
464-020-12; 464-020-13; 464-020-15; 464-020-16;
464-020-19; 464-020-25; 464-020-26; 464-020-28;
464-020-29; 464-020-30; 464-020-31; 464-020-34;
464-020-35; 464-020-36; 464-020-37; 464-060-15;
4664-060-17; 464-070-10; 464-070-11; 464-101-23;
477-021-09; 477-021-11; 464-101-23; 477-021-09;
477-021-11; 477-021-18; 477-021-19; 477-021-20;
477-021-25 (former Running Horse property)
Negotiating Parties: City Manager, C&A Farms, LLC
Under Negotiations: Price and terms of sale

Sponsors: Councilmember Arias
- 5.-E. [ID 21-1022](#) CONFERENCE WITH REAL PROPERTY NEGOTIATOR -
Government Code Section 54956.8 Property: UMC Campus;
Negotiating Parties: City Manager, County of Fresno; Under
Negotiations: Price and terms of sale.

Sponsors: Vice President Esparza

5.-F. [ID 21-1007](#)

CONFERENCE WITH LABOR NEGOTIATORS -
Government Code Section 54957.6

1. Fresno Police Officers Association, Unit 4 (FPOA Basic); 2. International Association of Firefighters, Local 753, Unit 5 (IAFF Fire Basic); 3. Amalgamated Transit Union, Local 1027, Unit 6 (ATU); 4. Fresno Police Officers Association, Unit 9 (FPOA Management); 5. International Association of Firefighters, Local 753, Unit 10 (IAFF Fire Management); 6. Fresno Airport Public Safety Supervisors, Unit 11 (FAPSO); 7. City of Fresno Management Employees Association, Unit 14 (CFMEA); 8. Fresno Airport Public Safety Supervisors, Local 3, Unit 15 (FAPSS)

Sponsors:

Office of Mayor & City Manager

ADJOURNMENT**UPCOMING SCHEDULED COUNCIL HEARINGS AND MATTERS**

January 13, 2022

10:00 A.M. - Hearing to adopt Resolution to vacate East Townsend Avenue, South Garden Avenue, and East Heaton Avenue, lying west of South Winery Avenue in Tract Number 1552 – Campus Homesites.

January 13, 2022

Utility Rate Workshop

UPCOMING EMPLOYEE CEREMONIES**2021 CITY COUNCIL MEETING SCHEDULE**

DECEMBER 16, 2021 – NO MEETING (CANCELLED)

DECEMBER 23, 2021 – NO MEETING

DECEMBER 30, 2021 – NO MEETING

JANUARY 13, 2022 – 9:00 A.M.