

City of Fresno

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



Meeting Minutes –Draft

Wednesday, October 27, 2021

9:00 AM

Special Meeting

Electronic Only

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

Interim City Clerk – Briana Parra, CMC

NOTICE OF SPECIAL MEETING

DATE: Wednesday, October 27, 2021
TIME: 9:00 a.m., or as soon thereafter as it may be heard
LOCATION: City Hall - in person and/or electronic

Please Take Notice the Council of the City of Fresno hereby calls a Special Meeting of the City Council pursuant to California Government Code section 54956 at the above stated time and place. The purpose of the special meeting is to meet and consider the following:

9:00 A.M. ROLL CALL

Council President Chavez called the meeting to order at 9:05 A.M.

Present: 7 Council Vice President Nelson Esparza
Council President Luis Chavez
Councilmember Esmeralda Soria
Councilmember Mike Karbassi
Councilmember Miguel Arias
Councilmember Tyler Maxwell
Councilmember Garry Bredefeld

Absent: 0

APPROVE AGENDA

ID 21-23547 Notice of Special Meeting - Signed

On motion of Councilmember Soria, seconded by Councilmember Karbassi, the above item be Approved. The motion carried by the following vote:

Aye: Esparza, Chavez, Soria, Karbassi, Arias, Maxwell, Bredefeld

Status: 7 – 0 – **Pass**

1. OPEN SESSION

Council President Chavez outline the format of the meeting. He noted that no Council action on an item would deem the item denied.

Upon call, the following members of the public addressed Council: Tyler Mackey, Kerry Barklay-Burrough, Brian Richburg, Debi Ruud, Irene Saul, Daniel Renteria, Crystal Contreras, Linda Amparano, Debra Bolls, Dan

Pantoja, David Rodriguez, Rico Saldvar, Roman Gonzales, Matthew Leedom, Dr. Eimear O'Brien, Ryan Janisse, Dewayne McCoy, Ron Mantoya, Cesar Casamayor, Mike Briggs, Desiree Haus, Lisa Flores, Derek Payton, Alicia Rodriguez, Melissa Wolfmann, Haley White, Aaron Minter, Greg Nacham, Jasmin Guzman, George Boyadjian, Mike Vega, Dean Gordan.

Council President Chavez closed public comment at 10:30 A.M.

City Council recessed for a break at 10:30 A.M. and returned at 10:44 A.M.

- 1-A** **ID 21-23543** HEARING – Consideration of an appeal of the City Manager's decision to approve retail Commercial Cannabis Business Permit No. C-20-34, for property located at 1426 N Van Ness Avenue (Council District 1)

The above was presented to Council by Applicant and Representatives Courtney Caron, Lauren Forntein, and Larry Artenian,

Councilmember Soria asked the applicant questions regarding community benefits, the workforce, the labor peace agreement, and employee benefits. She asked for data for regarding employee benefits, advancement opportunities and educational opportunities. Councilmember Soria spoke regarding those impacted from the war on drugs, their social equity, and she asked if the applicant's community outreach was diverse. She spoke regarding neighborhood complaints and asked the applicant's process to address neighborhood and community complaints. She addressed accountability and asked how the Council will ensure the applicants are held accountable on their promises.

Councilmember Arias asked how many parking spots are currently dedicated. He stated he is more concerned with how the establishments will be improving the community and the neighborhoods they are located in. He recommended the owners of the establishments put their own contract information on their website to address community complaints.

There was no action taken and therefore the application was denied.

- 1-B** **ID 21-23544** HEARING – Consideration of an appeal of the City Manager's decision to approve retail Commercial Cannabis Business Permit No. C-20-64, for property located at 1264 N Wishon Boulevard (Council District 1)

The above was presented to Council by Applicant and Representatives Kaycee Auston Tibbetts, Attorney John Kinsey, and Anna Mendoza.

Councilmember Soria asked questions regarding neighborhood and community benefits at large, the community advisory committee, the impact of the war on drugs, social equity, diversity, and employee benefits. She asked for data and demographics of the applicant's employees. She spoke regarding neighborhood complaints and asked about the process to address the complaints. She spoke regarding accountability and asked the applicants if they have been able to fulfill their promises with the other communities. She requested safety be addressed.

Councilmember Soria addressed concerns regarding the design of the building to ensure it is high class and fits the Tower District, while at the same time ensuring it does not attract youth. She requested the final design be reviewed by the Tower District Committee.

Councilmember Arias asked the applicants to speak to the article regarding their West Hollywood establishment. He asked who is going to be responsible for the day-to-day operations should there be a need for police response. He asked if any of the individuals experienced the war on crime. He spoke regarding the safety and stated he was not a fan of the exterior design of the building.

Councilmember Bredefeld addressed his concerns with the name of the facility attracting young individuals. He asked about the 20% social equity brands. He addressed his opposition to dispensaries and stated he will not vote in favor of the applications. He addressed his concerns with social equity and stated employees should be selected based on their experience, education, and what they bring to the job.

Councilmember Soria asked City Manager Esqueda if status reports will be provided to council regarding the establishment.

APPROVED

City Council recessed for lunch at 12:25 pm. and returned from lunch at 1:32 p.m.

On motion of Councilmember Soria, seconded by Council Vice President Esparza, the above item be Approved. The motion carried by the following vote:

Aye: Esparza, Chavez, Soria, Karbassi, Arias, Maxwell

No: Bredefeld

Status: 6 – 1 – **Pass**

- 1-C ID 21-23542** HEARING – Consideration of an appeal of the City Manager’s decision to approve retail Commercial Cannabis Business Permit No. C-20-70, for property located at 7315 N Blackstone Avenue (Council District 2)

The above was presented to Council by Applicant and Representatives Kaycee Auston Tibbetts, Attorney John Kinsey, and Anna Mendoza.

Councilmember Karbassi spoke regarding the billboard and advertisement in the area. He asked about the parking issue and the interaction with the Pinedale neighborhoods. He spoke regarding the letter his district received from the school districts.

Councilmember Karbassi asked City Attorney Sloan about the 800 feet and if the Council can choose to approve or deny based on a different set of criteria. City Attorney Sloan replied the 800 feet is a minimum, beyond that Council has the discretion to approve or deny.

DENIED

On motion of Councilmember Karbassi, seconded by Councilmember Bredefeld, the above item was denied. The motion carried by the following vote:

Aye: Esparza, Chavez, Soria, Karbassi, Arias, Maxwell, Bredefeld

Status: 7 – 0 – **Pass**

- 1-D ID 21-23545** HEARING – Consideration of an appeal of the City Manager’s decision to approve retail Commercial Cannabis Business Permit No. C-20-108, for property located at 335 W Olive Avenue (Council District 3)

Councilmember Soria recused herself from the above item and left the meeting at 2:28 p.m.

The above was presented to Council by Applicant Mark Simonian.

Councilmember Arias asked if the applicant received a license for Council District 7. Applicant responded affirmatively. Councilmember Arias added if this permit is approved, there would be three dispensaries on Olive Ave.

DENIED

On motion of Councilmember Arias, seconded by Councilmember Bredefeld, the above item was denied. The motion carried by the following vote:

Aye: Esparza, Chavez, Karbassi, Arias, Maxwell, Bredefeld

Recuse: Soria

Status: 6 – 0 – **Pass**

- 1-E ID 21-23546** HEARING – Consideration of an appeal of the City Manager’s decision to approve retail Commercial Cannabis Business Permit No. C-20-44, for property located at 1220 E Olive Ave Avenue (Council District 3)

Councilmember Soria recused herself from the above item.

The above item was introduced to Council by Applicant and Representatives Jeff Henry, John Paul, Moshanna Kelly, and Attorney Robert Selma.

Councilmember Arias stated the Council received the unredacted applications on Monday and asked the applicant several questions regarding the proposed property location being near schools. He asked about the three community meetings and if they will notify tenants beyond 100 feet of the property in order to address concerns of the community. He asked how traffic would be managed on a one-way lane on Olive Ave.

Councilmember Arias stated both Application No. C20108 and C2044 both share a fence line with residential neighbors near several schools, community centers, and parks. He stated the community opposed the establishment being located in their area.

DENIED

On motion of Councilmember Arias, seconded by Councilmember Bredefeld, the above item be denied. The motion carried by the following vote:

Aye: Esparza, Chavez, Karbassi, Arias, Maxwell, Bredefeld

Recuse: Soria

Status: 6 – 0 – **Pass**

Councilmember Bredefeld addressed the January 3, 2020 council meeting

regarding ordinance 2020-002 and the discrepancy in the final vote on the veto slip and certified ordinance. He addressed his concerns and asked the City Attorney to place an item on the next agenda to take action.

Council President Chavez replied the City Attorney sent Council a legal memo explaining the results of the adopted ordinance.

City Attorney Sloan stated the final certified ordinance indicated it passed by 4 votes.

Councilmember Arias asked future proposals reflect the districts that do not meet the value, location from schools, residents' concerns, parks, and community centers.

ADJOURNMENT

City Council adjourned the Special meeting at 3:04 p.m. in memory of Kiki Camarena