

City of Fresno

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



Meeting Minutes - Final

Thursday, January 27, 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 - Thomas Esqueda

City Attorney - Douglas T. Sloan

City Clerk - Todd Stermer, CMC

The City Council for the City of Fresno convened in regular session on January 27, 2022 at 9:00 A.M.

9:03 A.M. ROLL CALL

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

Invocation - Pastor DJ Criner from Saint Rest Baptists Church

Pledge of Allegiance to the Flag

APPROVE AGENDA

City Clerk Stermer announced the following changes to the agenda:

Consent Calendar item 1-J (ID 22-142) pertaining to the acquisition of The Ambassador Inn, incorrectly identifies the property as 1804 E. Olive but should be listed as 1804 W. Olive Avenue; Consent Calendar item 1-CC (ID 22-184) pertaining to the 49 Acres Park Parcel on Peach and California Avenues should have been agendized as a resolution subject to Mayoral veto; and Consent Calendar item 1-DD (ID 22-207) pertaining to options to reduce plan check fees to incentivize multifamily housing included Council Vice President Maxwell as a co-sponsor to the item.

The City Clerk also announced the following Special Meeting items were separately noticed and would also be heard by the City Council: Consent Calendar item ID 22-220 regarding suspension of the Labor Management Act for 14 days; General Administration item ID 22-221 regarding a successor Memorandum of Understanding between the City of Fresno and the Fresno Police Officers Association for Unit 4; and General Administration item ID 22-222 regarding a successor Memorandum of Understanding between the City of Fresno and the Fresno Police Officers Association for Unit 9.

The following items were removed from the agenda:

1-W (ID 22-81) regarding resolution of Intention Number 1146-D to vacate the most northerly corner cut-off of M Street and Inyo Street - removed from the agenda by Councilmember Arias with no specified return date.

1-X (ID 22-110) regarding the vacation of a portion of East Kaviland Avenue at South Rose Avenue - removed from the agenda by Councilmember Arias with no specified return date.

1-Z (ID 22-132) regarding appropriations for operating programs and previously approved capital improvement projects in the Public Works Department - moved to the February 10, 2022, agenda by Councilmember Arias.

1-GG (ID 22-167) regarding agreement between the City of Fresno and San Joaquin Air Pollution Control District - removed from the agenda by Councilmember Arias with no specified return date.

1-HH (ID 22-175) regarding resolution to pursue the formation of a Veterans Memorial District in the City of Fresno - moved to February 10, 2022, by Councilmember Chavez.

1-JJ (ID 22-100) regarding Council Boards and Commissions - moved to February 10, 2022, by Council President Esparza.

3-C (ID 22-112) regarding Residential Speed Hump Policy - moved to February 10, 2022, by the City Manager's Office

The following items were moved from the Consent Calendar to the Contested Consent Calendar for further discussion:

1-J (ID 22-142) regarding acquisition of The Ambassador Inn - moved to Contested Consent by Councilmember Bredefeld.

1-K (ID 22-129) regarding acquisition of the Villa Motel - moved to Contested Consent by Councilmember Bredefeld.

1-N (ID 22-133) regarding a Consultant Services Agreement with AON Risk Solutions, Inc. to provide insurance brokerage services to the City- moved to Contested Consent by Councilmember Arias.

1-Y (ID 22-119) regarding submission of grant applications to the California Department of Transportation - moved to Contested Consent by Council Vice President Maxwell.

1-CC (ID 22-184) regarding a grant opportunity for the 49 Acres Park Parcel on Peach and California Avenues - moved to Contested Consent by Councilmember Chavez.

1-DD (ID 22-207) regarding options to reduce plan check fees to incentivize multifamily housing - moved to Contested Consent by Vice President Maxwell.

1-EE (ID 22-206) regarding pursuing funding to complete the Veteran's Boulevard project - moved to Contested Consent by Councilmember Arias.

1-FF (ID 22-211) regarding a lease for the City-Owned Historic Water Tower - moved to Contested Consent by Councilmembers Karbassi and Bredefeld.

AGENDA APPROVED AS AMENDED

On motion of Councilmember Bredefeld, seconded by Vice President Maxwell, the agenda was approved as amended. The motion carried by the following vote:

Aye: 7 - Chavez, Esparza, Soria, Karbassi, Arias, Maxwell and Bredefeld

CEREMONIAL PRESENTATIONS

- A. [ID 22-71](#) Proclamation "Honoring Bob Clark's 100th Birthday"

PRESENTED

- B. [ID 22-101](#) Proclamation for "Human Trafficking Awareness Month"

PRESENTED

COUNCILMEMBER REPORTS AND COMMENTS

Councilmember Soria discussed District 1 canal encampments and the need to work with Fresno Irrigation District (FID) to address the cleanup issues in the canals and a plan for an agreement with FID. Assistant City Manager White responded she did meet with FID and she will meet with Councilmembers to address their concerns and complaints.

Councilmember Karbassi congratulated LeeAnne Eager for her recent appointment to the California Transportation Commission. He also thanked City Manager Esqueda and Mayoral Chief of Staff Orman for their service. The Councilmember congratulated Assistant City Manager White for her pending promotion to City Manager. He also discussed street racing and the Audubon traffic mitigation and traffic signal installation in District 6.

Councilmember Arias thanked the administration for the installation of lights on Fulton Street and for the addition of hotels to house homeless. He thanked "Marlene" for affordable housing projects and congratulated Assistant City Manager White on her upcoming title change to City Manager. Councilmember Arias also recognized Tim Orman, Mayoral Chief of Staff, and Rodeny Horton, Housing Revitalization Manager, for their service. He thanked City Staff for work on producing the final City Council district maps. He announced an upcoming outdoor listening session with the homeless at motel drive to discuss efforts to obtain permanent housing. The Councilmember also addressed downtown garbage disposal; abating private property; rate increases. Councilmember Arias confirmed the "no contact" rule was still in place regarding cannabis activity and the timeline for delivery of the portable showers meant to serve unhoused populations. Lastly, the Councilmember and his colleagues presented a gift of a framed picture to former Council President Chavez.

Councilmember Chavez congratulated Assistant City Manager White on the announcement of her promotion. He thanked Council President Esparza and Mayor Dyer for the press conference regarding the HART Team to address homelessness and illegal dumping. He discussed increased code enforcement resources in the City Attorney's Office to expand the cleanup efforts. Lastly, Councilmember Chavez thanked Tim Orman, Chief of Staff

to the Mayor, for his service.

Councilmember Bredefeld thanked City Manager Esqueda for his service and lauded him as an excellent City Manager and guardian of city funds. He congratulated Assistant City Manager White on the announcement of her pending promotion. He also addressed the Fair Political Practice complaint against the One Fresno Foundation and discussed the end of the COVID-19 Emergency Ordinances and mandates in place in the city.

Vice President Maxwell discussed his attendance at a recent Martin Luther King march with Mayor Dyer and other colleagues. He announced a community meeting would be held January 27, 2022, to discuss Club One Casino. Finally, Vice President Maxwell referred to his 2021 newsletter which outlined the achievements his office had made in District 4.

Council President Esparza announced Best Tours and Travel, a female owned and operated business in his district, had been awarded Operator of the Year by the California Bus Association. He thanked Code Enforcement collecting more than 1,100 during a tire amnesty event. The Council President discussed a recent Beautify Fresno event at Lafayette Park and the HART Team model to address homelessness. He also introduced Araceli Munoz as his Chief of Staff and thanked Aida Macedo for her service. Council President Esparza thanked City Manager Esqueda and Mayoral Chief of Staff Orman for their service to the city. Finally, he congratulated Assistant City Manager White on her recently appointment as the City Manager.

MAYOR/MANAGER REPORTS AND COMMENTS

Mayor Dyer thanked his Chief of Staff, Tim Orman, for his service and welcomed Kelli Furtado as his replacement. He thanked Assistant City Manager's White, Kanne and Barfield for the work they have done the past year. He discussed the One Fresno Foundation; a Beautify Fresno event at Kirk Elementary School; and the HART Team. Lastly, he discussed the \$7.4 Million the city would receive over two years to roll out workforce development for youth and young adults.

Assistant City Manager White thanked everyone for their kind words and discussed: lighting in Brewery District; the Streets Sweep Program; and the

recent fatality on Friant Road.

UNSCHEDULED COMMUNICATION

Upon call for Unscheduled Communication and public comment on Consent Calendar, Contested Consent, and Closed Session items, the following members of the public addressed Council: Tatiana Morales; Lisa Flores; Fernando Elesando; Apansea Graves; Robert McCloskey (Opposed 1-C); Brunette Harris; Andrea Gillo; Mario; Suzanne Farmer; Des Martinez (Opposed 1-C); Marissa Juarez; Gabriel Lozano; Brittany Carpenter; Jennifer Fenton; Pat Brown; Alexandra Alvarado (Opposed 1-C); Alarcon Juvencio; Jose Luis Barraza; Pedro Navarro Cruz; Jennifer (Opposed 1-C); Valerie Davis; Jessica Ramirez; John Leal; Cindy Pimbeno; Brian Kelly; Noel Tyler (Opposed 1-C); Lance Kruse (Opposed 1-C); Jose Leon Barraza; Laura Splotch; Brandi Nuse-Villegas (Supported 1-O and Opposed 1-C); Grecia Elenes; and Estela Ortega.

[ID 22-265](#) Unscheduled Communication

1. CONSENT CALENDAR

APPROVAL OF THE CONSENT CALENDAR

On motion of Councilmember Bredefeld, seconded by Councilmember Chavez, the CONSENT CALENDAR was hereby adopted by the following vote:

Aye: 7 - Chavez, Esparza, Soria, Karbassi, Arias, Maxwell and Bredefeld

- 1.-A. [ID 22-02](#) Approval of Minutes for the January 13, 2022 Regular City Council Meeting and the January 20, 2022 Special Closed Session City Council Meeting.

APPROVED ON CONSENT CALENDAR

- 1.-B. [ID 22-123](#) Actions related to the Non-Exclusive License Agreement and Office Space Lease with G2 Secure Staff, LLC.:
1. Adopt a finding of Categorical Exemption pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act Guidelines.
 2. Approve the Non-Exclusive License Agreement and Office Space Lease between the City of Fresno and G2 Secure Staff, LLC at Fresno Yosemite International Airport, with an annual revenue generated in the amount of \$51,836.40. The term of the agreement

is 3 years. (Council District 4)

APPROVED ON CONSENT CALENDAR

- 1.-C. [ID 22-200](#) Ordinance (for introduction) - Amending Administrative Abatement, FMC section 10-616, to clarify limits on access to restricted areas where abatements are taking place.

BILL B-2 APPROVED, INTRODUCED AND LAID OVER

APPROVED ON CONSENT CALENDAR

- 1.-D. [ID 22-107](#) Award a consultant services agreement to NBS Government Finance Group, a California corporation, in the amount not to exceed \$139,689, inclusive of a \$12,700 contingency, for preparation of a study to update nine (9) citywide utility connection fees as well as for the development of six (6) new utility connection fees exclusive to the City's General Plan designated Growth Area 2, generally consisting of Southeast Development Area and Central West Area (Citywide)

APPROVED ON CONSENT CALENDAR

- 1.-E. [ID 22-135](#) Actions pertaining to retaining financial consulting services for the Department of Public Utilities (DPU) divisions (Citywide):
 1. Affirm the City Manager's determination that Municipal Financial Services is uniquely qualified to perform professional utility rate plan consulting services for a five-year rate plan for the water and wastewater divisions
 2. Affirm the City Manager's determination that HF&H Consultants is uniquely qualified to perform professional utility rate plan consulting services for a five-year rate plan for the solid waste division
 3. Approve Agreement with Municipal Financial Services in an amount not to exceed \$144,000 for financial consulting services for DPU Water Division and Wastewater Management Division
 4. Approve Agreement with HF&H Consultants, LLC in an amount not to exceed \$134,670 for financial consulting services for DPU Solid Waste Management Division

APPROVED ON CONSENT CALENDAR

- 1.-F. [ID 22-136](#) Actions pertaining to groundwater monitoring and reporting for the Fresno Sanitary Landfill (FSL) (Citywide) (Council District 3):
 1. Affirm City Manager's determination that Camp, Dresser and McKee (CDM) Smith, Inc. Consulting Engineers (Consultant) is uniquely qualified to provide professional groundwater remediation services for the FSL
 2. Adopt a finding of Categorical Exemption pursuant to Sections 15308/Class 6 and 15309/Class 9 of the California Environmental

Quality Act (CEQA) Guidelines

3. Award a Professional Engineering Services Agreement to Consultant in the amount of \$429,850 for monitoring and reporting requirements for groundwater remedial actions and the design for the regrading and rehabilitation of the FSL (City) (Council District 3)

APPROVED ON CONSENT CALENDAR

- 1.-G. [ID 22-118](#) Actions pertaining to a requirements contract to Rehabilitate Public Water Supply Wells in South Quadrant (Bid File 9624) (Districts 3, 5, & 7):
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. 3A, 27A, 33A, 49A, 77, 88-2, 170, and 223-3.
 2. Award a requirements contract to Zim Industries, Inc., in an amount of \$948,320 per year for a one-year term with provisions for up to two one-year extensions. The bid expires on February 2, 2022.

APPROVED ON CONSENT CALENDAR

- 1.-H. [ID 22-116](#) ***RESOLUTION - Authorizing and directing the preparation and submission of a financial assistance application to the State Water Resources Control Board for planning, design, and construction of sewer infrastructure for the Three Palms Mobile Home Park (Council District 3) (Subject to Mayor's Veto).

RESOLUTION 2022-020 ADOPTED

APPROVED ON CONSENT CALENDAR

- 1.-I. [ID 22-145](#) Authorize the Fire Chief to apply for the 2021 SAFER (Staffing for Adequate Fire and Emergency Response) Grant, deadline for submissions is February 4, 2022.

APPROVED ON CONSENT CALENDAR

- 1.-L. [ID 22-208](#) ***RESOLUTION - Adopting the 37th amendment to the Annual Appropriation Resolution (AAR) No. 2021-178 to appropriate \$9,500 for reimbursement of expenses related to the formation of the Fresno Enhanced Infrastructure Financing District (Requires 5 Affirmative Votes) (Subject to Mayor's Veto).

RESOLUTION 2022-021 ADOPTED

APPROVED ON CONSENT CALENDAR

- 1.-M. [ID 22-76](#) ***RESOLUTION -Authorizing the Parks, After School, Recreation and Community Services (PARCS) Director or designee to submit a grant application in an amount \$125,000 to the State of California Department

Office of Traffic Safety (OTS) to fund the Pedestrian and Bicycle Safety Program, and authorizing execution of the grant agreement for the program with OTS by the PARCS Director or designee (Citywide) (Subject to Mayor's Veto).

RESOLUTION 2022-022 ADOPTED

APPROVED ON CONSENT CALENDAR

- 1.-O. [ID 22-143](#) Approve an \$800,000 HOME Investment Partnerships Program, Community Housing Development Organization Agreement with Self-Help Enterprises for the construction of its proposed Walnut-Florence Scattered Site Single-Family Housing Project consisting of 17 affordable single-family houses in southwest Fresno (District 3)

APPROVED ON CONSENT CALENDAR

- 1.-P. [ID 22-126](#) Actions pertaining to the Peace Officers Research Association of California (PORAC):
 1. Authorize the Chief of Police to enter into an agreement with the PORAC to reimburse the City of Fresno for the full cost of one full-time police officer elected to serve on the PORAC Board of Directors for a two-year term, effective January 1, 2022 through December 31, 2023, or until Officer Damon Kurtz departs PORAC for any reason, in an amount not to exceed \$178,858 for the first year of Agreement. All estimated costs for calendar year 2023 are reflected in Exhibit A.

APPROVED ON CONSENT CALENDAR

- 1.-Q. [ID 22-144](#) Reject all bids for the California/Tupman Park Playground and Safety Surfacing Installation. Bid File 3772 (Council District 3).

APPROVED ON CONSENT CALENDAR

- 1.-R. [ID 22-80](#) Approve Contract Change Order No. 04 for a Twenty-Five (25) Contract Working Day Extension to HPS Mechanical Inc. for Lift Station 1, 13 and 14 Improvements at E. Jensen Avenue, N. Jackson Avenue and W. Alluvial Avenue, Project ID RC00171 (Council Districts 2, 3 and Fresno County).

APPROVED ON CONSENT CALENDAR

- 1.-S. [ID 22-147](#) Approve an Amendment to the Improvement and Reimbursement Agreement with the US Department of Veterans Affairs, in the amount of \$81,050, for the Traffic Signal Installation Project at the intersection of Clinton Avenue and Angus Street (Council District 7).

APPROVED ON CONSENT CALENDAR

- 1.-T. [ID 22-127](#) Approve a Cooperative Purchase Agreement with TK Elevator Corporation, of Sacramento, CA in the amount of \$1,528,400 for the City Hall Elevator Modernization and Rehabilitation project (Council District 3).

APPROVED ON CONSENT CALENDAR

- 1.-U. [ID 22-153](#) Approve a Cooperative Purchase Agreement with Shade Structures, Inc. dba USA SHADE & Fabric Structures, Inc. of Dallas, TX in the amount of \$297,750.59 to supply and install new cloth fabric shades for the Woodward Park Amphitheater Shade Structure project (**Council District 6**).

APPROVED ON CONSENT CALENDAR

- 1.-V. [ID 22-146](#) Actions pertaining to the Tulare Street and Q Street Traffic Signal Project (Council District 3):
1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301 and 15303 of the California Environmental Quality Act (CEQA) guidelines
 2. Approve the Grade Crossing Improvements Agreement with Burlington Northern Santa Fe (BNSF) Railway Company totaling \$103,775.00 to facilitate the BNSF grade-crossing and traffic signal pre-emption network and timing improvements for the Tulare Street and Q Street Traffic Signal Project

APPROVED ON CONSENT CALENDAR

- 1.-W. [ID 22-81](#) Actions pertaining to Resolution of Intention Number 1146-D to vacate the most northerly corner cut-off of M Street and Inyo Street (Council District 3):
1. Adopt a finding of Categorical Exemption per Environmental Assessment Number P21-04415 per staff determination, pursuant to Section 15301/Class 1 of the California Environmental Quality Act (CEQA) Guidelines
 2. Adopt the attached Resolution of Intention Number 1146-D to vacate the most northerly corner cut-off of M street and Inyo Street

The above item was tabled with no return date.

TABLED

- 1.-X. [ID 22-110](#) HEARING to consider the vacation of a portion of East Kaviland Avenue at South Rose Avenue (Council District 3)
1. ***RESOLUTION - Ordering the vacation of a portion of East Kaviland Avenue at South Rose Avenue (Subject to Mayor's Veto)

The above item was tabled with no return date.

TABLED

- 1.-Z. [ID 22-132](#) ***RESOLUTION - adopting the 46th Amendment to the Annual Appropriation Resolution No. 2021-178 to appropriate \$20,526,200 for operating programs and previously approved capital improvement projects in the Public Works Department (citywide) (Requires 5 Affirmative Votes) (Subject to Mayor's Veto).

The above item was tabled to February 10, 2022.

TABLED

- 1.-AA. [ID 22-139](#) Submission for Informational Purposes the Annual Comprehensive Financial Reports (ACFR) regarding the financial activities of the City Of Fresno Retirement Systems for the fiscal year ending June 30, 2021

APPROVED ON CONSENT CALENDAR

- 1.-BB. [ID 22-164](#) Approve the appointment of Bonna Rogers-Neufeld to the District 6 Project Review Committee.

APPROVED ON CONSENT CALENDAR

- 1.-GG. [ID 22-167](#) ***RESOLUTION - Directing staff to prepare an agreement between the City of Fresno and San Joaquin Air Pollution Control District regarding notification and processing procedures for applications within the South Central Fresno community as defined in the Central South Fresno CERP pursuant to AB 617 (Subject to Mayor's Veto).

The above item was tabled to no return date.

TABLED

- 1.-HH. [ID 22-175](#) ***RESOLUTION - To Pursue the Formation of a Veterans Memorial District in the City of Fresno (Subject to Mayor's Veto).

The above item was tabled to February 10, 2022.

TABLED

- 1.-II. [ID 22-168](#) ***BILL B-1 (Intro. 1/13/2022)(For Adoption) - Amending Unlawful Dumping, FMC section 10-611, to apply to illegal use of land (Subject to Mayor's Veto).

ORDINANCE 2022-001 ADOPTED

APPROVED ON CONSENT CALENDAR

- 1.-JJ. [ID 22-100](#) Council Boards and Commissions Communications, Reports, Assignments and/or Appointments, Reappointments, Removals to/from City and non-City Boards and Commissions.

The above item was tabled to February 10, 2022.

TABLED

CONTESTED CONSENT CALENDAR

- 1.-J. [ID 22-142](#) Actions pertaining to the acquisition of The Ambassador Inn, a 56-room motel at 1804 E. Olive Avenue, Fresno, California (APN 449-231-11), to provide temporary shelter and prevent COVID-19 among individuals experiencing homelessness in the City of Fresno:
1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 of the California Environmental Quality Act (CEQA) guidelines
 2. Approve a Purchase and Sale Agreement with Shaileshkunar C. Patel and Kalpanaben N. Patel in the amount of \$3,304,000.

There was no staff presentation on this item. Mayoral Chief of Staff Orman and Assistant Director Skei responded to questions regarding item 1-J (ID 22-142) and Item 1-K (ID 22-129).

Discussion on this item included: the determination of the sale price; if an appraisal was done prior; what the amount would be to convert into temporary housing for those who are not housed; the closing time frame of when the housing will become available; and if Elevate Community Services will continue to house individuals.

APPROVED

On motion of Councilmember Bredefeld, seconded by Councilmember Arias, the above Action Item was APPROVED. The motion carried by the following vote:

Aye: 7 - Chavez, Esparza, Soria, Karbassi, Arias, Maxwell and Bredefeld

- 1.-K. [ID 22-129](#) Actions pertaining to the acquisition of The Villa Motel, a 51-room motel at 817 N. Parkway Drive, Fresno, California (APN 449-335-25), to provide temporary shelter and prevent COVID-19 among individuals experiencing

homelessness in the City of Fresno:

1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 of the California Environmental Quality Act (CEQA) guidelines
2. Approve a Purchase and Sale Agreement with Hemantkumar Patel in the amount of \$2,430,000.

There was no staff presentation on this item and this item was discussed and motion to approve with item 1-J (ID 22-142).

APPROVED

On motion of Councilmember Bredefeld, seconded by Councilmember Arias, the above Action Item was APPROVED. The motion carried by the following vote:

Aye: 7 - Chavez, Esparza, Soria, Karbassi, Arias, Maxwell and Bredefeld

- 1.-N.** [ID 22-133](#) Approve a Consultant Services Agreement with AON Risk Solutions, Inc., to provide insurance brokerage services to the City in the amount of \$165,000 per year, for three years with an option to extend on a year for year basis up three years at \$175,000 per year

There was no staff presentation on this item. Assistant Director Gonzalez and Assistant City Manager White responded to questions.

Councilmember Arias asked questions regarding liability requirements; increases from insurance carrier; the increase of \$5 million; why council was not informed on how the decision was made; if council can expect each department budget to increase; and will insurance requirements increase for vendors. He requested the insurance requirements remain a policy and not an administration discussion.

APPROVED

On motion of Councilmember Bredefeld, seconded by Councilmember Soria, the above Action Item was APPROVED. The motion carried by the following vote:

Aye: 6 - Chavez, Esparza, Soria, Karbassi, Maxwell and Bredefeld

No: 1 - Arias

City Council recessed for lunch at 12:04 P.M. and returned from lunch at 1:33 P.M.

- 1.-Y. [ID 22-119](#) RESOLUTION - Authorizing Submission of Grant Applications to the California Department of Transportation for the Clean California Local Grant Program; and Authorizing the Execution of Grant Application and Grant Agreement Documents by the Public Works Director or Designee (Council Districts 3 & 7)

There was no staff presentation on this item. Director Mozier and Assistant City Manager White responded to questions.

Discussion on this item included: how the area was chosen; the number of city personnel required; how costs are covered; direction to not include children picking up litter as part of the program; and contacting hazmat for contaminated material.

RESOLUTION 2022-023 ADOPTED

On motion of Vice President Maxwell, seconded by Councilmember Arias, the above Action Item was ADOPTED. The motion carried by the following vote:

Aye: 7 - Chavez, Esparza, Soria, Karbassi, Arias, Maxwell and Bredefeld

- 1.-CC. [ID 22-184](#) ***RESOLUTION - Apply for State Grant Opportunity for the 49 Acres Park Parcel on Peach and California Avenues and Make the 49 Acres a Priority for City Funding (Subject to Mayor's Vote)

The above item was introduced to Council by Councilmember Chavez.

Discussion on this item included: providing the Council with various options as to what it would look like in the future and provided direction to the Administration to work with stakeholders

RESOLUTION 2022-024 ADOPTED

On motion of Councilmember Chavez, seconded by Council President Esparza, the above Action Item was ADOPTED. The motion carried by the following vote:

Aye: 7 - Chavez, Esparza, Soria, Karbassi, Arias, Maxwell and Bredefeld

- 1.-DD. [ID 22-207](#)

***RESOLUTION - Directing staff to return with options to reduce plan check fees to incentivize multifamily housing (Subject to Veto).

The above item was introduced to Council by Councilmember Karbassi and Director Clark.

Councilmember Arias asked if it applies to all types of multifamily housing. Director Clark responded.

City Attorney Sloan recommended the Council do a verbal resolution that could be reduced down to writing.

Council Vice President Maxwell motioned to direct the Administration to present a plan to Council within 60 days and that the plan include an expedited process for plan checks for new construction multifamily housing in the city of Fresno. Councilmember Karbassi seconded the motion.

RESOLUTION 2022-025 ADOPTED AS AMENDED

On motion of Vice President Maxwell, seconded by Councilmember Karbassi, the above Action Item was ADOPTED AS AMENDED. The motion carried by the following vote:

Aye: 7 - Chavez, Esparza, Soria, Karbassi, Arias, Maxwell and Bredefeld

- 1.-EE.** [ID 22-206](#) ***RESOLUTION - Directing the Administration to Pursue Funding to Complete the Veteran's Boulevard Project (Subject to Mayor's Veto).

There was no staff presentation on this item. Councilmember Karbassi, Director Mozier, and Assistant City Manager White responded to questions.

Discussion on this item included: how far the full build out would extend; concerns that freeways divide neighborhoods; current assessment of area and future plans; estimated costs for full build out; eligibility requirements for federal funding; timing until shovel ready; cost for environmental work; east and west arterial needs as well; going after all federal dollars and include other arterials; status of other arterials improvements for east west; the ability to utilize this funding for other arterials; next steps; and the need for this resolution;

Councilmember Arias offered a friendly amendment to the motion to direct staff to prioritize seeking all the Federal funding to include veterans and all streets that feed into veterans and 99, specifically Shaw and Gettysburg, Ashland, Shields, Clinton, McKinley, and Belmont.

Councilmember Karbassi motioned to approve to include the friendly amendment to direct staff to prioritize seeking all the Federal funding to include veterans and all streets that feed into veterans and 99, specifically Shaw and Gettysburg, Ashland, Shields, Clinton, McKinley, and Belmont. Councilmember Soria seconded the motion.

RESOLUTION 2022-026 ADOPTED AS AMENDED

On motion of Councilmember Karbassi, seconded by Councilmember Soria, the above Action Item was ADOPTED AS AMENDED. The motion carried by the following vote:

Aye: 7 - Chavez, Esparza, Soria, Karbassi, Arias, Maxwell and Bredefeld

- 1.-FF. [ID 22-211](#)** Actions Pertaining to Leasing the City-Owned Historic Water Tower:
1. Adopt a finding of categorical exemption pursuant to Section 15301/Class 1 of the California Environmental Quality Act Guidelines
 2. Approve a three-year lease agreement, with two optional one-year extensions, between the City of Fresno and Frida Café for the Historic Water Tower for an amount of \$9,252 per year.

The above item was introduced to Council by Councilmember Arias. Councilmember Arias and Assistant City Manager White responded to questions.

Discussion on this item included: why there was no formal bid or a Request for Proposal (RFP); if a background evaluation was done on the business owner - City Attorney Sloan responded it is not required to do a background; the current conditions of the building; hot water requirements; the rate per square foot; who will maintain and be responsible for the common area; hours of operation; and the clause for the City to terminate if they are unsatisfied with the Lessee.

Assistant City Manager White read a technical correction into the record:

The City shall remain the owner for electricity, natural gas, water and sewer utilities bills associated with the Water Tower until such time as a separate electricity meter has been established. At that time, electricity bill shall become the sole responsibility of the Lessee.

Councilmember Arias motioned to approve with the correction read into the record. Council President Esparza seconded the motion.

APPROVED

On motion of Councilmember Arias, seconded by Council President Esparza, the above Action Item was APPROVED. The motion carried by the following vote:

Aye: 7 - Chavez, Esparza, Soria, Karbassi, Arias, Maxwell and Bredefeld

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:00 A.M. #1

[ID 22-172](#) Appearance by Mary Padilla to discuss “restoring true cleanliness” (Resides in District 6).

Upon call, Mary Padilla did not appear before Council.

10:00 A.M. #2

[ID 22-105](#) Actions pertaining to the Mobile Home Park program of the Building and Safety Services Division (Citywide):

1. HEARING to Consider Adoption of the 563rd Amendment to the Master Fee Schedule Resolution No. 80-420 to add mobilehome park land use and zoning and mobilehome Park construction and installation fees
2. ***RESOLUTION - Adopting the 563rd Amendment to the Master Fee Schedule Resolution No. 80-420 to add mobilehome park land use and zoning fees and mobilehome park construction and installation fees (Subject to Mayor’s Veto)

The above hearing was called to order at 2:35 P.M. and was introduced to Council by Project Manager Rooks.

Upon call, there was no public comment and no Council discussion.

Councilmember Chavez left the meeting at 2:37 P.M. and was absent during roll call vote.

RESOLUTION 2022-027 ADOPTED

On motion of Councilmember Bredefeld, seconded by Councilmember Karbassi, the above Action Item was ADOPTED. The motion carried by the following vote:

Aye: 6 - Esparza, Soria, Karbassi, Arias, Maxwell and Bredefeld

Absent: 1 - Chavez

10:05 A.M.

[ID 22-115](#) HEARING to obtain public comments regarding community needs for consideration in the development of the 2022-2023 Annual Action Plan and HOME-American Rescue Plan Program (HOME-ARP) Allocation Plan for federal funding through the U.S. Department of Housing and Urban Development's Office of Community Planning and Development (HUD CPD).

The above item called to order at 2:38 P.M. and was introduced to Council by Senior Management Sisk. Director Clark, Senior Management Analyst Sisk, Assistant Director Skei, and Assistant City Manager Barfield responded to questions.

Upon call, the following members of the public addressed Council: Bruennett Harris; Robert McCloskey; Ivanka Saunders; Francisca Albas; Alexandra Alvarado; Lisa Flores; Lilia Becerril; Brandi Nuse-Villegas; Alexandros Acedo; Des Martinez; and Pedro Navarro Cruz.

Public Comment closed at 3:36 P.M.

Discussion on this item included: the average attendance at the previous four public hearings; the outreach process for the public hearings; general regional locations as opposed to addresses; notifying Councilmembers of future meetings for additional public outreach; the City's long term plan for securing future funds; and continuing ability to direct the funds.

Councilmember Arias would like to commit these funds to things other than homelessness and parks infrastructure projects as there are already a

record amount of funds available for these issues; Instead the funds should fill gaps in accordance to Federal rules that supplement areas of poverty that are not covered by other funding sources the City receives. He requested a complete list of all the request received from the public both from housing authority and private developers.

HEARING HELD

3. GENERAL ADMINISTRATION

- 3.-A.** [ID 22-160](#) Annual Review and Acceptance of the FY 2021 Summary of Impact Fee Waivers.

There was no staff presentation on this item, no public comment, and no Council discussion.

Councilmember Bredefeld and Council Vice President Maxwell were absent during roll call vote.

APPROVED

On motion of Council President Esparza, seconded by Councilmember Arias, the above Action Item was APPROVED. The motion carried by the following vote:

Aye: 5 - Chavez, Esparza, Soria, Karbassi and Arias

Absent: 2 - Maxwell and Bredefeld

- 3.-B.** [ID 22-77](#) Submission and Acceptance of the City of Fresno Annual Comprehensive Financial Report (ACFR) and the Annual Comprehensive Debt Report (ACDR) for Fiscal Year 2021

There was no staff presentation on this item. Upon call, the following members of the public addressed Council: Lilia Becerill and Clara Serrato. There was no Council discussion.

APPROVED

On motion of Councilmember Arias, seconded by Council President Esparza, the above Action Item was APPROVED. The motion carried by the following vote:

Aye: 6 - Chavez, Esparza, Soria, Karbassi, Arias and Maxwell

Absent: 1 - Bredefeld

- 3.-C. [ID 22-112](#) ***RESOLUTION - Adopting a Residential Speed Hump Policy (Citywide) (Subject to Mayor's Veto).

The above item was tabled to February 10, 2022.

TABLED

- 3.-D. [ID 22-70](#) WORKSHOP - Homeless Assistance Response Team (HART)

The above workshop was presented to Council by Homeless and Housing Director Spees. Director Spees and Assistant City Manager White responded to questions.

Discussion on this item included: How the Hart team respond to calls for service; Council's involvement in the process; emcampments; and who will handle the trash.

Councilmembers made it clear they would like to continue to be apart of the workflow when a complaint is made to 311. They would like to have staff be involved and have full knowledge of when and how the matter was resolved.

PRESENTED

- 3.-E. [ID 22-128](#) WORKSHOP - Sustainability Division Energy Efficiency Projects Update

The above workshop was presented to Council by Division Manager Kloose. Division Manager Kloose, Director Mozier, and Assistant City Manager White responded to questions.

Discussion on this item included: the air conditioning in the memorial building; the air systems should be separate; possible need to be more add ons to the projects; discussion on the solar Joint Power Agreements; community centers upgrades; pausing on upgrades for the community centers until there has been community meeting; the plan to install solar panels and EV charging stations at all parks; pedestrian lighting; plans for overhead lighting in China town or Fulton Street; cost of the plan and financing; cost for permitting; administration fees; and capital improvements for Fire and Police Department

PRESENTED

- 3.-F. [ID 22-154](#) WORKSHOP - Update on Transform Fresno projects and the Transformative Climate Communities (TCC) Grant

The above workshop was removed from the agenda by Consensus of the City Council.

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

Upon call, there was no public comment for Closed Session items.

During open session, Assistant City Attorney Doerr announced each of the Closed Session items listed on the agenda and stated there would be nothing to announce following Closed Session. City Attorney Sloan also announced Closed Session would be held entirely through Zoom and that Councilmember Chavez would be recused from Closed Session item 5-B (ID 22-183), Councilmember Soria would be recused from Closed Session items 5-C (ID 22-181) and 5-D (ID 22-182).

Council withdrew from Open Session to hear Closed Session items at the following times: 4:00 P.M. to 4:50 P.M.; 5:34 P.M. to 6:01 P.M.; and 7:16 P.M. to 7:49 P.M.

- 5.-A. [ID 22-185](#)

CONFERENCE WITH LABOR NEGOTIATORS - Government Code Section 54957.6

City Negotiator: 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).

DISCUSSED

5.-B. [ID 22-183](#)

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.

Councilmember Chavez recused himself from the above item and was not present for the course of the discussion.

DISCUSSED

5.-C. [ID 22-181](#)

CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Government Code Section 54956.8; Property: APN 438-021-92T, 35T, 93T, and 60T, and 438-062-37T and 53T Negotiating Parties: City Manager, CVCSF.

Councilmember Soria recused herself from the above item and was not present for the course of the discussion.

DISCUSSED

5.-D. [ID 22-182](#)

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1) 1. Terance Frazier, et al. v. City of Fresno, et al.; United States District Court Case No.: 1:20-CV-01069.

Councilmember Soria recused herself from the above item and was not present for the course of the discussion.

DISCUSSED

5.-E. [ID 22-203](#)

CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Government Code Section 54956.8; Property: 809 E Olive Ave; Negotiating Parties: City Manager, Lawrence Abbate; Under Negotiation: Terms and Conditions of Property Acquisition.

DISCUSSED

5.-F. [ID 22-202](#)

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

Existing Litigation: J & A Mash & Barrel, LLC v. Superior Court of Fresno County

DISCUSSED

5.-G. [ID 22-212](#)

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.

Sponsor: Councilmember Maxwell

DISCUSSED

ADJOURNMENT

Adjourned from Closed Session at 7:49 P.M.