

City of Fresno

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



Meeting Minutes - Final

Thursday, September 24, 2020

9:00 AM

Electronic Meeting

City Council

President - Miguel Angel Arias

Vice President - Paul Caprioglio

Councilmembers:

Esmeralda Z. Soria, Mike Karbassi, Luis Chavez, Garry Bredefeld,

Nelson Esparza

City Manager - Wilma Quan

City Attorney - Douglas T. Sloan

City Clerk - Yvonne Spence, MMC

City Council met in regular session, City Hall on the date and time written above.

9:03 A.M. ROLL CALL

Councilmember Soria was absent during roll call and joined the meeting at 9:11 A.M.

Present: 7 - President Miguel Angel Arias
Vice President Paul Caprioglio
Councilmember Esmeralda Z. Soria
Councilmember Mike Karbassi
Councilmember Luis Chavez
Councilmember Garry Bredfeld
Councilmember Nelson Esparza

Pledge of Allegiance to the Flag

APPROVE AGENDA

City Clerk Spence announced the following changes to the agenda: File ID 20-00378 - Proclamation of "Youth of the Year" was removed from the agenda by Council Vice President Caprioglio, File ID 20-00379 - Proclamation of "Komen Breast Cancer Run" was removed from the agenda by Council Vice President Caprioglio, File ID 20-001216 (1-A) - Approval of Minutes for the September 17, 2020 Regular Meeting, there were changes to page 10 Councilmember Reports and Comments, "former" was removed and "Battalion," "senior," and "who passed away over the weekend" was added to Councilmember Karbassi's comments. Page 21 the word "former" was removed from adjournment, File ID 20-001267 (1:00 P.M.) - Consideration of Text Amendment Application No. P20-02212 and amending the Fresno Municipal Code, to be titled the Responsible Neighborhood Market Act and relating to the use regulations for alcohol sales has been moved from 10:10 A.M. and there were two (2) corrected section number 6 on the top of page 6 due to a formatting error, File ID 20-001236 (4-A) - Bill (for introduction and adoption) - An Emergency Ordinance amending Section 2-515 of the Fresno Municipal Code relating to Outdoor Dining during the COVID-19 Emergency (Requires 5 affirmative votes) was moved to 10:30 A.M., File ID 20-001259 (4-C) – Resolution regarding (SAFER) funding, Councilmember Chavez was added as a sponsor, and File ID 20-001223 (1-B) - Approve a Service and product

Agreement with Prime Government Solutions for digital government software suites and services to manage Council Meetings and Agendas in an amount not to exceed \$75,000 was tabled to October 15, 2020.

Councilmember Chavez requested the meeting be adjourned in memory of Tim Liles, Principal of Sunnyside High School and Dr. Robert Shankerman with United Health Centers.

Council Vice President Caprioglio requested the meeting be adjourned in memory of Bob Spencer, Fresno State Women's basketball coach.

On motion of Vice President Caprioglio, seconded by President Arias, the above Action was approved as amended. The motion carried by the following vote:

Aye: 6 - Arias, Caprioglio, Karbassi, Chavez, Bredefeld and Esparza

Absent: 1 - Soria

CEREMONIAL PRESENTATIONS

[ID](#) Proclamation of "Youth of the Year"
[20-00378](#)

The above Proclamation was removed from the agenda by Council Vice President Caprioglio.

[ID](#) Proclamation of "Komen Breast Cancer Run"
[20-00379](#)

The above Proclamation was removed from the agenda by Council Vice President Caprioglio.

5. CLOSED SESSION

City Council recessed into Closed Session at 9:11 A.M. and returned from Closed Session at 10:12 A.M.

Upon call, there was no public comment and no announcements after Closed Session and the below item was discussed and continued to the end of the meeting.

Council President Arias left the meeting at 9:35 A.M.

5-A [ID](#)
[20-001262](#)

CONFERENCE WITH LEGAL COUNSEL - PUBLIC SECURITY -
Government Code Section 54957(a):

1. Matters posing a threat to the security of public buildings, the security of essential public services, and to the public’s right of access to public services and public facilities, and related actions pertaining to the Declaration by Governor Newsom of a State of Emergency to Help State Prepare for Broader Spread of COVID-19, and related local concerns.

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:00 A.M.

[ID](#)
[20-001187](#)

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. 47 (Final Parcel Map No. 2017-12) (southwesterly side of North Golden State Boulevard; north of West Herndon Avenue) (Council District 2)

1. *****RESOLUTION** - to Annex Territory to Community Facilities District No. 9 and Authorizing the Levy of a Special Tax for Annexation No. 47 (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 2020-2021 and Future Tax Years Within and Relating to Community Facilities District No. 9, Annexation No. 47 (Subject to Mayor’s Veto)

The item was called to order at 10:13 A.M. There was no introduction to Council, no public comment and no Council discussion.

*RESOLUTION 2020-251 ADOPTED
RESOLUTION 2020-252 ADOPTED
RESOLUTION 2020-253 ADOPTED
BILL 44/ORDINANCE 2020-042 ADOPTED*

On motion of Councilmember Karbassi, seconded by Vice President Caprioglio, that the above Action Item be adopted. The motion carried by the following vote:

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

Absent: 1 - Arias

10:05 A.M.

[ID](#)
[20-001228](#)

(CONTINUE TO OCTOBER 15, 2020 AT 10:10 A.M.)

CONTINUED HEARING pertaining to Sierra Sky Park (Council District 2):

1. ***BILL NO. B-26 - (Intro. 7/16/2020) (For adoption) - Modifying Sections 1901 and 1905 of Chapter 14 of the Fresno Municipal Code relating to use of aircraft and the parking of aircraft on public streets in Sierra Sky Park (Subject to Mayor's Veto)
2. RESOLUTION - To vacate a portion of West Spaatz Avenue and North Doolittle Drive between North Blythe Avenue and West Herndon Avenue

The above item was Continued to October 15, 2020 at 10:10 A.M.

10:10 A.M.

[ID](#)
[20-001194](#)

(CONTINUE TO 1:00 P.M.)

Consideration of Text Amendment Application No. P20-02212 and related Environmental Finding for Environmental Assessment No. P20-02212, sections 15-2706, 15-6801 and 15-6802 of the Fresno Municipal Code, to be titled the Responsible Neighborhood Market Act and relating to the use regulations for alcohol sales.

1. ADOPT Environmental Assessment No. P20-02212, dated July 29, 2020, that Text Amendment Application No. P20-02212 is exempt from the California Environmental Quality Act (CEQA) pursuant to the common sense exemption that it can be seen with certainty that there is no possibility that the proposed Text Amendment may have a significant effect on the environment pursuant to CEQA Guidelines Section 15061(b)(3).
2. BILL (For introduction) - Amending Sections 15-2706, 15-6801, and 15-6802 to the Fresno Municipal Code, relating to the use regulations for alcohol sales.

The above item was continued to 1:00 P.M.

10:15 A.M.

[ID](#)
[20-001195](#)

Consideration of Text Amendment Application No. P20-02213 and related Environmental Finding for Environmental Assessment No. P20-02213, to add section 15-1614 to Chapter 15 of the Fresno Municipal Code creating the Focused Infill (FI) Overlay District in the City of Fresno.

1. ADOPT Environmental Assessment No. P20-02213, dated July 29, 2020, Text Amendment Application No. P20-02213 is exempt from

the California Environmental Quality Act (CEQA) pursuant to the common sense exemption that it can be seen with certainty that there is no possibility that the proposed text amendment may have a significant effect on the environment pursuant to CEQA Guidelines Section 15061(b)(3)

2. BILL (For introduction) - Adding Section 15-1614 to the Fresno Municipal Code, creating the Focused Infill (FI) Overlay District in the City of Fresno.

The item was called to order at 10:17 A.M. There was no introduction to Council, no public comment and no Council discussion.

BILL 45 APPROVED, INTRODUCED AND LAID OVER

On motion of Councilmember Karbassi, seconded by Councilmember Esparza, that the above Action Item be adopted. The motion carried by the following vote:

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

Absent: 1 - Arias

COUNCILMEMBER REPORTS AND COMMENTS

Council Vice President Caprioglio spoke regarding the second SAFR distribution on Thursday, September 24, 2020 initiated by he, Councilmember Karbassi and Councilmember Chavez.. He stated there will be another SAFR (Senior Program) distribution next Thursday, October 1, 2020 and thanked all those who were involved and volunteered, Pardini's catering, PARCs, Public Works Manager Aaron Aguirre, Northeast Fresno Police Officers, and the Fresno State Police Department. Council Vice President Caprioglio congratulated Dr. Joseph Castro on his newly appointed position as Xhancellor of California State University (CSU) school system.

Councilmember Soria requested the meeting be adjourned in memory of Supreme Court Justice Ruth Bader Ginsburg. She announced the Tower District Reel Pride Event will be taking place virtually, Saturday, October 10, 2020 starting at 11:00 A.M. and tickets are still available for purchase at reelpride.com. She reminded everyone of the Fresno CARES program a free food distribution in neighborhoods and stated she is looking for other community partners who are interested. If anyone is interested in setting up a free food distribution site, please call 559-234-0707.

Councilmember Karbassi congratulated Bob Meyers, District 2 resident and winner of the Worlds Fastest Professional Gun Fighters National Championship. He also spoke about Bryson DeChambeau, a Fresno native who won the US Open. He thanked Dr. Joseph Castro, the Castro family and stated he appreciated all that he has done for Fresno State.

Councilmember Karbassi spoke regarding the SAFR program and asked any seniors who would like a week supply of groceries to call 621-7237 or go online to fresnocovidhelp.com/SAFR. He announced sign ups for next week will began, Friday, September 25, 2020 at 2:00 P.M. Councilmember Karbassi read a letter into the record from Dolores Davidian who expressed her heartfelt gratitude to Fresno's leaders, Fresno City Council, Pardini's and all others who sponsored the Senior Aid for Food and Resources (SAFR) program.

Councilmember Esparza announced Friday, September 25, 2020 from 8:00 A.M. to 12:00 P.M. there will be a drive through COVID-19 testing along with free mask distribution at McLane High School. He congratulated Dr. Joseph Castro on his newly appointed position.

Councilmember Bredefeld acknowledged the passing of Supreme Court Justice Ruth Bader Ginsburg and spoke regarding the Open Business rally that took place Monday, September 21, 2020.

SCHEDULED COUNCIL HEARINGS AND MATTERS (CONTINUED)

10:20 A.M. JOINT MEETING WITH THE FRESNO JOINT POWERS FINANCING AUTHORITY

[ID](#)
[20-001225](#)

Actions pertaining to issuance and sale of Series 2020A Bonds for construction of a new animal control facility:

1. ***RESOLUTION - Approving the issuance and sale of Series 2020A (tax exempt) bonds by the Fresno Joint Powers Financing Authority under the Master Lease Projects in a principal amount not to exceed an aggregate \$22 million, authorizing the execution and delivery of all documents and the taking of all necessary action relating to the financing. (City action) (Requires 5 affirmative votes) (Subject to Mayor's veto)
2. RESOLUTION of the Fresno Joint Powers Financing Authority authorizing the issuance and sale of Series 2020A (tax exempt) bonds under the Master Lease Projects in a principal amount not to

exceed an aggregate \$22 million, authorizing the execution and delivery of all documents and the taking of all necessary action relating to the financing. (Authority action - Mayor Brand, Council President Arias, Councilmember Soria)

The item was called to order at 10:31 A.M. and introduced to Council by Director Lima, Finance Department. Upon call, there was no public comment and no Council discussion.

RESOLUTION 2020-254 ADOPTED

JPFA Chair Soria motioned to approve the item as presented. Member Brand seconded the motion. Motion PASSED 2-0, Member Arias absent.

JPFA 48 ADOPTED

On motion of Vice President Caprioglio, seconded by Councilmember Bredefeld, that the above Action Item be adopted. The motion carried by the following vote:

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

Absent: 1 - Arias

4. CITY COUNCIL

4-A

[ID](#)
[20-001236](#)

BILL (for introduction and adoption) - An Emergency Ordinance amending Section 2-515 of the Fresno Municipal Code relating to Outdoor Dining during the COVID-19 Emergency (Requires 5 affirmative votes)

The item was moved to 10:30 A.M. and introduced to Council by Councilmember Soria, District 1. Upon call, the following member of the public addressed Council: Tyler Mackey.

Councilmember Bredefeld asked if the ordinance will be including relief for entertainment. Councilmember Soria responded.

BILL 46/ORDINANCE 2020-043 ADOPTED

On motion of Councilmember Soria, seconded by Councilmember Karbassi, that the above Ordinance be adopted. The motion carried by the following vote:

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

Absent: 1 - Arias

1. CONSENT CALENDAR

Upon call, the following members of the public addressed Council: Lisa Flores and Cody Sedano.

Councilmember Bredefeld and Councilmember Karbassi registered a no vote on File ID 20-001232 (1-Q) - Actions pertaining to Text Amendment Application No. P19-02978 regarding the proposed regulation and permitting of commercial cannabis activities in the City of Fresno and File ID 20-001229 (1-R) - Action pertaining to Commercial Cannabis Activity.

On motion of Councilmember Esparza, seconded by Councilmember Karbassi, the below CONSENT CALENDAR items were adopted. The motion carried by the following vote:

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

Absent: 1 - Arias

- 1-A** [ID 20-001216](#) Approval of Minutes for the September 17, 2020 Special Emergency Open Session Meeting and the September 17, 2020 Regular Council Meeting

The above minutes of regular session was corrected: Page 10: Councilmember Karbassi mentioned he went to Shaver and met with the "Battalion" Chief of Fresno Cal Fire and stated he appreciates all the first responders and public safety for all their hard work putting the wild fires out. He spoke regarding the SAFR program, a citywide program available for all "senior" residents that provides a week supply of groceries. He asked the meeting be adjourned in memory of Robert (Bob) L. Crowell former Mayor of Carson City, Nevada "former" was removed and "who passed away over the weekend" was added and page 21: City Council adjourned at 4:23 P.M. and in memory of Robert (Bob) L. Crowell, former Mayor of Carson City, Nevada, "former" was removed.

- 1-B** [ID 20-001223](#)

The above item was tabled to October 15, 2020 by Council President Arias.

- 1-C [ID](#)
[20-001039](#) RESOLUTION - Authorizing the Submission of Grant Applications Requesting up to \$2.25 Million in Funding for Pedestrian Countdown Heads and Rectangular Rapid Flashing Beacons (RRFB) from the California Department of Transportation (Caltrans) Highway Safety Improvement Program (HSIP) Cycle 10 and Authorizing the Execution of All Application Related Documents by the Public Works Director or Designee (Citywide)

RESOLUTION 2020-240 ADOPTED

- 1-D [ID](#)
[20-001185](#) Actions pertaining to the Job Order Contracting for General Building Construction and HVAC Construction (Bid File 9549) (Citywide):
1. Adopt finding of a Categorical Exemption pursuant to Section 15301(d) of the California Environmental Quality Act (CEQA) Guidelines
 2. Award a Job Order Contracting contract with Exbon Development, Inc., Durham Construction Company, Inc., Strategic Mechanical, Inc., Heritage General, Mesa Energy Systems, Inc., Puma Construction and Pride Industries One, Inc.

- 1-E [ID](#)
[20-001186](#) Approve an Agreement with the Gordian Group, Inc., dba the Mellon Group, for the continued implementation of a Job Order Contracting Program

- 1-F [ID](#)
[20-001192](#) ***RESOLUTION - 26th Amendment to the Annual Appropriation Resolution (AAR) No. 2020-159 appropriating \$126,600 for the Trail Network Wayfinding Plan Project (Citywide) (Subject to Mayor's veto) (Requires 5 affirmative votes)

RESOLUTION 2020-241 ADOPTED

- 1-G [ID](#)
[20-001233](#) **RESOLUTION** - Approving the Final Map of Tract No. 5434 and accepting dedicated public uses offered therein - Northeast corner of North Temperance Avenue and East McKinley Avenue (Council District 4)

RESOLUTION 2020-242 ADOPTED

- 1-H [ID](#)
[20-001156](#) Award a construction contract in the amount of \$583,767.00 to Siemens Mobility, Inc. of Riverside, California, for the City of Fresno Citywide Street Light LED Retrofit Phase 2 - Bid File No. 3663 (Citywide)

- 1-I [ID](#)
[20-001184](#) Actions pertaining to Dynamic Downtown Adaptive Signal Control Technology, Fresno Street, Van Ness Avenue and Bus Rapid Transit Corridors - Bid File No. 3765 (Council District 3)
1. Adopt a finding of Categorical Exemption per staff's determination, pursuant to Section 15301(c) Class 1 of the California Environmental Quality Act Guidelines
 2. ***RESOLUTION - 17th Amendment to the Annual Appropriation

Resolution No. 2020-159 appropriating \$1,643,500 for the Dynamic Downtown Adaptive Signal Control Technology Project (Requires 5 affirmative votes) (Subject to Mayor's veto)

3. Award a construction contract in the amount of \$796,083 to Audeamus Inc., dba Sebastian of Fresno, CA, as the lowest responsive and responsible bidder for the Dynamic Downtown Adaptive Signal Control Technology, Fresno Street, Van Ness Avenue and Bus Rapid Transit Corridors

RESOLUTION 2020-243 ADOPTED

- 1-J** [ID](#) [20-001196](#) Actions pertaining to the Veterans Boulevard State Route 99 Interchange and Extension Project (Council District 2):
1. ***RESOLUTION - 25th Amendment to the Annual Appropriation Resolution No. 2020-159 appropriating \$523,800 for the Veterans Boulevard Project (Requires 5 affirmative votes) (Subject to Mayor's veto)
 2. Approve Amendment No. 5 to Cooperative Project Agreement Short-Term Regional Transportation Program Project N1 Urban, Veterans Boulevard / State Route 99 Interchange and Grade Separation, in the amount of \$36,347,000, with the Fresno County Transportation Authority
 3. Approve Cooperative Project Agreement Short-Term Regional Transportation Program Urban Project N2, Veterans Boulevard Connect State Route 99 Interchange, in the amount of \$4,544,000, with the Fresno County Transportation Authority
 4. Approve Cooperative Agreement 06-1720 with the California Department of Transportation for construction oversight of the Veterans Boulevard / State Route 99 Interchange Project

RESOLUTION 2020-244 ADOPTED

- 1-K** [ID](#) [20-001253](#) **RESOLUTION** - Approving the Final Map of Tract No. 6290 located on the South side of San Jose Avenue between North Maroa and Colonial Avenues (Council District 2)

RESOLUTION 2020-245 ADOPTED

- 1-L** [ID](#) [20-001146](#) ***RESOLUTION - Adopt the 1st Amendment to FY 2021 Salary Resolution No. 2020-157, amending Exhibit 1, Unit 1, Non-Supervisory Blue Collar (Local 39) to add the classifications of Water System Trainee, Water Treatment Plant Operator-In-Training, and Water Treatment Plant Operator and providing a salary range for the respective classifications; and amending Exhibit 13-1, Unit 13, Exempt Supervisory and Professional (CFPEA) to add the classification of Supervising Paralegal and providing a salary range for the respective class **(Subject to Mayor's Veto)**

RESOLUTION 2020-246 ADOPTED

- 1-M** [ID](#)
[20-001188](#) Approve the Third Amendment to the Service Agreement with The Arc Fresno/Madera Counties to add an additional service location at Fresno Yosemite International Airport for an amount of \$14,769.08. (Council District 4)
- 1-N** [ID](#)
[20-001193](#) Reject all bids for Armored Car Transport Services (Bid File 9529)
- 1-O** [ID](#)
[20-001200](#) Actions related to submitting a project description to the State of Good Repair Program for funding to replace the radio and dispatch communication equipment on the FAX bus system:
1. Adopt a finding of Class 1 Categorical Exemption for Existing Facilities pursuant to the CEQA Guidelines
 2. RESOLUTION - Authorizing Submission of a Project Description for and Acceptance of Funding from the California State of Good Repair (SGR) Program, Approving the Associated FY 2020-21 Project List, and Authorizing Execution of Grant Documents

RESOLUTION 2020-247 ADOPTED

- 1-P** [ID](#)
[20-001209](#) Actions pertaining to the City of Fresno purchase of license plate recognition and parking pay station hardware and management software.
1. ***RESOLUTION - 16th amendment to Annual Appropriation Resolution (AAR) No. 2020-159 appropriating \$462,000 for installation of Parkeon pay-on-foot parking pay station hardware and management software in Roeding and Woodward Park as well as Vigilant Solutions license plate recognition equipment and software (Requires 5 affirmative votes) (Subject to Mayor's Veto)
 2. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301 (a), (b), and (c) of the California Environmental Quality Act guidelines.
 3. Award a contract to Vigilant Solutions in the amount of \$217,341, for the purchase of License Plate Recognition equipment and software.
 4. Award a contract to Parkeon in the amount of \$244,600, for the purchase of 26 pay-on-foot parking pay stations, equipment connectivity and hosted web-based data management software.
 5. Authorize the Planning and Development Director, or designee, to execute the contract on the City's behalf.

RESOLUTION 2020-248 ADOPTED

- 1-Q [ID](#)
[20-001232](#) Actions pertaining to Text Amendment Application No. P19-02978 regarding the proposed regulation and permitting of commercial cannabis activities in the City of Fresno
1. *****BILL NO. B-39 - (Intro. 9/17/2020) (For adoption) -** Repealing Sections 15-2739 and 15-2739.1 of the Fresno Municipal Code and replacing with Section 15-2739 relating to adult use and medicinal cannabis retail business and commercial cannabis business regulation. (Subject to Mayor's veto)
 2. *****BILL NO. B-40 - (Intro. 9/17/2020) (For adoption)** Amending Section 12-2104 of the Fresno Municipal Code relating to marijuana cultivation. (Subject to Mayor's veto)
 3. *****BILL NO. B-41 - (Intro. 9/17/2020) (For adoption)** Amending Section 12-2302 of the Fresno Municipal Code relating to Money Back Guarantee/Business Streamlining Act to exclude Cannabis Conditional Use Permits. (Subject to Mayor's veto)

The above item PASSED 5-2. Councilmember Bredefeld and Councilmember Karbassi voted No.

ORDINANCE 2020-038 ADOPTED

ORDINANCE 2020-039 ADOPTED

ORDINANCE 2020-040 ADOPTED

- 1-R [ID](#)
[20-001229](#) Action pertaining to Commercial Cannabis Activity:
1. *****BILL NO. B-42 - (Intro. 9/17/2020) (For adoption) -** Amending Sections 9-3304, 9-3306, 9-3308, and 9-3315 of the Fresno Municipal Code, relating to the regulation of cannabis microbusinesses. (Subject to Mayor' veto)

The above item PASSED 5-2. Councilmember Bredefeld and Councilmember Karbassi voted No.

ORDINANCE 2020-041 ADOPTED

- 1-S [ID](#)
[20-001234](#) Actions pertaining to the 5-year agreement with Cen Cal Business Finance Group, Inc. regarding the administration of the City of Fresno Revolving Loan Fund:
1. *****RESOLUTION -** 27th Amendment to the Annual Appropriation Resolution (AAR) No. 2020-159 appropriating \$595,000 for the Economic Development Administration (EDA) CARES Act RLF Program (Requires 5 affirmative votes) (Subject to Mayor's veto)
 2. Approve an amendment to include administration of the City of

Fresno's \$913,000 CARES Act Revolving Loan Fund Award

The above item was pulled from Consent Calendar by Councilmember Soria and moved to Contested Consent for further discussion.

- 1-T [ID](#)
[20-00918](#) Approve the Amended and Restated Wireless Agreement between the City of Fresno and XG Communities, LLC. for small cell implementations on City-owned assets.
- 1-U [ID](#)
[20-001258](#) Actions related to agreement with the Asian Business Institute & Resource Center (ABIRC) for outreach and assistance to small Southeast Asian businesses:
1. ***RESOLUTION - Adopting the 28th Amendment to the Annual Appropriation Resolution No. 2020-159 to appropriate \$130,700 in CARES Act funds for the agreement with the Asian Business Institute & Resource Center (ABIRC) for outreach and assistance to small Southeast Asian businesses (Subject to Mayor's veto)(Requires 5 affirmative votes)
 2. Approve agreement with the Asian Business Institute & Resource Center (ABIRC) for outreach and assistance to small Southeast Asian businesses

RESOLUTION 2020-250 ADOPTED

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

UNSCHEDULED COMMUNICATION

Upon call, the following members addressed Council: Crystal Reed, Gloria Hernandez, Kiel Lopez-Schmidt, Lisa Flores, Brandi Villegas, Carrie Ayala and Matthew Woodward.

Councilmember Soria requested more information and an update regarding the Independent Reviewer. She requested a presentation on the next Council meeting regarding the process and procedures. She directed the Administration to release the report. City Manager Quan responded.

Council President Arias asked if there was a way to have the Independent Reviewer release the report. City Attorney Sloan responded.

Councilmember Karbassi asked for clarification and would like to meet with the Independent Reviewer in Closed Session. Councilmember Soria responded she would like a workshop on October 15, 2020.

Councilmember Karbassi spoke regarding Police Chief Hall's statement made regarding the shooting of two police officers in Louisville, Kentucky.

CITY COUNCIL (CONTINUED)

- 4-C** [ID](#) ***RESOLUTION - Authorizing and directing the application for each fiscal year of the staffing for adequate fire and emergency response (SAFER) funding issued by the U.S. Department of Homeland Security grant program and authorizing completion of all required documents (Subject to Mayor's veto)

Council President Arias returned to the meeting at 10:50 A.M.

The above item was introduced to Council by Councilmember Karbassi, District 2. Upon call, there was no public comment and no Council discussion.

RESOLUTION 2020-256 ADOPTED

On motion of Councilmember Karbassi, seconded by Vice President Caprioglio, that the above Resolution be adopted. The motion carried by the following vote:

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

CONTESTED CONSENT CALENDAR

- 1-S** [ID](#) Actions pertaining to the 5-year agreement with Cen Cal Business Finance Group, Inc. regarding the administration of the City of Fresno Revolving Loan Fund:
- [20-001234](#)
1. ***RESOLUTION - 27th Amendment to the Annual Appropriation Resolution (AAR) No. 2020-159 appropriating \$595,000 for the Economic Development Administration (EDA) CARES Act RLF Program (Requires 5 affirmative votes) (Subject to Mayor's veto)
 2. Approve an amendment to include administration of the City of Fresno's \$913,000 CARES Act Revolving Loan Fund Award

The above item was presented to Council by Economic Development Analyst Trevino, City Manager's Office. Upon call, there was no public comment.

Councilmember Soria asked staff if this was the only group that could

disburse the funds according to the grant, what kind of businesses are being reviewed in terms of being covered under the grants, what are the amounts and who are the prospective businesses. She asked if nonprofits were eligible and how are they were going to make sure that the Spanish and Hmong businesses have access to the loans. Councilmember Soria asked what is the rate that will be loaned out, how long before the businesses have to pay back the loan, and how are businesses being prioritized. Economic Development Analyst Trevino responded.

Council President Arias asked what about the current prime rate, who sets the additional 2% rate and why there was 2% added to CARES money. Economic Development Analyst Trevino responded.

Council President Arias requested an amendment to the motion to remove the additional 2% from the prime contingent on the funding authority authorize it. Council Vice President Caprioglio and Councilmember Karbassi agreed to the amendment.

RESOLUTION 2020-249 ADOPTED AS AMENDED

On motion of Vice President Caprioglio, seconded by Councilmember Karbassi, that the above Action Item be adopted as amended. The motion carried by the following vote:

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

CITY COUNCIL (CONTINUED)

- 4-B** [ID](#) ***RESOLUTION - Authorizing and directing the City Manager to conduct a competitive solicitation process for a consultant to explore a property-based improvement District for Central and Southern Blackstone Avenue (Subject to Mayor's veto)

The above item was presented to Council by Councilmember Esparza, District 7. Upon call, there was no public comment and no Council discussion.

Councilmember Esparza motioned to approve the item as amended to direct the City Manager to conduct a competitive solicitation process to hire a consultant to explore a PBID for Central and Southern Blackstone Avenue,

from Dakota avenue to State Route 180. Seconded by Councilmember Bredefeld.

RESOLUTION 2020-255 ADOPTED AS AMENDED

On motion of Councilmember Esparza, seconded by Councilmember Bredefeld, that the above Resolution be adopted as amended. The motion carried by the following vote:

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

4-D

[ID](#)

[20-001263](#)

RESOLUTION - Declaring that all Residents of the City of Fresno Have Been Detrimentially Impacted by the Covid-19 Pandemic

The above item was introduced to Council by Council President Arias, District 3. Upon call, the following member addressed Council: Brandi Villegas.

Councilmember Chavez asked if there can be clarification language in the resolution to ensure those who were not affected do not take advantage only those who have been impacted by COVID-19. City Attorney Sloan responded.

RESOLUTION 2020-257 ADOPTED

On motion of Councilmember Chavez, seconded by Councilmember Soria, that the above Resolution be adopted. The motion carried by the following vote:

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

City Council recessed for lunch at 11:42 A.M. and returned from lunch at 1:07 P.M.

1:00 P.M.

[ID](#)

[20-001267](#)

(CONTINUED FROM 10:10 A.M.)

Consideration of Text Amendment Application No. P20-02212 and related Environmental Finding for Environmental Assessment No. P20-02212, sections 15-2706, 15-6801 and 15-6802 of the Fresno Municipal Code, to be titled the Responsible Neighborhood Market Act and relating to the use

regulations for alcohol sales.

1. ADOPT Environmental Assessment No. P20-02212, dated July 29, 2020, that Text Amendment Application No. P20-02212 is exempt from the California Environmental Quality Act (CEQA) pursuant to the common sense exemption that it can be seen with certainty that there is no possibility that the proposed Text Amendment may have a significant effect on the environment pursuant to CEQA Guidelines Section 15061(b)(3).
2. BILL (For introduction) - Amending Sections 15-2706, 15-6801, and 15-6802 to the Fresno Municipal Code, relating to the use regulations for alcohol sales.
3. RESOLUTION - Of the Council establishing the Responsible Neighborhood Market Act Committee

Council Vice President Caprioglio left the meeting at 1:07 P.M.

The above item was introduced to Council by Council President Arias, District 3. Upon call, the following members addressed Council: Andy Chhkara, George Beal, Serge Haitayan, Raj Singh, Darius Assemi, Dale Mell, Sam Bogdanovich, Cody Sedano, Lisa Flores, and Jose Espinoza.

Discussion was held between Councilmembers on issues raised by residents regarding saturated and unsaturated neighborhoods.

THE ABOVE ITEM WAS INTRODUCED AND CONTINUED TO OCTOBER 15, 2020

10:20 A.M. JOINT MEETING WITH THE FRESNO JOINT POWERS FINANCING AUTHORITY (RE-CONSIDERED)

[ID
20-001225](#)

Actions pertaining to issuance and sale of Series 2020A Bonds for construction of a new animal control facility:

1. ***RESOLUTION - Approving the issuance and sale of Series 2020A (tax exempt) bonds by the Fresno Joint Powers Financing Authority under the Master Lease Projects in a principal amount not to exceed an aggregate \$22 million, authorizing the execution and delivery of all documents and the taking of all necessary action relating to the financing. (City action) (Requires 5 affirmative votes) (Subject to Mayor's veto)
2. RESOLUTION of the Fresno Joint Powers Financing Authority authorizing the issuance and sale of Series 2020A (tax exempt) bonds under the Master Lease Projects in a principal amount not to exceed an aggregate \$22 million, authorizing the execution and

delivery of all documents and the taking of all necessary action relating to the financing. (Authority action - Mayor Brand, Council President Arias, Councilmember Soria)

Councilmember Bredefeld motioned to reconsider the above item.

Councilmember Esparza seconded the motion. Motion PASSED 6-0,

Council Vice President Caprioglio was absent.

Council President Arias asked the Administration to explain the difference between the \$15 million and the \$22 million cost difference in the project.

Mayor Brand responded.

RESOLUTION 2020-254 ADOPTED

On motion of Councilmember Chavez, seconded by Councilmember Esparza, that the above Action Item be adopted. The motion carried by the following vote:

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

Absent: 1 - Caprioglio

CLOSED SESSION (CONTINUED)

[ID](#)
[20-001262](#)

CONFERENCE WITH LEGAL COUNSEL - PUBLIC SECURITY -
Government Code Section 54957(a):

1. Matters posing a threat to the security of public buildings, the security of essential public services, and to the public's right of access to public services and public facilities, and related actions pertaining to the Declaration by Governor Newsom of a State of Emergency to Help State Prepare for Broader Spread of COVID-19, and related local concerns.

Council President Arias announced the upcoming October Budget Hearings will began Monday, October 12, 2020 and the Administration will be providing backup to Council by October 2, 2020.

City Council recessed into Closed Session at 2:36 P.M. and returned from Closed Session at 3:45 P.M.

There was no announcements after Closed Session and the item was discussed.

3. GENERAL ADMINISTRATION

eComment/Emails received from the public

[ID](#) eComments and Emails received for September 24, 2020 Regular
[20-001327](#) Meeting

ADJOURNMENT

City Council adjourned at 3:45 P.M. in memory of Supreme Court Justice Ruth Bader Ginsburg, Tim Liles, Principal of Sunnyside High School, Dr. Robert Shankerman with United Health Centers and Bob Spencer, Fresno State Women's basketball coach.