

City of Fresno

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



Meeting Minutes - Final

Thursday, August 11, 2022

9:00 AM

Regular Meeting

Council Chambers (In Person And/Or Electronic)

City Council

President - Nelson Esparza

Vice President - Tyler Maxwell

Councilmembers:

Esmeralda Z. Soria, Mike Karbassi, Miguel Angel Arias, Luis Chavez,

Garry Bredefeld

City Manager - Georgeanne A. White

Interim City Attorney - Rina Gonzales

City Clerk - Todd Stermer, CMC

The City Council for the City of Fresno convened in regular session on August 11, 2022, at 9:00 A.M.

9:09 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 by Kevin Llanos with the Police Chaplaincy

Pledge of Allegiance to the Flag

APPROVE AGENDA

City Clerk Stermer announced the following changes to the agenda: Brad Hardie was removed from consideration for reappointment to the Planning Commission by Councilmember Arias in Consent Calendar item 1-D (ID 22-1214); the end date for the Maxie Parks contract in Consent Calendar Item 1-K (ID 22-1257) is June 30, 2024, not 2025; James Sponsler was removed from consideration for reappointment to the Historic Preservation Commission by Councilmember Arias in Consent Calendar item 1-V (ID 22-1262).

Councilmember Soria and Council President Esparza announced a conflict and recused themselves from General Administration Item 3-E (ID 22-1264) regarding the City of Fresno and the Downtown Association of Fresno. Councilmember Soria also announced a conflict and recused herself from Closed Session item 5-C (ID 22-1275) regarding Conference with Real Property Negotiator Property: APN 46828205T, 46828222T, 46828223T (South Stadium).

Councilmember Chavez announced a conflict and recused himself from Consent Calendar item 1-M (ID 22-1295) regarding the Violence Intervention and Prevention Initiative Grant Program.

Councilmember Bredefeld registered a "no" vote on Consent Calendar item 1-B (ID 22-1187) regarding Commercial Cannabis Activity.

THE FOLLOWING ITEMS WERE TABLED TO THE AUGUST 18, 2022 MEETING:

1-N (ID 22-1181) regarding supplemental Emergency Solutions Grant funding – tabled to August 18, 2022, by Vice President Maxwell and Councilmember Arias.

1-Q (ID 22-1182) regarding the Orange Avenue and Central Avenue Intersection Improvement Project - tabled to August 18, 2022, by Councilmember Arias.

THE FOLLOWING ITEMS WERE MOVED FROM THE CONSENT CALENDAR TO THE CONTESTED CONSENT CALENDAR FOR FURTHER DISCUSSION:

1-D (ID 22-1214) regarding appointments for Mobile Home Rent Review, Planning Commission, and Disability Advisory – moved by Councilmember Arias.

1-M (ID 22-1295) regarding the Violence Intervention and Prevention Initiative Grant Program -moved by Councilmember Bredefeld.

1-R (ID 22-1253) regarding regulations for urban water conservation – moved by Vice President Maxwell.

1-S (ID 22-1244) to reject the sole bid received from the Rebid Requirements Contract - moved by Councilmember Karbassi.

1-T (ID 22-1215) awarding a revenue contract for bus advertising services to Lamar Transit LLC – moved by Councilmember Arias.

APPROVED AS AMENDED

On motion of Councilmember Soria, seconded by Vice President Maxwell, the Agenda was APPROVED AS AMENDED. The motion

carried by the following vote:

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

CEREMONIAL PRESENTATIONS

[ID 22-1192](#) Proclamation for “Junior Councilmember of the Day, Sebastian Arambula”

PRESENTED

[ID 22-1283](#) Proclamation for “Muslim Appreciation and Awareness Month”

PRESENTED

[ID 22-1270](#) Proclamation for “Recognition of Citizenship Ambassador Margarita Rocha”

PRESENTED

[ID 22-1271](#) Proclamation for “Recognition of Citizenship Ambassador Pao Yang”

PRESENTED

[ID 22-1282](#) Certificate of Recognition for Myrella Preciado

PRESENTED

[ID 22-1239](#) Proclamation for “International Dog Assistance Week (August 7-13)”

PRESENTED

COUNCILMEMBER REPORTS AND COMMENTS

Councilmember Soria discussed: the continued work by the City of Fresno to address the ongoing issues in the Shields and West neighborhood; the upcoming Beautify Fresno cleanup event for the Shields and West area; the groundbreaking of a new park in the Van Ness and Weldon area, and; continued investments and work related to tree trimming throughout the city and specifically in the Mora, Palm, Shields and Clinton area.

Councilmember Arias requested status updates on: the vandalized electric vehicle charging stations; the downtown garbage compactor; the repair of the city owned artwork on the Mariposa Mall; the maintenance work on art pieces on Fulton Street, and; the Cultural Arts Plan portion of Measure P. He also discussed the assistance of West Fresno Resource Center with the

Back-to-School event at Valdez Hall. Councilmember Arias also discussed the City of Fresno settlement with London Wallace and his concerns over certain aspects of the settlement process and employee discipline.

Councilmember Chavez discussed: the Mayor's city wide community cleanup event and the organizations that volunteered in Southeast Fresno; the backpack giveaway event by the East Boys and Girls Club; the benefits and public feedback regarding the Police Department bike units patrolling Southeast Fresno; the groundbreaking of a project in Calwa that would bring new housing, restaurants and stores to the area. Councilmember Chavez also recognized Gabriel Lozano as the newest member of the District 5 team.

Councilmember Bredefeld responded to the comments of Councilmember Arias that were critical of the settlement and employee discipline processes. He also reiterated his support for the Fresno Police Department.

Vice President Maxwell discussed the District 4, "Beat the Heat" events held at Vineland and Cary Parks. He lauded the event sponsors and partners which helped make the events successful. The Vice President also discussed the success of the "Kickit Outreach" event with Pastor Edward Thomas which saw more than six hundred pairs of shoes given to children heading back to school. Finally, he announced an upcoming community meeting at Vineland Elementary School on August 17, 2022.

Council President Esparza thanked the volunteers that helped clean up Council District 7 during the Mayor's city wide community cleanup event the previous Saturday. He also: announced the winding down of Camp Fresno activities; congratulated Dr. Robert Pimentel for his appointment as the Fresno City College President, and; discussed the formal groundbreaking for the Clinton Avenue Apartments at Clinton and Blackstone Avenues.

MAYOR/MANAGER REPORTS AND COMMENTS

Mayor Dyer discussed: City Manager White being selected as one of the Top Ten Professional Women by the Marjaree Mason Center; the successful Beautify Fresno city wide community cleanup event held the previous Saturday; the groundbreaking for the five story Courtyard by

Marriott hotel in Downtown Fresno; the success of the West Fresno Family Resource Center's Backpack Giveaway; the events he attended to recognize the appointment of Dr. Robert Pimentel as the President of Fresno City College, and; the passing of Jack Hannah, a former coach at Hoover High School and one of the founders of the Sons of the San Joaquin music group.

City Manager White announced the administration distributed a memo explaining the informal bid limit has been adjusted up from \$149,000 to \$158,000 due to Consumer Price Index changes. She also congratulated Deputy Police Chief Mindy Casto, for being selected as one of the Top Ten Professional Women by the Marjaree Mason Center.

UNSCHEDULED COMMUNICATION

Upon call, the following members of the public addressed Council: Maxie Park, Fernando Paul Elizando, Gloria Hernandez, Joseph Haydocle, Reza Nekumanesh, Sandra Celedon, Daniel Sosa, Sherrie Phillips, Lisa Flores, Michaelynn Lewis, Dez Martinez, Brandi Nuse-Villegas, Darin Preisendorf, Yolanda Randles, Cruz Avila, and Rachel Washington.

[ID 22-1342](#) Unscheduled Communication received

1. CONSENT CALENDAR

APPROVAL OF THE CONSENT CALENDAR

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

Aye: 5 - Esparza, Maxwell, Soria, Arias and Bredefeld

Absent: 2 - Karbassi and Chavez

- 1.-A. [ID 22-1263](#) Approval of minutes for July 21, 2022, Regular Meeting, July 21, 2022, Special Closed and Open Session Meeting, and July 25, 2022, Special Open Session Meeting.

APPROVED ON CONSENT

- 1.-B. [ID 22-1187](#) Actions pertaining to Commercial Cannabis Activity:
Approve a No-Cost Extension Agreement Amendment with Make Green Go LLC for Cannabis Social Equity Business Technical Assistance to

October 31, 2022.

Councilmember Bredefeld registered a "no" vote on the above Consent Calendar item which PASSED 4-1 with Councilmember Chavez and Councilmember Karbassi absent.

APPROVED ON CONSENT

- 1.-C. [ID 22-1189](#) Approve the first amendment to Sub-Recipient Agreement with the Youth Leadership Institute for the Leadership Development Community Partner component of the Transform Fresno Community Engagement Plan as a part of the Transformative Climate Communities (TCC) grant.

APPROVED ON CONSENT

- 1.-D. [ID 22-1214](#) Approve the Appointments of Kathryn Wilbur to the Mobile Home Rent Review and Stabilization Commission. Approve the Reappointments of Peter Vang, Monica Diaz, and Brad Hardie to the Planning Commission. Approve the Reappointment of Ken Elvington and Dr. Jenelle Pitt Parker to the Disability Advisory Commission

As announced during Approval of the Agenda, the reappointment of Brad Hardie to the Planning Commission was removed from the agenda.

APPROVED ON CONSENT

- 1.-E. [ID 22-1228](#) A Resolution of the Council of the City of Fresno, California, concerning Measure C Extension Local Transportation Purposes Pass-Through Projects and Program Funds annual allocation for fiscal year 2022-2023

RESOLUTION 2022-179 ADOPTED

APPROVED ON CONSENT

- 1.-F. [ID 22-1236](#) ***Approve the Second Amendment to the Project Labor Agreement (PLA) related to the Transformative Climate Communities (TCC) grant extending the agreement until July 3, 2024. (Subject to Mayor's Veto)

APPROVED ON CONSENT

- 1.-G. [ID 22-1246](#) Award Mail and Print Services Contract to DataProse, LLC and authorize the Finance Director/Controller to negotiate and execute a three-year (3) contract for services

APPROVED ON CONSENT

- 1.-I. [ID 22-1249](#) Actions pertaining to an operations agreement with the State of California Department of Parks and Recreation:
1. ***RESOLUTION - Adopting the 3rd Amendment to the Annual

Appropriation Resolution (AAR) No. 2022-154 to appropriate \$140,000 for the operations and maintenance, and capital outlays relating to the Maxie L. Parks Community Center, located at 1802 E. California Ave., Fresno, CA 93706 (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)

2. Approve an operations agreement between the Parks, After School, Recreation and Community Services Department (PARCS) and the State of California Department of Parks and Recreation (State Parks) for the acceptance of settlement funds in the amount of \$70,000 annually, not to exceed \$700,000 over ten years, from an escrow account established by State Parks for distribution to the City of Fresno (City) for Maxie. L Parks Community Center (Council District 3).
3. Authorize the PARCS Director or their designee to execute the operations agreement.

RESOLUTION 2022-182 ADOPTED

APPROVED ON CONSENT

- 1.-J. [ID 22-1256](#) Actions related to Community Services at Mosqueda Community Center:
1. Affirm City Manager's determination that Reading and Beyond is uniquely qualified to provide community services at Mosqueda Community Center.
 2. Approve a Service Agreement (Agreement) between the Parks, After School, Recreation and Community Services (PARCS) Department and Reading and Beyond to provide community services for a three-year term at Mosqueda Community Center, located at 4670 E. Butler Ave, Fresno, CA 93702, for \$1 per year.
 3. Authorize the PARCS Director or their designee to execute the Agreement subject to approval by the City Attorney (District 5).

APPROVED ON CONSENT

- 1.-K. [ID 22-1257](#) Actions related to services at Maxie L. Parks and Mary Ella Brown Community Centers:
1. Affirm City Manager's determination that the West Fresno Health Care Coalition dba the West Fresno Family Resource Center (WFFRC) is uniquely qualified to provide community services at Maxie L. Parks (Maxie) and Mary Ella Brown Community Centers (Mary Ella Brown).
 2. Approve a Service Agreement (Agreement) between the Parks, After School, Recreation and Community Services (PARCS) Department and the West Fresno Health Care Coalition dba the WFFRC to provide community services for a three-year term at

Maxie Community Center, located at 1802 E. California Avenue, Fresno, CA 93706, for \$1 per year.

3. Approve an Agreement between the PARCS Department and the West Fresno Health Care Coalition dba the WFFRC to provide community services for a three-year term at Mary Ella Brown Community Center, located at 1350 E. Annadale Avenue, Fresno, CA 93706, for \$1 per year
4. Authorize the PARCS Director or their designee to execute both Agreements subject to approval by the City Attorney (District 3).

City Clerk Stermer read a correction into the record noting the Maxie Parks contract end date was June 30, 2024, not 2025.

APPROVED ON CONSENT

- 1.-L. [ID 22-1259](#) Actions related to Community Services at Sunset Community Center:
1. Affirm City Manager's determination that Street Saints is uniquely qualified to provide community services at Sunset Community Center for a one-year term.
 2. Approve a Service Agreement (Agreement) between the Parks, After School, Recreation and Community Services (PARCS) Department and HandsOn Central California, acting as the fiscal and administrative sponsor for Street Saints, to provide community services for a one-year term at Sunset Community Center, located at 1345 W. Eden Ave, Fresno, CA 93706, for \$1 per year.
 3. Authorize the PARCS Director or their designee to execute the Agreement subject to approval by the City Attorney (District 3).

APPROVED ON CONSENT

- 1.-N. [ID 22-1181](#) Actions pertaining to supplemental Emergency Solutions Grant funding provided by the U.S. Department of Housing and Community Development Office of Community Planning and Development (HUD CPD) to prevent, prepare for, and respond to the Coronavirus:
1. Approve a First Amendment to the Emergency Solutions Grant-Coronavirus (ESG-CV) agreement between the City of Fresno and Poverello House to extend the term of the agreement through September 30, 2023 and increase the funding by \$304,180 for a total award of \$671,605 for Street Outreach within the City of Fresno.
 2. Approve the sixth revision of the Emergency Solutions Grant-Coronavirus (ESG-CV) Activity Allocations to allocate \$777,284.21 of ESG-CV funds to activities for Street Outreach and Emergency Shelter operations.

The above item was removed from the agenda and tabled to August 18,

2022, by Councilmember Arias and Vice President Maxwell.

TABLED

- 1.-O. [ID 22-1254](#) Approve a Second Amendment to the HOME Investment Partnerships Program, Community Housing Development Organization Agreement with Self-Help Enterprises to allow for subordination to the State of California CalHome Program and hold a no less than third position lien (District 3)

APPROVED ON CONSENT

- 1.-P. [ID 22-1255](#) Approve a \$250,000 Consultant Services Agreement with SWCA Environmental Consultants for 2022-2024 environmental consulting services for the Housing and Community Development Division, U.S. Department of Housing and Urban Development funded projects, programs, and activities.

APPROVED ON CONSENT

- 1.-Q. [ID 22-1182](#) Actions pertaining to the Orange Avenue and Central Avenue Intersection Improvement Project - Bid File No. 3833 (Council District 3):
1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301 of the California Environmental Quality Act (CEQA) guidelines
 2. Award a construction contract in the amount of \$2,582,991 to Avison Construction, Inc. of Madera, California

The above item was removed from the agenda and tabled to August 18, 2022, by Councilmember Arias.

TABLED

- 1.-U. [ID 22-1280](#) Approval of the appointment of Kathleen Hendron to the District 2 Project Implementation Committee and Kacey Auston-Tibbetts to the City of Fresno Women's Commission.

APPROVED ON CONSENT

- 1.-V. [ID 22-1262](#) Approve the appointment of Guadalupe Cazarez to the Women's Commission and approve the reappointment of James W. Sponsler to the Historic Preservation Commission.

As announced during Approval of the Agenda, the reappointment of James Sponsler to the Historic Preservation Commission was removed from the agenda by Councilmember Arias.

APPROVED ON CONSENT

- 1.-W. [ID 22-1277](#) Approve the appointment of Gabriel Lozano to the Bicycle and Pedestrian Commission (BPAC).

APPROVED ON CONSENT

- 1.-X. [ID 22-1269](#) Approval of the appointment of Aida Macedo to the City of Fresno Women's Commission.

APPROVED ON CONSENT**CONTESTED CONSENT CALENDAR**

- 1.-H. [ID 22-1169](#)

Actions pertaining to the 2021 Community Policing Development (CPD) De-Escalation Training grant program

1. Authorize the Chief of Police to accept \$200,000 in grant funding for the 2021 Community Policing Development (CPD) De-Escalation Training grant awarded to the Fresno Police Department from the U.S. Department of Justice, through the Office of Community Oriented Policing Services (COPS)
2. ***RESOLUTION - Adopt the 1st Amendment to the Annual Appropriation Resolution (AAR) No. 2022-154 appropriating \$200,000 for the Police Department's 2021 Community Policing Development (CPD) De-Escalation Training grant (requires five affirmative votes) (subject to Mayor's veto)
3. RESOLUTION - Adopt Resolution approving an exception to formal bidding procedures and award a sole source purchase agreement for a de-escalation training simulator
4. Approve the award of a sole source purchase agreement with VirTra for the purchase of a de-escalation training simulator in the amount of \$148,429.42

There was no staff presentation on the above item. Police Chief Balderrama responded to questions. Topics of discussion included de-escalation training, retention of records and the continuation of improvements.

RESOLUTION 2022-180 ADOPTED

RESOLUTION 2022-181 ADOPTED

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

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

- 1.-M.** [ID 22-1295](#) Actions pertaining to the allocation of funding for the Violence Intervention and Prevention Initiative Grant Program:
1. Approve the recommendation of grant proposals allocating \$950,000 from American Rescue Plan Act (ARPA) and \$550,000 in General Fund to local Community Based Organizations totaling \$1,500,000 to the following organizations: Boys and Girls Clubs of Fresno County (\$180,000); Fresno Economic Opportunities Commission/Advance Peace (\$375,000); Hope Now for Youth (\$130,000); Live Again Fresno (\$150,000); The Resiliency Center (\$50,000); Take a Stand Committee (\$50,000); Trauma Research and Education Foundation of Fresno (\$130,000); and a combined total of \$435,000 to the following collaborative partners: West Fresno Health Care Coalition dba West Fresno Family Resource Center (\$150,000)/Brain Wise Solutions (\$25,000), Every Neighborhood Partnership (\$75,000)/Gidai Maaza (\$35,000), HandsOn Central California/Fresno Street Saints (\$75,000), and the Fresno Police Activities League (\$75,000).
 2. ****RESOLUTION - Granting Authority to the Parks, After School, Recreation and Community Services (PARCS) Director or their Designee to Enter Into Agreements with Community Based Organizations For One Year With The Option of One, One-Year Extension and Amendment to Provide Programs and Services Funded by the American Rescue Plan Act (ARPA) and General Fund to Aid in the COVID-19 Recovery Effort. (Subject to Mayor's Veto) (Citywide)

Councilmember Chavez was recused from the above item.

There was no staff presentation on the above item. Business Manager McNab responded to questions. Councilmember Bredefeld clarified that the Advance Peace portion of this item did not include stipends. He stated, for the record, he would support this item upon its return to Council as there were no stipends in the Advance Peace program.

TABLED

On motion of Vice President Maxwell, seconded by Councilmember Arias, that the above Action Item be TABLED with no specific return date. The motion carried by the following vote:

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

Recused: 1 - Chavez

1.-R. [ID 22-1253](#)

BILL (for introduction) - Amending Section 6-520 of the Fresno Municipal Code, relating to regulations for urban water conservation

The above item was presented to Council by Public Utilities Director Buche.

Topics of discussion included: the differences with existing state law; State and Water Board Resolution 2022-18; utilizing existing fines in the Master Fee Schedule; how violations would be brought to the attention of the City; applicability to future emergency orders from the State of California; the affect upon median island watering; the exemption of properties over two acres in size.

TABLED TO AUGUST 18, 2022

On motion of Councilmember Arias, seconded by Vice President Maxwell, that the above Action Item be TABLED to August 18, 2022. The motion carried by the following vote:

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

City Council recessed for lunch at 12:01 A.M. and returned at 1:37 P.M.

1.-S. [ID 22-1244](#)

Reject the sole bid received for the Rebid Requirements Contract to Furnish & Install Polyethylene Water Service Replacements (Bid File 9629) (Citywide).

There was no staff presentation on the above item. Public Utilities Manager Gonzalez, Purchasing Manager Perales, and City Manager White responded to questions.

Discussion on the item included: the bid process; potential impacts within the department from moving the project in-house; the timeline to re-bid the contract and accelerating the timeline wherever possible; encouraging additional participation in the bidding process, and; utilizing a 21 day period to allow bids.

APPROVED WITH DIRECTION TO RE-BID

On motion of Councilmember Karbassi, seconded by Councilmember Arias, that the above Action Item be APPROVED to reject and direct staff to go out and rebid. The motion carried by the following vote:

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

Absent: 1 - Maxwell

- 1.-T.** [ID 22-1215](#) Award a revenue contract for bus advertising services to Lamar Transit LLC for \$2,190,000 over five years (Bid Eval 9650)

There was no staff presentation on the above item. Assistant Director McMillan-Haener, Assistant City Manager Barfield and City Manager White responded to questions.

Discussion topics included: utilizing FAX buses as billboards for advertisement, Federal State rules requiring buses be used as advertisement, how advertising revenue is used; City of Fresno use of advertising space on buses; the potential impacts from possibly eliminating advertising revenue to solely allow City of Fresno advertising on busses, and; proactively advertising essential services

APPROVED

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

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

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:00 A.M. #1 (CONTINUED TO FUTURE DATE TO BE RENOTICED)

[ID 22-1211](#) Consideration of Development Code Text Amendment Application No. P22-02413 and related Environmental Finding for Environmental Assessment No. P22-02413, amending Tables 15-1102, 15-1103, 15-1202, 15-1203, 15-4907 and Section 15-1104 of the Fresno Municipal Code and adding Sections 15-1106 and 15-5102-E to the Fresno Municipal Code, and corresponding General Plan Text Amendment relating to mixed-use development:

1. ADOPT a finding set forth in Environmental Assessment No. P22-02413 dated July 6, 2022, of a Mitigated Negative Declaration pursuant to CEQA Guidelines Section 15168(d)
2. APPROVE Development Code Text Amendment Application No. P22-02413, amending Tables 15-1102, 15-1103, 15-1202, 15-1203, 15-4907 and Section 15-1104 of the Fresno Municipal Code and adding Sections 15-1106 and 15-5102-E to the Fresno Municipal Code, relating to mixed-use development, with staff corrections as recommended by Planning Commission on July 20, 2022
3. APPROVE General Plan Text Amendment Application No. P22-02413 amending Chapter 3, the Urban Form, Land Use, and Design Element of the Fresno General Plan, Table 3-1, and pages 3-41 and 3-42 consistent with the Development Code Text Amendment described above

The above item was removed from the agenda and tabled with no specific return date.

TABLED

10:00 A.M. #2

[ID 22-1238](#) Consideration of Rezone Application No. P22-00451, pertaining to ±5.57 acres of property located on the southwest corner of West Bullard Avenue and North Del Mar Avenue (Council District 4).

1. ADOPT Environmental Assessment No. P22-00451, dated May 18, 2022, a determination that the proposed project is in compliance with Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning) of the California Environmental Quality Act.
2. BILL (for introduction and adoption) Approving Rezone Application No. P22-00451 proposing to rezone the subject property from the PI/cz (Public and Institutional/with conditions of zoning) zone district to the PI/cz (Public and Institutional/with conditions of zoning) zone district in order to modify the conditions of zoning tied to the ±5.57 acres of property located at 255 West Bullard Avenue.

The above item was called to order at 2:03 P.M. and was presented to Council by Planning and Development Planner II Richardson.

Upon call, the following members of the public addressed Council: Lisa Flores and Brady. Public comment closed at 2:13 P.M.

Discussion topics included the definition of "homeless shelters" and the presence of green-space at shelters.

As part of his motion to approve this item, Vice President Maxwell included the following conditions of zoning:

- 1. Allowed uses include: Public or Private schools or college, emergency shelter, and social service facility.*
- 2. Vehicular access to Del Mar Avenue is limited to emergency access only.*
- 3. Southern and Eastern walls shall be 7 feet high measured from the higher of the two grades.*
- 4. Property owner must notify the City of intent to sell or lease the property.*
- 5. Buildings of two or more stories must have screening measures to provide a reasonable degree of privacy. Screening measures include, but are not limited to, landscaping, alternate window and balcony placements, placing windows at least 6 feet from the floor of the interior of the unit on second and higher stories, using glass block or other translucent material, and incorporating wing walls or louvers.*

BILL B-25 INTRODUCED/ADOPTED AS ORDINANCE 2022-025

On motion of Vice President Maxwell, seconded by Councilmember Karbassi, that the above Action Item be approved with the zoning conditions discussed. The motion carried by the following vote:

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

3. GENERAL ADMINISTRATION

- 3.-A.** [ID 22-1216](#) WORKSHOP - FATforward Update - Moving Fresno Yosemite International Airport into the Future

The above workshop was not presented.

WITHDRAWN

- 3.-B.** [ID 22-1217](#) Actions pertaining to the Terminal East Apron Reconfiguration project at Fresno Yosemite International Airport (Council District 4):
1. Award a construction contract to A. Teichert & Son, Inc. dba

Teichert Construction, of Fresno, California, for the Terminal East Apron Reconfiguration project at Fresno Yosemite International Airport in the amount of \$10,130,425 (Bid File 3859)

2. Approve a consulting agreement with Moore Twining Associates of Fresno, California, to provide geotechnical quality assurance testing and inspection services for the Terminal East Apron Reconfiguration project at Fresno Yosemite International Airport in the amount of \$255,288

There was no staff presentation on the above item. Airports Director Thompson responded to questions. Upon call, there was no public comment.

Discussion topics included the Project Labor Agreement policy.

APPROVED

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

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

3.-C. [ID 22-1278](#) Workshop - Measure C Renewal

Michael Leonardo, Executive Director of the Fresno County Transit Authority (FCTA), gave the presentation for the above workshop.

Discussion topics included: the timing of the vote and getting the issue on the ballot; prohibitions on the use of certain Measure C dollars; allowing future input for infrastructure projects; annual audits for agencies; set-asides for sidewalks; how terms for Measure C differ for newer and older neighborhoods; the drivers behind changes to Measure C; the accuracy of the needs for the County Safe Routes to School program; restrictions on "local control" funds; the possibility of an weighted voting system for the FCTA; possible Brown Act violations during the Measure C renewal process; the California Attorney General's criticism of the Measure C renewal process; the California Environmental Quality Act; the ability of the Council of Governments (COG) and FCTA to change criteria without necessarily amending the plan; local hiring, and; Workforce Development funding.

Councilmember Arias clarified, for the record, that even if the City of Fresno did not approve this item, the COG could still put the Measure C item on the ballot.

PRESENTED

- 3.-D.** [ID 22-1260](#) ***RESOLUTION - In support of the Measure C Renewal Expenditure Plan and implementation guidelines (Subject to Mayor's Veto).

There was no staff presentation on the above item. Upon call, the following members of the public addressed Council: Gloria Hernandez, Jason Martinez, Sukaina Hussain, Veronica Garibay, Lisa Flores, Sarah Harris, Sadia Khan, Angelica Perez-Flores and Andrew.

Michael Leonardo, Executive Director of the Fresno County Transit Authority (FCTA) responded to questions.

RESOLUTION 2022-178 ADOPTED

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

Aye: 5 - Maxwell, Soria, Karbassi, Chavez and Bredefeld

No: 1 - Arias

Abstain: 1 - Esparza

- 3.-E.** [ID 22-1264](#) Approve a Memorandum of Understanding Between the City of Fresno and the Downtown Association of Fresno (DBA Downtown Fresno Partnership) for Baseline Services.

Councilmember Soria and Councilmember Arias recused themselves from the above item and were not present for the discussion.

The above item was presented to Council by Assistant City Manager Barfield. Upon call there was no public comment and no Council discussion.

APPROVED

On motion of Councilmember Chavez, seconded by Vice President Maxwell, that the above Action Item be APPROVED. The motion

carried by the following vote:

Aye: 5 - Esparza, Maxwell, Karbassi, Chavez and Bredefeld

Recused: 2 - Soria and Arias

4. CITY COUNCIL

- 4.-A. [ID 22-1279](#) Resolution-Opposing Proposed Provisions of Senate Bill 930 Identifying the City of Fresno As A Qualified City Eligible For The SB 930 Pilot Program.

*There was no staff presentation no Council discussion on the above item.
Upon call, there was no public comment.*

RESOLUTION 2022-183 ADOPTED

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

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

- 4.-B. [ID 22-1284](#) ***RESOLUTION - Updating the Council Orientation Act (Subject to Mayor's Veto)

*There was no staff presentation no Council discussion for the above item.
Upon call, there was no public comment.*

RESOLUTION 2022-184 ADOPTED

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

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

5. CLOSED SESSION

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

During open session, Interim City Attorney Gonzales announced the items to be discussed in Closed Session.

Council withdrew from Open Session to hear Closed Session at 4:30 P.M.

5.-A. [ID 22-1218](#)

CONFERENCE WITH SECURITY OFFICIALS - Government Code Section 54957(a)
Topic: Matters that pose a threat to essential government services and the public's right of access to government services and facilities - cybersecurity assessment

There were no open session announcements following the above closed session item.

DISCUSSED

5.-B. [ID 22-1268](#)

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Government Code Section 54956.9, subdivision (d)(1)

Case Name: *Pismos of Fresno, LLC, et al. v. City of Fresno, et al.* Fresno Superior Court Case No. 20CECG03646

There were no open session announcements following the above closed session item.

DISCUSSED

5.-C. [ID 22-1275](#)

CONFERENCE WITH REAL PROPERTY NEGOTIATOR Government Code Section 54956.8
Property: APN 46828205T, 46828222T, 46828223T (South Stadium)
Negotiating Parties: Executive Director Murphey, Noyan Frazier Capital, L.P.
Under Negotiations: Terms of sale
Sponsor: Executive Director, Fresno Revitalization Corporation

There were no open session announcements following the above closed session item. Councilmember Soria recused herself and was not present for the discussion.

DISCUSSED

ADJOURNMENT

City Council adjourned from Closed Session at 5:05 P.M.

