



# City of Fresno

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

## Meeting Minutes City Council

*President - Annalisa Perea*

*Vice President - Mike Karbassi*

*Councilmembers:*

*Miguel Angel Arias, Tyler Maxwell, Luis Chavez,*

*Garry Bredefeld, Nelson Esparza*

*City Manager - Georgeanne A. White*

*City Attorney - Andrew Janz*

*City Clerk - Todd Stermer, CMC*

---

Thursday, October 10, 2024

9:00 AM

Council Chambers

---

### Regular Meeting

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

9:11 A.M. ROLL CALL

*Councilmember Esparza joined the meeting at 9:12 A.M.*

**Present:** 7 - President Annalisa Perea  
Vice President Mike Karbassi  
Councilmember Miguel Angel Arias  
Councilmember Tyler Maxwell  
Councilmember Luis Chavez  
Councilmember Garry Bredefeld  
Councilmember Nelson Esparza

Invocation by Sr. Pastor Elias Loera of Family Christian Assembly

*Mario Espanosa of the Christian Life Assembly gave the invocation.*

Pledge of Allegiance to the Flag

*Councilmember Bredefeld led the Pledge of Allegiance.*

### **APPROVE AGENDA**

*City Clerk Stermer announced the following changes to the agenda:*

*2-F (ID 24-1312) rejecting the bid for the Rectangular Rapid Flashing*

*Beacon Project - the title should not include Fresno City Council District 2. The title should reference County Supervisor District 2 and Fresno City Council Districts 4 and 6.*

**THE FOLLOWING ITEMS WERE REMOVED FROM THE AGENDA:**

*2-H (ID 24-1057) regarding updates for water conservation measures and the City's Water Shortage Contingency Plan (Citywide) - tabled to October 31, 2024, by Councilmember Arias and Staff.*

*2-L (ID 24-559) regarding an agreement with Community Health Improvement Partners to administer an independent living home – tabled to October 31, 2024, by Councilmember Arias.*

*2-P (ID 24-1366) regarding Resolution of Intention Number 1155-D to vacate portions of excess public street right of way – tabled to October 31, 2024, by Vice President Karbassi.*

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

*2-F (ID 24-1312) rejecting the bid for the Rectangular Rapid Flashing Beacon Project - moved to contested consent by Councilmember Bredefeld.*

**On motion of Councilmember Arias, seconded by Councilmember Maxwell, the Agenda was ADOPTED AS AMENDED. The motion carried by the following vote:**

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

## **CEREMONIAL PRESENTATIONS**

[ID 24-857](#) Proclamation for "Carol Lewis Day"

**PRESENTED**

[ID 24-1188](#) Proclamation for "Indigenous Peoples' Day"

**PRESENTED**

[ID 24-1249](#) Proclamation for Domestic Violence Awareness Month presented to

Centro La Familia and Marjaree Mason Center

*PRESENTED*

[ID 24-1326](#) Proclamation of Code Enforcement Officer Appreciation Week

*PRESENTED*

## **COUNCILMEMBER REPORTS AND COMMENTS**

*Councilmember Maxwell Reports and Comments: Acknowledged the Public Works and PARCS Departments for transforming a previously vacant lot into Keats Park, and for their beautification efforts along the Shaw Avenue Corridor. Attended and spoke at Jim Boren's Advanced Communication and Journalism class at Fresno State. Announced the district's fourth annual Fall Fest.*

*Councilmember Esparza Reports and Comments: Announced the repaving of streets in District 7, and acknowledged residents for their patience. Recognized the importance of Indigenous People's Day. Announced the upcoming Trunk or Treat events. Attended the California Economic Summit.*

*Councilmember Arias Reports and Comments: Acknowledged the Graffiti Abatement Team for outstanding work removing graffiti; the Department of Public Utilities Litter Control Team for responsiveness picking up trash, and; the Captain of the Southwest Policing District for his responsiveness. Requested a follow-up with the current Tower Precinct Captain. Announced the launch of the Chinatown and Downtown Facade Program, and invited small business owners to apply for city funds. Announced applications for speed bumps has opened, and encouraged residents to apply for the service.*

*Vice President Karbassi Reports and Comments: Expressed gratitude to Joe Prado and his team with the County Department of Public Health for the tour and meeting. Acknowledged Scott Mozier and the Public Works department for their efforts with various projects. Expressed gratitude to Councilmember Bredefeld, Police Captains for Northwest and Northeast, Clovis Unified, and Trustee Clint Olivier for their efforts in addressing public safety concerns along the Blackstone Corridor. Acknowledged Code Enforcement, the City Attorney's Office, and the Heart Team for their support dealing with*

*businesses and the unhoused population.*

*Council President Perea Reports and Comments: Announced her address to a Political Science class at Fresno City College, and thanked Professor Theresa for the invitation. Expressed appreciation to the Fresno Area Hispanic Foundation for their annual "Latinapreneur" Program, and speaking at the event. Attended the fifth annual "Happily Ever After" Storyland event. Acknowledged the Central Policing District for partnering with District 1 to host a "National Coffee with a Cop" event.*

## **MAYOR/MANAGER REPORTS AND COMMENTS**

*Mayor Dyer Reports and Comments: Announced meeting with individuals from Punjab Agricultural University in India to celebrate their partnership Fresno State's agricultural program. Attended the ribbon-cutting ceremony for the opening of the Applied Technology Center at Clovis Community College.*

*City Manager White Reports and Comments: Announced the updated definition of "Highest Needs Neighborhoods" for Measure "P" was sent out. Announced the Vehicle Miles Traveled (VMT) Environmental Impact Report (EIR) had been released for public comment. Announced a comprehensive memo on the Tower District Specific Plan was sent to Councilmembers.*

## **CITY CLERK AND CITY ATTORNEY REPORTS AND COMMENTS**

*There were no reports or comments from City Clerk Stermer or City Attorney Janz.*

## **1. SCHEDULED COUNCIL HEARINGS AND MATTERS**

### **9:10 A.M.**

[ID 24-1337](#) HEARING to adopt resolutions and ordinance to annex territory and Levy a Special Tax regarding City of Fresno Community Facilities District Number 9, Annexation Number 62: (Territory known as Assessor's Parcel Number 444-092-40) (Located on the south side of East Clinton Avenue, west of North Blackstone Avenue) (Council District 7)

1. \*\*\*RESOLUTION - to Annex Territory to Community Facilities District No. 9 and Authorizing the Levy of a Special Tax for Annexation No. 62; (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 2024-2025 and Future Tax Years Within and Relating to Community Facilities District No. 9, Annexation No. 62; (Subject to Mayor's Veto)

*The above item was called to order at 10:17 A.M. and was presented to Council by Supervising Engineering Technician Gonzales. Upon call, no members of the public addressed Council. Public comment closed at 10:19 A.M.*

*There was no council discussion.*

*RESOLUTION 2024-241 ADOPTED*

*RESOLUTION 2024-242 ADOPTED*

*RESOLUTION 2024-243 ADOPTED*

*BILL B-35 INTRODUCED / ADOPTED AS ORDINANCE 2024-035*

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

**Aye:** 5 - Perea, Arias, Maxwell, Bredefeld and Esparza

**Absent:** 2 - Karbassi and Chavez

### **9:15 A.M. #1**

[ID 24-1221](#) HEARING to Consider an appeal regarding Tentative Parcel Map No. 2023-13 and related Environmental Assessment No. TPM 2023-13 for approximately 2.76 acres of property located on the northeast corner of North West and West Olive Avenues (Council District 3) - Planning and Development Department.

1. ADOPT an Environmental Assessment No. TPM-2023-13 dated February 6, 2024, a determination that the proposed project is exempt from the California Environmental Quality Act (CEQA) Guidelines through a Section 15315/Class 15 Categorical Exemption.
2. DENY the appeal and UPHOLD the action of the Planning and Development Department Director in the approval of Tentative Parcel Map No. 2023-13 authorizing the subdivision of approximately 2.67 acres of property into a two-lot subdivision, subject to the following:

- a. Development shall take place in accordance with the Conditions of Approval for Tentative Parcel Map No. 2023-13 dated July 3, 2024.

*The above item was called to order at 10:19 A.M. and was presented to Council by Supervising Planner Holt. Upon call, the following members of the public addressed Council: Todd Sheller, and John Dohlin. Public comment closed at 10:46 A.M.*

*Council discussion included: Fresno Chaffee Zoo's growth and relocation of business offices; CalTrans and High Speed Rail corridor upgrades; the development agreement with Lyles Diversified; Americans with Disabilities Act (ADA) compliance; proposed requirements for the applicant, and; property use changes, estimated costs, and street light and sidewalk improvements.*

*Councilmember Arias read the following motion and findings into the record:*

*Motion to grant the appeal and approve the project without the sidewalk or lighting conditions. Specifically, Council finds under FMC 15-3311 and 15-3804:*

- 1. There currently exists adequate overhead lighting; and*
- 2. The underground lighting system is not required based upon the nature of the neighborhood, the amount and type of existing development, and the existing or potential traffic in the area.*
- 3. Given the present good condition of the sidewalk, improvements are not required.*

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

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

**9:15 A.M. #2**

[ID 24-1336](#) HEARING to adopt resolutions and ordinance to annex territory and Levy a Special Tax regarding City of Fresno Community Facilities District Number 9, Annexation Number 59: (Final Parcel Map Number 2004-36) (East Belmont Avenue and North Laverne Avenue) (Council District 5)

1. \*\*\*RESOLUTION - to Annex Territory to Community Facilities District No. 9 and Authorizing the Levy of a Special Tax for Annexation No. 59 (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 2024-2025 and Future Tax Years Within and Relating to Community Facilities District No. 9, Annexation No. 59. (Subject to Mayor’s Veto)

*The above item was called to order at 11:00 A.M. and was presented to Council by Supervising Engineering Technician Gonzales. Upon call, no members of the public addressed Council. Public comment closed at 11:01 A.M.*

*There was no Council discussion.*

*RESOLUTION 2024-244 ADOPTED*

*RESOLUTION 2024-245 ADOPTED*

*RESOLUTION 2024-246 ADOPTED*

*BILL B-36 INTRODUCED / ADOPTED AS ORDINANCE 2024-036*

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

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

**9:25 A.M.**

[ID 24-1306](#) HEARING to consider initiation of the Tower District Specific Plan update, pertaining to all properties located within the boundaries of the Tower District Specific Plan area of the Fresno General Plan.

1. RESOLUTION - Application No. P24-02869 initiating the Tower District Specific Plan Draft Land Use Map and Draft Specific Plan update
2. RESOLUTION - Application No. P24-02420 initiating preparation of the Tower Entertainment District Overlay
3. RESOLUTION - Application No. P24-02871 initiating preparation of the Tower District Specific Plan Objective Design Standards
4. Second contract amendment extending the Consultant Services

Agreement with Wallace, Roberts and Todd (WRT) to June 30, 2025.

*The above item was called to order at 11:02 A.M. and was presented to Council by Supervising Planner Asadoorian. Upon call, the following members of the public addressed Council: Brook Payton, Chris Johnson, Elliot. Public comment closed at 11:28 A.M.*

*Council President Perea announced that a majority of Councilmembers must recuse themselves from this item due to conflicts. She noted the rules required a random selection of Councilmembers to determine which recused members would be allowed to participate in order to reach a quorum on this matter. The Councilmembers would announce their recusals.*

*City Attorney Janz read the following statement into the record: When using the legally required participation exception, the randomly selected participating Councilmembers may only participate in public deliberations regarding the matter, and any related close session items required by the law. The Councilmembers may not attempt to influence the outcome of the matter, behind the scenes, by engaging in private discussions with other members or staff - your influence of this item has to be done here in public. Also, the conflict will be stated for the record. Just like any other conflict, please state what the conflict is, for example, your primary residence or not your primary residence or a different property.*

*Councilmember Arias announced his conflict involved an interest in real property that was his primary residence. He stated a conflict could arise because a Tower Specific Plan implementation could affect his real property which was located within the bounds of the plan.*

*Councilmember Chavez announced his conflict involved an interest in real property that was not his primary residence. He stated a conflict could arise because the Tower District Specific Plan implementation could affect his real property which was located within the bounds of the plan.*

*Councilmember Esparza announced his conflict involved an interest in real property that was his primary residence. He stated a conflict could arise*

*because the Tower District Specific Plan implementation could affect his real property which was located within the bounds of the plan.*

*Vice President Karbassi announced his conflict involved an interest in real property. The real property at issue was APN 444-054-11. He stated a conflict could arise because the Tower District Specific Plan implementation could affect his real property which was located within the bounds of the plan.*

*Council President Perea announced her conflict involved an interest in real property that was not her primary residence. She stated the property was 720 East Vassar Avenue and a conflict could arise because the Tower District Specific Plan implementation could affect her real property which was located within the bounds of the plan.*

*City Clerk Stermer announced he would load a box with red and green cards which would be drawn to reach the minimum number of Councilmembers required to reach a quorum on this item - four members were needed. The two Councilmembers without conflicts on the matter would automatically participate on the matter. As such, two green cards and three red cards would be placed in the box, to be drawn one at a time in reverse council number order. The two Councilmembers that pull the green cards would be required to participate. The three Councilmembers that pull the red cards would remain recused.*

*Upon the random drawing, Councilmembers Arias and Esparza drew the green cards and were therefore selected to participate in the matter along with non-conflicted members Maxwell and Bredefeld. Councilmembers Perea, Karbassi and Chavez would remain recused and not participate.*

*Council discussion included: Contract expiration date, and continuing this item to a future date and time to give Councilmembers the opportunity to engage the public. Additional information was requested by Council.*

**On motion of Councilmember Maxwell, seconded by Councilmember Esparza, that the above Action Item be TABLED to November 7, 2024, at 9:25 A.M.. The motion carried by the following vote:**

**Aye:** 4 - Arias, Maxwell, Bredefeld and Esparza

**Recused:** 3 - Perea, Karbassi and Chavez

**9:30 A.M.**

- [ID 24-1176](#) Actions pertaining to the U.S. Department of Housing and Urban Development's FY24 Pathways to Removing obstacles to Housing (PRO Housing) grant application:
1. HEARING to obtain public comments on the City's Draft PRO Housing application; and
  2. \*\*\* RESOLUTION - Authorizing the submission of a grant application and acceptance of funds from the U.S. Department of Housing and Urban Development's FY24 Pathways to Removing Obstacles to Housing (PRO Housing) grant to fund the development of affordable housing and authorizing the City Manager or designee to sign all necessary implementing documents (Subject to Mayor's Veto)

*The above item was called to order at 11:35 A.M. and was presented to Council by Housing & Neighborhood Revitalization Manager Cambron. Upon call, no members of the public addressed Council. Public comment closed at 11:35 A.M.*

*There was no Council discussion.*

**RESOLUTION 2024-239 ADOPTED**

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

**Aye:** 6 - Perea, Karbassi, Arias, Maxwell, Bredefeld and Esparza

**Absent:** 1 - Chavez

**10:00 A.M.**

- [ID 24-1325](#) Appearance by Carol Goiburn to discuss "Making Fresno a Nuclear Free Zone and 1985 Measure B Nuclear Free Zone Act" (District 4 Resident)

*APPEARED*

**10:03 A.M.**

- [ID 24-1345](#) Appearance by Anna Rhinehart to discuss Operation Clean Up Schedule. (District 1 Resident)

*A brief response was provided by the Assistant Director of Public Utilities Alkhayyat and City Manager White.*

*APPEARED*

## **2. CONSENT CALENDAR**

*Upon call, for public comment on all Consent, Contested Consent and Closed Session items, no members of the public addressed Council.*

### APPROVAL OF THE CONSENT CALENDAR

**On motion of Councilmember Arias, seconded by Vice President Karbassi, the CONSENT CALENDAR was hereby adopted by the following vote:**

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

- 2.-A.** [ID 24-1351](#) Approval of the minutes for September 26, 2024, regular meeting

### **APPROVED ON CONSENT CALENDAR**

- 2.-B.** [ID 24-1283](#) Actions pertaining to California Tupman and Romain Park Improvements Project (Bid File No. 12500042) (Council Districts 3 and 7):
1. Adopt a finding of Categorical Exemption per staff's determination, pursuant to Section 15301/Class 1 and Section 15302/Class 2 of the California Environmental Quality Act Guidelines, Environmental Assessment No. PC00326 and PC00319, for the California Tupman and Romain Park Improvements Project;
  2. Award a construction contract in the amount of \$434,056.02 to Geometric Construction Inc., of Fresno, California, as the lowest responsive and responsible bidder for the California Tupman and Romain Park Improvements Project.

### **APPROVED ON CONSENT CALENDAR**

- 2.-C.** [ID 24-1284](#) Actions pertaining to the South Peach Avenue Park Project (Bid File 12402799) (Council District 5):
1. Adopt an Addendum to Mitigated Negative Declaration SCH 2021040358, dated April 12, 2021, prepared for Development Permit Application No. P21-00726 pursuant to California Environmental Quality Act Guidelines Sections 15162 and 15164;
  2. Award a construction contract in the amount of \$9,653,846.35 for the Base Bid plus all six (6) Add Alternates to American Paving Co. of Fresno, California, as the lowest responsive and responsible

bidder for the South Peach Avenue Park Project.

**APPROVED ON CONSENT CALENDAR**

- 2.-D. [ID 24-1299](#) Award a construction contract in the amount of \$449,289 to Harris Development Corp. dba HBC Enterprises, of Clovis, California, as the lowest responsive and responsible bidder for the Cary Bleacher and ADA Improvements Project. (Bid File No. 12500111) (Council District 4)

**APPROVED ON CONSENT CALENDAR**

- 2.-E. [ID 24-1304](#) Approve the First Amendment to the Professional Engineering Services Agreement with Michael K. Nunley & Associates, Inc., of Fresno, California, in the amount of \$12,710, increasing the total contract amount to \$624,379, with a remaining contingency amount not to exceed \$6,647, due to an increased scope of services for the construction document phase of the Southwest Recycled Water System Storage Tank and Booster Pump Station Project (Fresno County).

**APPROVED ON CONSENT CALENDAR**

- 2.-G. [ID 24-1314](#) Actions pertaining to the Knight Avenue Improvements Project between Jensen Avenue and Grove Avenue (Bid File No. 12500187) (Council District 3):
1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines;
  2. Award a construction contract in the amount of \$567,905 to Avison Construction, Inc. of Madera, California.

**APPROVED ON CONSENT CALENDAR**

- 2.-H. [ID 24-1057](#) Actions related to updating water conservation measures and the City's Water Shortage Contingency Plan (Citywide):
1. Adopt a finding that the proposed updates to the City's water conservation measures are exempt from the California Environmental Quality Act (CEQA) pursuant to the common sense exemption in that it can be seen with certainty that there is no possibility the proposed changes will have a significant effect on the environment pursuant to Section 15061(b)(3) of the California Environmental Quality Act Guidelines;
  2. BILL (for introduction) - Amending Subsection (vv) of Section 6-501, Subsections (a) and (e) of Section 6-520, and Section 6-522 of the Fresno Municipal Code, relating to regulations for urban water conservation and water efficient landscape standards;
  3. \*\*\*RESOLUTION - Amending the Water Shortage Contingency Plan

(Subject to Mayor's Veto);

4. \*\*\*RESOLUTION - Adopting the 571st Amendment to the Master Fee Schedule Resolution No. 80-420 to update water rate penalties relating to conditions of service work in the Public Utilities Section (Subject to Mayor's Veto);
5. \*\*\*RESOLUTION - Authorizing the issuance of fines for violations of the Fresno Municipal Code's water conservation regulations based on water meter data and rescinding Resolution No. 2018-253 (Subject to Mayor's Veto).

#### **TABLED TO OCTOBER 31, 2024**

- 2.-I. [ID 24-1308](#) Approve the award of a service contract to REMIX of San Francisco, California, for cloud-based transit planning software for a total not to exceed \$197,000 over five years plus two optional one-year extensions. (Bid File 12402788)

#### **APPROVED ON CONSENT CALENDAR**

- 2.-J. [ID 24-1273](#) \*\*\*RESOLUTION - Adopting the 16th Amendment to the Annual Appropriation Resolution (AAR) No. 2024-122 to appropriate \$296,000 from the State of California's Office of Traffic Safety (OTS) to the Parks, After School, Recreation, and Community Services (PARCS) Department for Bicycle and Pedestrian Safety programming (Citywide) (Requires 5 Affirmative Votes) (Subject to Mayor's Veto).

#### *RESOLUTION 2024-247 ADOPTED*

#### **APPROVED ON CONSENT CALENDAR**

- 2.-K. [ID 24-1356](#) Actions pertaining to the California Volunteers Youth Service Corps Program Grant
1. Accept the California Volunteers Youth Service Corps Program Grant and authorize the City Manager or designee to execute all grant related documents.
  2. \*\*\*RESOLUTION - Adopting the 18th amendment to the Annual Appropriation Resolution (AAR) No. 2024-122 appropriating \$1,080,902.56 for the OneFresno Youth Jobs Corps Program (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)

#### *RESOLUTION 2024-240 ADOPTED*

#### **APPROVED ON CONSENT CALENDAR**

- 2.-L. [ID 24-559](#) Approve an Agreement with Community Health Improvement Partners to administer an Independent Living Home - Rapid Rehousing program (ILA-RR) in the total amount of \$2,882,282.63 using Encampment

Resolution Funding (ERF-3R).

**TABLED TO OCTOBER 31, 2024**

- 2.-M.** [ID 24-819](#) Approve First Amendment to the Service Agreement with Poverello House for professional emergency shelter, bridge housing, street outreach, and navigation services for individuals experiencing homelessness in two State encampment areas extending the contract term to July 30, 2025, and increasing funding by \$2,001,280.00 in Encampment Resolution Funding-Round 3 (ERF-3R) grant for a total program award of \$11,781,605.71.

**APPROVED ON CONSENT CALENDAR**

- 2.-N.** [ID 24-1094](#) Actions pertaining to the 2022 Environmental Protection Agency Brownfields Revolving Loan Fund Grant
1. Approve the consultant services agreement between the City of Fresno and Stantec Consulting Services Inc., in the amount of \$101,750 to perform environmental consultant services for Brownfields Revolving Loan Fund Grant activities with a contract performance period to January 31, 2027
  2. Authorize the Planning and Development Director to accept \$1,000,000 in total grant funding for the Brownfields Revolving Loan Fund grant and execute all related documents applicable to the 2022 Environmental Protection Agency Brownfields Revolving Loan Fund Grant

**APPROVED ON CONSENT CALENDAR**

- 2.-O.** [ID 24-1338](#) RESOLUTION - Authorizing the Submission of a Grant Application for Competitive Grant Funds to the California Transportation Commission's Local Partnership Competitive Program for the BNSF Blackstone McKinley Grade Separation Project Totaling up to \$25 Million in Request for Funding; and Authorizing the Execution of Grant Application and Grant Agreement documents by the Public Works Director or Designee. (Council Districts 1 and 7)

*RESOLUTION 2024-248 ADOPTED*

**APPROVED ON CONSENT CALENDAR**

- 2.-P.** [ID 24-1366](#) Actions pertaining to Resolution of Intention Number 1155-D to vacate portions of excess public street right of way on the northeast side of North Weber Avenue and the southeast side of West Farrington Avenue, northwest of West Herndon Avenue (Council District 2):
1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15332 of the California Environmental Quality

- Act (CEQA) Guidelines, Environmental Assessment for Planned Development & Development Permit Application No. P22-00207;
2. RESOLUTION - Adopt the attached Resolution of Intention Number 1155-D to vacate portions of excess public street right of way on the northeast side of North Weber Avenue and the southeast side of West Farrington Avenue, northwest of West Herndon Avenue;
  3. Set the required public hearing at 9:30 a.m. on October 31, 2024.

**TABLED TO OCTOBER 31, 2024**

- 2.-Q. [ID 24-1202](#) Approve the reappointment of Sarah Harris to the Fresno County Transportation Authority with a term ending October, 10, 2026.

**APPROVED ON CONSENT CALENDAR**

- 2.-R. [ID 24-1371](#) Bill - (For Introduction) - Amending 11-115 of the Fresno Municipal Code relating to the adoption of rules and regulations restricting vehicular or pedestrian traffic through alleys.

*BILL B-37 INTRODUCED AND LAID OVER*

**APPROVED ON CONSENT CALENDAR**

- 2.-S. [ID 24-1279](#) \*\*\*RESOLUTION - Repealing and Restating Resolution 2022-086 Establishing the City of Fresno Tree Policy (Subject to Mayor's Veto)

*RESOLUTION 2024-249 ADOPTED*

**APPROVED ON CONSENT CALENDAR**

- 2.-T. [ID 24-1278](#) Bill - (For Introduction) - Amending Section 13-305 of the Fresno Municipal Code, relating to Tree Preservation

*BILL B-38 INTRODUCED AND LAID OVER*

**APPROVED ON CONSENT CALENDAR****CONTESTED CONSENT CALENDAR**

- 2.-F. [ID 24-1312](#) Reject the bid for the Rectangular Rapid Flashing Beacon Project. (Bid File No. 12402193-1) (Council District 2, 4, and 6)

*Councilmember Bredefeld announced he no longer had questions regarding this item and motioned to approve it. There was no additional discussion by Council.*

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

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

### **3. GENERAL ADMINISTRATION**

3.-A. [ID 24-1352](#) Progress of Code Enforcement, including ASET Quarterly report.

*The above item was presented to Council by Chief Assistant City Attorney Camarena, Assistant City Attorney Roberson, and City Attorney Janz.*

*Council discussion included: structuring a future citywide ordinance; updates for the Belmont corridor and South Tower, and; fines and enforcement against property owners.*

### **UNSCHEDULED COMMUNICATION**

*Upon call, no members of the public addressed Council with unscheduled communication:*

### **4. CITY COUNCIL**

### **5. CLOSED SESSION**

*During open session, Chief Assistant City Attorney Collet announced each of the items that would be discussed in closed session.*

*Council withdrew to closed session at 1:55 P.M.*

5.-A. [ID 24-1327](#)

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

*John Rose v. City of Fresno; Fresno Superior Court Case No.  
21CECG03763*

*The above item was discussed in closed session. There were no open session announcements for this item.*

*DISCUSSED*

5.-B. [ID 24-1328](#)

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION  
Government Code Section 54956.9, subdivision (d)(2)  
Significant Exposure to Litigation:

Edward Cruz & Jennyfer Pena v. City of Fresno, Risk File No.  
RM2023045072 (Public Works Department)

*The above item was discussed in closed session. There were no open session announcements for this item.*

**DISCUSSED**

- 5.-C. [ID 24-1342](#) CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION  
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section  
54956.9: 1 potential case

*The above item was discussed in closed session. There were no open session announcements for this item.*

**DISCUSSED**

- 5.-D. [ID 24-1362](#) CONFERENCE WITH LABOR NEGOTIATORS - Government Code  
Section 54957.6  
City Negotiators: Jennifer Misner; Sumeet Malhi  
Employee Organization(s): 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),  
Unit 4; 4. International Association of Firefighters, Local 202, 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) Unit 10; 8. International  
Association of Firefighters, Local 202, Unit 10 (Fire Management); 9. City  
of Fresno Professional Employees Association (CFPEA); 10. City of  
Fresno Management Employees Association (CFMEA); 11. Fresno  
Airports Public Safety Officers Association (FAPSOA)

*The above item was discussed in closed session. There were no open session announcements for this item.*

**DISCUSSED**

- 5.-E. [ID 24-1374](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION  
Government Code Section 54956.9, subdivision (d)(1)  
*City of Fresno v. County of Fresno*; Fresno Superior Court Case No.:  
24CECG01199

*The above item was discussed in closed session. There were no open session announcements for this item.*

*session announcements for this item.*

*DISCUSSED*

5.-F. [ID 24-1349](#)

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

1. Government Code Section 54957(b): consider the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee. Title: City Attorney
2. Government Code Section 54957.6: conference with labor negotiator. City Negotiator: Council President Annalisa Perea. Unrepresented Employee: City Attorney

*The above item was discussed in closed session. There were no open session announcements for this item.*

*DISCUSSED*

**ADJOURNMENT**

*The Council meeting adjourned from closed session at 3:58 P.M.*