



City of Fresno

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

Meeting Minutes - Final City Council

President - Tyler Maxwell

Vice President - Annalisa Perea

Councilmembers:

Mike Karbassi, Miguel Angel Arias, Luis Chavez,

Garry Bredefeld, Nelson Esparza

City Manager - Georgeanne A. White

City Attorney - Andrew Janz

City Clerk - Todd Stermer, CMC

Thursday, April 20, 2023

9:00 AM

Council Chambers (In
Person and/or Electronic)

Regular Meeting

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

9:04 A.M. ROLL CALL

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

Invocation by Pastor Rev. Robin Mathews-Johnson from the Wesley United Methodist Church

Pastor Rev. Robin Mathews-Johnson 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:

Consent Calendar item 1-N (ID 23-415) regarding consultant services

agreement with AM Consulting Engineers – the “Local Preference” section of the staff report should only read as follows: Local preference was implemented, AM Consulting Engineers, Inc., is a local business as defined by the Fresno Municipal Code.

Consent Calendar item 1-H (ID 23-587) regarding the eighth amendment to the Position Authorization Resolution No. 2022-153 to add four positions to the Parks, After School, Recreation and Community Services (PARCS) Department - removed from the agenda by Councilmember Arias and tabled to April 27, 2023.

Consent Calendar item 1-X (ID 23-618) regarding resolution to adopt a pilot program to incentivize job creation in portions of District 1 – removed from the agenda by Vice President Perea and tabled to April 27, 2023.

Consent Calendar item 1-Y (ID 23-554) regarding resolution to amend Council Communication Policy - removed by Councilmember Karbassi and tabled to April 27, 2023.

10:20 A.M. Scheduled Hearing (ID 23-541) regarding the designation of a property to the Local Register of Historic Resources - removed from the agenda by Councilmember Arias and tabled to April 27, 2023 at 10:20 A.M.

10:25 A.M. #1 Scheduled Hearing (ID 23-550) regarding appearance by Gary Christy - withdrawn from the agenda by the speaker.

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

1-B (ID 23-534) regarding Commercial Cannabis Activity - moved to Contested Consent by Councilmember Arias.

1-F (ID 23-614) regarding the Transient Room Tax - moved to Contested Consent by Councilmember Arias.

1-I (ID 23-470) - regarding a project specific Tax Sharing Agreement between the City of Fresno and the County of Fresno - moved to Contested

Consent by Councilmember Bredefeld.

1-K (ID 23-575) regarding the State of California's Homekey 3 Program and Quality Inn Located at 6051 North Thesta Street - moved to Contested Consent by Councilmember Bredefeld.

1-L (ID 23-576) regarding the State of California's Homekey 3 Program and development of permanent affordable housing at 6507 North Polk Avenue - moved to Contested Consent by Councilmember Arias.

On motion of Councilmember Arias, seconded by Vice President Perea, the above agenda was ADOPTED AS AMENDED. The motion carried by the following vote:

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

CEREMONIAL PRESENTATIONS

[ID 23-525](#) Emergency Dispatcher's Appreciation Week

PRESENTED

[ID 23-413](#) Proclamation for "National Crime Victims' Rights Week"

PRESENTED

[ID 23-311](#) Proclamation for "National Donate Life Month"

PRESENTED

[ID 23-602](#) Proclamation "Honoring Fresno Poet Laureate Joseph Rios"

PRESENTED

COUNCILMEMBER REPORTS AND COMMENTS

Councilmember Karbassi Reports and Comments. Discussed the progress made on the Veteran's Boulevard project and his tour of the area with Vice President Perea. Announced his recent site visit to the Dispatch Center. Attended opening day for the Fresno Grizzlies and promoted the attraction as the "best deal in town." Attended the California League of Cities, City Leadership Summit where he lead a discussion on organized retail crime. Discussed the re-opening of the Fig Garden Branch Library which included

attendance by the California Poet Laureate, Lee Herrick.

Councilmember Arias Reports and Comments. Discussed the four community meetings held in his district to gather input on community budget priorities. Invited the Mayor to attend the Tower District Farmer's Market later in the evening. Requested an update from the City Attorney on the vacant property at Olive and Glenn and an update on the renovation of Hardy's Theatre. Discussed recent meetings to help improve services for the homeless and noted the need for the County of Fresno to be a better partner in the effort. Asked if the administration was prepared to deal with the recent collapse of the Dinkey Creek bridge.

Councilmember Chavez Reports and Comments. Acknowledged Community Base Organizations (CBO) and the administration for clean up events in District 5. Discussed a future trail cleanup in Calawa near Saint Anthony Claret Church. Announced the second and final community meeting was being scheduled to discuss the 49 acre park in Southeast Fresno. Announced the High-Speed Rail Authority reached out to discuss the pending closure of Church Avenue. Acknowledged students from Roosevelt and Sequoia High for working to clean up the community during spring break.

Councilmember Bredefeld Reports and Comments. Announced a District 6 cleanup event at Woodward Park and encouraged people to participate, meet their neighbors and help keep the community clean.

Councilmember Esparza Reports and Comments. Attended the 34th Annual World Languages Fair at McLane High School. District 7 staff attended the Broadband Workshop held at Fresno City College. Participated in the Beautify Fresno cleanup event at Webster Elementary School. Attended an Easter Celebration with the Jackson Neighborhood Association. Re-scheduled the Play Streets event on Huntington Boulevard to May 13, 2023, due to weather. Requested the administration provide the proposed budget to Council by May 15 to help minimize the number of budget motions.

Vice President Perea Reports and Comments. Acknowledged City staff for

the great progress on Veteran's Boulevard while keeping the project on time and under budget. Discussed her first town hall meeting west of the 99 and acknowledged the dedication of the many City staffers and the District 1 team that made the meeting a success. Attended the Buddhist New Year Celebration the previous weekend. Announced the Tower District Farmers Market and ribbon cutting event taking place later in the evening and subsequently every Thursday from 5:00 p.m. to 9:00 p.m.

Council President Maxwell Reports and Comments. Hosted a successful Easter egg hunt event at Einstein Park. Discussed a well attended roundtable meeting in the Airports District to determine the types of investments businesses want in the area. Discussed the "On the Same Page Initiative" to provide free access to books around District 4 neighborhoods and the "1000 Books in 30 Days" book drive to support the Initiative.

MAYOR/MANAGER REPORTS AND COMMENTS

Mayor Dyer Reports and Comments. Reported on his presentation to the CalTrans Supervisors about the success of Fresno in removing freeway encampments and housing the homeless. Discussed the success of the Great American Cleanup over the weekend. Acknowledged Councilmember Esparza's request to receive the proposed budget three weeks prior to the scheduled budget hearings.

City Manager White Reports and Comments. Commented on the successful return to in-person recognition of employees and acknowledged the City Clerk's Office for organizing the event. Reported the collapsed Dinkey Creek Bridge was owned by the U.S. Forest Service and the City of Fresno would offer support for its replacement. Stated the City was working closely with the High Speed Rail authority to ensure the closing of Church Avenue would be a smooth process. Announced the distribution of a memo detailing the restarting of delinquent utility bill processing and the availability of payment plans for customers.

UNSCHEDULED COMMUNICATION

Upon call for unscheduled communication and public comment on Consent Calendar, Contested Consent Calendar and Closed Session items, the

following members of the public addressed Council: Susan Neville (1-D); Pratik Suchak (1-K); David Willis; Scott Petersen (1-D); Kim Sands; Brandi Nuse-Villegas; Linda Martinez; Leticia Casillas; Perla Jaimes; Patsy Rajskup; Mariah Thompson; Becerra Richard; Sam Frank; Fernando Elizando; Dez Martinez (1-L); Lisa Pridard (1-K); Kristin Pothier; Michael Rabara (3-A); Elizabeth Moreno; Cesar Casamayor; Jeffrey Neville (1-D); Lisa Flores; Alicia Rodriguez (1-D); Robert McCloskey (1-J, 1-M); Laura Splotch (1-D), and Cindy Piombino.

[ID 23-698](#) Public Comment Received for April 20, 2023.

1. CONSENT CALENDAR

APPROVAL OF THE CONSENT CALENDAR

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

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

Absent: 1 - Chavez

1.-A. [ID 23-605](#) Approval of Minutes for March 30, 2023, Regular Meeting

APPROVED ON THE CONSENT CALENDAR

1.-C. [ID 23-610](#) Approve the appointment of Areli Rios to the Fresno Housing Authority for a term ending on April 30, 2025.

APPROVED ON THE CONSENT CALENDAR

1.-D. [ID 23-639](#) Approve a professional services agreement for three years with two one-year extensions with 809 Olive Avenue, LLC, to provide operations and management services of the Tower Theatre and Lounge with a fee equal to 12% of the gross receipts estimated for the first year at \$159,480 (RFQ No.100722RQ) (District 1)

APPROVED ON THE CONSENT CALENDAR

1.-E. [ID 23-569](#) Approve a consultant agreement with PBK in the total amount of \$64,000 plus a not-to-exceed contingency amount of \$5,000 to conduct a facility condition assessment of the Tower Theatre property and authorize the Director of General Services or designee to execute all related documents (Council District 1)

APPROVED ON THE CONSENT CALENDAR

- 1.-G. [ID 23-563](#) Approve an increase in the licensing costs for the City's Microsoft Enterprise Agreement in the amount of \$216,658.87.

APPROVED ON THE CONSENT CALENDAR

- 1.-H. [ID 23-587](#) ***RESOLUTION - Adopt the Eighth Amendment to the Position Authorization Resolution ("PAR") No. 2022-153 entitled, "A Resolution of the Council of the City of Fresno establishing the number of positions authorized in the various departments and offices of the City for Fiscal Year 2023," to add a total of four positions: one full time Projects Administrator; one full time Program Manager; and two full time Senior Management Analysts, in the Parks, After School, Recreation, and Community Services ("PARCS") Department. (Subject to Mayor's veto).

The above item was removed from the agenda by Councilmember Arias and tabled to April 27, 2023.

TABLED

- 1.-J. [ID 23-574](#) Actions pertaining to the State of California's Homekey 3 Program and Travelodge located at 3876 North Blackstone Avenue (436-260-22) to facilitate the development of permanent affordable housing (District 4)
1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 and Section 15332/Class 32 of the California Environmental Quality Act (CEQA) guidelines;
 2. Approve the Purchase and Sale Agreement with PRABHATBHAI T. PATEL and SUSHILABEN P. PATEL as TRUSTEES of The Prabhatbhai T. Patel and Sushilaben P. Patel Living Trust u/t/d/ dated September 12, 2019, for \$4,400,000;
 3. ***RESOLUTION - Authorizing joint application and acceptance of funding from participation in the State of California's Homekey 3 Program to sustain and rapidly expand housing for persons experiencing or at risk of homelessness and authorizing the City Manager to sign all required implementing documents (Subject to Mayor's veto); and
 4. ***RESOLUTION - Declaring a commitment for a future City contribution of funds for rehabilitation expenses in an amount not to exceed \$5,000,000 upon full award of Homekey 3 funding for the Travelodge Project (Subject to Mayor's veto).

RESOLUTION 2023-097 ADOPTED.

RESOLUTION 2023-098 ADOPTED

APPROVED ON THE CONSENT CALENDAR

- 1.-M. [ID 23-584](#) Actions related to the acquisition of Clarion Pointe Motel, located at 4061 North Blackstone Avenue (434-143-06) to facilitate an Interim Homeless Shelter (District 4):
1. Adopt a finding of Categorical Exemption pursuant to Sections 15301/Class 1 and 15332/Class 32 of the California Environmental Quality Act (CEQA) Guidelines
 2. Approve the Purchase and Sale Agreement with Kush Hospitality Inc., a California Corporation for \$11,800,000

APPROVED ON THE CONSENT CALENDAR

- 1.-N. [ID 23-415](#) Award a consultant services agreement to AM Consulting Engineers, Inc., to provide engineering services for the 2-Water Booster Pump Station Redundancy Improvements at the Regional Wastewater Reclamation Facility for an amount not to exceed \$187,590, inclusive of a \$18,000 contingency (Bid File 12300511-1) (Council District 3)

APPROVED ON THE CONSENT CALENDAR

- 1.-O. [ID 23-461](#) ***RESOLUTION - Rescinding Resolution Number 2017-332 and ordering the vacation of a portion of North Carnegie Avenue, between West Bullard Avenue and Union Pacific Railroad (Subject to Mayor's Veto) (Council District 2)

RESOLUTION 2023-099 ADOPTED

APPROVED ON THE CONSENT CALENDAR

- 1.-P. [ID 23-564](#) RESOLUTION - Of Intention to Annex Final Tract Map No. 6370 as Annexation No. 143 to the City of Fresno Community Facilities District No. 11 and to Authorize the Levy of Special Taxes; and setting the public hearing for Thursday, May 25, 2023, at 10:10 am (located on the west side of North Chestnut Avenue and East Powers Avenue) (Council District 6)

RESOLUTION 2023-100 ADOPTED

APPROVED ON THE CONSENT CALENDAR

- 1.-Q. [ID 23-571](#) RESOLUTION - Of Intention to Annex Final Tract Map No. 6350 as Annexation No. 142 to the City of Fresno Community Facilities District No. 11 and to Authorize the Levy of Special Taxes; and setting the public hearing for Thursday, May 25, 2023, at 10:05 am (located on the northwest corner of North Parc West Drive and West Holland Avenue) (Council District 1)

RESOLUTION 2023-101 ADOPTED

APPROVED ON THE CONSENT CALENDAR

[ID 23-698](#) Public Comment Received for April 20, 2023.

- 1.-R. [ID 23-572](#) RESOLUTION - Of Intention to Annex Final Tract Map No. 6212, 6276, and 6350 as Annexation No. 002 to the City of Fresno Community Facilities District No. 18 and to Authorize the Levy of Special Taxes; and setting the public hearing for Thursday, May 25, 2023 at 10:00 am (T6212, located at the southwest corner of North Parc West Drive and North Grantland Avenue; T6276, located on the northwest corner of North Parc West Drive and North Grantland Avenue; T6350, located on the northeast corner of North Parc West Drive and West Holland Avenue) (Council District 1)

RESOLUTION 2023-102 ADOPTED

APPROVED ON THE CONSENT CALENDAR

- 1.-S. [ID 23-565](#) Actions pertaining to the award of a requirements contract to Vulcan Materials Co. in the amount up to \$5,826,127.50 for the purchase of Asphalt Concrete Material. (Bid File 12300991) (City-wide)

APPROVED ON THE CONSENT CALENDAR

- 1.-T. [ID 23-578](#) Actions pertaining to the Citywide Countdown Pedestrian Head Project - Bid File 12300990 (Citywide)
1. Adopt a finding of Categorical Exemption per staff determination pursuant to Section 15301/Class 1 and Section 15302/Class 2 of the California Environmental Quality Act (CEQA) Guidelines
 2. Award a construction contract in the amount of \$214,934 to Pelagic Engineering, of Oxnard, California

APPROVED ON THE CONSENT CALENDAR

- 1.-U. [ID 23-603](#) Actions pertaining to the new Fire Station 12 Project (Council District 1)
1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15332/Class 32 of the California Environmental Quality Act (CEQA) Guidelines
 2. Award a construction contract in the amount of \$78,445 to CVE Demolition Inc., of Fresno, CA, as the lowest responsive and responsible bidder for the Demolition of the 3315 West Ashlan Avenue Building - Bid File 12301188

APPROVED ON THE CONSENT CALENDAR

- 1.-V. [ID 23-320](#) ***RESOLUTION - 25th Amendment to the Annual Appropriation Resolution (AAR) No. 2022-154 to appropriate \$2,716,400 from the Transportation Development Act (TDA) pass-through revenues. (Requires 5 Affirmative Votes)(Subject to Mayor's veto)

RESOLUTION 2023-103 ADOPTED

APPROVED ON THE CONSENT CALENDAR

- 1.-W. [ID 23-590](#) ***Bill B-5 (Intro'd 3/30/2023)(For Adoption) - Amending Section 12-4.1603 of the Fresno Municipal Code, revising the definition of infill project for purposes of the fee waiver program for certain residential infill projects (Subject to Mayor's Veto)

ORDINANCE 2023-010 ADOPTED

APPROVED ON THE CONSENT CALENDAR

- 1.-X. [ID 23-618](#) ***RESOLUTION - adopting a pilot program to incentivize job creation within a portion of the Tower District and the portion of the area west of Highway 99 between Clinton Avenue and Shaw Avenue located within District 1. (Subject to Mayor's Veto)

The above item was removed from the agenda by Vice President Perea and tabled to April 27, 2023.

TABLED

- 1.-Y. [ID 23-554](#) RESOLUTION - Amending the Council Communication Policy

The above item was removed from the agenda by Councilmember Karbassi and tabled to April 27, 2023.

TABLED

- 1.-Z. [ID 23-622](#) Approve the appointment of Tania Castillo to the Immigration Affairs and Resident Committee for a term which serves at the pleasure of the Councilmember

APPROVED ON THE CONSENT CALENDAR

CONTESTED CONSENT CALENDAR

- 1.-B. [ID 23-534](#) Actions pertaining to Commercial Cannabis Activity:
 1. Approve the Loan Agreement for Maritza Estrada (the Owner) of Traditional - Fresno - ME LLC, a cannabis social equity business, in the amount of \$75,000 to assist with the start-up, regulatory costs, and operating costs of opening a retail commercial cannabis business in the City of Fresno.
 2. Approve the Loan Agreement for Isaac Fonseca (the Owner) of Beyond Rooted 559 LLC, a cannabis social equity business, in the amount of \$75,000 to assist with the start-up, regulatory costs, and

operating costs of opening a retail commercial cannabis business in the City of Fresno.

Councilmember Arias moved the above item to the Contested Consent Calendar for an explanation of the program and to discuss how the opening of the two business entities would be impacted if the loan agreements were approved.

Council discussion on this item included: the Equity Assistance Program; the timelines required to be met by the license holders; possible revisions to the ordinance to cancel the licenses if the timelines are not met, and; the details regarding loan amounts and terms.

APPROVED

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

Aye: 5 - Esparza, Maxwell, Perea, Arias and Chavez

No: 1 - Bredefeld

Absent: 1 - Karbassi

- 1.-F.** [ID 23-614](#) Actions pertaining to Transient Room Tax:
1. BILL- (For introduction) Amending Section 7-602 of the Fresno Municipal Code, relating to compelling short-term rental crowdsourcing entities such as Airbnb, VRBO, etc. to collect Transient Occupancy Tax (TOT) on the City's behalf and to remit the revenue to the City.

Councilmember Arias moved the above item to the Contested Consent Calendar for an overview on how the item will allow the City to collect the room tax from Airbnb customers.

Council discussion on this item included: direct reporting instead of self-reporting; how often the remittance would be collected; STR regulations and permitting; the increased room tax expected to be collected due to this item; utilizing the same process for other entities similar to Airbnb; the accountability process and ensuring the Transit Oriented Tax is managed; current permit fees; using data to get more users registered; how comparable cities handle short term rental permits, how to limit short term

rental in light of the permanent housing crisis.

BILL B-11 APPROVED, INTRODUCED AND LAID OVER

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

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

- 1.-I. [ID 23-470](#) Approve a Project-Specific Tax Sharing Agreement Between the City of Fresno and the County of Fresno Regarding California-Willow No. 4 Reorganization for approximately 79.75 acres of property located on the southeast and southwest corners of the East California Avenue alignment (railroad right-of-way) and South Willow Avenue (Council District 5).

The above item was moved to the Contested Consent Calendar by Councilmember Bredefeld. There was no staff presentation and no council discussion, there were no further questions.

APPROVED

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

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

- 1.-K. [ID 23-575](#) Actions pertaining to the State of California's Homekey 3 Program and Quality Inn located at 6051 North Thesta Street (APN 409-200-43), to facilitate the development of permanent affordable housing (District 6)
1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 and Section 15332/Class 32 of the California Environmental Quality Act (CEQA) guidelines;
 2. ***RESOLUTION - Authorizing a joint application to and acceptance of funding from participation in Project Homekey 3.0 to sustain and rapidly expand housing for persons experiencing homelessness or at risk of homelessness, and who are, thereby inherently impacted by or at increased risk for medical diseases or conditions due to the COVID-19 pandemic or other communicable diseases and authorizing the City Manager to sign all required implementing documents (Subject to Mayor's veto); and

3. ***RESOLUTION - Supporting a future City contribution of funds for rehabilitation expenses in an amount not to exceed \$6,000,000 associated with Upholding California, LLC's Quality Inn Project under funding through the State of California's Homekey 3 Program (Subject to Mayor's veto).

Councilmember Bredefeld moved the above item to the Contested Consent Calendar to discuss the concerns of the surrounding businesses regarding this project.

Council discussion on this item included: the project creating permanent housing, not additional shelters; outreach to the surrounding businesses; timing of the awards and when the final project would be brought before the council.

Councilmember Bredefeld motioned to approve this item with direction that the city hold several community meetings with the surrounding businesses in the locations to address the concerns of business owners.

RESOLUTION 2023-095 ADOPTED

RESOLUTION 2023-096 ADOPTED

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

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

- 1.-L.** [ID 23-576](#) Actions pertaining to the State of California's Homekey 3 Program and development of permanent affordable housing at 6507 North Polk Avenue (506-130-04) (District 2):

1. ***RESOLUTION - Authorizing joint application to and participation in the State of California's Homekey 3 Program to sustain and rapidly expand housing for persons experiencing homelessness or at risk of homelessness and authorizing the City Manager or designee to sign all required implementing documents. (Subject to Mayor's Veto).
2. ***RESOLUTION - In support of future City Contribution of Funds for construction and development expenses associated with the project in an amount not to exceed \$2,800,000 upon full award of Homekey 3 funding for the ACTS Foundation project. (Subject to Mayor's Veto).

Councilmember Arias moved the above item to the Contested Consent Calendar to address concerns that: the operating organization lacks experience running shelters; the operating organization has existed for less than a year and will likely struggle in the highly regulated field, and; the public comments included numerous complaints regarding the operating organization.

Council discussion on this item included the following: the proposed organization not supporting the LGBTQ community; the requirements in the Request for Proposal; the demographics the organization will serve and whether they are allowed to discriminate; unit allocation commitments; whether or not there have been similar projects before the council; the comments and concerns of the community; what the ACTS Foundation brings to the project and whether another partner could be substituted; accredited foster facilities; the total state funding to be applied; the overall cost of the project, and; the potential to lose funding if the project is denied.

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

Aye: 2 - Maxwell and Karbassi

No: 4 - Esparza, Perea, Arias and Bredefeld

Absent: 1 - Chavez

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:00 A.M.#1

[ID 23-567](#)

HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community Facilities District No. 11, Annexation No. 140 (Final Tract Map No. 6338) (Northeast corner of East Church Avenue and South Sunnyside Avenue) (Council District 5)

1. ***RESOLUTION - to Annex Territory to Community Facilities District No. 11 and Authorizing the Levy of a Special Tax for Annexation No. 140 (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 2022-2023 and Future Tax Years Within and Relating to Community Facilities District No. 11, Annexation No. 140 (Subject to Mayor's Veto)

The above hearing was called to order at 1:38 P.M. Upon call, there was no public comment for this item. The public comment period closed at 1:38 P.M. There was no staff presentation and no Council discussion.

RESOLUTION 2023-089 ADOPTED

RESOLUTION 2023-090 ADOPTED

RESOLUTION 2023-091 ADOPTED

BILL B-9 INTRODUCED/ADOPTED AS ORDINANCE 2023-008

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

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

10:00 A.M.#2

[ID 23-577](#)

Actions pertaining to Final Map of Tract No. 6338:

RESOLUTION - Approving the Final Map of Tract No. 6338, and accepting dedicated public uses offered therein except for dedications offered subject to City acceptance of developer installed required improvements - located near the northeast corner of East Church Avenue and South Sunnyside Avenue (Council District 5)

The above hearing was called to order at 1:38 P.M. Upon call, there was no public comment for this item. The public comment period closed at 1:39 P.M. There was no staff presentation and no Council discussion.

RESOLUTION 2023-104 ADOPTED

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

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

10:05 A.M.

- [ID 23-570](#) HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community Facilities District No. 11, Annexation No. 141 (Final Tract Map No. 6212 and Parc West Drive) (Southwest corner of North Parc West Drive and North Grantland Avenue) (Council District 1)
1. ***RESOLUTION - to Annex Territory to Community Facilities District No. 11 and Authorizing the Levy of a Special Tax for Annexation No. 141 (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 2022-2023 and Future Tax Years Within and Relating to Community Facilities District No. 11, Annexation No. 141 (Subject to Mayor's Veto)

The above hearing was called to order at 1:39 P.M. Upon call, there was no public comment for this item. The public comment period closed at 1:39 P.M. There was no staff presentation and no Council discussion.

RESOLUTION 2023-105 ADOPTED

RESOLUTION 2023-106 ADOPTED

RESOLUTION 2023-107 ADOPTED

BILL B-12 INTRODUCED/ADOPTED AS ORDINANCE 2023-011

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

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

10:10 A.M. (CONTINUED TO MAY 25, 2023, AT 10:00 A.M.)

- [ID 23-612](#) HEARING - To adopt Resolutions and Ordinance to annex territory and levy a special tax regarding City of Fresno Community Facilities District No. 18, Annexation No. 002 (T6212, located at the southwest corner of North Parc West Drive and North Grantland Avenue; T6276, located on the northwest corner of North Parc West Drive and North Grantland

Avenue; T6350, located on the northeast corner of North Parc West Drive and West Holland Avenue) (Council District 1)

The above item was removed from the agenda by staff and tabled to May 25, 2023, at 10:00 A.M.

TABLED

10:15 A.M.#1

[ID 23-566](#)

HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community Facilities District No. 11, Annexation No. 138 (Final Tract Map No. 6371) (located north of East Floradora Avenue and east of North Armstrong Avenue) (Council District 7)

1. ***RESOLUTION - to Annex Territory to Community Facilities District No. 11 and Authorizing the Levy of a Special Tax for Annexation No. 138 (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 2022-2023 and Future Tax Years Within and Relating to Community Facilities District No. 11, Annexation No. 138 (Subject to Mayor's Veto)

The above hearing was called to order at 1:39 P.M. Upon call, there was no public comment for this item. The public comment period closed at 1:40 P.M. There was no staff presentation and no Council discussion.

RESOLUTION 2023-092 ADOPTED

RESOLUTION 2023-093 ADOPTED

RESOLUTION 2023-094 ADOPTED

BILL B-10 INTRODUCED/ADOPTED AS ORDINANCE 2023-009

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

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

10:15 A.M.#2[ID 23-589](#)

Actions pertaining to Final Map of Tract No. 6371:

RESOLUTION - Approving the Final Map of Tract No. 6371, and accepting dedicated public uses offered therein except for dedications offered subject to City acceptance of developer installed required improvements - located near the northeast corner of East Floradora Avenue and North Armstrong Avenue (Council District 7)

The above hearing was called to order at 1:40 P.M. Upon call, there was no public comment for this item. The public comment period closed at 1:40 P.M. There was no staff presentation and no Council discussion.

RESOLUTION 2023-108 ADOPTED

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

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

10:20 A.M.[ID 23-541](#)

HEARING to consider adoption of a resolution related to the designation of a property to the Local Register of Historic Resources

1. ***RESOLUTION - Designating the Sequoia Hotel/Fink & Skopp building located at 925-933 Van Ness Avenue, Fresno California to the Local Register of Historic Resources (APN46825403) (District 3) (Subject to Mayor Veto).

The above item was removed from the agenda by Councilmember Arias and tabled to April 27, 2023 at 10:20 A.M.

TABLED

10:25 A.M.#1[ID 23-550](#)

Appearance by Gary Christy to discuss off-site sidewalk, landscaping and ADA ramp requirements from Public Works. (District 1 Resident)

The above item was withdrawn from the agenda by Gary Christy with no return date.

10:25 A.M.#2

[ID 23-615](#) Appearance by Mary Padilla to discuss who do we represent. (District 2 Resident)

Mary Padilla was not present when called.

DID NOT APPEAR

3. GENERAL ADMINISTRATION

3.-A. [ID 23-271](#) Approval of revised Route 99 Freeway Agreement with State of California Department of Transportation (Caltrans) (Council Districts 1, 2, and 3)

The above item was introduced to Council by Public Works Director Mozier. CalTrans District 6 Deputy Director Abi-Rached, and Councilmember Arias also spoke on this item.

APPROVED

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

Aye: 6 - Esparza, Maxwell, Perea, Arias, Chavez and Bredefeld

Absent: 1 - Karbassi

4. CITY COUNCIL

4.-A. [ID 23-621](#) Bill (For Introduction) - Amending Chapter 9, Article 26 of the Fresno Municipal Code to add Section 9-2610, "Sideshow, Street Races, and Reckless Driving Exhibitions," prohibiting the knowing participation as a driver, passenger, or spectator in sideshows, street races, or reckless driving exhibitions.

Councilmember Bredefeld, Vice President Perea, and Police Chief Balderrama introduced the above item to Council.

Council discussion on this item included: the initiatives' logistics; the definition of participant, passenger, and spectator; if tow trucks will be subject to the initiative; the parameters within the area of the spectators the initiative applies to; Page 6(1) regarding accountability for evidence of prior acts; the criteria for City Attorney's Office to prosecute; assault on a police officer; the Police Department's participation of the initiative; traffic-related

deaths; the language to include parking garages; the role of the District Attorney to prosecute misdemeanors; strengthening the language around “300 feet” and “intent” with more definition and clarity; if personal and police body-worn camera video be used as evidence; building a local case of the collective ecosystem; consider Assembly Bill 645 regarding speed camera; if this initiative has been done in other cities and if there are any policing or legal issues from those cities; have there been any challenges, and what is the oldest ordinances in other municipalities.

CONTINUED TO APRIL 27, 2023

On motion of Councilmember Karbassi, seconded by Councilmember Esparza, that the above Action Item be CONTINUED to April 27, 2023. The motion carried by the following vote:

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

5. CLOSED SESSION

During open session, Chief Assistant City Attorney Badhesha announced the items that would be discussed in closed session.

Council withdrew from open session to hear closed session items at 2:52 p.m.

5.-A. [ID 23-619](#)

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

Case Name: Terance Frazier, et al. v. City of Fresno, et al.; United States District Court Case No.: 1:20-CV-01069

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

DISCUSSED

5.-B. [ID 23-620](#)

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Government Code Section 54956.9, subdivision (d)(2)

Significant Exposure to Litigation: Central Valley NMTC Fund, LLC., v. City of Fresno.

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

DISCUSSED

- 5.-C. [ID 23-637](#) 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 regarding this item.

DISCUSSED

- 5.-D. [ID 23-635](#) CONFERENCE WITH LABOR NEGOTIATORS - Government Code Section 54957.6
City Negotiators: TJ Miller
Employee Organizations:
1. International Union of Operating Engineers, Stationary Engineers, Local 39 (Local 39); 2. Fresno City Employees Association (FCEA); 3. Fresno Police Officers Association (FPOA Basic), Unit 4; 4. International Association of Firefighters, Local 753, Unit 5 (Fire Basic); 5. Amalgamated Transit Union, Local 1027 (ATU); 6. International Brotherhood of Electrical Workers, Local 100 (IBEW); 7. Fresno Police Officers Association (FPOA Management); 8. International Association of Firefighters, Local 753, Unit 10 (Fire Management); 9. City of Fresno Professional Employees Association (CFPEA); 10. City of Fresno Management Employees Association (CFMEA); 11. Operating Engineers, Local Union No. 3, Fresno Airport Public Safety Supervisors (FAPSS); 12. Operating Engineers, Local Union No. 3, Fresno Airport Public Safety Officers (FAPSO)

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

DISCUSSED

ADJOURNMENT

City Council adjourned from closed session at 4:05 p.m.

The above minutes were approved by unanimous vote of the City Council during the May 11, 2023, regular meeting.