



City of Fresno

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

Meeting Minutes City Council

President - Mike Karbassi

Vice President - Miguel Angel Arias

Councilmembers:

Annalisa Perea, Tyler Maxwell, Brandon Vang,

Nick Richardson, Nelson Esparza

City Manager - Georgeanne A. White

City Attorney - Andrew Janz

City Clerk - Todd Stermer, MMC

Thursday, April 24, 2025

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.

9:09 A.M. ROLL CALL

Present: 6 - Council President Mike Karbassi
Vice President Miguel Angel Arias
Councilmember Annalisa Perea
Councilmember Tyler Maxwell
Councilmember Brandon Vang
Councilmember Nelson Esparza

Absent: 1 - Councilmember Nick Richardson

Invocation by 8th Grader Ahmed Abd Elmawlla from Valley Crescent School

Ahmed Abd Elmawlla gave the invocation.

Pledge of Allegiance to the Flag

Councilmember Vang led the Pledge of Allegiance.

APPROVE AGENDA

THE AGENDA WAS APPROVED WITH THE FOLLOWING CHANGES

By request of Council President Karbassi, the meeting would be adjourned in the memory of Diana Poeschel and Pope Francis.

10:00 A.M. 4-A (ID 25-486) regarding the presentation by the third graders of Dailey Elementary School - Vice President Arias was not a sponsor. Also, Council would try to hear the item earlier than 10:00 A.M. as it was not an action item and would help accommodate the children's schedule.

At the request of Councilmember Richardson who was absent for military service, Council President Karbassi requested Consent Calendar item 2-T (ID 25-587), concerning COVID-19 Temporary Catering Authorization, be removed from the agenda. The item remained on the agenda following a motion by Councilmember Perea and second by Councilmember Arias. The motioned carried by the following vote:

Aye: 5 - Perea, Arias, Maxwell, Vang, Esparza

No: 1 - Karbassi

Absent: 1 - Richardson

(mistakenly announced 6-0 during the meeting)

ITEMS REMOVED FROM THE AGENDA:

9:15 A.M. (ID 25-519) to consider the vacation of a public street easement on Golden State Boulevard, north of east Jensen Avenue - continued to May 1, 2025, at 9:15 AM by Vice President Arias.

5:35 P.M. (ID 25-373) regarding Plan Amendment Application No. P23-03006, Rezone Application No. P23-03006 and related Environmental Assessment - continued to the May 22, 2025, meeting at 5:35 P.M. request of the applicant through the Planning and Development Department.

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

2-B (ID 25-492) regarding a Consultant Services Agreement with Covino Smith & Simon, Inc. for Professional Lobbying and Consulting Services - tabled to May 1, 2025, by Vice President Arias. ADD VOTE STUFF

2-N (ID 25-522) regarding the 2024 National Sexual Assault Kit Initiative

(SAKI) grant program - moved to contested consent by Vice President Arias.

2-S (ID 25-584) to adopt the amended Citywide Development Code relating to Tobacco and Vapor Sales, Smoke Shops, and Definitions. At the request of Councilmember Richardson, who was absent for military service, Council President Karbassi initially requested this item be removed from the agenda. The item remained on the agenda under Contested Consent following a motion by Councilmember Pera and a second by Vice President Arias. The motion carried by the following vote:

Aye: 5 - Perea, Arias, Maxwell, Vang, Esparza

No: 1 - Karbassi

Absent: 1 - Richardson

(mistakenly announced 6-0 during the meeting)

2-U (ID 25-589) concerning opposition to Assembly Bill 942 - moved to contested consent by Council President Karbassi.

By unanimous vote, the agenda was initially approved as amended following a motion by President Arias with a second by Councilmember Perea. The initial approval of the agenda left item 2-B (ID 25-492) on the Consent Calendar. Council President Karbassi motioned to reconsider approval of the agenda so 2-B (ID 25-492) could be further discussed on the Contested Consent Calendar. Councilmember Maxwell seconded the motion to reconsider approval of the agenda and the motion carried by unanimous vote.

On motion of Council President Karbassi, seconded by Councilmember Perea, to RE-APPROVE the agenda as amended with item 2-B (ID 25-492) on the Contested Consent Calendar. The motion carried by the following vote:

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

Absent: 1 - Richardson

CEREMONIAL PRESENTATIONS

Morning Ceremonials

[ID 25-383](#) Proclamation for "Fair Housing Month"

PRESENTED

[ID 25-509](#) Proclamation for "American Muslim Appreciation & Awareness Month"

PRESENTED

[ID 25-454](#) Proclamation of "Autism Awareness Month"

PRESENTED

[ID 25-550](#) Proclamation of "Sikh Heritage Month"

PRESENTED

Afternoon Ceremonials

[ID 25-46](#) Fresno Animal Center presents "Pet of the Month"

PRESENTED

[ID 25-440](#) Proclamation for "Independent Bookstore Day"

PRESENTED

[ID 25-395](#) Proclamation for "Arbor Day"

PRESENTED

COUNCILMEMBER REPORTS AND COMMENTS

Councilmember Maxwell Reports and Comments: Announced 162 trees had been planted along Barstow Avenue with support from city leaders and Fresno State volunteers. Discussed improvements at Fresno Yosemite International Airport related to the terminal expansion which would allow for additional flights to and from the city.

Councilmember Vang Reports and Comments: Reported on the District 5 sponsored Southeast Fresno Community Economic Development luncheon which honored Joe Alvarez. Discussed the Fresno Police Department Swearing in Ceremony which recognized 35 employees including 15 Police Officer recruits.

Councilmember Esparza Reports and Comments: Discussed progress on "The Dakota," a 114 unit affordable housing project along the Blackstone

Avenue corridor. Announced the McKinley Avenue repaving project had begun and was the beginning of many infrastructure projects to come. Recognized "Telecommunications Week" and acknowledged the hard work of employees at the Fresno Dispatch Center. Announced Great American Cleanup events around the Leavenworth and Webster Elementary School neighborhoods.

Councilmember Perea Reports and Comments: Discussed the "Friday's with Fire" event held by Fire Chief Alcorn in District 7. Celebrated the Fresno VA Hospital's 75th anniversary and Guadalupe Castillo's 100th birthday. Highlighted the critical work of 911 dispatchers. Invited residents to attend Art in the Park and Porch Fest events.

Vice President Arias Reports and Comments: Announced upcoming informational workshops for mobile food vendors ahead of enforcement of the new rules starting June 30. Acknowledged Police Chief Casto and leadership team for attending neighborhood meetings to hear public safety concerns. Acknowledged the Fire Chief and Fire Department for visiting residents impacted by fires. Noted concerns about a proposed drug rehab facility near Fresno High School, and the operator commitment to hosting a community meeting before opening.

Council President Karbassi Reports and Comments: Condolences were extended to Dirk Poeschel on the passing of his wife Diana, and noted the meeting would be adjourned in her memory. Condolences were also expressed to Catholic residents on the loss of Pope Francis, with the meeting also adjourning in his memory.

MAYOR/MANAGER REPORTS AND COMMENTS

Mayor Dyer Reports and Comments: Discussed the Armenian Genocide flag-raising ceremony. Recognized Councilmember Richardson for serving in Africa with the U.S. Marine Corps while holding office. Celebrated the ribbon cutting of the largest solar and battery project in the U.S., expected to save taxpayers \$150 million over 20 years. Announced the Great American Cleanup event happening Saturday with 1,200 volunteers across 20 locations. Delivered the keynote speech at the State of Downtown event and participated in a panel on High-Speed Rail hosted by Fresnoland. Asked for

prayers and provided an update on Tim Smith, the city employee sent to the hospital after being blindsided by an unprovoked attacked while performing his job.

City Manager White Reports and Comments: Discussed a significant sewer line break and sinkhole in District 7. Highlighted the excellent work of city employees whose quick response prevented injuries and restored traffic flow.

1. SCHEDULED COUNCIL HEARINGS AND MATTERS

Joint Meeting of the City Council, The City in Its Capacity as Housing Successor to the Redevelopment Agency of the City of Fresno and The Fresno Revitalization Corporation

9:10 A.M. #1 JOINT MEETING

[ID 25-317](#)

Actions pertaining to the Cesar Chavez Apartments affordable rental housing development project, located south of E. Cesar Chavez Blvd between S. Seventh Street and S. Eighth Street (City Council District 5)

1. Adopt a finding of Categorical Exemption pursuant to Section 15332/Class 32 of the California Environmental Quality Act (CEQA) Guidelines; and
2. ***RESOLUTION - Finding good cause and clear and convincing benefit to the public pursuant to Fresno Municipal Code Section 4-204 relating to the lease of surplus real properties identified as Assessor's Parcel Numbers 470-052-01T, 470-052-02T, AND 470-052-03T (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)
3. ***RESOLUTION - Supporting a contribution of City funds in an amount not to exceed \$5,000,000 toward the affordable housing development project located on Cesar Chavez Boulevard between Seventh and Eighth Streets (City Action Only) (Subject to Mayor's Veto)
4. Approve an Affordable Housing Agreement with Corporation for Better Housing, or related legal entity, to develop the Cesar Chavez Apartments affordable rental housing development
5. Approve a 55-Year Ground Lease Agreement with Corporation for Better Housing, or related legal entity, to develop and operate the Cesar Chavez Apartments affordable rental housing project

The above item was called to order at 11:41 A.M. and was presented to Council by Assistant Director Skei. Upon call, the following members of the public addressed Council: Jose Leon Barraza. Public comment closed at

11:46 A.M.

Council discussion included: the City's financial contribution to the housing project; project costs and timeline; application criteria for families and eligibility rules for seasonal farm laborers; how rent would be managed if tenants lost income; the urgent need for farmworker housing; the build-to-suit contract for the senior center and senior housing at Blackstone and Ashlan Avenues; project delays from tax credits that were not awarded; the developer's involvement in other city projects; the formal valuation of the land; the proximity of the project to a previously authorized cannabis shop, and; the project's alignment with city goals of serving the farmworker population, higher-density and mixed-use development.

RESOLUTION 2025-101 ADOPTED

FRESNO REVITALIZATION CORPORATION NO. 25 ADOPTED

SUCCESSOR AGENCY NO. 57 ADOPTED

RESOLUTION 2025-102 ADOPTED

FRESNO REVITALIZATION CORPORATION VOTE

On motion of Member Dyer, seconded by Member Vang, the above item was adopted. The motion carried by the following vote:

Aye: 7 - Perea, Karbassi, Arias, Maxwell, Vang, Esparza, Dyer

Absent: 1 - Richardson

SUCCESSOR AGENCY AND CITY COUNCIL VOTE

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

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

Absent: 1 - Richardson

9:10 A.M. #2

[ID 25-490](#)

HEARING to adopt Resolutions and an Ordinance to annex territory and Levy a Special Tax regarding City of Fresno Community Facilities District Number 9, Annexation Number 67 (Territory known as Assessor's Parcel Number 578-040-16, 578-040-17, and 578-040-18) (Northeast corner of North Maple Avenue and East Behymer Avenue) (Council District 6):

1. ***RESOLUTION - to Annex Territory to Community Facilities District No. 9 and Authorizing the Levy of a Special Tax for Annexation No. 67 (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 2025-2026 and Future Tax Years Within and Relating to Community Facilities District No. 9, Annexation No. 67 (Subject to Mayor's Veto).

The above item was called to order at 11:59 A.M. and was presented to Council by. Upon call, no members of the public addressed Council. Public comment closed at 12:00 P.M.

There was no Council discussion.

RESOLUTION 2025-103 ADOPTED

RESOLUTION 2025-104 ADOPTED

RESOLUTION 2025-105 ADOPTED

BILL B-12 INTRODUCED / ORDINANCE 2025-9 ADOPTED

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

Aye: 5 - Karbassi, Arias, Maxwell, Vang and Esparza

Absent: 2 - Perea and Richardson

9:15 A.M.

[ID 25-519](#) HEARING to consider the vacation of a portion of the public street easement on the southwest side of South Golden State Boulevard, north of East Jensen Avenue (Council District 3):

1. ***RESOLUTION - Approving the vacation of a portion of the public street easement on the southwest side of South Golden State Boulevard, north of East Jensen Avenue. (Subject to Mayor's Veto)

CONTINUED TO MAY 1, 2025 AT 9:15 A.M.

10:03 A.M.

[ID 25-533](#) Appearance by Lynda Leonard regarding "Concerns related to the

proposed Southeast Development Area plan" (District 3 Resident)

DID NOT APPEAR

10:06 A.M.

[ID 25-534](#) Appearance by Ruben Nieves regarding "Concerns about the proposed SEDA plan" (District 3 Resident)

APPEARED

5:30 P.M. (CONTINUED TO MAY 1, 2025, AT 5:30 P.M.)

[ID 25-472](#) Consideration of Text Amendment Application No. P24-00794 and related Environmental Finding for Environmental Assessment No. P24-00794, amending Sections 15-1302, 15-4907, 15-5102, 15-6702, 15-6802 of the Fresno Municipal Code, repealing Section 15-1106 of the Fresno Municipal Code, and establishing Section 15-2742.5 of the Fresno Municipal Code, to permit ministerial approval of housing projects.

1. ADOPTION of Mitigated Negative Declaration Sch No. 2024110662 for Text Amendment Application No. P24-00794.
2. BILL (for introduction), amending Sections 15-1302, 15-4907, 15-5102, 15-6702, 15-6802 of the Fresno Municipal Code, repealing Section 15-1106 of the Fresno Municipal Code, and establishing Section 15-2742.5 of the Fresno Municipal Code, to permit ministerial approval of housing projects in the following instances as noted below:
 - a. Ministerial approval of office to dwelling conversions in the Office zone district; and
 - b. Ministerial approval of multi-unit residential development in the RM-1, RM-2, and RM-3 zone districts on parcels within one-half mile of an existing bus stop; and
 - c. Ministerial approval of multi-unit residential uses in the NMX, CMX, RMX, CMS and CR zone districts on parcels within the City's Infill Priority Area; and
 - d. Ministerial approval of new multi-unit residential development in the Office zone district.

CONTINUED AS NOTED

5:35 P.M.

[ID 25-373](#) Consideration of Plan Amendment Application No. P23-03006, Rezone Application No. P23-03006 and related Environmental Assessment pertaining to approximately 55.31 acres of property bounded by East Annadale Avenue to the north, State Route 41 to the east, South Elm Avenue to the west, and East Chester/East Samson Avenue (alignment) to

the south (Council District 3) - Planning and Development Department.

1. DENY - Addendum to Final Program EIR (SCH No. 2017031012) for the Southwest Fresno Specific Plan, dated February 20, 2025, for the proposed project pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15164.
2. DENY - Plan Amendment Application No. P23-03006 proposing to amend the Fresno General Plan and the Southwest Fresno Specific Plan to change the planned land use designation for the subject properties from Neighborhood Mixed-Use to Employment - Light Industrial and amendment to Policy LU-8.1 of the Southwest Fresno Specific Plan. (Subject to Mayor's Veto)
3. DENY - Rezone Application No. P23-03006 proposing to rezone the subject properties from the NMX (*Neighborhood Mixed-Use*) zone district to the IL/cz (*Light Industrial/conditions of zoning*) zone district. (Subject to Mayor's Veto)

CONTINUED TO MAY 22, 2025 AT 5:35 P.M.

2. CONSENT CALENDAR

Upon call, for public comment on all Consent, Contested Consent and Closed Session items, the following members of the public addressed Council: Jerry Gregory (2-I), Jamie Jacobo (2-G), C.J. Moore (2-S)

APPROVAL OF THE CONSENT CALENDAR

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

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

Absent: 1 - Richardson

- 2.-A. [ID 25-567](#) Approval of the minutes for April 10, 2025

APPROVED ON CONSENT CALENDAR

- 2.-C. [ID 25-528](#) Approve Phase One of a Progressive Design-Build Contract with Bomel Construction Company Inc., of Irvine, California, in an amount not to exceed \$2,216,649.00, for the design support services for the H Street Parking Structure Project. (Council District 3)

APPROVED ON CONSENT CALENDAR

- 2.-D. [ID 25-515](#) Approve the Fourth Amendment to the Consultant Services Agreement with Electrical Power Systems, Inc., of Fresno, California, to revise the payment terms of the Original Agreement to be paid on a time and materials basis

and to increase the total contract by an amount not to exceed \$100,207, for a revised total contract amount not to exceed \$351,528, paid on a time and materials basis for the Substation Expansion Project at the Fresno-Clovis Regional Wastewater Reclamation Facility. (Council District 3)

APPROVED ON CONSENT CALENDAR

- 2.-E. [ID 25-510](#) Approve Contract Change Order No. 10 in the amount of \$463,125.00, with no additional working days for additional pavement quantities of HMA Paving with Cal Valley Construction Inc. of Fresno, California for City of Fresno Paving Bid Package at Various Locations Project - Project ID SM00050. (Bid File 12402606) (Council Districts - 1, 3, 4, 5, 6 and 7).

APPROVED ON CONSENT CALENDAR

- 2.-F. [ID 25-463](#) Authorize the Fire Chief to enter into an agreement with the Bay Area Urban Area Security Initiative (DASI) Securing the Cities (STC) San Francisco Bay Area Program for the acquisition and distribution of goods and services pursuant to the STC Program.

APPROVED ON CONSENT CALENDAR

- 2.-G. [ID 25-530](#) Approve the award of a citywide requirements contract to ScrubCan, Inc. of Fresno, California for custodial services for three years with two optional one-year extensions in an amount not to exceed \$2,400,000 per year plus annual CPI and PPI increases (Bid File 9669)

APPROVED ON CONSENT CALENDAR

- 2.-H. [ID 25-531](#) Approve the award of a citywide requirements contract to Vestis Services, LLC, of Fresno, California for the purchase of uniform and linen services through a cooperative purchase agreement for three years with three optional one-year extensions in an amount not to exceed \$450,000 per year with annual CPI increases not to exceed 4% starting in 2028 (Bid File 9694) (Citywide)

APPROVED ON CONSENT CALENDAR

- 2.-I. [ID 25-547](#) Approve the award of a citywide requirements contract to Universal Protection Services, LP dba Allied Universal Services of Fresno, California for one year with four optional one-year extensions for security services in an amount not to exceed \$3,350,000 per year plus annual CPI and minimum wage increases (Bid File 9686)

During approval of the Consent Calendar, Council President Karbassi reregistered a NO vote. As such, this item was APPROVED 5-1 by the following vote:

Aye: 5 - Perea, Arias, Maxwell, Vang, Esparza

No: 1 - Karbassi

Absent: 1 - Richardson

APPROVED ON CONSENT CALENDAR

- 2.-J.** [ID 25-506](#) Actions pertaining to the California Volunteers Youth Service Corps Program Grant
1. ***RESOLUTION - Authorizing the acceptance of grant funding from California Volunteers Youth Service Corps Program in the amount of \$3,186,147, for the OneFresno Youth Jobs Corps Program and authorizing the City Manager or designee to sign all necessary implementing documents (Subject to Mayor's Veto)
 2. ***RESOLUTION - Adopting the 57th amendment to the Annual Appropriation Resolution (AAR) No. 2024-122 appropriating \$923,200 for the OneFresno Youth Jobs Corps Program (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)

RESOLUTION 2025-106 ADOPTED

RESOLUTION 2025-107 ADOPTED

APPROVED ON CONSENT CALENDAR

- 2.-K.** [ID 25-460](#) ***RESOLUTION - Adopting Substantial Amendment 2024-01 to the Fiscal Year (FY) 2024-2025 Annual Action Plan and authorizing submission to the U.S. Department of Housing and Urban Development (HUD) to reprogram \$1,214,423.49 in Community Development Block Grant (CDBG) and \$135,571.41 in HOME investment Partnership (HOME) funds from prior year project savings (Subject to Mayor's Veto)

RESOLUTION 2025-108 ADOPTED

APPROVED ON CONSENT CALENDAR

- 2.-L.** [ID 25-471](#) ***BILL B-9 (Introduced March 27, 2025) (For Adoption) amending Section 15-6703 and Article 68 of the FMC to define a Sub-Acute Care Facility and to include Sub-Acute Care Facilities in the description for Hospitals (Subject to Mayor's Veto)

ORDINANCE 2025-9 ADOPTED

APPROVED ON CONSENT CALENDAR

- 2.-M.** [ID 25-470](#) Accept the 2024 General Plan Annual Progress Report

APPROVED ON CONSENT CALENDAR

- 2.-O. [ID 25-523](#) Approve an Infrastructure Reimbursement Agreement between the City of Fresno and Fancher Creek Town Center, LLC, in the amount not to exceed \$3,500,000 for the construction of certain public improvements associated with the Fancher Creek Town Center Project. (Council District 5)

APPROVED ON CONSENT CALENDAR

- 2.-P. [ID 25-525](#) ***RESOLUTION - Adopting the 52nd Amendment to the Annual Appropriation Resolution No. 2024-122 to appropriate \$11,351,100 for operating programs and previously approved capital improvement projects in the Public Works Department. (Citywide) (Requires 5 Votes) (Subject to Mayor's Veto)

RESOLUTION 2025-100 ADOPTED

APPROVED ON CONSENT CALENDAR

- 2.-Q. [ID 25-553](#) ***BILL - B-10 (Introduced April 10, 2025) (For Adoption) adding Article 36 to Chapter 9 of the Fresno Municipal Code, relating to Commercial Scrap Metal (Subject to Mayor's Veto)

ORDINANCE 2025-10 ADOPTED

APPROVED ON CONSENT CALENDAR

- 2.-R. [ID 25-541](#) Approve the appointment of Diana Durham to the Active Transportation Advisory Committee with a term ending April 8, 2028.

APPROVED ON CONSENT CALENDAR

- 2.-T. [ID 25-587](#) RESOLUTION -Confirming qualified businesses may continue to avail themselves of privileges afforded by the State of California COVID-19 Temporary Catering Authorization

RESOLUTION 2025-110 ADOPTED

APPROVED ON CONSENT CALENDAR

CONTESTED CONSENT CALENDAR

- 2.-B. [ID 25-492](#) Approve a Consultant Services Agreement with Covino Smith & Simon, Inc. for an amount not to exceed \$210,600 for Professional Lobbying and Consulting Services in Washington DC. The term of this agreement is three years, with the option of a one-year extension.

Council President Karbassi moved the above item to Contested Consent for clarification of the agreement.

Council discussion included: concerns regarding the timing of the contract;

clarification on the funding source; the rationale behind committing to a four-year contract; the possibility of extending the contract for 60 days then bringing it back for review in June; the budgeting and transparency benefits of reviewing both the Sacramento and Washington, D.C. lobbyist contracts at the same time; the contractor's good performance and favorable terms, and the importance of maintaining professional lobbying representation.

APPROVED

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

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

Absent: 1 - Richardson

2.-N. [ID 25-522](#) Actions pertaining to the 2024 National Sexual Assault Kit Initiative (SAKI) grant program:

1. Authorize the Chief of Police to accept \$1,996,599 in grant funding for the SAKI grant awarded to the Fresno Police Department from the U.S. Department of Justice, through the Office of Justice Programs Bureau of Justice Assistance (BJA)
2. ***RESOLUTION - Adopt the 51st Amendment to the Annual Appropriation Resolution (AAR) No. 2024-122 to appropriate \$715,200 for the Police Department's FY24 Sexual Assault Kit Initiative (SAKI) grant program (Requires Five Affirmative Votes) (Subject to Mayor's Veto)

Vice President Arias moved the above item to Contested Consent for clarification of the sexual assault kit process.

Council discussion included: why the number of unprocessed DNA samples seem to remain consistent over time; clarification on the process for handling DNA samples, from collection to analysis, and; the current count of outstanding DNA samples in need of processing.

RESOLUTION 2025-109 ADOPTED

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

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

Absent: 1 - Richardson

- 2.-S.** [ID 25-584](#) Actions pertaining to a Bill for Adoption amending Sections 15-2761 and 15-6802 of the Citywide Development Code, relating to Tobacco and Vapor Sales, Smoke Shops, and Definitions.
1. ADOPTION of a finding set forth in Environmental Assessment No. P23-03410 dated January 15, 2025, that Text Amendment Application No. P23-03410 is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines.
 2. ***BILL No. 11 (Introduced March 13, 2025) (For Adoption) amending Sections 15-2761 and 15-6802 of the Citywide Development Code, relating to relating to Tobacco and Vapor Sales, Smoke Shops, and Definitions. (Subject to Mayor's Veto)

Councilmember Perea moved the above item to Contested Consent to discuss the ordinance.

Council discussion included: concerns about fairness in revoking Conditional Use Permits (CUP) for minor third-party infractions and the impact of the policy on compliant small businesses; the differences between CUPs and Tobacco Retail Licenses (TRL) which are used by the City of Clovis; whether TRLs would better support enforcement, reduce illegal activity, and fund oversight; ongoing issues with smoke shops operating without business licenses and engaging in illegal activities; consistent constituent engagement and recent outreach on the proposed ordinance; the burden on city resources, caused by repeated violations; the impact on adjacent businesses and neighborhoods and if enforcement would extend to grocery and convenience stores; comparisons to the the Neighborhood Market Act mandated inspections for alcohol CUP holders; delaying implementation to allow for alternative proposals; an 18-month amortization period to allow businesses to prepare, and; grandfathering existing smoke shops, along with the lack of a clear definition of a "good" smoke shop.

Vice President Arias motioned to approve the text amendment as it was submitted to the City Council and Planning Commission, without additional provisions.

ORDINANCE 2025-11 ADOPTED

On motion of Vice President Arias, seconded by Councilmember

Esparza, that the above Action Item be ADOPTED. The motion carried by the following vote:

Aye: 4 - Arias, Perea, Vang and Esparza

No: 1 - Karbassi

Absent: 1 - Richardson

Abstain: 1 - Maxwell

- 2.-U. [ID 25-589](#) RESOLUTION - Opposing Assembly Bill 942, Standing United Against Unfair Tariffs

Council President Karbassi moved the above item to Contested Consent to discuss the impacts of Assembly Bill 942.

Council discussion included: the financial impact of AB 942 on solar customers, local governments, and the City of Fresno; the undermining of state solar incentives by redirecting solar savings without guarantees for low-income residents, and the disproportionate benefit to utility companies; the potential increase to utility rates for cities that financed solar projects; the lack of carve-outs for municipal governments and school districts; the threat to Fresno's large municipal solar project.

Councilmember Esparza gave a whiteboard presentation to demonstrate the negative impacts of AB 942.

NO ACTION TAKEN

3. GENERAL ADMINISTRATION

UNSCHEDULED COMMUNICATION

Upon call, no one addressed Council with unscheduled communication:

4. CITY COUNCIL

10:00 A.M.

- 4.-A. [ID 25-486](#) Presentation by Dailey Elementary School Third Graders: Culture Preservation and Community

Dailey Elementary third graders Yosmite Pano and Liam Alvarez made the presentation to Council.

PRESENTED

5. CLOSED SESSION

During open session, City Attorney Janz announced each of the items that would be discussed in closed session.

Council withdrew to closed session at 3:55 P.M.

5.-A. [ID 25-356](#)

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); 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)

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

DISCUSSED

5.-B. [ID 25-464](#)

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

Neeko Dedrick Alonzo Walker, et al. v. City of Fresno, et al, Fresno Superior Court Case No. 23CECG03451

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

DISCUSSED

5.-C. [ID 25-484](#)

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

CMG Construction Management, Inc. v. City of Fresno, et al., Fresno

Superior Court Case No. 22CECG00271

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

DISCUSSED

- 5.-D. [ID 25-487](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Government Code Section 54956.9, subdivision (d)(1)
Park 7, LLC., and LandValue Management LLC., v. City of Fresno; Fresno
Superior Court Case No. 24CECG04298

*During open session, City Attorney Janz announced this item was
Continued to May 1, 2025.*

CONTINUED

ADJOURNMENT

*Council adjourned from closed session at 4:52 P.M. in memory of Diana
Poeschel and Pope Francis.*