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Agenda Date: 12/10/2020  
Council Meeting

2020 DEC -8 A 9:45

CITY OF FRESNO  
CITY CLERK'S OFFICE

# FRESNO CITY COUNCIL



## Information Packet

### ITEM(S)

#### **File ID 20-001619**

Approval of minutes for November 19, 2020 Regular Meeting, and November 19, 2020 Special Meeting, November 28, 2020 Special Closed Session Meeting, November 30, 2020 Special Closed Session Meeting, December 3, 2020 Regular Meeting, and December 3, 2020 Special Open and Closed Session Meeting.

**Contents of Supplement: Draft Minutes for November 19, 2020 Regular Meeting, Draft Minutes for December 3, 2020 Regular Meeting.**

### Item(s)

#### **Supplemental Information:**

Any agenda related public documents received and distributed to a majority of the City Council after the Agenda Packet is printed are included in Supplemental Packets. Supplemental Packets are produced as needed. The Supplemental Packet is available for public inspection in the City Clerk's Office, 2600 Fresno Street, during normal business hours (main location pursuant to the Brown Act, G.C. 54957.5(2)). In addition, Supplemental Packets are available for public review at the City Council meeting in the City Council Chambers, 2600 Fresno Street. Supplemental Packets are also available on-line on the City Clerk's website.

#### **Americans with Disabilities Act (ADA):**

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, sign language interpreters, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650. Please keep the doorways, aisles and wheelchair seating areas open and accessible. If you need assistance with seating because of a disability, please see Security.

# City of Fresno

2600 Fresno Street  
Fresno, CA 93721  
[www.fresno.gov](http://www.fresno.gov)



## Meeting Minutes - Draft

Thursday, November 19, 2020

9:00 AM

Regular Meeting

Electronic Only

## City Council

*President - Miguel Angel Arias*

*Vice President - Paul Caprioglio*

*Councilmembers:*

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

*Nelson Esparza*

*City Manager - Wilma Quan*

*City Attorney - Douglas T. Sloan*

*City Clerk - Yvonne Spence, MMC*

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

9:10 A.M. ROLL CALL

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

Invocation

Pledge of Allegiance to the Flag

### **APPROVE AGENDA**

*City Clerk Spence announced the following changes to the agenda: File ID 20-001547 (1-B): Resolution - amending certain designated positions which shall be subject to the Conflict of Interest Code and defining categories of disclosure for such positions, the following Committees are being removed from Exhibit S: 1. Housing and Community Development, 2. General Plan Implementation Review Committee, and 3. Constituent Participation Budget Committee and Mayor Brand requested the meeting be adjourned in memory of Annie Rini, Executive Assistant to the City Manager and Mayor's Office.*

*The following items were removed from the agenda:*

*File ID 20-001446 (1-G) - Actions pertaining to solar projects proposed at three new City of Fresno facilities: 1) Fresno Animal Shelter 2) Fire Station 18, and 3) Southeast Police Sub-Station (Council Districts 1, 4 and 5) was removed from the agenda and continued to December 3, 2020 by Council President Arias.*

*File ID 20-001542 (1-Q) - Adopt Resolution of Intent Number 1139-D to vacate a portion of East Illinois Avenue between North Valeria Street and North Fresno Street (Council District 7) was removed from the agenda by Council President Arias.*

*File ID 20-001482 (1-U) - Approve the appointment of Sabrina Kelley to the Housing Authority Board was removed from the agenda by Councilmember Esparza.*

*File ID 20-001501 (1-V) - Approve the reappointment of Lawrence Garcia to the Fresno Metropolitan Flood Control Board, and the reappointment of Fely Guzman to the Fresno Regional Workforce Investment Board was removed from the agenda by Councilmember Esparza.*

*File ID 20-001548 (1-Y) - Approve City Attorney amended Contract was removed from the agenda by Council President Arias.*

*The following items were pulled from the Consent Calendar and moved to Contested Consent for further discussion.*

*File ID 20-001522 (1-F) - Approve Amendment No. 1 to the Agreement with the Fresno County Transportation Authority for Freeway Litter Abatement Services (Citywide) was pulled by Council President Arias.*

*File ID 20-001525 (1-J) - Complete Streets Policy Annual Report - first annual report (Citywide) was pulled by Councilmember Soria.*

*File ID 20-001390 (1-R) - Actions related to Lease Agreement of City-owned land at the Fresno-Clovis Regional Wastewater Reclamation Facility (RWRF) (Council District 3) was pulled by Council President Arias.*

*File ID 20-001582 (1-W) - Approve - Second Amendment to the Exclusive Negotiation Agreement by and between the City of Fresno and Tutelian & Company, Inc. was pulled by Council President Arias.*

*File ID 20-001524 (1-X) - Approve an Amendment to the Agreement with Kings View Corporation extending the time of performance to June 30, 2021, and increasing the contract value by \$54,936, for a total contract amount of \$726,883 for homeless outreach and assessment services was pulled by Council President Arias.*

*File ID 20-001539 (1-BB) - Actions pertaining to Commercial Cannabis Activity, was pulled by Councilmember Bredefeld.*

*File ID 20-001509 (1-EE) - Consider Amended and Restated Disposition and Development Agreement with Noyan Frazier Capital L.P. for the south Stadium project was pulled by Councilmember Bredefeld.*

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

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

## **CEREMONIAL PRESENTATIONS**

*The below Ceremonial Presentations were presented to Council.*

[ID](#) Proclamation of "Valley Caregivers Month"  
[20-00383](#)

[ID](#) Proclamation of "Dr. Joseph Castro Day"  
[20-001518](#)

**City Council recessed into Closed Session at 9:34 A.M. and returned from closed session at**

**There was no announcements after Closed Session and the below were discussed.**

## **5. CLOSED SESSION**

**5-A** [ID](#) CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Government  
[20-001493](#) Code Section 54956.8 Property: 1625 G Street Fresno, CA 93706 (APN 465-084-30) Negotiating Parties: City Manager, 1626 Fresno MRP, LLC  
Under Negotiations: Price and terms of acquisition

## **COUNCILMEMBER REPORTS AND COMMENTS**

*Councilmember Soria announced the following upcoming District 1 events: District 1 along with Dr. Arambula and Trustee Perea will be hosting a community health day at Fresno City College On November 21, 2020 from 10:00 A.M. to 2:00 P.M. in the front parking lot off McKinley Avenue. There will be free flu shots, masks, COVID testing, and holiday turkey give away,*

*December 5, 2020 there will be hosting another community health day at Fresno City College from 10:00 A.M. to 2:00 P.M. She stated there will be free flu shots, masks, COVID testing, and a tamale kit give away. On December 7, 2020 from 12:30 P.M. to 2:00 P.M. there will be a free grocery distribution at Steinbeck Elementary and she reminded the community that tomorrow is the due date for grants, and to apply as soon as possible.*

*Councilmember Kabassi discussed the extension of the Senior Assistant Food Resources (SAFR) program, and that sign-up next week has moved to Monday, Tuesday, and Wednesday for distribution.*

*Council Vice President Caprioglio invited everyone to Sixth and Shaw center renovation. He spoke about the tank at Melody park for the splash pad. Council Vice President Caprioglio stated next Tuesday will be Operation Gobble's 5th Annual event, there will be 500 Thanksgiving dinners given away by reservation through District 4. MeatHead Movers, volunteers and everyone who helped in every way were thanked.*

*Councilmember Chavez thanked the CBO and Reading Beyond, there was close to 900 food boxes that was given away.*

*Councilmember Esparza spoke regarding COVID-19 and asked the community to celebrate safely and responsibly.*

*Council President Arias spoke regarding the upcoming Holiday, and asked the community to celebrate Thanksgiving safely.*

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

### **10:00 A.M.**

[ID](#)  
[20-001520](#)

**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. 115 (Final Tract Map No. 6280) (northeast corner of North Polk and West Dante Avenues) (Council District 2)

1. **\*\*\*RESOLUTION** - to Annex Territory to Community Facilities District No. 11 and Authorizing the Levy of a Special Tax for Annexation No. 115 (Subject to Mayor's Veto)

2. **\*\*\*RESOLUTION** - Calling Special Mailed-Ballot Election (Subject to Mayor's Veto)
3. **\*\*\*RESOLUTION** - Declaring Election Results (Subject to Mayor's Veto)
4. **\*\*\*BILL** - (For introduction and adoption) - Levying a Special Tax for the Property Tax Year 2020-2021 and Future Tax Years Within and Relating to Community Facilities District No. 11, Annexation No. 115 (Subject to Mayor's Veto)

*The item was called to order at 10:07 A.M. There was no introduction to Council, no public comment and no Council discussion.*

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

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

### **10:05 A.M.**

[ID  
20-001546](#)

Consideration of Variance Application No. P20-02831, a request to vary height standards to allow for the development of an 80-foot tall, 14-foot high by 48-foot wide double-sided digital LED billboard at 7221 North Howard Avenue, located on the west side of North Howard Street, between Herndon and Alluvial Avenues. (Council District 6) - Planning & Development Department.

1. **CONSIDER** Environmental Assessment No. P20-02831, dated November 4, 2020, a determination that the proposed project is exempt from the California Environmental Quality Act (CEQA) through a Class 3 Categorical Exemption; and,
2. **CONSIDER** Variance Application No. P20-02831 requesting authorization to vary height standards to allow for an 80-foot tall, 14-foot high by 48-foot wide double-sided digital LED billboard to be located on the subject property.

*The item was called to order at 10:09 A.M. and introduced to Council by Planner III, Valenzuela, Planning and Development Department and Applicant Armen Devejian. Upon call, the following members of the public addressed Council: Lisa Flores.*

*Councilmember Bredefeld expressed his opposition for the application and*

*the variance, he spoke regarding the requirements that Council previously adopted in December. He asked staff why they denied the application. Planning Manger Tackett responded.*

*Councilmember Bredefeld motioned to deny the application and affirm the appeal. Motion FAILED for lack of seconded.*

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

**Aye:** 5 - Arias, Caprioglio, Soria, Karbassi and Esparza

**No:** 1 - Bredefeld

**Absent:** 1 - Chavez

## **1. CONSENT CALENDAR**

*Upon call, the following member of the public addressed Council: Brandi Villegas, Lisa Flores, and Rebecca Rangel.*

**On motion of Councilmember Esparza, seconded by Councilmember Soria, the below CONSENT CALENDAR was adopted. The motion carried by the following vote:**

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

- 1-A** [ID](#) Approval of minutes for November 5, 2020 Regular Meeting.  
[20-001533](#)
- 1-B** [ID](#) RESOLUTION - Amending certain designated positions which shall be  
[20-001547](#) subject to the Conflict of Interest Code and defining categories of disclosure for such positions
- RESOLUTION 2020-293 ADOPTED*
- 1-C** [ID](#) Approve the 2021 Council Meeting Schedule.  
[20-001581](#)
- 1-D** [ID](#) Actions pertaining to Ventura Street-Kings Canyon Road Corridor  
[20-001444](#) Intelligent Transportation System (ITS) Adaptive Project (from Van Ness to Chestnut Avenues) - Bid File No. 3767 (Council Districts 3, 5 and 7)
1. Adopt a finding of Categorical Exemption per staff's determination, pursuant to Section 15301(c) Class 1 of the California

Environmental Quality Act Guidelines (CEQA)

2. \*\*\*RESOLUTION - 45th Amendment to the Annual Appropriation Resolution No. 2020-159 appropriating \$382,000 for the Ventura Street-Kings Canyon Road Corridor Intelligent Transportation System (ITS) Adaptive Project (Requires 5 affirmative votes) (Subject to Mayor's veto)
3. Award a construction contract in the amount of \$1,578,972 to Audeamus Inc., dba Sebastian of Fresno, CA, as the lowest responsive and responsible bidder for the Ventura Street-Kings Canyon Road Corridor ITS Adaptive Project (from Van Ness to Chestnut Avenues)

*RESOLUTION 2020-294 ADOPTED*

- 1-E**     [ID](#)             Actions pertaining to the Shields Avenue Bankside Trail Project from Fresno Street to First Street (Council District 7):  
[20-001445](#)

1. Adopt Environmental Assessment No. P20-01778, dated October 21, 2020, a determination that the proposed project for the Mid-Town Trail qualifies for the streamlined analysis set forth in the California Environmental Quality Act (CEQA) Guidelines Section 15183 (Projects Consistent w/ a Community Plan, General Plan, or Zoning)
2. RESOLUTION - Authorizing the Public Works Director or designee to negotiate and execute all right-of-way acquisition documents and agreements necessary to complete the Shields Avenue Bankside Trail Project from Fresno Street to First Street

*RESOLUTION 2020-295 ADOPTED*

- 1-F**     [ID](#)             Approve Amendment No. 1 to the Agreement with the Fresno County Transportation Authority for Freeway Litter Abatement Services (Citywide)  
[20-001522](#)

*The above item was pulled from Consent Calendar by Council President Arias and moved to Contested Consent for further discussion.*

- 1-G**     [ID](#)             Actions pertaining to solar projects proposed at three new City of Fresno facilities: 1) Fresno Animal Shelter 2) Fire Station 18, and 3) Southeast Police Sub-Station (Council Districts 1, 4 and 5):  
[20-001446](#)

1. Adopt findings pursuant to the California Environmental Quality Act (CEQA) Guidelines;
  - a. Adopt an Addendum to the Finding of Conformity prepared for Environmental Assessment No. EA-16-011, dated October 15, 2020 for the Energy Services Agreement-Solar with FFP BTM Solar, LLC at the Southeast Police Substation;
  - b. Adopt a finding of Categorical Exemptions pursuant to Sections 15303/Class 3; 15304-Class 4; and 15311/Class 11 of the

- CEQA Guidelines for the Energy Services Agreement-Solar with FFP BTM Solar, LLC at Fire Station 18;
2. Approve the award of a cooperative purchase Energy Services Agreement-Solar with FFP BTM Solar, LLC, for the design, financing, construction, installation, operation, and maintenance of a 337 kW (DC) (estimated) solar photovoltaic system at the Animal Shelter;
  3. Approve the award of a cooperative purchase Energy Services Agreement-Solar with FFP BTM Solar, LLC, for the design, financing, construction, installation, operation, and maintenance of a 78 kW (DC) (estimated) solar photovoltaic system Storage at Fresno Fire Station 18;
  4. Approve the award of a cooperative purchase Energy Services Agreement-Solar with FFP BTM Solar, LLC, for the design, financing, construction, installation, operation, and maintenance of a 102 kW (DC) (estimated) solar photovoltaic system at the Southeast Police Substation;
  5. Authorize the Public Works Director or designee to execute subsequent documents, instruments, estoppel and acknowledgement certificates, etc. related to securing a financing party;
  6. Authorize the Public Works Director or designee to approve of any changes to the PPA rates up to the maximum amount authorized in the agreements;
  7. Authorize the Public Works Director or designee to execute the Pacific Gas & Electric (PG&E) Interconnection Agreement required for the project(s).

*The above item was removed from the agenda by Council President Arias and continued to December 3, 2020.*

**1-H**     [ID](#)             Approve the second amendment to the consultant agreement for Certified Access Specialist (CAsp) Inspection Services with The Taylor Group Architects for a total contract value of \$210,000(Citywide)  
[20-001521](#)

**1-I**     [ID](#)             Approve a Consent to Assignment for Landscape Maintenance Services performed by All Commercial Landscape Service, Bid Files No. 9273 and 9433 (Citywide)  
[20-001523](#)

**1-J**     [ID](#)             Complete Streets Policy Annual Report - first annual report (Citywide)  
[20-001525](#)

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

**1-K**     [ID](#)             Approve agreement for sale of 0.87 acres vernal pool preservation credits in the amount of \$60,900 from the Great Valley Conservation Bank owned by California Conservation Holdings, LLC, a California Limited Liability Company, for the Veterans Boulevard State Route 99 Interchange and Extension Project (Council District 2)  
[20-001526](#)

- 1-L [ID](#)  
[20-001527](#) Actions pertaining to the Blackstone Avenue and Abby Street Corridors (from Divisadero Street to Olive Avenue) Intelligent Transportation System (ITS) Adaptive Project - Bid File No. 3759 (Council Districts 3 and 7)
1. Adopt a finding of Categorical Exemption per staff's determination, pursuant to Section 15301(c) Class 1 of the California Environmental Quality Act Guidelines (CEQA)
  2. \*\*\*RESOLUTION - 42nd Amendment to the Annual Appropriation Resolution No. 2020-159 appropriating \$301,000 for the Blackstone Avenue and Abby Street Intelligent Transportation System (ITS) Adaptive Project from McKinley Avenue to Divisadero Street (Requires 5 affirmative votes) (Subject to Mayor's veto)
  3. Award a construction contract in the amount of \$1,420,012 to Audeamus Inc., dba Sebastian of Fresno, CA, as the lowest responsive and responsible bidder

*RESOLUTION 2020-296 ADOPTED*

- 1-M [ID](#)  
[20-001528](#) Approve an agreement for Professional Engineering Services with TJKM of Pleasanton, California in the amount \$85,410 with a \$5,000 contingency for the design and construction support services for the Midtown Fresno Multimodal Interconnectivity Project (Council Districts 1, 3, and 7)

- 1-N [ID](#)  
[20-001529](#) Actions pertaining to the Olive Avenue Streetscape Project from Roosevelt Avenue to Yosemite Avenue - Bid File No. 3745 (Council Districts 1 and 3)
1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Sections 15301/ Class 1, 15302/Class 2, and 15304/Class 4 of the California Environmental Quality Act guidelines
  2. Award a construction contract in the amount of \$834,681.00 to A.J. Excavation of Fresno, California

- 1-O [ID](#)  
[20-001530](#) Actions pertaining to the Chestnut Avenue Overlay Project between Kings Canyon Road and Butler Avenue (Council District 5):
1. \*\*\*RESOLUTION - 44th Amendment to the Annual Appropriation Resolution No. 2020-159 appropriating \$98,000 for the Chestnut Avenue AC Overlay Project from Kings Canyon Road to Butler Avenue (Requires 5 votes) (Subject to Mayor's Veto)
  2. Approve an agreement for Professional Engineering Services with North Coast Engineering Inc. of Paso Robles, California in the amount of \$97,997 with a \$5,000 contingency for design and construction support services

*RESOLUTION 2020-297 ADOPTED*

- 1-P [ID](#)  
[20-001532](#) Actions pertaining to the Tulare Avenue Complete Streets Project between 6th Street to Cedar Avenue (Council Districts 5 and 7):

1. \*\*\*RESOLUTION - 43rd Amendment to the Annual Appropriation Resolution No. 2020-159 appropriating \$40,500 for the Tulare Avenue Complete Streets Project Between 6th Street and Cedar Avenue (Requires 5 affirmative votes) (Subject to Mayor's veto)
2. Approve an agreement for Professional Engineering Services with Peters Engineering Group for \$193,360, with a \$10,000 contingency, for design and construction support services

*RESOLUTION 2020-298 ADOPTED*

- 1-Q** [ID](#) Adopt Resolution of Intent Number 1139-D to vacate a portion of East Illinois Avenue between North Valeria Street and North Fresno Street (Council District 7)

*The above item was removed from the agenda by Council President Arias and continued.*

- 1-R** [ID](#) Actions related to Lease Agreement of City-owned land at the Fresno-Clovis Regional Wastewater Reclamation Facility (RWRf) (Council District 3):

1. Adopt a finding of Categorical Exemption pursuant to Sections 15301/Class 1, 15304/Class 4, and 15325/Class 25 of the California Environmental Quality Act (CEQA) Guidelines;
2. Approve a Fifth Amendment to the Lease and Agreement with Mr. James Cook for 550 acres of City-owned land at the RWRf, to include a payment arrangement for an amount totaling \$116,885 to be paid in 17 installments of \$6,875.59, beginning the fourth quarter of calendar year 2020 and continuing on a quarterly basis for 16 subsequent quarters; and to grant one four-year extension, for the period of January 1, 2021 through December 31, 2024.

*The above item was pulled from Consent Calendar by Council President Arias and moved to Contested Consent for further discussion.*

- 1-S** [ID](#) Actions related to the Specific Plan of the Southeast Development Area:

1. \*\*\*RESOLUTION - 47th Amendment to the Annual Appropriation Resolution No. 2020-159 to appropriate \$625,000 from the SB 2 Planning Grant for Environmental services related to the Specific Plan of the Southeast Development Area (Requires 5 votes) (Subject to Mayor's veto)
2. Approve a Consultant Services Agreement with First Carbon Solutions for environmental assessment services related to the Specific Plan of the Southeast Development Area in an amount not

to exceed \$625,000

*RESOLUTION 2020-299 ADOPTED*

1-T [ID](#) [20-001455](#) Approve the award of a cooperative purchase agreement to AMS.NET of Livermore, California, in the amount of \$338,136, for networking equipment and associated wireless equipment to be installed at the Department of Transportation FAX Division bus yard and authorize the Director of Transportation to execute the documents

1-U [ID](#) [20-001482](#) Approve the appointment of Sabrina Kelley to the Housing Authority Board.

*The above item was removed from the agenda by Councilmember Esparza and continued.*

1-V [ID](#) [20-001501](#) Approve the reappointment of Lawrence Garcia to the Fresno Metropolitan Flood Control Board, and the reappointment of Fely Guzman to the Fresno Regional Workforce Investment Board.

*The above item was removed from the agenda by Councilmember Esparza and continued.*

1-W [ID](#) [20-001582](#) APPROVE - Second Amendment to the Exclusive Negotiation Agreement by and between the City of Fresno and Tutelian & Company, Inc.

*The above item was pulled from Consent Calendar by Council President Arias and moved to Contested Consent for further discussion.*

1-X [ID](#) [20-001524](#) Approve an Amendment to the Agreement with Kings View Corporation extending the time of performance to June 30, 2021, and increasing the contract value by \$54,936, for a total contract amount of \$726,883 for homeless outreach and assessment services

*The above item was pulled from Consent Calendar by Council President Arias and moved to Contested Consent for further discussion.*

1-Y [ID](#) [20-001548](#) Approve City Attorney amended contract.

*The above item was removed from the agenda by Council President Arias and continued.*

1-Z [ID](#) [20-001269](#) Actions pertaining to agreement between the City of Fresno and Omni Financial, LLC:

1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 of the California Environmental Quality Act (CEQA)

guidelines.

2. Approve an agreement between the City of Fresno and Omni Financial, LLC, a California limited partnership, for parking and common area maintenance at North Cedar Avenue between East Hampton Way and Dakota Avenue.

**1-AA** [ID](#)  
[20-001470](#)

Actions pertaining to the acquisition of 1625 G Street (APN 465-084-30):

1. Adopt a finding that this approval is exempt from the requirements of CEQA pursuant to the common sense exemption set forth in CEQA Guidelines 15061(b)(3), and that it can be seen with certainty that there is no possibility that this approval will have significant effect on the environment
2. Approve Purchase and Sale Agreement with 1626 Fresno MRP, LLC, in the amount of \$5,750,000 for real property located at 1625 G Street (APN 465-084-30) (District 3)
3. Authorize the City Manager, or designee, to approve Environmental Site Assessment and Property Condition Assessment consultant services in accordance with AO 6-19, not to exceed \$250k

**1-BB** [ID](#)  
[20-001539](#)

Actions pertaining to Commercial Cannabis Activity:

1. \*\*\*RESOLUTION - 46th Amendment to the Annual Appropriation Resolution No. 2020-159 appropriating \$71,700 for the Cannabis Consulting and Support Services Agreement (Subject to Mayor's Veto)
2. Approve an Agreement Amendment with Hinderliter, de Llamas, and Associates for Professional Cannabis Consulting and Support Services

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

**1-CC** [ID](#)  
[20-001556](#)

RESOLUTION - Initiating a Rezone and adding a condition of zoning to prohibit the issuance of an alcohol license for real property located at the northwest corner of North Cedar Avenue and East Tulare Street pursuant to Fresno Municipal Code Section 15-5803-B

*RESOLUTION 2020-301 ADOPTED*

**1-DD** [ID](#)  
[20-001557](#)

Approve Purchase and Sale Agreement with Fresno Economic Opportunities Commission for the sale of Pride Park (APN 467-292-05T)

*The above item PASSED 6-0, Councilmember Chavez recused himself from*

*the item.*

## **JOINT MEETING OF THE CITY COUNCIL, THE CITY OF FRESNO IN ITS CAPACITY AS HOUSING SUCCESSOR TO THE REDEVELOPMENT AGENCY OF THE CITY OF FRESNO**

- 1-EE [ID](#) Consider Amended and Restated Disposition and Development  
[20-001509](#) Agreement with Noyan Frazier Capital L.P. for the South Stadium project.

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

## **CONTESTED CONSENT CALENDAR**

- 1-F [ID](#) Approve Amendment No. 1 to the Agreement with the Fresno County  
[20-001522](#) Transportation Authority for Freeway Litter Abatement Services (Citywide)

*The above item was introduced to Council by Director Mozier, Public Works Department. Upon call, the following member of the public addressed Council: Brandi Villegas,*

*Council President Arias asked several questions regarding the Request for Proposal (RFP) process. Director Mozier responded.*

*Councilmember Soria suggested exploring various programs where the City partners with the homeless population in picking up the litter around the City of Fresno much like the City of San Jose. Director Mozier responded.*

*Council Vice President Caprioglio requested staff to reach out to the City of San Jose and other jurisdictions to see how they have implemented their programs.*

*Councilmember Soria want the motion to include "seek the opportunity to implement clean up programs." Council Vice President Caprioglio responded.*

*Council President Arias motioned to approve with direction to staff to include in the Request for Proposal (RFP) process a program where we partner with the homeless population to pick up the garbage around the City of Fresno. Council Vice President Caprioglio seconded the motion.*

APPROVED AS AMENDED

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

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

**1-J** [ID](#) Complete Streets Policy Annual Report - first annual report (Citywide)  
[20-001525](#)

*The above item was introduced to Council by Director Mozier, and Licensed Engineer Gormely, Public Works Department.*

*Councilmember Soria asked several questions regarding the percentage of the Transportation budget and if there is a way to increase the amount in the future. She asked about the departments goals in terms of 2021 in Active Transportation projects. Councilmember Soria spoke regarding equal distribution amongst the City and asked that staff come back to Council with a presentation or workshop to discuss where the money will be going, the departments goals for next year and how the City can achieve the Gold or Silver level. Councilmember Soria also asked about the Clinton project and how the exceptions work. Director Mozier and Licensed Engineer Gormely responded.*

*Council President Arias asked staff to include an update on the SB1 priority projects and the funding in the workshop. He asked staff to reach out to Councilmember Elect Maxwell, District 4 and Mayor Elect Dyer.*

*Councilmember Soria motion to direct staff to come back to Council early next year with a workshop and directed staff to meet with the Councilmembers to discuss district priority projects before the next budget. Council President seconded the motion.*

APPROVED

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

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

1-R

[ID](#)

[20-001390](#)

Actions related to Lease Agreement of City-owned land at the Fresno-Clovis Regional Wastewater Reclamation Facility (RWRF) (Council District 3):

1. Adopt a finding of Categorical Exemption pursuant to Sections 15301/Class 1, 15304/Class 4, and 15325/Class 25 of the California Environmental Quality Act (CEQA) Guidelines;
2. Approve a Fifth Amendment to the Lease and Agreement with Mr. James Cook for 550 acres of City-owned land at the RWRF, to include a payment arrangement for an amount totaling \$116,885 to be paid in 17 installments of \$6,875.59, beginning the fourth quarter of calendar year 2020 and continuing on a quarterly basis for 16 subsequent quarters; and to grant one four-year extension, for the period of January 1, 2021 through December 31, 2024.

*The above item was introduced to Council by Council President Arias, District 3 and Director Carbajal, Department of Public Utilities. Upon call,*

*Councilmember Soria expressed her concerns with extending the contract for four year and would like to extend the contract for a year at a time so the City can maximize the ROI and set up a payment plan. Director Carbajal and Deputy City Attorney II Quintanilla responded.*

*Councilmember Soria motioned to approve a one year extension and the Council will do a referral on the rent and set up a payment plan after the one year if the contract does not extend for the four years. Council President Arias seconded the motion.*

*There was additional discussion regarding the four year extension between Councilmembers and staff.*

*Council President Arias motioned to continue to December 3, 2020. Councilmember Soria seconded the motion.*

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

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

**Absent:** 1 - Caprioglio

**1-W** [ID](#) APPROVE - Second Amendment to the Exclusive Negotiation Agreement  
[20-001582](#) by and between the City of Fresno and Tutelian & Company, Inc.

*The above item was introduced to Council by Council President Arias, District 3 and Applicant Cliff Tutelian with Tutelian and Company, Inc. Upon call, there was no public comment.*

*Discussion was held between Councilmembers and staff regarding the days of extension.*

*Councilmember Bredefeld motioned to extend the agreement for 90 days. Councilmember Karbassi seconded the motion.*

*Council President Arias motioned to approve with a 60 days extension from December 3, 2020. Councilmember Esparza seconded the motion. Motion PASSED 4-3, Councilmember Bredefeld, Councilmember Karbassi, Council Vice President Caprioglio voted no*

**APPROVED**

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

**Aye:** 4 - Arias, Soria, Chavez and Esparza

**No:** 3 - Caprioglio, Karbassi and Bredefeld

**1-X** [ID](#) Approve an Amendment to the Agreement with Kings View Corporation  
[20-001524](#) extending the time of performance to June 30, 2021, and increasing the contract value by \$54,936, for a total contract amount of \$726,883 for homeless outreach and assessment services

*The above item was introduced to Council by Director Strategic Initiatives Spees, Mayor's Office and Virginia Sparks with Kings View Corporation. Upon call, the following member of the public addressed Council: Lisa Flores.*

*Discussion was held between Councilmembers and staff regarding the success of the contract, what is being accomplished and will the additional*

*funding be used for. Councilmember Soria asked for staff to provide Council and the Subcommittee with a report on the data of all the individuals that have been assisted.*

*APPROVED*

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

**Aye:** 5 - Arias, Caprioglio, Soria, Bredefeld and Esparza

**No:** 1 - Chavez

**Absent:** 1 - Karbassi

**City Council recessed for lunch at 12:05 P.M. and returned at 1:02 P.M.**

**1-BB** [ID](#)  
[20-001539](#)

Actions pertaining to Commercial Cannabis Activity:

1. \*\*\*RESOLUTION - 46th Amendment to the Annual Appropriation Resolution No. 2020-159 appropriating \$71,700 for the Cannabis Consulting and Support Services Agreement (Subject to Mayor's Veto)
2. Approve an Agreement Amendment with Hinderliter, de Llamas, and Associates for Professional Cannabis Consulting and Support Services

*The above item was introduced to Council by Project Manager Ruiz, City Manager's Office. Upon call, there was no public comment.*

*Councilmember Bredefeld asked about the status of the consultant work and the cost per hour rate. Upon call, there as no public comment.*

**RESOLUTION 2020-300 ADOPTED**

**On motion of Councilmember Soria, seconded by President Arias, that the above Resolution be approved. The motion carried by the following vote:**

**Aye:** 5 - Arias, Caprioglio, Soria, Chavez and Esparza

**No:** 1 - Bredefeld

**Absent:** 1 - Karbassi

- 1-EE [ID](#) Consider Amended and Restated Disposition and Development  
[20-001509](#) Agreement with Noyan Frazier Capital L.P. for the South Stadium project.

*Councilmember Soria recused herself from the above item. The above item was introduced to Council by Council President Arias, District 3. Upon call, the following member addressed Council: Lisa Flores.*

*Discussion was held between Councilmember and staff regarding the number of extensions to the contract and the challenges the project is facing during the pandemic.*

*APPROVED*

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

**Aye:** 5 - Arias, Caprioglio, Karbassi, Chavez and Esparza

**No:** 1 - Bredefeld

**Recused:** 1 - Soria

**Council President Arias called the special meeting to order at 1:27 P.M. and adjourned the special meeting at 2:04 P.M.**

#### **4. CITY COUNCIL**

- 4-B [ID](#) Approve agreement with United Health Centers to fund COVID testing  
[20-001578](#) events

*There was no introduction to Council, no public comment and no Council discussion.*

*APPROVED*

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

**Aye:** 5 - Arias, Soria, Karbassi, Bredefeld and Esparza

**Absent:** 2 - Caprioglio and Chavez

- 4-A [ID](#) Extension of the Senior Aid for Food and Resources Program  
[20-001565](#)

*There was no introduction to Council, no public comment, and no Council discussion.*

*APPROVED*

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

**Aye:** 5 - Arias, Soria, Karbassi, Bredefeld and Esparza

**Absent:** 2 - Caprioglio and Chavez

### **1:00 P.M.**

- [ID](#) RESOLUTION- Accepting and approving the report from the Commission  
[20-001560](#) on Police Reform, and creating an ongoing committee to oversee implementation

*The above item was presented to Council by Chair Oliver Baines and Sandra Celedon. Upon call, the following members of the public addressed Council: Gerry Blll, Briana Zweifler, Cindy Piombino, Amber Crowell, Brandi Villegas, and Dez Martinez.*

*Councilmember Chavez asked to include language that outlines the process for the implementation committee give direction to staff to come back with a process that works working with Council, Mayor's Office, and the implementation committee. Councilmember Chavez recommended Oliver Baines be a member of the implementation committee.*

*Council President Arias motion to accept recommendations and establish the implementation team composed of 7 members appointed by each council member, 1 member appointed by the Mayor. The implementation team will be appointed on January 7, 2021. Additionally, the Council directs the City Attorney to draft a implementation process for the Council's consideration. Councilmember Soria seconded the motion.*

*RESOLUTION 2020-305 ADOPTED AS AMENDED*

**On motion of President Arias, seconded by Councilmember Soria, that**

the above Action Item be adopted as amended. The motion carried by the following vote:

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

**Absent:** 1 - Caprioglio

### **CLOSED SESSION (CONTINUED)**

*City Council recessed into Closed Session at 3:40 P.M. and returned from Closed Session at*

*There was no announcements after Closed Session and the below items were discussed.*

- 5-B**     [ID](#)  
[20-001537](#)     CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION  
Government Code Section 54956.9, subdivision (d)(1)
- Case Name: *Estate of Casimero Casillas, et al v. City of Fresno, et al.*  
United States District Court Case No.: 1:16-CV-01042 AWI SAB (Fresno Police Department)
- 5-C**     [ID](#)  
[20-001544](#)     CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION  
Government Code Section 54956.9, subdivision (d)(1)
- Case Name: *Estate of Steven Willis, et al. v. City of Fresno, et al.*  
*(Everest National Insurance Company)*  
United States District Court Case No.: 1:09-CV-01766-LJO-DLB  
(Personnel/Risk Department)
- 5-D**     [ID](#)  
[20-001558](#)     CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION -  
Government Code Section 54956.9, subdivision (d)(1):
- Case Name: *City of Fresno v. United States Department of Interior, Bureau of Reclamation; US Court of Federal Claims 16-1276L*
- 5-E**     [ID](#)  
[20-001577](#)     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 Clerk
  2. Government Code Section 54957.6: Conference with Labor Negotiator

City Negotiator: Council President Miguel Arias  
Unrepresented Employee: City Clerk

Sponsor: Council President Arias

### **3. GENERAL ADMINISTRATION**

*There were no General Administration Items*

### **UNSCHEDULED COMMUNICATION**

*Upon call, the following member addressed Council: Lisa Flores.*

### **ADJOURNMENT**

*City Council adjourned at 4:24 P.M.*

# **City of Fresno**

*2600 Fresno Street*

*Fresno, CA 93721*

*www.fresno.gov*



## **Meeting Minutes - Draft**

**Thursday, December 3, 2020**

**9:00 AM**

**Regular Meeting**

**Electronic Only**

### **City Council**

***President - Miguel Angel Arias***

***Vice President - Paul Caprioglio***

***Councilmembers:***

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

***Nelson Esparza***

***City Manager - Wilma Quan***

***City Attorney - Douglas T. Sloan***

***City Clerk - Yvonne Spence, MMC***

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

9:00 A.M. ROLL CALL

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

Invocation

Pledge of Allegiance to the Flag

### **APPROVE AGENDA**

*City Clerk Spence announced the following changes: File ID 20-001296: Proclamation of “Bryson DeChambeau Day”, was removed by Councilmember Karbassi, File ID 20-001584 (1-A): Approval of minutes for November 19, 2020 Regular Meeting, and November 19, 2020 Special Meeting, was continued to December 10, 2020, File ID 20-001583 (1-E): Actions pertaining to authorizing to accept the submission of grant applications through Statewide Park Development and Community Revitalization Program (Proposition 68), the date noted in the Fiscal Impact section should be March 2021 (instead of mid-December 2020), File ID 20-001299 (10:00 A.M.): Continued Hearing pertaining to Sierra Sky Park (Council District 2), was continued to February 4, 2020 at 10:00 A.M. per request of the applicant.*

*The following items were removed from the Agenda.*

- 1. File ID 20-001584 (1-A): Approval of minutes for November 19, 2020 Regular Meeting, and November 19, 2020 Special Meeting was removed from the agenda and continued to December 10, 2020.*
- 2. File ID 20-001579 (1-D): Consideration of an amendment to sections 9-2102 and 9-2115(c) of the Fresno Municipal Code regarding the permitted location of card rooms, was removed from the agenda by Council President*

*Arias and continued to December 10, 2020.*

*3. File ID 20-001607 (1-N): Actions related to Lease Agreement of City-owned land at the Fresno-Clovis Regional Wastewater Reclamation Facility (RWRF) (Council District 3) was removed from the agenda by Council President Arias and Councilmember Soria.*

*4. File ID 20-001515 (1-O): Approve the reappointment of Jim Poptanich to the Fresno Madera Area Agency on Aging Board was removed from the agenda by Councilmember Esparza.*

*5. File ID 20-001543 (1-P): Approve the reappointment of Robin Goldbeck to the Historic Preservation Commission was removed from the agenda by Councilmember Esparza.*

*6. File ID 20-001610 (1-Q): Approve City Attorney amended contract, was removed from the agenda by Council President Arias and continued to December 10, 2020.*

*7. File ID 20-001601 (1-R): Approve an Owner Participation Agreement with the Reza Assemi Trust and Massoud and Johanna Assemi Trust relating to the residential rental project at 1740 Van Ness Avenue (APN 466-132-10 & 11) (District 3) was removed from the agenda by Council President Arias and continued to December 10, 2020.*

*Councilmember Karbassi motioned to keep File ID 20-001515 (1-O) Approve the reappointment of Jim Poptanich to the Fresno Madera Area Agency on Aging Board and File ID 20-001543 (1-P) Approve the reappointment of Robin Goldbeck to the Historic Preservation Commission on the agenda for discussion. Councilmember Bredefeld seconded the motion. Motion PASSED 4/3, Councilmember Soria, Councilmember Esparza and Council President voted no.*

*Item pulled from Consent Calendar and moved to Contested Consent for further discussion.*

*1. File ID 20-001540 (1-C): Actions pertaining to the City of Fresno contract*

*award of Parking Facilities Management Services, Bid File 9554, was pulled by Council President Arias.*

*2. File ID 20-001583 (1-E) Actions pertaining to authorizing to accept the submission of grant applications through Statewide Park Development and Community Revitalization Program (Proposition 68), was pulled by Councilmember Karbassi.*

*3. File ID 20-001562 (1-F) Approve a substitution of a listed Subcontractor JT2, Inc. dba Todd Companies for Fresno Fire Station No. 18 (Council District 1), was pulled by Councilmember Karbassi.*

*4. File ID 20-001553 (1-G): Actions pertaining to the Animal Control Facility project, was pulled by Council President Arias.*

*5. File ID 20-001570 (1-K): Bicycle and Pedestrian Advisory Committee (BPAC) Semi-Annual Report (April 2020 through September 2020) (Citywide), was pulled by Councilmember Soria.*

*6. File ID 20-001515 (1-O): Approve the reappointment of Jim Poptanich to the Fresno Madera Area Agency on Aging Board, was pulled by Councilmember Karbassi.*

*7. File ID 20-001543 (1-P): Approve the reappointment of Robin Goldbeck to the Historic Preservation Commission, was pulled by Councilmember Karbassi.*

*City Clerk Spence announced there was a special open and closed session meeting for December 3, 2020.*

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

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

## **CEREMONIAL PRESENTATIONS**

*The below Ceremonial Presentations were presented to Council.*

[ID](#) Proclamation of "Lawrence Salinas Day"  
[20-00384](#)

[ID](#) Proclamation of "Fresno/Madera Toys for Tots Marathon Month"  
[20-001412](#)

[ID](#) Proclamation of "John Gavel Day"  
[20-001517](#)

[ID](#) Proclamation of "Bryson DeChambeau Day"  
[20-001296](#)

*The above item was removed from the agenda by Councilmember Karbassi.*

### **UNSCHEDULED COMMUNICATION**

*Upon call, the following members of the public addressed Council: Dez Martinez, Lisa Flores, Brandi Villegas, Janine Nkosi, and Alexandra Alvarado.*

### **COUNCILMEMBER REPORTS AND COMMENTS**

*Councilmember Soria made comments about Santa's Village in the City of Fresno and asked the Administration to decorate City Hall for the Holiday Season. She thanked Fresno Police Department, Chief Hall, Director Mozier, and Mayor Brand regarding the Christmas Tree Lane tragedy that occurred opening night where a child lost their life due to a terrible accident on the railroad at Shields and Maroa. She asked the Administration to put electronic signs out to make sure the community clears the railroad way and asked that the signs be translated into Spanish. Councilmember Soria spoke regarding her upcoming event on December 5, 2020 at Fresno City College from 10:00 A.M. to 2:00 P.M. She will be partnering up with neighborhood industries to provide free tamale kits, free flu shots, and free COVID testing. Councilmember Soria spoke regarding the insurance requirements for events and asked the Administration to provide Council with a workshop on the requirements for insurance coverage for future events for nonprofits to lower the barriers in order for nonprofits to enter into Agreements.*

*Councilmember Karbassi and Councilmember Esparza acknowledged the recent tragedy that occurred on Christmas Tree Lane, where a five year old*



- 1-C [ID](#)  
[20-001540](#) Actions pertaining to the City of Fresno contract award of Parking Facilities Management Services, Bid File 9554.
1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301 of the California Environmental Quality Act (CEQA).
  2. Award a five year service requirements contract to ACE Parking in the amount of \$13,230,332, to operate downtown parking facilities and regional parks parking facilities.
  3. Authorize the Planning and Development Director, or designee, to execute the contract on the City's behalf.

*The above item was pulled from Consent Calendar by Council President Arias and moved to Contested Consent for further discussion.*

- 1-D [ID](#)  
[20-001579](#) Consideration of an amendment to sections 9-2102 and 9-2115(c) of the Fresno Municipal Code regarding the permitted location of card rooms.

**BILL (for introduction)** - Amending sections 9-2102 and 9-2115(c) of the Fresno Municipal Code pertaining to the permitted location of card rooms.

*The above item was removed from the agenda and continued to December 10, 2020.*

- 1-E [ID](#)  
[20-001583](#) Actions pertaining to authorizing to accept the submission of grant applications through Statewide Park Development and Community Revitalization Program (Proposition 68).
1. \*\*\*RESOLUTION - To approve the filing of an application for Statewide Park Development and Community Revitalization Program grant funds for new park development at Milburn/Dakota (Council District 1) (Subject to Mayor's veto)
  2. \*\*\*RESOLUTION - To approve the filing of an application for Statewide Park Development and Community Revitalization Program grant funds for new park development at Church/Orangewood (Council District 5) (Subject to Mayor's veto)
  3. \*\*\*RESOLUTION - To approve the filing of an application for Statewide Park Development and Community Revitalization Program grant funds for Quigley Park reconstruction (Council District 1) (Subject to Mayor's veto)
  4. \*\*\*RESOLUTION - To approve the filing of an application for

Statewide Park Development and Community Revitalization Program grant funds for Radio Park improvements (Council District 7) (Subject to Mayor's veto)

5. Authorize execution of all application-related documents by the Parks, After School, Recreation and Community Services Director or designee

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

- 1-F** [ID](#) [20-001562](#) Approve a substitution of a listed Subcontractor JT2, Inc. dba Todd Companies for Fresno Fire Station No. 18 (Council District 1)

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

- 1-G** [ID](#) [20-001553](#) Actions pertaining to the Animal Control Facility project:
1. Approve Contract Change Order Number 2 to the Animal Control Facility project construction contract with Northstar General Inc., and Quiring General LLC., of Fresno California, to increase the total construction contract amount by \$2,391,065 to a total contract value of \$17,201,065 (Council District 4)
  2. \*\*\*RESOLUTION - approve a resolution of the Council of the City of Fresno establishing procedures for the approval of certain contract change orders for the City of Fresno Animal Control Facility project (Subject to Mayor's Veto)

*The above item was pulled from Consent Calendar by Council President Arias and moved to Contested Consent for further discussion.*

- 1-H** [ID](#) [20-001559](#) Approve a substitution of a listed Subcontractor S.A. Camp Pump and Drilling Company, for Lift Stations 1, 13, and 14 Improvements (Council Districts 2 & 3)

- 1-I** [ID](#) [20-001568](#) **RESOLUTION** - Of Intention to Annex the Territory Known as Assessor's Parcel Number 506-130-36S as Annexation No. 49 to the CITY OF FRESNO COMMUNITY FACILITIES DISTRICT NO. 9 and to Authorize the Levy of Special Taxes; and setting the public hearing for Thursday, January 28, 2021, at 10:00 am (northeast corner of West Bullard and North Dante Avenues) (Council District 2)

**RESOLUTION 2020-311 ADOPTED**

- 1-J** [ID](#) [20-001569](#) **RESOLUTION** - Of Intention to Annex Final Tract Map No. 6270 as Annexation No. 117 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, January 28, 2021, at 10:00 am (west side

of South Willow Avenue between East Fillmore and Laurel Avenues)  
(Council District 7)

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

- 1-K**    [ID](#)            Bicycle and Pedestrian Advisory Committee (BPAC) Semi-Annual Report  
[20-001570](#)    (April 2020 through September 2020) (Citywide)

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

- 1-L**    [ID](#)            Approve a consulting contract to Nichols Consulting Engineers Chtd. of  
[20-001571](#)    Richmond, California in the amount of \$348,800 for Engineering Services  
to update the City of Fresno pavement management system. Bid File No.  
031320SM (City Wide)

- 1-M**    [ID](#)            Actions pertaining to solar projects proposed at three new City of Fresno  
[20-001604](#)    facilities: 1) Fresno Animal Shelter 2) Fire Station 18, and 3) Southeast Police  
Sub-Station (Council Districts 1, 4 and 5):

1. Adopt findings pursuant to the California Environmental Quality Act (CEQA) Guidelines;
  - a. Adopt an Addendum to the Finding of Conformity prepared for Environmental Assessment No. EA-16-011, dated October 15, 2020 for the Energy Services Agreement-Solar with FFP BTM Solar, LLC at the Southeast Police Substation;
  - b. Adopt a finding of Categorical Exemptions pursuant to Sections 15303/Class 3; 15304-Class 4; and 15311/Class 11 of the CEQA Guidelines for the Energy Services Agreement-Solar with FFP BTM Solar, LLC at Fire Station 18;
2. Approve the award of a cooperative purchase Energy Services Agreement-Solar with FFP BTM Solar, LLC, for the design, financing, construction, installation, operation, and maintenance of a 337 kW (DC) (estimated) solar photovoltaic system at the Animal Shelter;
3. Approve the award of a cooperative purchase Energy Services Agreement-Solar with FFP BTM Solar, LLC, for the design, financing, construction, installation, operation, and maintenance of a 78 kW (DC) (estimated) solar photovoltaic system Storage at Fresno Fire Station 18;
4. Approve the award of a cooperative purchase Energy Services Agreement-Solar with FFP BTM Solar, LLC, for the design, financing, construction, installation, operation, and maintenance of a 102 kW (DC) (estimated) solar photovoltaic system at the Southeast Police Substation;
5. Authorize the Public Works Director or designee to execute subsequent documents, instruments, estoppel and acknowledgement certificates, etc. related to securing a financing party;
6. Authorize the Public Works Director or designee to approve of any

changes to the PPA rates up to the maximum amount authorized in the agreements;

7. Authorize the Public Works Director or designee to execute the Pacific Gas & Electric (PG&E) Interconnection Agreement required for the project(s).

1-N

[ID](#)[20-001607](#)

Actions related to Lease Agreement of City-owned land at the Fresno-Clovis Regional Wastewater Reclamation Facility (RWRF) (Council District 3):

1. Adopt a finding of Categorical Exemption pursuant to Sections 15301/Class 1, 15304/Class 4, and 15325/Class 25 of the California Environmental Quality Act (CEQA) Guidelines;
2. Approve a Fifth Amendment to the Lease and Agreement with Mr. James Cook for 550 acres of City-owned land at the RWRF, to include a payment arrangement for an amount totaling \$116,885 to be paid in 17 installments of \$6,875.59, beginning the fourth quarter of calendar year 2020 and continuing on a quarterly basis for 16 subsequent quarters; and to grant one four-year extension, for the period of January 1, 2021 through December 31, 2024.

*The above item was removed from the agenda.*

1-O

[ID](#)[20-001515](#)

Approve the reappointment of Jim Poptanich to the Fresno Madera Area Agency on Aging Board.

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

1-P

[ID](#)[20-001543](#)

Approve the reappointment of Robin Goldbeck to the Historic Preservation Commission.

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

1-Q

[ID](#)[20-001610](#)

Approve City Attorney amended contract.

*The above item was continued to December 10, 2020.*

**JOINT MEETING OF THE CITY COUNCIL, THE CITY OF FRESNO IN ITS CAPACITY AS HOUSING SUCCESSOR TO THE REDEVELOPMENT AGENCY OF THE CITY OF FRESNO, THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF FRESNO, AND THE FRESNO REVITALIZATION CORPORATION**

- 1-R [ID](#) [20-001601](#) Approve an Owner Participation Agreement with the Reza Assemi Trust and Massoud and Johanna Assemi Trust relating to the residential rental project at 1740 Van Ness Avenue (APN 466-132-10 & 11) (District 3)

*The above item was continued to December 10, 2020.*

**CONTESTED CONSENT CALENDAR**

- 1-E [ID](#) [20-001583](#) Actions pertaining to authorizing to accept the submission of grant applications through Statewide Park Development and Community Revitalization Program (Proposition 68).
1. \*\*\*RESOLUTION - To approve the filing of an application for Statewide Park Development and Community Revitalization Program grant funds for new park development at Milburn/Dakota (Council District 1) (Subject to Mayor's veto)
  2. \*\*\*RESOLUTION - To approve the filing of an application for Statewide Park Development and Community Revitalization Program grant funds for new park development at Church/Orangewood (Council District 5) (Subject to Mayor's veto)
  3. \*\*\*RESOLUTION - To approve the filing of an application for Statewide Park Development and Community Revitalization Program grant funds for Quigley Park reconstruction (Council District 1) (Subject to Mayor's veto)
  4. \*\*\*RESOLUTION - To approve the filing of an application for Statewide Park Development and Community Revitalization Program grant funds for Radio Park improvements (Council District 7) (Subject to Mayor's veto)
  5. Authorize execution of all application- related documents by the Parks, After School, Recreation and Community Services Director or designee

*Councilmember Karbassi stated he will push for Proposition 68 for disadvantage areas in District 2.*

*Councilmember Soria asked questions regarding application process. Assistant City Manager Schaad responded. She asked staff to circle back*

*on the Quigley renovation project and make any adjustments that were recommended by the state of California. Director Miller responded.*

*RESOLUTION 2020-306 ADOPTED*

*RESOLUTION 2020-307 ADOPTED*

*RESOLUTION 2020-308 ADOPTED*

*RESOLUTION 2020-309 ADOPTED*

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

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

- 1-F** [ID](#) [20-001562](#) Approve a substitution of a listed Subcontractor JT2, Inc. dba Todd Companies for Fresno Fire Station No. 18 (Council District 1)

*Councilmember Karbassi and Councilmember Soria expressed their desire to establish policy where the subcontractor would hire locally.*

*APPROVED*

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

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

- 1-G** [ID](#) [20-001553](#) Actions pertaining to the Animal Control Facility project:
1. Approve Contract Change Order Number 2 to the Animal Control Facility project construction contract with Northstar General Inc., and Quiring General LLC., of Fresno California, to increase the total construction contract amount by \$2,391,065 to a total contract value of \$17,201,065 (Council District 4)
  2. \*\*\*RESOLUTION - approve a resolution of the Council of the City of Fresno establishing procedures for the approval of certain contract change orders for the City of Fresno Animal Control Facility project (Subject to Mayor's Veto)

*The above item was introduced to Council by Mayor Brand, Mayor's Office and Assistant City Manager Schaad, City Manager's Office.*

*Discussion was held between Councilmembers and staff regarding additional amendments to the project, unanticipated cost in the future, and additional oversight over the project. Councilmember Soria stated she would like to hire a qualified Construction Manager to account for every dollar.*

**RESOLUTION 2020-310 ADOPTED**

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

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

- 1-J**     [ID](#)             **RESOLUTION** - Of Intention to Annex Final Tract Map No. 6270 as  
[20-001569](#)     Annexation No. 117 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, January 28, 2021, at 10:00 am (west side  
of South Willow Avenue between East Fillmore and Laurel Avenues)  
(Council District 7)

*The above item was introduced to Council by Director Mozier, Public Works Department.*

*Councilmember Esparza asked several questions regarding the Community Facilities District (CFD) and Annexation process. Director Mozier responded.*

**RESOLUTION 2020-312 ADOPTED**

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

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

- 1-K**     [ID](#)             Bicycle and Pedestrian Advisory Committee (BPAC) Semi-Annual Report  
[20-001570](#)     (April 2020 through September 2020) (Citywide)

*The above report was presented to Council by Licensed Engineer Gormley, and Phil Arballo, Chairman to the Bicycle and Pedestrian Advisory*

*Committee (BPAC).*

*Councilmember Soria spoke regarding funding in the next budget for the ATP Coordinator position and asked for additional outreach, Public Service Announcement (PSA) and getting to the Silver level.*

*Council President Arias directed Chair Arballo to meeting with Mayor Elect Dyer and Council Elect Maxwell to discuss budget priorities.*

**APPROVED**

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

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

**City Council recessed for lunch at 12:07 P.M. and returned from lunch at 1:32 P.M.**

**1-C**

[ID](#)

[20-001540](#)

Actions pertaining to the City of Fresno contract award of Parking Facilities Management Services, Bid File 9554.

1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301 of the California Environmental Quality Act (CEQA).
2. Award a five year service requirements contract to ACE Parking in the amount of \$13,230,332, to operate downtown parking facilities and regional parks parking facilities.
3. Authorize the Planning and Development Director, or designee, to execute the contract on the City's behalf.

*The above item was introduced to Council by Deputy City Manager Gaffery, City Manager's Office.*

*There was discussion between Councilmembers regarding ACT, PBid, promoting Downtown Fresno events and local businesses, what services ACE will be providing. Would like to see the language incorporated in the PBid for promoting the local businesses downtown in the contract, asked*

*about the points difference in the scoring of the proposals and how it was analyzed, asked about the allocated dollars in the budget and asked about the current value of the contract and what percentage comes from general fund. Deputy City Manager Gaffery responded.*

*Council President Arias motioned to approve with additional provisions that gives the Administration the full authority to hold the vendor accountable for meeting the metrics that they have agreed in the contract for the five years and add the 30 day notice of termination to the contract. Councilmember Soria seconded the motion*

*APPROVED AS AMENDED*

**On motion of President Arias, seconded by Councilmember Soria, that the above Action Item be approved as amended. The motion carried by the following vote:**

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

- 1-O**     [ID](#)             Approve the reappointment of Jim Poptanich to the Fresno Madera Area  
[20-001515](#)     Agency on Aging Board.

*Council President Arias directed the City Clerk to provide Council with a memo on the matrix of all the appointees, the districts they live in, their term expirations, the vacancies in the committees and a list of all the qualifications required for the committees.*

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

**Aye:** 4 - Caprioglio, Karbassi, Chavez and Bredefeld

**No:** 3 - Arias, Soria and Esparza

- 1-P**     [ID](#)             Approve the reappointment of Robin Goldbeck to the Historic Preservation  
[20-001543](#)     Commission.

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

**Aye:** 4 - Caprioglio, Karbassi, Chavez and Bredefeld

No: 3 - Arias, Soria and Esparza

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

### **10:00 A.M.**

[ID](#)

[20-001299](#)

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

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

*The above item was continued to February 4, 2021 at 10:00 A.M.*

## **3. GENERAL ADMINISTRATION**

*There were no General Administration items*

## **4. CITY COUNCIL**

*There were no City Council items.*

## **5. CLOSED SESSION**

*City Council recessed into Closed Session at 2:17 P.M. and returned from Closed Session at 3:40 P.M.*

*There was no announcements made after Closed Session and the below items were discussed.*

5-A

[ID](#)

[20-001611](#)

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 Clerk

2. Government Code Section 54957.6: Conference with Labor Negotiator

City Negotiator: Council President Miguel Arias

Unrepresented Employee: City Clerk

*The above item was continued to December 10, 2020*

5-B

[ID](#)

[20-001633](#)

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 Miguel Arias

Unrepresented Employee: City Attorney

**ADJOURNMENT**

*City Council adjourned at 3:40 P.M.*