



City of Fresno

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

Meeting Minutes City Council

President - Tyler Maxwell

Vice President - Annalisa Perea

Councilmembers:

Mike Karbassi, Miguel Angel Arias, Luis Chavez,

Garry Bredefeld, Nelson Esparza

City Manager - Georgeanne A. White

City Attorney - Andrew Janz

City Clerk - Todd Stermer, CMC

Thursday, June 29, 2023

9:00 AM

**Council Chambers (In
Person and/or Electronic)**

Regular Meeting

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

9:08 A.M. ROLL CALL

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

Invocation by Pastor Terry Townsend of Peoples Church

Pastor Terry Townsend gave the invocation.

Pledge of Allegiance to the Flag

Councilmember Bredefeld led the Pledge of Allegiance.

APPROVE AGENDA

Assistant City Clerk Parra announced the following changes to the agenda:

Scheduled Hearing and Matters item 10:05 A.M. #2 (ID 23-1028) regarding

the hearing to consider the adoption of the Central Southeast Area Specific Plan – was removed from the agenda by staff and tabled to July 20, 2023, at 10:05 a.m.

Scheduled Hearing and Matters item 10:10 A.M. (ID 23-1029) regarding hearing to consider Plan Amendment and Rezone Application No. P23-00507 – was removed from the agenda by staff and tabled to July 20, 2023, at 10:10 A.M.

City Council item 4-A (ID 23-1059) regarding resolution naming the Fresno Police Department regional training center – was removed from the agenda by Councilmember Arias to an undetermined date.

Councilmember Karbassi motioned to keep City Council item 4-A (ID 23-1059) regarding resolution naming the Fresno Police Department regional training center on the agenda for discussion. Councilmember Bredefeld seconded the motion. The motion carried 6-1 by the following vote:

*Ayes: 6 - Perea, Karbassi, Maxwell, Chavez, Bredefeld, Esparza
No: 1 - Arias*

Consent Calendar item 1-E (ID 23-1045) regarding agreement with Bakman Water Company – there was a change requested to be read into the record – Paragraph 1 of the Agreement has been modified and shall read as follows:

1. Grant Amount. City shall provide GRANTEE the amount of \$2,700,000 (“Funds”) for the services described in Exhibit A, attached hereto. The Funds shall be distributed to GRANTEE once the Agreement is fully executed. The parties acknowledge that the Funds may not suffice to cover the entire obligation of FCTC Senior, LP (“Developer”) for the Improvements. As to any shortfall GRANTEE intends to execute a separate agreement between GRANTEE and Developer for payment to GRANTEE, by Developer, of Developer’s portion of the costs of the Improvement, which are in excess of the Funds; in any event, City shall not be responsible for any shortfall.

Paragraph 3 of the Agreement has been modified and shall read as follows:

3. *Term of Agreement and Time for Performance.* This Agreement shall be effective from the Effective Date through August 31, 2024, subject to earlier termination in accordance with this Agreement ("Term"). The services as described in Exhibit A are to commence expeditiously. Should GRANTEE fail to fulfill any condition precedent necessary for disbursement of funds prior to August 31, 2024, then the City may terminate the Agreement so that any unused funds may be otherwise obligated as required by ARPA, no later than December 31, 2024, and expended by December 31, 2026.

Consent Calendar item 1-I (ID 23-1056) regarding agreement with Baker Tilly US, LLP - was removed from the agenda by all sponsors and tabled to an undetermined date.

Councilmember Bredefeld registered a "no" vote on Consent Calendar item 1-AA (ID 23-1042) regarding the Operation and Maintenance Cooperative Agreement with California High Speed Rail Authority.

Councilmember Arias, Councilmember Esparza, and Vice President Perea recused themselves from Consent Calendar item 1-O (ID 23-951) regarding an amendment to the consultant services agreement with Wallace, Roberts, and Todd, LLC.

Councilmember Chavez requested the meeting adjourn in memory of Manuel Vacca formal soccer with Chivas and veteran journalist.

ITEMS MOVED TO CONTESTED CONSENT FOR FURTHER DISCUSSION:

1-C (ID 23-1052) regarding resolution adopting the 46 Amendment to the AAR – was moved to Contested Consent by Councilmember Arias.

1-D (ID 231040) regarding agreement with green dot corporation to provide an alternative direct deposit option via a prepaid card - was moved to Contested Consent by Councilmember Arias.

1-H (ID 23-988) regarding the 3rd amendment to the animal control services agreement between the city of Fresno and the Fresno humane Animal

Services - was moved to Contested Consent by Councilmember Arias.

1-M (ID 23-286) regarding amended and reinstated agreement for option to purchase 959 North Parkway Drive - was moved to Contested Consent by Councilmember Arias.

1-T (ID 23-1003) regarding actions pertaining to lift station 15 and 16 improvements - was moved to Contested Consent by Councilmember Arias.

1-V (ID 23-1057) regarding First Amendment to the professional public Information Services contract for Department of Public utilities with Two Q - was moved to Contested Consent by Councilmember Arias.

1-X (ID 23-972) regarding award a product purchase contract to JAM services - was moved to Contested Consent by Councilmember Arias.

1-BB (ID 23-1055) regarding approve an increase to the current Fortney Evidence Tow Service Contract - was moved to Contested Consent by Councilmember Arias.

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

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

CEREMONIAL PRESENTATIONS

[ID 23-1060](#) Proclamation for "Brittany Jacob Day."

PRESENTED

[ID 23-1018](#) Fresno Animal Center's "Pet of the Month" presented by Fresno Humane Animal Services

PRESENTED

COUNCILMEMBER REPORTS AND COMMENTS

Councilmember Karbassi Reports and Comments: Announced the reopening of the dual left turn lanes on Nees and Audubon to relieve traffic congestion and acknowledged the staff for their efforts in the reopening of

the lanes. Acknowledged the staff for the repaving of Forkner. Announced the Sycamore Island is open for fishing and hiking opportunities. Gave tribute to Manjeet Singh, an Indian-American immigrant who sacrificed his life to save children from a canal and who was awarded the Carnegie Medal posthumously. Discussed July 4, 2023, celebrations and the concerns about noise for veterans, seniors, and pets. The opening of cooling centers located at Mosqueda Center, Maxi L Park Center, Ted C. Wills Community Center, and the Pinedale Community Center. The cooling centers will be open during high temperatures from 12:00 P.M. to 8:00 P.M.

Councilmember Arias Reports and Comments: Announced the July 4, 2023, free firework event shows at McLean stadium and Chukchansi stadium and addressed the safety precautions regarding fireworks and fires near open fields. Discussed the concerns and obstacles faced by businesses in downtown Fresno and Chinatown. He requested the administration look into the issues with street closures and the high cost of alert lights for markets and events and parking arrangements and the need to encourage the use of parking garages during downtown concerts. Acknowledged staff for their efforts on the \$250 million awarded to the City of Fresno to redo downtown infrastructure.

Councilmember Chavez Reports and Comments: Acknowledged the Beautify Fresno team for organizing cleanups across the city particularly the cleaning of the community garden by the Jackson neighborhood association. Requested the meeting be adjourned in memory of Manuel Vacca, the publisher of El Sol Azteca newspaper.

Councilmember Esparza Reports and Comments: Acknowledged Vice President Perea for joining and introducing the legislation at the Van Ness and Clinton intersection event. Congratulated Celida Garcia District Director, for her admission into the MPA program at Fresno State. Wished everyone in advance a Happy Independence Day and Fourth of July and requested staff to remind residents about the consequences of lighting illegal fireworks or allowing them on their property.

Vice President Perea Reports and Comments: Attended the press conference to discuss potential intersection improvements at Clinton and

Van Ness. Announced movies in the Parks event at Lions Park located at 4650 North Marks, events starts at 8:00 P.M. featuring the 1984 version of Karate Kid. Announced the weekly Tower District Farmers Market. Announced the Rainbow Family Day at the Zoo, starting at 2:00 P.M. Announced on July 10, 2023, there will be a Neighborhood watch meet and greet at Moto Deli located at 1916 North Echo Street and upcoming movie night at Inspiration Park on July 13, 2023, and Lions Park on July 20, 2023. Appreciation extended to the City Attorney's Office and the City Clerk's Office for their hard work and support.

MAYOR/MANAGER REPORTS AND COMMENTS

City Manager White Reports and Comments: Discussed the Senior affordable housing at Fancher Creek. and acknowledged City Attorney's Office, Bakeman and Councilmember Chavez for their significant efforts in the project.

CITY CLERK AND CITY ATTORNEY REPORTS AND COMMENTS

City Attorney Janz Reports and Comments: Acknowledged legal teams and administration for their efforts in the Senior Affordable housing at Fancher Creek. Announced there was a favorable verdict in the Gonzalez vs. City of Fresno matter.

UNSCHEDULED COMMUNICATION

Upon call, the following members of the public addressed Council: Steve Diddy, Craig Jones, Tijante Tucker, Serenity Vassar, James Boyd, Syonna Manning, Lawrence Chisom (4-A), Pastor B.T. Lewis (4-A), Ben Hopper, Alan Patzkowsky, Fernando Elizando, Jose Luis Barraza (10:05#2), Jennifer Leandra, Shar Thompson, Ramon Perez, Jolie Clare, Lynn Owens, Jose Leon Barraza (10:05#2) Shawn, Lisa Flores, Linear Akines, Kiel Lopez-Schmidt (1-CC), Deserie Matos, Jose Solorio (4-A), and Dez Martinez (4-A).

1. CONSENT CALENDAR

APPROVAL OF THE CONSENT CALENDAR

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

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

- 1.-A. [ID 23-1033](#) Approval of minutes for June 15, 2023, Special Meeting and June 22, 2023, Regular Meeting.

APPROVED ON CONSENT CALENDAR

- 1.-B. [ID 23-983](#) Actions related to the Service Agreement with The Arc Fresno/Madera Counties (ARC):
1. Affirm the City Manager's determination that ARC is uniquely qualified to provide job coaching, education, and social skills training for adults with developmental and intellectual disabilities.
 2. Approve the Service Agreement with ARC for litter abatement services at Fresno Yosemite International Airport (FAT) for a term of five years. Annual costs are \$91,173.94, plus a three percent increase in successive years. Total costs during the full five-year term of the agreement are \$484,054.85. (Council District 4)

APPROVED ON CONSENT CALENDAR

- 1.-E. [ID 23-1045](#) Approve a Grant Agreement with Bakman Water Company allocating up to \$2,700,000 in American Rescue Plan Act (ARPA) funding for the construction of water infrastructure necessary to meet safety standards and fire suppression requirements for the development of affordable housing at the Fancher Creek Town Center development.

APPROVED ON CONSENT CALENDAR

- 1.-F. [ID 23-1006](#) Approve the award of a cooperative purchase contract to Haaker Equipment Company Inc. of La Verne, California for the purchase of two Elgin CNG Broom Bear street sweepers in the amount of \$1,158,438 for Public Works Street Maintenance Division

APPROVED ON CONSENT CALENDAR

- 1.-G. [ID 23-1046](#) Actions pertaining to temporary water service for fire suppression within Fancher Creek Town Center:
1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines.
 2. Approve a Temporary Water Service Agreement with Bakman Water Company

APPROVED ON CONSENT CALENDAR

- 1.-I. [ID 23-1056](#) Approve a consultant agreement with Baker Tilly US, LLP in the amount of \$256,443, plus a not-to-exceed contingency amount of \$10,000, to provide consulting services on development of an assessment - along with recommendations for options - to improve the services and affordability of electricity in the City of Fresno; authorize the City Manager or designee to execute all related documents. (Citywide)

The above item was removed from the agenda by all sponsors and tabled to no return date.

TABLED

- 1.-J. [ID 23-1053](#) Actions pertaining to the International Union of Operating Engineers, Stationary Engineers, Local 39 for Unit 1
1. ***Adopt a successor Memorandum of Understanding between the City of Fresno and International Union of Operating Engineers, Stationary Engineers, Local 39 (Local 39), Non-Supervisory Blue Collar, Unit 1 (Subject to Mayor's veto)
 2. ***RESOLUTION: Adopt the Fifteenth Amendment to FY 2023 Salary Resolution No. 2022-152, amending Exhibit 1, Non-Supervisory Blue Collar (Local 39), to provide a salary increase for respective classes as required by the Memorandum of Understanding between the City of Fresno and International Union of Operating Engineers, Stationary Engineers, Local 39 (Local 39) (Subject to Mayor's veto)

RESOLUTION 2023-195 ADOPTED

APPROVED ON CONSENT CALENDAR

- 1.-K. [ID 23-1004](#) Actions pertaining to Community Gardens:
1. Award a two-year professional services agreement in an amount not to exceed \$40,000 per year to Fresno Metropolitan "Metro" Ministry for Community Garden Liaison services at three City of Fresno community gardens with the option of two, one-year extensions. (Council Districts 3 and 5)
 2. Authorize the City Manager or designee to execute all related documents.

APPROVED ON CONSENT CALENDAR

- 1.-L. [ID 23-909](#) Approve agreement with Marjaree Mason Center to operate as a homeless family emergency shelter for a total award amount of \$110,167.00.

APPROVED ON CONSENT CALENDAR

- 1.-N. [ID 23-1011](#) Approve agreement with Mental Health Systems to operate the Fresno

HOME as a low-barrier emergency homeless shelter for a total amount of \$1,449,183.89.

APPROVED ON CONSENT CALENDAR

- 1.-O. [ID 23-951](#) Approve an amendment to the consultant services agreement with Wallace, Roberts, and Todd, LLC., for professional planning and environmental analysis services related to the update of the Tower District Specific Plan in the amount of \$170,590.

Councilmember Arias, Councilmember Esparza, and Vice President Perea recused themselves from the above item. The motion carried 4-0 by the following vote:

Aye: 4 - Karbassi, Maxwell, Chavez, Bredefeld

Recuse: 3 - Perea, Arias, Esparza

APPROVED ON CONSENT CALENDAR

- 1.-P. [ID 23-986](#) ***RESOLUTION - Adopting the 45th Amendment to the Annual Appropriation Resolution (AAR) No. 2022-154 appropriating \$132,600 in Emergency Solutions Grant-Coronavirus (ESG-CV) (Subject to Mayor's Veto)

RESOLUTION 2023-197 ADOPTED

APPROVED ON CONSENT CALENDAR

- 1.-Q. [ID 23-987](#) Actions pertaining to supplemental Emergency Solutions Grant funding provided by the U.S. Department of Housing and Community Development Office of Community Planning and Development (HUD CPD) to prevent, prepare for, and respond to the Coronavirus:
1. Approve an Amendment to the Emergency Solutions Grant - Coronavirus Agreement with Elevate Community Services to increase the funding by \$132,539.21 for a total award of \$385,805.42 for emergency shelter within the City of Fresno.
 2. Approve the seventh revision of the Emergency Solutions Grant - Coronavirus Activity Allocations to reallocate \$132,539.21 to fund emergency shelter operations

APPROVED ON CONSENT CALENDAR

- 1.-R. [ID 23-1000](#) BILL - (for Introduction) - Granting a non-exclusive roll-off franchise for roll-off collection within the City of Fresno to Valley Dumpster Service LLC in preparation for a public hearing on the matter and final vote to approve the non-exclusive franchise on August 10, 2023, at 10:00 a.m. (Citywide).

BILL B-22 INTRODUCED AND APPROVED

APPROVED ON CONSENT CALENDAR

- 1.-S. [ID 23-1002](#) Actions pertaining to the cleaning of Digester #1 and cleaning and rehabilitation of Digester #12 at the Fresno-Clovis Regional Wastewater Reclamation Facility (Bid File 12302079) (Council District 3):
1. Adopt a finding of Categorical Exemption pursuant to Section 15301(d)/Class 1 of the California Environmental Quality Act (CEQA) Guidelines.
 2. Award a construction contract to F.D. Thomas, of Central Point, Oregon, in the amount of \$1,200,010.

APPROVED ON CONSENT CALENDAR

- 1.-U. [ID 23-915](#) Actions pertaining to the Downtown Fresno Neighborhood Beautification and Cleanup Project (Council Districts 1, 3, & 7):
1. Affirm the City Manager's determination that Fresno Arts Council is uniquely qualified
 2. Approve the Agreement between City of Fresno and Fresno Arts Council, Inc. of Fresno CA, a uniquely qualified consultant, in the amount of \$536,222 for procurement of transportation art on behalf of the City of Fresno.

APPROVED ON CONSENT CALENDAR

- 1.-W. [ID 23-967](#) Approve the Second Amendment to the Consultant Services Agreement with The Taylor Group Architects in the amount of \$132,500, for a total increased contract amount of \$1,107,500, with a remaining contingency of \$70,000, for professional architectural services for the design of plans and general construction contract documents for the New Fire Station 12 (Council District 1)

APPROVED ON CONSENT CALENDAR

- 1.-Y. [ID 23-977](#) Approve the First Amendment to the Consultant Services Agreement with Provost & Pritchard Engineering Group, Inc., of Fresno, California in the amount of \$22,748, for a total increased contract amount of \$172,648, with a \$10,000 contingency, for professional engineering services and preparation of right-of-way documents for the Blackstone Avenue Smart Mobility Project between McKinley Avenue and Shields Avenue (Council District 7)

APPROVED ON CONSENT CALENDAR

- 1.-Z. [ID 23-981](#) Award a construction contract in the amount of \$3,260,116 to Granite Construction Company of Fresno, CA, as the lowest responsive and responsible bidder, for the Downtown Fresno Neighborhood Beautification and Cleanup Project (Bid File No. 12302141) (Council Districts 1, 3, & 7)

APPROVED ON CONSENT CALENDAR

- 1.-AA. [ID 23-1042](#) Actions pertaining to the Operation and Maintenance Cooperative Agreement with California High Speed Rail Authority (Council Districts 1, 2, 3, and 5):
1. Approve the Ownership and Maintenance Cooperative Agreement between the California High-Speed Rail Authority and the City of Fresno to establish a record of final ownership and perpetual maintenance for the California High-Speed Rail System located within the City of Fresno
 2. Authorize the Public Works Director or designee to accept the lump sum payment of \$5,000,000 for graffiti abatement costs related to the Operations and Maintenance Cooperative Agreement with California High Speed Rail (Subject to Mayor's Veto)

Councilmember Bredefeld registered a "no" vote on the above item. The motion carried 6-1 by the following vote:

Aye: 6 - Perea, Karbassi, Arias, Maxwell, Chavez, Esparza

No: 1 - Bredefeld

APPROVED ON CONSENT CALENDAR

- 1.-CC. [ID 23-1051](#) ***Resolution - To conduct a traffic assessment to include options for improved safety for the intersection of Van Ness and Clinton Avenues (Subject to Mayor's Veto)

RESOLUTION 2023-198 ADOPTED

APPROVED ON CONSENT CALENDAR**CONTESTED CONSENT CALENDAR**

- 1.-C. [ID 23-1052](#) ***RESOLUTION - Adopting the 46th Amendment to the Annual Appropriation Resolution No. 2022-154 to increase appropriations by \$400,000 to cover anticipated General Fund expense overages for the Fire Department. (Subject to Mayor's Veto)

Councilmember Arias moved this item to Contested Consent to discuss the reason for the change.

Council discussion on this item included: Why wasn't the matter addressed during the budget hearings, how did the department end up being \$400,000 short to close the fiscal year, how did this oversight occur despite having a

finance department and a controller's office, are there other departments overspending that the City is not aware of, where is the additional \$400,000 coming from, and is the funding for the shortfall coming from the general fund or third-party sources.

RESOLUTION 2023-194 ADOPTED

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

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

Absent: 1 - Esparza

- 1.-D.** [ID 23-1040](#) Approve an agreement with Green Dot Corporation to provide an alternative direct deposit option via a prepaid card program in lieu of a paper check, with no cost to the City of Fresno.

Councilmember Arias moved this item to Contested Consent to get clarification on how many employees utilize the service.

Council discussion on this item included: how many employees utilize the alternative direct deposit option via the prepaid card program, when does the Bank of America agreement expire, is the city considering choosing another bank due to Bank of America's decision to no longer provide the services our employees need, will the RFP process for a new bank be completed before the expiration of the current contract, are there concerns about Bank of America's decision affecting employees and the city's relationship with them, and will the RFP process be scrutinized deeply to ensure fulfillment of contract requirements and address the issues faced with Bank of America.

APPROVED

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

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

- 1.-H.** [ID 23-988](#) Approve the third amendment to the animal control services agreement

between the City of Fresno and Fresno Humane Animal Services in the amount not to exceed \$2,321,500 for a five-month term beginning July 1, 2023 to November 30, 2023.

Councilmember Arias moved this item to Contested Consent to discuss the concerns and complaints from residents regarding the management of cats.

Council discussion on this item included: what would the extension of this contract do in relation to the cat issue, anticipate improving services around cats and spay/neutering when it is brought in-house, will bringing the services in-house address the challenges we currently face, how does the city plan to address the concerns and complaints from residents regarding the management of cats and dogs, how is the city going to manage the large number of cats and dogs when there are limited resources, how will the city address the increased number of complaints and ensure that the animal center operates at a higher level, and how does the city plan to handle the expectations and responsibilities placed on us by the community in managing the animal center.

APPROVED

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

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

- 1.-M.** [ID 23-286](#) Actions pertaining to an Amended and Restated Agreement for Option to Purchase 959 N. Parkway Drive (District 3):
1. ***RESOLUTION - Finding good cause and clear and convincing benefit to the public to allow a purchase option on subject property for more than five years without a request for proposal process, allow close of escrow on the subject property to extend beyond 12 months of council approval, and allow the removal of a reverter clause; and finding substantial community benefits to justify a sales price less than fair market value pursuant to Fresno Municipal Code section 4-204 relating to the disposition of real property commonly known as 959 N. Parkway Drive, Fresno, CA (APN 449-324-11) (Requires 5 affirmative votes) (Subject to Mayor's veto)
 2. Approve the Amended and Restated Agreement for Option to Purchase 959 N. Parkway Drive between the City of Fresno and Fresno Housing Authority in the amount of \$1,000

Councilmember Arias moved this item to Contested Consent to explain for the record what this item project does.

Council discussion on this item included: calcification on if the city is opening up a new shelter and if there is available beds, if the project is being operated currently as a shelter, is it fully occupied, does this item clean up a mistake by the assessor's office regarding the purchase price, has the property already been acquired and is it operational and is it pretty full.

RESOLUTION 2023-196 ADOPTED

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

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

- 1.-T. [ID 23-1003](#)** Actions pertaining to Lift Station 15 and 16 Improvements (Bid File 12301689) (Council Districts 2 and 4):
1. Adopt a finding of Categorical Exemption pursuant to Class 1, Section 15301(b)(d) (Existing Facilities) of the California Environmental Quality Act Guidelines.
 2. Award a construction contract to HPS Mechanical, Inc., in the amount of \$698,106.

Councilmember Arias moved this item to Contested Consent to discuss of the city is going to replace the lift station in City Hall or is there a specific status regarding that lift station.

APPROVED

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

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

- 1.-V. [ID 23-1057](#)** Approve a First Amendment to the professional public information services contract for the Department of Public Utilities with Two Q, Inc. dba JP Marketing to extend the agreement through June 30, 2024, and increase the contract amount by \$808,698 to fund continuity of services, for a

revised total contract amount of \$2,993,673.

Councilmember Arias moved this item to Contested Consent to discuss the contract regarding the Prop 218 process.

Council discussion on this item included: When does the city anticipate bringing Prop 218 to the council, is the city going to launch a marketing campaign targeted at the legislative body to convince them to support Prop 218, does the city need a marketing firm since we have an in-house Communications team, can the city manage to send a mailing list in-house, what are the other tasks the marketing firm will be responsible for, apart from Prop 218; if there will be any billboards paid for by the marketing firm convincing the Council on Prop 218 before the Council knows what it encompasses, and when will the Prop 218 item come before Council.

APPROVED

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

Aye: 4 - Esparza, Maxwell, Perea and Karbassi

No: 2 - Arias and Bredefeld

Absent: 1 - Chavez

- 1.-X.** [ID 23-972](#) Award a product purchase contract in the amount of \$708,732.52 to JAM Services, Inc. of Livermore, California for the streetlight materials required for the Chinatown Project 1 & 6 Streetlights - Bid File No. 12302405 (Council District 3)

Councilmember Arias moved this item to Contested Consent to discuss what the item does.

Council discussion on this item included: if the street lights engineered to accommodate overhead string lighting, if the poles are structurally capable of handling overhead string lighting, and will the poles be able to handle overhead string lighting in the future if the council decides to implement it.

APPROVED

On motion of Councilmember Arias, seconded by Councilmember

Karbassi, that the above Action Item be **APPROVED**. The motion carried by the following vote:

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

Absent: 1 - Chavez

- 1.-BB. [ID 23-1055](#) Approve an increase to the current Fortney Towing Evidence Tow Service Contract, Bid File No. 9515, in an amount not to exceed \$501,600 to cover the expenses incurred and projected through FY 2024 and to execute the first one-year extension through September 30, 2024.

Councilmember Arias moved this item to Contested Consent to discuss the reasons for storing evidence in vehicles.

Council discussion on this item included: the need to spend more money on storing evidence in vehicles, why the need to hold onto the vehicles used as evidence, what are the reasons for the backlog of vehicles, particularly those associated with murder investigations, what is the process for disposing of vehicles once we get the green light, where is the additional money coming from to cover the expenses, is the money coming from the police budget, does the additional request cover the full increase or just a portion, does the requested amount cover a year and a half of storage fees, will there be a need to address additional increases in the next budget cycle, and is there any opposition to the item.

APPROVED

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

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

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:00 A.M. #1

[ID 23-1032](#) Appearance by Maria Alvarez Garcia to discuss dog abuse accountability. (Resident of District 2)

Maria Alvarez Garcia addressed the Council regarding dog abuse accountability.

10:00 A.M. #2

- [ID 23-1058](#) HEARING to adopt Resolutions and Ordinance to Annex territory and Levy a Special Tax regarding City of Fresno Community Facilities District Number 11, Annexation Number 144 (Final Tract Map Number 6276) (located on the northwest corner of North Parc West Drive and North Grantland Avenue) (Council District 1)
1. ***RESOLUTION - to Annex Territory to Community Facilities District No. 11 and Authorizing the Levy of a Special Tax for Annexation No. 144 (Subject to Mayor's Veto)
 2. ***RESOLUTION - Calling Special Mailed-Ballot Election (Subject to Mayor's Veto)
 3. ***RESOLUTION - Declaring Election Results (Subject to Mayor's Veto)
 4. ***BILL - (For introduction and adoption) - Levying a Special Tax for the Property Tax Year 2022-2023 and Future Tax Years Within and Relating to Community Facilities District No. 11, Annexation No. 144 (Subject to Mayor's Veto)

The above hearing was called to order at 10:55 A.M. Upon call, there was no Council discussion, no staff presentation, and no public comment. The public comment period closed at 10:56 A.M.

RESOLUTION 2023-199 ADOPTED

RESOLUTION 2023-200 ADOPTED

RESOLUTION 2023-201 ADOPTED

BILL B-23 INTRODUCED/ADOPTED AS ORDINANCE 2023-022

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

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

10:05 A.M. #1

- [ID 23-1005](#) HEARING to consider the proposed Annual Assessment for the City of Fresno Landscaping and Lighting Maintenance District No. 1 (Citywide)
1. ***RESOLUTION - Confirming the diagram and assessment and levy of annual assessment, 2023-2024, for Landscaping and Lighting District No. 1 (Subject to Mayor's Veto)

The above hearing was called to order at 10:58 A.M. Upon call, there was

no Council discussion, no staff presentation, and no public comment. The public comment period closed at 10:58 A.M.

RESOLUTION 2023-202 ADOPTED

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

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

10:05 A.M. #2

[ID 23-1028](#) Hearing - To consider the adoption of the Central Southeast Area Specific Plan and related Environmental Assessment, State Clearinghouse (SCH No. 2023020138), and related actions:

1. ADOPT the Subsequent Mitigated Negative Declaration, Environmental Assessment No. P22-00400 dated February 1, 2023 (Exhibit I), prepared pursuant to CEQA Guidelines Section 15162 and 15070 et. Seq. and the Mitigation Monitoring and Reporting Program prepared pursuant to CEQA Guidelines Section 15097.
2. APPROVE Plan Amendment Application P22-00400 which proposes to:
 - a. RESOLUTION - Approving repeal of the Roosevelt Community Plan, pertaining to approximately 15,721 acres (Exhibit N)
 - b. BILL - Approving the repeal of the Butler/Willow Specific Plan, pertaining to approximately 563 acres (Exhibit O)
 - c. RESOLUTION - Approving adoption of the Central Southeast Area Specific Plan and accompanying Planned Land Use Ma (Exhibit P)
 - d. RESOLUTION - Approving adoption of the Planned Land Use Map (Figure LU-1) of the Fresno General Plan to incorporate the land use changes proposed in the Central Southeast Area Specific Plan (Exhibit Q)
 - e. BILL - Approving the rezone of approximately 136 acres of property within the Central Southeast Area Specific Plan area to be consistent with the planned land uses proposed in the Plan (Exhibit R)
3. RESOLUTION - Authorizing the Planning Department Director or her designee to correct any typographical errors and update the text, policies, maps, tables, and exhibits contained in the Central Southeast Area Specific Plan, the Fresno General Plan, and the

Development Code to reflect the final action taken by the Council, to the extent that such updates are necessary to maintain consistency (Exhibit S).

The above item was removed from the agenda by staff and tabled to July 20, 2023, at 10:05 A.M.

TABLED

10:10 A.M.

[ID 23-1029](#) HEARING to Consider Plan Amendment and Rezone Application No. P22-00507, Development Permit Application No. P22-00505, and related Environmental Assessment No. P22-00507/P22-00505 pertaining to ±1.23 acres of property located on the west side of North Sugar Pine Avenue between West Fir Avenue and West Beechwood Avenues. (Council District 2) - Planning & Development Department.

1. ADOPT the Mitigated Negative Declaration as prepared for Environmental Assessment No. P22-00505/P22-00507, dated December 9, 2022, for the proposed project pursuant to the State of California Environmental Quality Act (CEQA); and,
2. RESOLUTION - Approving Plan Amendment Application No. P22-00507, requesting authorization to amend the Fresno General Plan to change the planned land use designation for the subject property from Residential - Medium Density (±1.23 acres) to Commercial - General (±1.23 acres); and,
3. BILL - (For introduction and adoption) - Approving Rezone Application No. P22-00507, requesting authorization to amend the Official Zoning Map of the City of Fresno to rezone the subject property from the RS-5 (*Residential Single Family, Medium Density*) (±1.23 acres) zone district to the CG (*Commercial - General*) (±1.23 acres) zone district in accordance with the Plan Amendment Application; and,
4. APPROVE - Development Permit Application No. P22-00505, requesting authorization to construct an 11,664-square-foot medical clinic and associated parking, circulation, and infrastructure improvements on the approximately 1.23-acre site, subject to compliance with Conditions of Approval dated March 1, 2023.

The above item was removed from the agenda by staff and tabled to July 20, 2023, at 10:10 A.M.

TABLED

3. GENERAL ADMINISTRATION

4. CITY COUNCIL

- 4.-A. [ID 23-1059](#) Resolution - Naming the Fresno Police Department Regional Training Center the "Jerry P. Dyer Regional Police Training Center"

Council President Maxwell and Councilmember Bredefeld introduced the item to Council. Upon call, the following members of the public address Council: Jose Solorio and Dominic Holland.

Councilmember Arias spoke in opposition on the matter.

RESOLUTION 2023-193 ADOPTED

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

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

No: 1 - Arias

5. CLOSED SESSION

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

Council withdrew to closed session at 11:52 A.M.

- 5.-A. [ID 23-1062](#) CONFERENCE WITH LEGAL COUNCIL - POTENTIAL EXPOSURE TO LITIGATION:
Government Code Section 54956.9(d)(2): PW Fund B, LP, et al. v. City of Fresno

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

DISCUSSED

ADJOURNMENT

Adjourned from closed session at 12:30 P.M. in memory of Manuel Vacca.

The above minutes were approved by unanimous vote of the City Council during the July 20, 2023, regular meeting.