



City of Fresno

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

Meeting Minutes - Final City Council

President - Annalisa Perea

Vice President - Mike Karbassi

Councilmembers:

Miguel Angel Arias, Tyler Maxwell, Luis Chavez,

Garry Bredefeld, Nelson Esparza

City Manager - Georgeanne A. White

City Attorney - Andrew Janz

City Clerk - Todd Stermer, CMC

Thursday, January 18, 2024

9:00 AM

Council Chambers (In
Person and/or Electronic)
[https://www.fresno.gov/cou
ncil-meeting](https://www.fresno.gov/council-meeting)

Regular Meeting

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

9:05 A.M. ROLL CALL

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

Invocation by Dr. Sarbjeet Singh from the Sikh Institute of Fresno

Dr. Sarbjeet Singh gave the invocation.

Pledge of Allegiance to the Flag

Councilmember Bredefeld led the Pledge of Allegiance.

APPROVE AGENDA

City Clerk Stermer announced the following changes to the agenda:

Time item 10:10 A.M. (ID 24-102) regarding Hearing to consider Text Amendment Application No. P23-02443 and related Environmental Findings - the following correction was read into the record, should say Section 15016(b)(3) instead of 1506(b)(3).

Consent Calendar item 2-B (ID 24-24) regarding a grant application to the California Interagency Council on Homelessness - the following was read into the record, "The Resolution authorizing the City of Fresno to apply for an Encampment Resolution Funding Program, Round 3 grant is in an amount not to exceed \$11 million dollars, not \$10 million dollars."

Closed Session item 5-E (ID 24-85) regarding Conference with Legal Counsel-Existing Litigation - Catherine Smith v. City of Fresno; Fresno Superior Court Case No.: 20CECG01538 - "The case number should be listed as 22CECG01538, not 20CECG01538."

Ceremonial Item (ID 24-60) regarding Proclamation for "Sally Caglia" - was removed from the agenda by Vice President Karbassi and tabled to February 1, 2024.

Consent Calendar item 2-A (ID 24-89) regarding approval of minutes for January 11, 2024, Regular Meeting – was removed from the agenda by staff and tabled to February 1, 2024.

Consent Calendar item 2-H (ID 24-63) regarding Consultant Services Agreement with Evergreen Solution, LLC. - was removed from the agenda by Councilmember Arias and tabled to February 1, 2024.

Councilmember Bredefeld recused himself from Consent Calendar item 2-M (ID 24-110) regarding a resolution supporting corporation for Better Housing and/or Integrated Community Development, LLC's.

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

2-B (ID 24-24) regarding a grant application to the California Interagency

Council on Homelessness - was moved to Contested Consent by Councilmember Arias.

2-E (ID 24-67) regarding a resolution authorizing the City Manager or designee to accept grant funding from Pacific Gas and Electric Company - was moved to Contested Consent by Councilmember Arias.

On motion of Councilmember Maxwell, seconded by Councilmember Arias, the above agenda were ADOPTED AS AMENDED. The motion carried by the following vote:

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

CEREMONIAL PRESENTATIONS

[ID 24-60](#) Proclamation for "Sally Caglia"

The above item was removed from the agenda by Vice President Karbassi and tabled to February 1, 2024.

[ID 24-29](#) Proclamation for "Luisa Medina Day"

PRESENTED

[ID 24-56](#) Proclamation for "Human Trafficking Prevention Month"

PRESENTED

COUNCILMEMBER REPORTS AND COMMENTS

Councilmember Arias Reports and Comments: Attended the MLK celebrations and march. Addressed the Olive and Marks encampments. Announced the upcoming ribbon cutting for the Fresno City College West Fresno Center - Advance Transportation Center. Announced the groundbreaking of the Southwest Fresno New United Health Centers located at 122 E. California. Announced the upcoming meeting to gather community feedback regarding Frank H. Ball, Mary Ella Brown, Maxie L. Parks, and Sunset Community Centers.

Councilmember Esparza Reports and Comments: Attended the MLK celebrations and march. Congratulated the 5th cohort of the Central Valley

Latino Leadership Academy at Fresno City College.

Council President Perea Reports and Comments: Attended the MLK celebrations. Acknowledged volunteers for walking District 1 neighborhood. Attended and congratulated the Winter Employee of the Quarter recipients and acknowledged the Office of the City Clerk for coordinating the event. Introduced her foster pet and discussed the Fresno Animal Center adoption and fostering assistance.

MAYOR/MANAGER REPORTS AND COMMENTS

City Manager White Reports and Comments: Provided an update on the Fresno Animal Center and acknowledged Deputy City Manager Torres.

CITY CLERK AND CITY ATTORNEY REPORTS AND COMMENTS

City Clerk Stermer Reports and Comments: Announced the Parks, Recreation, and Arts Commission meeting agenda is posted for January 22, 2024, at 5:30 pm and The Mobilehome Park Rent Review and Stabilization Committee meeting agenda for January 23, 2024, at 6:00 pm both will be held in the Council Chambers.

City Attorney Janz Reports and Comments: Discussed Supreme Court Appeal on Homelessness and potential implications for municipalities in addressing homelessness. Provided an update on the Eviction Protection Program.

1. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:00 A.M.

[ID 24-27](#) Appearance by Jorge Zavala to discuss good jobs grants misappropriation of funds (District 4 Resident)

DID NOT APPEAR

10:10A.M.

[ID 24-102](#) HEARING to consider Text Amendment Application No. P23-02443 and related Environmental Finding for Environmental Assessment No. P23-02443 amending Subsection U to Section 3804 of Chapter 15 of the Fresno Municipal Code pertaining to the deferral of certain subdivision improvements (all Council Districts):

1. ADOPT a finding set forth in Environmental Assessment No. P23-02443, dated July 26, 2023, that Text Amendment Application No. P23-02443 is exempt from the California Environmental Quality Act (CEQA) pursuant to the commonsense exemption that it can be seen with certainty that there is no possibility of significant adverse effect on the environment pursuant to CEQA Guidelines Section 1506(b)(3).
2. BILL (for Introduction) Text Amendment Application No. P23-02443 adding Subsection U to Section 3804 of Chapter 15 of the Fresno Municipal Code relating to the deferral of certain sidewalk construction, driveway approaches and street trees in subdivisions until prior to occupancy of single-family homes.

The above hearing was called to order at 10:10 a.m. and introduced to Council by Director Mozier. Upon call, the following members of the public addressed Council: Mike Prandini and Lisa Flores.

Council discussion on this item included: Discussed how approval of this item would impact developers, the public and timing for installation of improvements regarding sidewalk construction in new subdivisions, responsibility for complaints, liabilities, and comparisons.

BILL B-2 APPROVED, INTRODUCED AND LAID OVER

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

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

No: 1 - Arias

UNSCHEDULED COMMUNICATION

Consent and contested consent: Brandi Nuse-Villegas (2-E); and Lisa Flores, and Tyrone Williams (2-J);

Unscheduled Communications: David Willis; Kim Sands; James Ruelas; Lauren Lopez; Fernando Elizando; Amelia; Sarah; Uyen Vo; Haya Qutob; Suleiman Algharabli; Lisa Flores; Layla Darwish; Lethal Garcia; Brandi Nuse-Villegas; Mohammed Q.; Samai Munoz; Kareem Abonofal; Faisal El; Zahra Al; Dez Martinez, and Lynn Owens.

Councilmember Bredefeld and Vice President Karbassi addressed the issue in Gaza.

2. CONSENT CALENDAR

APPROVAL OF THE CONSENT CALENDAR

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

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

2.-A. [ID 24-89](#) Approval of minutes for January 11, 2024, Regular Meeting

The above item was removed from the agenda by staff and tabled to February 1, 2024.

TABLED

2.-C. [ID 24-84](#) Approve the appointment of Katie Botello to the Fresno/Clovis Community Media Authority to a term ending June 30, 2024. Approve the appointment of Ward Scheitrum to the Consolidated Mosquito Abatement District to a term ending December 31, 2024. Approve the appointment of Christina Soto to the Parks, Recreation, and Arts Commission for a term ending July 1, 2025.

APPROVED ON CONSENT CALENDAR

2.-D. [ID 24-25](#) Award a requirements contract for Liquid Natural Gas (LNG) fuel to Clean Energy of Newport Beach, California for two years, with three optional one-year extensions, for an amount not to exceed \$2,059,500 per year plus annual CPI adjustments (Bid File 12400370)

APPROVED ON CONSENT CALENDAR

2.-F. [ID 24-77](#) Action pertaining to proposed changes to the fees for Camp Fresno, Camp Fresno Jr., and Riverside Golf Course:

1. *****RESOLUTION** - Authorizing City's Parks, After School, Recreation and Community Services Department to administratively update the Master Fee Schedule annually to update fees for Camp Fresno, Camp Fresno Jr., and Riverside Golf Course to reflect the twelve-month percentage change in the U.S. Bureau of Labor Statistics Consumer Price Index (Subject to Mayor's Veto)
2. *****RESOLUTION** - Adopting the 579th update to the Master Fee Schedule Resolution No. 80-420 to adjust fees for Riverside Golf

Municipal Golf Course and Camp Fresno (Subject to Mayor's Veto)

RESOLUTION 2024-009 ADOPTED

RESOLUTION 2024-010 ADOPTED

APPROVED ON CONSENT CALENDAR

- 2.-G. [ID 24-72](#) ***RESOLUTION - Adopting the 31st Amendment to the Annual Appropriation Resolution No. 2023-185 to appropriate \$223,100 into the Parks, After School, Recreation, and Community Services (PARCS) budget, from the California Office of Traffic Safety (CA OTS) to fund the City of Fresno Bicycle and Pedestrian Safety Program. (Citywide) (Subject to Mayor's Veto) (Requires 5 Affirmative Votes)

RESOLUTION 2024-011 ADOPTED

APPROVED ON CONSENT CALENDAR

- 2.-H. [ID 24-63](#) Approve a Consultant Services Agreement with Evergreen Solutions, LLC, in an amount not to exceed \$128,500 (RFQ No. 12401195) to conduct a comprehensive classification and compensation study for job classifications represented by Unit 1, Non-Supervisory Blue Collar (Local 39).

The above item was removed from the agenda by Councilmember Arias and tabled to February 1, 2024.

TABLED

- 2.-I. [ID 24-02](#) Approve a Project-Specific Tax Sharing Agreement Between the City of Fresno and the County of Fresno Regarding Bullard-Maroa Reorganization No. 3 for approximately 1.43 acres of property located on the south side of West Bullard Avenue between North Maroa and North Winchester Avenues (Council District 4).

APPROVED ON CONSENT CALENDAR

- 2.-J. [ID 24-15](#) Actions pertaining to the Heritage Estates homeownership development project located at East Florence Avenue and South Plumas Street in Southwest Fresno (District 3):
1. Approve a Permanent Local Housing Allocation (PLHA) Agreement with the Housing Authority of the City of Fresno in the amount of \$3,062,689 for the pre-development and construction of the Heritage Estates homeownership development project.
 2. Authorize the utilization of up to \$1,400,000 in accumulated CalHome Program Income for first-time homebuyer mortgage assistance.

APPROVED ON CONSENT CALENDAR

2.-K. [ID 24-106](#) Actions pertaining to Amendment Application No. P23-02808 and related Environmental Finding For Environmental Assessment No. P23-02808 amending Subsection E of Section 3314 of Chapter 15 of the Fresno Municipal Code related to tentative map appeal hearings - Planning & Development Department.

1. ***BILL B-1 (Intro'd 1/11/2024)(For Adoption) Amending Subsection E to Section 3314 of Chapter 15 of the Fresno Municipal Code relating to the language of the required tentative map appeal hearing date from 30 days to 45 days (Subject to Mayor's Veto)

ORDINANCE 2024-002 ADOPTED

APPROVED ON CONSENT CALENDAR

2.-L. [ID 24-51](#) Approve the First Amendment to the Utility Relocation, Adjustment, and/or Protection Agreement with CenturyLink Communications, LLC., to increase the contract amount by \$102,955.79, for a total amended contract amount of \$778,037.57. (Council District 3, 5, and Fresno County)

APPROVED ON CONSENT CALENDAR

2.-M. [ID 24-110](#) ***RESOLUTION - Supporting Corporation for Better Housing and/or Integrated Community Development, LLC's submission of a low-income housing tax credit application for the construction of affordable senior housing located at 4323-4333 North Blackstone Avenue, and expressing the City's intent to contribute to the project in an amount not to exceed \$15,000,000 upon full award of tax credit funding and Developer's completion of the project (Subject to Mayor's veto)

Councilmember Bredefeld recused himself from Consent Calendar item 2-M (ID 24-110) regarding a resolution supporting corporation for Better Housing and/or Integrated Community Development, LLC's.

RESOLUTION 2024-012 ADOPTED

APPROVED ON CONSENT CALENDAR

CONTESTED CONSENT CALENDAR

2.-B. [ID 24-24](#) ***RESOLUTION - Authorizing and directing a grant application to the California Interagency Council on Homelessness (Cal ICH) for funding under the Encampment Resolution Funding Program, round 3, third disbursement (ERF-3-R) for actionable, person-centered local proposals that resolve the experience of unsheltered homelessness for people residing in encampments, and authorizing the City Manager to sign all required application documents. (Subject to Mayor's Veto)

The following correction was read into the record for the above item - the Resolution authorizing the City of Fresno to apply for an Encampment Resolution Funding Program, Round 3 grant is in an amount not to exceed \$11 million dollars, not \$10 million dollars.

Councilmember Arias moved the item to Contested Consent to discuss the item and what the proposal intends to execute if awarded.

RESOLUTION 2024-007 ADOPTED

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

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

- 2.-E.** [ID 24-67](#) ***RESOLUTION - Authorizing the City Manager or designee to accept grant funding from Pacific Gas and Electric Company (PG&E) to reimburse the City of Fresno PARCS Department in the amount of \$34,938.10 for costs associated with the 2023 cooling center operations and authorize the City Manager or designee to respond to PG&E's 2024 grant solicitation to seek reimbursement for costs associated with the 2024 cooling center operations (Subject to Mayor's Veto)

Councilmember Arias moved the item to Contested Consent to discuss reimbursement costs and eligibility for reimbursement.

RESOLUTION 2024-008 ADOPTED

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

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

3. GENERAL ADMINISTRATION

4. CITY COUNCIL

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 11:40 a.m.

- 5.-A. [ID 24-62](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Government Code Section 54956.9, subdivision (d)(1) Case Name(s):
City of Fresno v. Fresno Building Healthy Communities Court of Appeal
Case No.: F084662; and Fresno Building Healthy Communities v. City of
Fresno Court of Appeal Case No.: F084666 (PARCS Department)

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

DISCUSSED

- 5.-B. [ID 24-71](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Government Code Section 54956.9, subdivision (d)(1)
Case Name: *Keith Davis v. City of Fresno, PSI, administered by Tristar Risk Management*; Tristar Claim Nos.: 01162707 and 01166238.

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

DISCUSSED

- 5.-C. [ID 24-73](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Government Code Section 54956.9, subdivision (d)(1)
Case Name: *Mark Hudson v. City of Fresno, PSI, administered by Tristar Risk Management*; Tristar Claim No.: 1010104574-ADR-1.

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

DISCUSSED

- 5.-D. [ID 24-74](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Government Code Section 54956.9, subdivision (d)(1)
Case Name: *Keith Kobashi v. City of Fresno, PSI, Administered by Tristar Risk Management*, Claim No.: 1010103434-ADR-1.

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

DISCUSSED

5.-E. [ID 24-85](#)

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Government Code Section 54956.9, subdivision (d)(1)

Catherine Smith v. City of Fresno; Fresno Superior Court Case No.: 20CECG01538

A correction was read into the record for the above item - The case number should be listed as 22CECG01538, not 20CECG01538.

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

DISCUSSED

5.-F. [ID 24-90](#)

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Government Code Section 54956.9, subdivision (d)(1) and (2) *Jeffrey Logue v. City of Fresno*; Claim No. 2020042098 and CSMCS #ARB-20-0137.

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

DISCUSSED

5.-G. [ID 24-103](#)

CONFERENCE WITH LABOR NEGOTIATORS - Government Code Section 54957.6

City Negotiators: Jennifer Misner

Employee Organization(s): City of Fresno Professional Employees Association (CFPEA).

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

DISCUSSED

5.-H. [ID 24-107](#) 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: Councilmember Tyler Maxwell. Unrepresented Employee: City Attorney

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

DISCUSSED

ADJOURNMENT

City Council adjourned from closed session at 1:06 p.m.

The above minutes were approved by unanimous vote of the City Council during the February 1, 2024, regular meeting.