



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, March 30, 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

Invocation was led by Pastor DJ Criner with Saint Rest Baptist Church.

Pledge of Allegiance to the Flag

Pledge of Allegiance led by Councilmember Bredefeld.

APPROVE AGENDA

City Clerk Stermer announced the following changes to the agenda:

The March 30, 2023, regular agenda jumps from 1-BB to 1-DD and skips

1-CC. *There are no items missing from the agenda.*

Consent Calendar item 1-C (ID 23-539) regarding resolution amending the Council Communication Policy – was removed from the agenda by staff and tabled to April 20, 2023.

Consent Calendar item 1-L (ID 23-488) regarding actions pertaining to funding reimbursement from Fresno Unified School District - the following changes to the Scope of Work in the agreement were read into the record, the last sentence was cut off and should read: “In accordance with Federal Program Monitoring, City of Fresno PARCS staff must meet same education requirements as After School Para Professionals in FUSD including maintaining a high school diploma, being Every Student Succeeds Act (ESSA) and/or No Child Left Behind (NCLB) certified and must provide documentation upon request for Federal Program Monitoring.”

Consent Calendar item 1-DD (ID 23-460) regarding the summary vacation of a temporary storm drain basin easement on Parcel D and Parcel E of Tentative Parcel Map No 2021-08 – the resolution is “not Subject to Mayor’s Veto.”

3:00 p.m. Schedule Hearing (ID 23-537) regarding a text amendment for regulation of e-commerce parcel delivery warehouses – was removed from the agenda by Councilmember Esparza and Councilmember Chavez with no return date.

Vice President Perea recused herself from Consent Calendar item 1-JJ (ID 23-462) regarding on-call professional engineering services for the Public Works Engineering Division.

Councilmember Bredefeld registered a "no" vote on Consent Calendar item 1-II (ID 23-479) regarding the 27th amendment to the AAR for High Speed Rail Development Services.

Councilmember Esparza gave a brief comment on Consent Calendar item 1-V (ID 23-385) regarding the agreement with Fresno City College. He noted there was no conflict of interest on this item.

Councilmember Bredefeld asked Councilmember Esparza for a brief explanation on the change proposed by item 1-VV (File ID 23-529) to revise the definition of infill project for purposes of the fee waiver program for certain residential infill projects.

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

1-B (ID 23-500) regarding support to provide and restore Yosemite Area Regional Transit System - moved to Contested Consent by Councilmember Bredefeld.

1-E (ID 23-509) regarding an agreement with Activated Events for special event concerts at Woodward Park. – moved to Contested Consent by Councilmember Bredefeld.

1-G (ID 23-498) regarding residential conversions in Office Zone Districts. – moved to Contested Consent by Councilmember Esparza.

1-J (ID 23-490) regarding amendments to job order contracting agreements – moved to Contested Consent by Councilmember Arias.

1-M (ID 23-478) regarding the Parks, After School Recreation and Community Services Department Summer Swim Program with Fresno Unified School District – moved to Contested Consent by Councilmember Arias.

1-T (ID 23-486) regarding the mobile medical clinic operations - moved to Contested Consent by Councilmember Aras.

1-Y (ID 23-376) regarding a Memorandum of Understanding with the Resiliency Center of Fresno – moved to Contested Consent by Councilmember Arias.

1-Z (ID 23-289) regarding the Fresno Police Department Helicopter "Skywatch" Unit –moved to Contested Consent by Councilmember Arias.

1-BB (ID 23-492) regarding the purchase of Motorola APX 8000 police radios for SWAT and tactical units – moved to Contested Consent by Councilmember Arias.

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

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

CEREMONIAL PRESENTATIONS

[ID 23-312](#) Proclamation for “Victor E. Bulldog III Day”

PRESENTED

[ID 23-514](#) Proclamation for “Maternal Health Week”

PRESENTED

[ID 23-515](#) Recognition of Women's Commission Scholarship Recipients

PRESENTED

[ID 23-381](#) Fresno Animal Center’s “Pet of the Month” presented by Fresno Humane Animal Services

PRESENTED

COUNCILMEMBER REPORTS AND COMMENTS

Councilmember Karbassi Reports and Comments. Attended Read Across America at Bullard Talent and Liddell Elementary School. Met with the new CHP Captain for Central California to discuss organized retail theft. Discussed the recent Advance Armenia Fund telethon. Attended the Clovis Unified Students of Promise Banquet. Acknowledged the administration and staff for attending the Audubon Corridor meeting to discuss the traffic issues and a poll to get the neighborhood’s feedback. Announced and congratulated District 2’s Woman of the Year, Kim Shehadey.

Councilmember Arias Reports and Comments. Announced upcoming District 3 community meetings to discuss the budget and obtain input on the neighborhood priorities. Acknowledged the administration and staff for

starting work on the Palm and Belmont bike lanes. Acknowledged the residents of Tower District, West Fresno, and the Poverllo, for accommodating the homeless residents who have been sheltering in the warming centers. Announced the upcoming community meeting with the neighborhood to discuss the cooling centers to get the residents' input. Invited the City Council to attend the Edison High School Latino Commencement on June 4, 2023, at McLane High School stadium. Discussed the agenda items regarding additional motels and opening them to shelter the homeless.

Councilmember Chavez Reports and Comments. Gave an update on the trail status from Calwa and Peach and requested an operation cleanup in the canals. Met with the Clean Energy Climate Center to discuss the public energy choice. Acknowledged the residents surrounding Saint Anthony Claret Church for providing feedback regarding the trial and announced that another meeting would be held soon.

Councilmember Bredefeld Reports and Comments. Acknowledged staff for working on the homeless issues in the underground tunnel on the Sugar Pine Trail.

Councilmember Esparza Reports and Comments. Acknowledged staff and residents for attending the spring blitz town hall meetings. Held a neighborhood watch meeting at Lafayette Park and acknowledged the Central Police Department for attending the meeting. Acknowledged and congratulated District 7's Woman of the Year, Christine Barker Dominguez. Attended the Finance and Audit Committee on March 27, 2023, to discuss the ACFR. Acknowledged the Code Enforcement and School Area Team for the outreach at Turner Elementary School. Recognized Clinica Sierra Vista and the ribbon cutting grand opening at the Link for the new housing development. Discussed the Latino Commencement and the donations that are being collected. Hosted the CBIO Organization in the Council Chambers regarding Senate Bill 227 expanding unemployment benefits.

Vice President Perea Reports and Comments. Discussed sponsoring the next 100 adoptions at the Fresno Animal Center; for more information, contact District 1 at 559-621-7817. Announced upcoming community

meeting on April 13, 2023, at 5:30 p.m. at Teague Community Center located at 4718 North Polk. Acknowledged the Executive Director of the Highway City Community Development Corporation, April Henry, for organizing a block party at the Teague Community Center. Announced the upcoming Community Health Fair block party at Inspiration Park from 11:00 a.m. to 3:00 p.m. Acknowledged District 1 and District 4 teams for hosting the Women of the Year event and congratulated District 1's Woman of the Year Detective Ariana Motter.

Council President Maxwell Reports and Comments. Congratulated Mrs. Badger's 6th-grade elementary students at Erickson Elementary School for recycling and providing groceries for families. Recognized the District 4 Business of the Month, Aerozone Trampoline Park. Acknowledged District 4's Woman of the Year, Kina Mcfadden. Recognized Parking Division employee Andre Summers for his heroic moment in saving an elderly individual experiencing a medical condition.

MAYOR/MANAGER REPORTS AND COMMENTS

Mayor Dyer Reports and Comments. Acknowledged that more than 600 firefighters attended the City of Fresno fire Symposium. Attended the ribbon cutting and grand opening of the Clinica Sierra Vista. Attended the Monarch ribbon cutting where there will be 57 affordable housing units available. Announced the FresYes event held the previous Saturday brought approximately 20,000 people into Downtown Fresno.

UNSCHEDULED COMMUNICATION

Upon call, the following members of the public addressed Council: Natalie Delgado (3 pm); Fernando Elizondo, Alicia Jacoby; Stephanie Blake; Brandi Nuse-Villegas (1-B, 1-T, 1-WW); Kristin P; Kevin Johnson; Krystal; Jerome Lopez; Arnold Minor; Papa Lou; Dez Martinez; Eric Gary; Jim Marshall; Robert McCloskey (1025); Cindy Pombino (1-T); Susan Rosendo; Brandi Phillips; Miss Williams; Lisa Flores, and Karla Martinez (1-R).

The following members of the public address Council spoke in opposition of the Kings Canyon name change: Michaelynn Lewis; Mary Haskin; Sue Williams; Heidi Nakayamg; Sharron Williams; Mary Macias; Hester Hensley; Keith Gooch; Debbie Christian; Avis Braggs; Fannie Beard; Karen

Musson; Bob Mitchell; Jim Marshall; Dr. Henry Hendrick; Shawn Robinson; Jackie Grazier; Penny Hagopian; Doris Ashley; Monica Harrison; Aletha Lang; Curtis Snowden; Paul Garcia, and Lisa Flores.

The following members of the public address Council spoke in support of the Kings Canyon name change: Linda Martinez; Dr. Kapoor Willie Lopez; Venancio Gaona; Grace Solis; Paul Garcia; Jorge Guizar; Mark Batebano; Al Ramero; Jose Leon Barraza; Jose Luis Barraza; Eddie Varela; Gloria Hernandez; Guadalupe Gutierrez; Angle Noriega; Stan Santos; Olga Valle; Rosemary Moreno, and Brandi Nuse-Villegas.

[ID 23-583](#) Public Comment received during the City Council Regular Meeting on March 30, 2023.

1. CONSENT CALENDAR

APPROVAL OF THE CONSENT CALENDAR

On motion of Councilmember Bredefeld, seconded by Councilmember Karbassi, the CONSENT CALENDAR was adopted by the following vote:

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

Absent: 1 - Arias

1.-A. [ID 23-505](#) Approval of Minutes for March 9, 2023, Regular Meeting

APPROVED ON CONSENT CALENDAR

1.-C. [ID 23-539](#) RESOLUTION - Amending the Council Communication Policy

The above item was removed from the agenda by staff and tabled to April 20, 2023.

TABLED

1.-D. [ID 23-495](#) Approve the appointments of Dr. Honora Chapman, Brynn Saito, Jessica Giffen, Heather Kuyper-McKeithen, Bryan Harley, and the reappointment of Megan Bohigian to the Fresno Poet Laureate Selection Committee for terms ending on December 31, 2024. Approve the appointment of Carlota Kincaid to the Disability Advisory Commission for a term ending on June 30, 2024.

APPROVED ON CONSENT CALENDAR

- 1.-F. [ID 23-520](#) *** RESOLUTION - Authorizing and directing the submission of a grant application to the California Department of Housing and Community Development Infill Infrastructure Grant - Catalytic Qualifying Infill Area Program, Phase II, totaling up to \$45,000,000 in a request for funding. (Subject to Mayor's Veto)

RESOLUTION 2023-063 ADOPTED

APPROVED ON CONSENT CALENDAR

- 1.-H. [ID 23-391](#) Actions pertaining to American Rescue Plan Act (ARPA) funding to Southwest Fresno Development Corporation (SWFDC)
1. Approve an agreement with SWFDC allocating \$1,000,000 in ARPA funding for the No Place Like Home Initiative.

APPROVED ON CONSENT CALENDAR

- 1.-I. [ID 23-384](#) Actions related to the Transformative Climate Communities (TCC) grant program:
1. Affirm the City Manager's determination that KMc Strategic Solutions, LLC is uniquely qualified to deliver the remaining grant obligations initiated by a previous consultant.
 2. Approve a Sub-Recipient Agreement with the KMc Strategic Solutions, LLC for the Data and Reporting Community Partner component of the Transform Fresno Community Engagement Plan totaling \$72,408.

APPROVED ON CONSENT CALENDAR

- 1.-K. [ID 23-443](#) Approve Amendment No. 5 to the Rimini Street, Inc. Services Agreement decreasing the application support for its PeopleSoft and Human Capital Management systems fees by \$144,669 due to the implementation of Tyler Munis Financials for a remaining annual support fee in FY23 of \$217,004.

APPROVED ON CONSENT CALENDAR

- 1.-L. [ID 23-488](#) Actions pertaining to funding reimbursement from Fresno Unified School District (FUSD):
1. Approve a one-year agreement between the City of Fresno (City) and FUSD to conduct the Sports, Play, Active Recreation for Kids (SPARK) program at up to twenty-nine (29) school sites from August 2023 through June 2024.
 2. Authorize the City Manager to execute the Independent Services Agreement with FUSD to reimburse the City up to \$743,000 for SPARK programming.

APPROVED ON CONSENT CALENDAR

- 1.-N. [ID 23-532](#) ***RESOLUTION - Authorizing an urgent necessity exemption under the Fresno Charter, Procurement and Competitive Bidding Section 1208(a)(5) (v) to approve payment for security services provided by AmeriGuard Security Services at the Maxie L. Parks and Paul “Cap” Caprioglio (Bulldog and Sixth) Community Centers totaling \$59,300. (Requires 5 votes) (Subject to Mayor’s Veto) (Citywide)

RESOLUTION 2023-065 ADOPTED

APPROVED ON CONSENT CALENDAR

- 1.-O. [ID 23-517](#) Actions pertaining to the Fresno City Employees Association (FCEA) for Unit 3
- 1.***Adopt a Side Letter of Agreement with the Fresno City Employees Association (FCEA) for Unit 3, Non-Supervisory White Collar (Subject to Mayor’s Veto)
 - 2.***RESOLUTION: Adopt the Tenth Amendment to Fiscal Year 2023 Salary Resolution No. 2022-152, amending Exhibit 3, Unit 3, Non-Supervisory White Collar (FCEA), as required by the Side Letter of Agreement with the Fresno City Employees Association (Subject to Mayor’s Veto)

RESOLUTION 2023-066 ADOPTED

APPROVED ON CONSENT CALENDAR

- 1.-P. [ID 23-518](#) Actions pertaining to the City of Fresno Professional Employees Association (CFPEA) for Unit 13
1. ***Adopt a Side Letter of Agreement with the City of Fresno Professional Employees Association (CFPEA) for Unit 13, Exempt Supervisory and Professional and Non-Exempt Professional (Subject to Mayor’s Veto)
 2. ***RESOLUTION: Adopt the Eleventh Amendment to Fiscal Year 2023 Salary Resolution No. 2022-152, amending Exhibit 13-1, Unit 13, Exempt Supervisory and Professional (CFPEA) and Exhibit 13-2, Unit 13, Non-Exempt Professional (CFPEA), as required by the Side Letter of Agreement with City of Fresno Professional Employees Association; and amending Exhibit 13-1, Unit 13, Exempt Supervisory and Professional (CFPEA) to increase the salary range for the Project Manager classification (Subject to Mayor’s Veto)

RESOLUTION 2023-067 ADOPTED

APPROVED ON CONSENT CALENDAR

- 1.-Q. [ID 23-519](#) Actions pertaining to amendments to resolutions related to classification

title for the Airports Property Specialist, classification and compensation for Payroll Accountants and Deputy City Manager and modifying Certificate Pay for Unit 2 employees.

1. ***RESOLUTION - Adopt the 12th Amendment to the FY 2023 Salary Resolution No. 2022-152, amending Exhibit 3, Unit 3, Non-Supervisory White Collar (FCEA) by retitling Airports Property Specialist I and Airports Property Specialist II to Property Specialist I and Property Specialist II, amending Exhibit 2, Non-Represented Management and Confidential, Increasing the top of Range E20 from \$7,596 to \$10,364, assigning Deputy City Manager from Range E6 to E5 and amending Section 14 Certificate Pay to Professional Certificate and License Pay and modifying the language to change the compensation rate and expand the benefit to include additional licenses and certifications as approved by the City Manager, effective March 27, 2023. (Subject to Mayor's Veto)

RESOLUTION 2023-068 ADOPTED

APPROVED ON CONSENT CALENDAR

- 1.-R. [ID 23-483](#) Approve agreement between the City of Fresno and Fresno Interdenominational Refugee Ministry (FIRM) in the amount of \$459,266.79 in Community Development Block Grant - Coronavirus (CDBG-CV) funds to provide tenant and landlord counseling.

APPROVED ON CONSENT CALENDAR

- 1.-S. [ID 23-485](#) ***RESOLUTION - Adopting Substantial Amendment 2020-04 to the Fiscal Year (FY) 2020-2021 Annual Action Plan and approving submission to the U.S. Department of Housing and Urban Development (HUD) to utilize reprogrammed Community Development Block Grant (CDBG) funds to develop affordable senior housing. (Subject to Mayor's Veto)

RESOLUTION 2023-058 ADOPTED

APPROVED ON CONSENT CALENDAR

- 1.-U. [ID 23-407](#) Approve Memorandum of Understanding between the City of Fresno and UP Holdings, LLC for the construction of sustainable transportation infrastructure and transit related amenities pursuant to UP Holdings' Affordable Housing and Sustainable Communities (AHSC) Program application due April 4, 2023.

APPROVED ON CONSENT CALENDAR

- 1.-V. [ID 23-385](#) Approve an \$849,209 State and Local Fiscal Recovery Funds (part of the American Rescue Plan) Agreement with Fresno City College for labor and supervision costs related to the construction of 24 Tiny Homes.

APPROVED ON CONSENT CALENDAR

- 1.-W. [ID 23-511](#) Actions pertaining to triage center/emergency shelter homeless services agreements provided under the Homeless Housing, Assistance, and Prevention (HHAP) program:
1. Approve an Agreement with Turning Point of Central California to operate Parkway Inn and Valley Inn emergency shelters in the total amount of \$3,711,155.
 2. Approve an Agreement with Elevate Community Services to operate Ambassador Inn, Villa Motel and Travel Inn emergency shelters in the total amount of \$5,203,299.

APPROVED ON CONSENT CALENDAR

- 1.-X. [ID 23-530](#) *** RESOLUTION - Declaring a 1.21-acre parcel of land improved with retail suites, located at 4323-4333 N. Blackstone Avenue, Fresno, California, (APN 426-253-19), to be exempt surplus land and directing staff to comply with the open and competitive request for proposals (RFP) process for the disposition of this property for an affordable housing development as required by FMC Section 4-204 (District 4) (Subject to Mayor's Veto)

*RESOLUTION 2023-070 ADOPTED***APPROVED ON CONSENT CALENDAR**

- 1.-AA. [ID 23-491](#) Actions pertaining to the Fresno Police Department Regional Training Center (FPDRTC)
1. Affirm City Manager's determination that Advanced Combat Evolutions is uniquely qualified to provide CA POST Basic sniper training; and
 2. Authorize the Chief of Police to enter into a three-year Agreement with two one-year extensions with Advanced Combat Evolutions to provide CA POST Basic Sniper class certification training at the Fresno Police Department Regional Training Center (FPDRTC) in an amount not to exceed \$81,545.20, with any new fee increases in the extension years being negotiated

APPROVED ON CONSENT CALENDAR

- 1.-DD. [ID 23-460](#) Actions pertaining to the summary vacation of a temporary storm drain basin easement on Parcel D and Parcel E of Tentative Parcel Map No 2021-08, lying south of East Audubon Drive, between North Friant Avenue and East Cole Avenue (Council District 6):
1. Adopt a finding of Categorical Exemption per Environmental Assessment Number PW13227 per staff determination, pursuant to Section 15301, Class 1 (b, c) Existing Facilities of the California Environmental Quality Act (CEQA) Guidelines

2. RESOLUTION - Ordering the summary vacation of a temporary storm drain basin easement on Parcel D and Parcel E of Tentative Parcel Map No 2021-08, lying south of East Audubon Drive, between North Friant Avenue and East Cole Avenue

RESOLUTION 2023-071 ADOPTED

APPROVED ON CONSENT CALENDAR

- 1.-EE. [ID 23-472](#) Approve Amendment No. 2 to Cooperative Project Agreement for Short-Term Regional Transportation Program Urban Project 12, the Peach Avenue Widening from Jensen Avenue to Butler Avenue, in the amount of \$2,850,000 with the Fresno County Transportation Authority (Council Districts 5)

APPROVED ON CONSENT CALENDAR

- 1.-FF. [ID 23-477](#) Approve Contract Change Order No. 13 with Avison Construction extending the date of completion to July 6, 2022 for the Clovis Avenue Metro Trail - McKinley to Shields (Midtown Trail Segment 5) Project ID PW00764 (Council District 4)

APPROVED ON CONSENT CALENDAR

- 1.-GG. [ID 23-474](#) Approve an increase to the requirements contract for Weekly Landscape Maintenance Services in the amount of \$520,000.00 to Brightview Landscape Services and \$123,000.00 to Elite Maintenance & Tree Services, both of Fresno, California for a total of \$643,000.00. (Bid File No. 9273) (City wide)

APPROVED ON CONSENT CALENDAR

- 1.-HH. [ID 23-464](#) RESOLUTION - Authorizing application for additional formulaic funds from the Local Partnership Program for the Blackstone Avenue and McKinley Avenue BNSF Grade Separation Project (Council Districts 1 and 7)

RESOLUTION 2023-072 ADOPTED

APPROVED ON CONSENT CALENDAR

- 1.-II. [ID 23-479](#) ***RESOLUTION - Adopting the 27th amendment to the Annual Appropriation Resolution No. 2022-154 appropriating \$700,000 for High Speed Rail Development Services (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)

Councilmember Bredefeld registered a "no" vote on the above item. As such, this item was APPROVED 5-1 by the following vote:

Aye (5): Perea, Karbassi, Maxwell, Chavez, Esparza

No (1): Bredefeld

Absent (1): Arias

RESOLUTION 2023-073 ADOPTED

APPROVED ON CONSENT CALENDAR

- 1.-JJ. [ID 23-462](#) Actions pertaining to on-call professional engineering services for the Public Works Engineering Division on City of Fresno capital improvement projects (Citywide)
1. Approve an On-Call Consultant Services Agreement with Mark Thomas & Company, Inc., in the amount of \$750,000
 2. Approve an On-Call Consultant Services Agreement with TJKM Transportation Consultants, in the amount of \$750,000
 3. Approve an On-Call Consultant Services Agreement with QK Inc., in the amount of \$750,000

Vice President Perea recused herself from the above item. As such, the item was APPROVED-5-0 by the following vote:

Aye (5): Karbassi, Maxwell, Chavez, Bredefeld, Esparza

Absent (1): Arias

Rescued (1): Perea

APPROVED ON CONSENT CALENDAR

- 1.-KK. [ID 23-272](#) Actions pertaining to the North Avenue sewer trunk main realignment (Council Districts 3, 5 and Fresno County):
1. RESOLUTION - Adopt Resolution authorizing an exception to the formal bidding procedures and award a sole source telecommunications adjustment agreement with CenturyLink Communications, LLC.
 2. Award a telecommunications adjustment agreement in the amount of \$675,081.78 with CenturyLink Communications, LLC, for relocation of telecommunications facilities that conflict with the North Avenue sewer trunk main realignment project.

RESOLUTION 2023-074 ADOPTED

APPROVED ON CONSENT CALENDAR

- 1.-LL. [ID 23-473](#) Actions pertaining to the emergency repair of the North Avenue sewer trunk main (Council Districts 3, 5 and Fresno County):
1. Adopt a finding of Categorical Exemption pursuant to Class 1, Section 15301(b) (Existing Facilities) and Section 15301(d) (Restoration or Rehabilitation) of the California Environmental Quality

Act Guidelines

2. ***RESOLUTION - Declaring an urgent necessity for the preservation of life, health, property and authorizing the City Manager or designee, to enter into agreements without advertised competitive bidding for the emergency repair of the North Avenue sewer trunk main (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)
3. Approve a Third Amendment to the consultant services agreement with Carollo Engineers Inc., to increase the fee amount by \$180,500 for a total amended contract amount of \$394,990 inclusive of a \$22,000 contingency, revise the means of compensation language from Total Fee basis to Time and Materials, and extend the agreement term from March 31, 2023, to March 31, 2025

*RESOLUTION 2023-075 ADOPTED***APPROVED ON CONSENT CALENDAR**

1. [ID 23-469](#) Actions pertaining to the Replacement and Repair of Structural Components at the Fresno-Clovis Regional Wastewater Reclamation Facility - Phase 1 (Bid File 12301055) (Council District 3):
 - 1. Adopt a finding of Categorical Exemption pursuant to Sections 15301/Class 1 and 15302/ Class 2 of the California Environmental Quality Act Guidelines
 - 2. Award a construction contract to Ashron Construction and Restoration, Inc., of Galt, California, in the amount of \$1,981,400

APPROVED ON CONSENT CALENDAR

- 1.-NN. [ID 23-440](#) Approve Second Amendment to the consultant services agreement with CDM Smith, Inc., to expand the scope of services and increase the contract amount by \$85,200 for to a total amount of \$745,650, for groundwater investigation and remedial action at the City of Fresno Sanitary Landfill (Council District 3)

APPROVED ON CONSENT CALENDAR

- 1.-OO. [ID 23-418](#) Actions pertaining to purchase of United States Central Valley Project waters:
 1. Adopt a finding of statutory exemption pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15282(u).
 2. ***RESOLUTION - Authorizing the execution of contracts annually for Uncontrolled Season water, Section 215 water, Recovered Water Account water, and Recaptured water between the United States and the City of Fresno through February 28, 2025, and authorizing the Director of Public Utilities to purchase and accept the aforementioned water annually in an amount not to exceed \$4 million. (Subject to Mayor's Veto)

*RESOLUTION 2023-076 ADOPTED***APPROVED ON CONSENT CALENDAR****1.-PP.** [ID 23-397](#)

Reject all bids for the Requirements Contract for Single Jet Water Meters (Bid File 9660) (Citywide)

APPROVED ON CONSENT CALENDAR**1.-QQ.** [ID 23-503](#)

Approve the appointment of Amy Fuentes to the Women's Commission for a term ending March 30, 2025

APPROVED ON CONSENT CALENDAR**1.-RR.** [ID 23-507](#)

Approve the appointment of Julie Congi to the Bicycle and Pedestrian Advisory Committee (BPAC) for a term ending March 30, 2026, and approve the appointment of Tom Key to the Tower District Design Review Committee for a term ending December 31, 2024.

APPROVED ON CONSENT CALENDAR**1.-SS.** [ID 23-487](#)

Approve the reappointment of Lydia Zabrycki (Private Sector), to the Fresno Regional Workforce Development Board for a term ending November 1, 2024. Approve the appointment of Carole Goldsmith (Education Sector) for a term ending November 1, 2023, Shayn Anderson (ED/Gov't. Sector), for a term ending November 1, 2023, and Chris Zeitz (ED/Gov't. Sector) to the Fresno Regional Workforce Development Board for a term ending November 1, 2023.

APPROVED ON CONSENT CALENDAR**1.-TT.** [ID 23-412](#)

Approve the appointment of Vincent Trillo to the Immigration and Resident Affairs Committee

APPROVED ON CONSENT CALENDAR**1.-UU.** [ID 23-516](#)

***RESOLUTION - Expanding Access to Free Feminine Hygiene Products in City Hall Facilities (Subject to Mayor's Veto)

*RESOLUTION 2023-077 ADOPTED***APPROVED ON CONSENT CALENDAR****1.-VV.** [ID 23-529](#)

Bill (For introduction) - Amending Section 12-4.1603 of the Fresno Municipal Code, revising the definition of infill project for purposes of the fee waiver program for certain residential infill projects

BILL B-5 INTRODUCED AND LAID OVER

APPROVED ON CONSENT CALENDAR

- 1. [ID 23-538](#) ***RESOLUTION - Approving the Application for Grant Funds for Arte Americas (Subject to Mayor's Veto)

-WW.

RESOLUTION 2023-059 ADOPTED

APPROVED ON CONSENT CALENDAR

- 1.-XX. [ID 23-390](#) Approve the appointment of Elisa Rivera to the Tower District Review Committee for a term which serves at the pleasure of the Councilmember

APPROVED ON CONSENT CALENDAR

CONTESTED CONSENT CALENDAR

- 1.-B. [ID 23-500](#) ***RESOLUTION - In support of Fresno Council of Governments or Fresno County to provide and restore Yosemite Area Regional Transit System (YARTS) funding for continuation of temporary trial service and to restore YARTS for the 2023 season and engage in Joint Powers Authority discussions for permanent service on the SR 41 route. (Council District 4) (Subject to Mayor's Veto)

Councilmember Bredefeld moved this item to Contested Consent to discuss the County of Fresno's participation in continuing the funding for the temporary trail services to the Yosemite Area Regional Transit System.

RESOLUTION 2023-062 ADOPTED

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

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

- 1.-E. [ID 23-509](#) Approval of a two-year License Agreement with Activated Events LLC, to produce and hold special event concerts (dba/ Boots in the Park) at Woodward Park (Council District 6).

Councilmember Bredefeld moved this item to Contested Consent to discuss the offsite parking for the events and the plan in place to ensure the event at Woodward Park would not impact residents.

APPROVED

On motion of Councilmember Bredefeld, 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

- 1.-G.** [ID 23-498](#) RESOLUTION - Initiating a Text Amendment to the Zoning Ordinance pursuant to Fresno Municipal Code Section 15-5803-A (1), to permit residential conversions in the Office Zone District, allow ministerial approval of office-to-residential conversions, and allow ministerial approval of housing near bus stops and in zone districts that allow mixed-use

The above item was introduced to Council by Vice President Perea and Councilmember Chavez.

Councilmember Esparza moved this item to Contested Consent to discuss the general plan and mixed-use zones.

Council discussion on this item included: the mixed-use zone and what that includes; converting spaces into office space; concerns with ministerial approvals in mixed-use zones; the ability to hold developers accountable; Council's ability to take action on behalf of residents; the process for community / Council input; the appeal process; notifying Councilmembers of ministerial approvals in their districts; obtaining neighborhood input before development approval, and; consistency across the city.

Council Vice President Perea motioned to approve the item with the friendly amendment suggested by Councilmember Esparza. The friendly amendment was to send notices to Councilmembers, followed by notices to neighbors, informing them of the project, the ministerial nature of the project, and any recourse available to neighbors.

RESOLUTION 2023-064 ADOPTED AS AMENDED

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

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

- 1.-J. [ID 23-490](#) Actions pertaining to amending Job Order Contracting Agreements necessary to complete such projects as the Animal Center Shade and Turf, Police Department Vehicle Training Course Repairs, Woodward Park Diesel Tank Installation and Fire Station 11 Motorized Gate and Fencing:
1. Adopt findings of Categorical Exemption pursuant to Section 15301 (d) of the California Environmental Quality Act (CEQA) Guidelines
 2. Approve an amendment to the Job Order Contracting (JOC) agreement between City of Fresno and Durham Construction Co., Inc., increasing the contract authority from \$1,000,000 to a total of \$2,000,000 for the current year ending September 2023
 3. Approve an amendment to the Job Order Contracting (JOC) agreement between City of Fresno and Puma Construction Co., Inc., increasing the contract authority from \$1,000,000 to a total of \$2,000,000 for the current year ending September 2023
 4. Authorize the Director of General Services to execute all related documents

Councilmember Arias moved this item to Contested Consent to discuss whether the proposal violated the signed Project Labor Agreement and to determine if each project was under \$1 million.

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 23-478](#) Actions pertaining to the Parks, After School Recreation and Community Services Department's (PARCS) Summer Swim Program with Fresno Unified School District:
- 1) Approve a one-year facility use "Blue Space" Agreement with Fresno Unified School District (FUSD) to use FUSD high school pools for City-led swim lessons and recreational swim (aquatics).
 - 2) Authorize the City Manager or designee to execute and administratively extend the Facility Use Blue Space Agreement with FUSD on an annual basis.

Councilmember Arias moved this item to Contested Consent to discuss concerns with the contract allowing renewal by the administration without Council approval.

Councilmember Arias motioned to approve the item with an amendment to

require renewal by Council action and to eliminate renewal by the administration.

APPROVED AS AMENDED

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

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

No: 1 - Karbassi

- 1.-T.** [ID 23-486](#) Actions pertaining to mobile medical clinic operations funded through the U.S. Department of Housing and Urban Development (HUD) entitlement funds to prevent, prepare for, and respond to COVID-19:
1. *****RESOLUTION** - Adopting and approving submission of Substantial Amendment 2019-08 to the 2019-2020 Annual Action Plan to the U.S. Department of Housing and Urban Development (HUD) to reprogram \$1,342,600 in Community Development Block Grant Coronavirus (CDBG-CV) funds to prevent, prepare for, and respond to the Coronavirus (COVID-19), and authorizing the City Manager or their designee to sign all necessary implementing documents. (Subject to Mayor's Veto)
 2. Approve an agreement between the City of Fresno and the University of California, San Francisco, Fresno (UCSF, Fresno) in the amount of \$1,342,600 in CDBG-CV funds to operate a mobile medical clinic.

Councilmember Arias moved this item to Contested Consent to discuss the scope of work of the UCSF contract to provide medical services to residents and the homeless community.

RESOLUTION 2023-069 ADOPTED

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

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

- 1.-Y.** [ID 23-376](#) Authorize the Chief of Police to execute a Memorandum of Understanding with the Resiliency Center of Fresno to assist child victims exposed to trauma.

Councilmember Arias moved this item to Contested Consent to discuss the services to be provided at the Resiliency Center.

APPROVED

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

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

- 1.-Z.** [ID 23-489](#) Actions pertaining to the Fresno Police Department Helicopter "Skywatch" Unit.
1. Affirm City Manager's determination that Safran Helicopter Engines USA Inc. is uniquely qualified to provide service and support of our helicopters; and
 2. Approve an amended to the agreement with Safran Helicopter Engines USA Inc. extending the term of the contract to December 31, 2025, and increasing the payment and insurance for a total not-to-exceed amount of \$450,000 annually (or \$1,800,000 over four years)

Councilmember Arias moved this item to Contested Consent to discuss plans to replace the helicopter.

Council discussion on this item included: partnering with the Sheriff and or Highway Patrol to share helicopters; the possibility of utilizing American Rescue Plan Appropriation funds; past council priorities; updating the name of the helicopter, and; the possibility of borrowing funds from other projects to be paid back in later years.

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.-BB.** [ID 23-492](#) Authorize the Chief of Police to enter into a cooperative purchase agreement between the City of Fresno and Motorola Solutions to purchase Motorola APX 8000 all-band portable police radios and related

accessories in an amount not to exceed \$220,000 for use by the Special Weapons and Tactics Team (SWAT) and other specialized tactical units.

Councilmember Arias moved this item to Contested Consent to discuss why radios were only being purchased for certain units rather than addressing the issue with the city wide radio system.

Council discussion on this item included the issues with the city wide radio system and the plan to upgrade the system. Councilmembers requested a memo regarding the plan to address the radio system.

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

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

9:00 A.M.

[ID 23-414](#) Appearance by Sharlene Evans to discuss the lack of service veterinarians to spay/neuter Fresno's Community/feral cats (Resident of District 4)

APPEARED

9:03 A.M.

[ID 23-447](#) Appearance by Ann Adams to discuss the low cost spay/neuter program (Resident of District 1)

APPEARED

10:00 A.M.

[ID 23-458](#) 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. 137 (Final Tract Map No. 6299) (Southeast corner of East Belmont Avenue and North Armstrong Avenue) (Council District 5)

1. ***RESOLUTION - to Annex Territory to Community Facilities District No. 11 and Authorizing the Levy of a Special Tax for Annexation No. 137 (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. 137 (Subject to Mayor's Veto)

The above hearing was called to order at 1:57 p.m. There was no staff presentation and no Council discussion. Upon call, there was no public comment and the public comment period closed at 1:57 p.m.

RESOLUTION 2023-078 ADOPTED

RESOLUTION 2023-079 ADOPTED

RESOLUTION 2023-080 ADOPTED

BILL B-6 INTRODUCED / ADOPTED AS ORDINANCE 2023-005

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

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

10:05 A.M.

- [ID 23-459](#) HEARING - To adopt Resolutions and Ordinance to annex territory and levy a special tax regarding City of Fresno Community Facilities District No. 17, Annexation No. LS003 (Final Tract Map No. 6299) (Southeast corner of East Belmont Avenue and North Armstrong Avenue) (Council District 5)
1. ***RESOLUTION - to Annex Territory to Community Facilities District No. 17 and Authorizing the Levy of a Special Tax for Annexation No. LS003 (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. 17, Annexation No. LS003 (Subject to Mayor's Veto)

The above hearing was called to order at 1:58 p.m. There was no staff presentation and no Council discussion. Upon call, there was no public comment and the public comment period closed at 1:58 p.m.

RESOLUTION 2023-081 ADOPTED

RESOLUTION 2023-082 ADOPTED

RESOLUTION 2023-083 ADOPTED

BILL B-7 INTRODUCED / ADOPTED AS ORDINANCE 2023-006

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

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

10:10 A.M. (HEARING CANCELLED - NO RETURN DATE)

[ID 23-258](#) CANCELLED 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. 139 (Parc West) (located at northwest corner of West Ashlan Avenue and North Grantland Avenue) (Council District 1)

The above item was removed from the agenda by staff with no return date.

TABLED

10:15 A.M.

[ID 23-456](#) HEARING to consider the vacation of a portion of a 16 foot-wide alley adjacent and south of Lot 1 and a portion of Lot 2 of Walling Tract Map (Council District 3):

1. ***RESOLUTION - Ordering the vacation of a portion of a 16 foot-wide alley adjacent and south of Lot 1 and a portion of Lot 2 of Walling Tract Map (Subject to Mayor's Veto)

The above hearing was called to order at 1:58 p.m. There was no staff presentation and no Council discussion. Upon call, there was no public comment and the public comment period closed at 1:58 p.m.

RESOLUTION 2023-084 ADOPTED

On motion of Councilmember Arias, seconded by Councilmember

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

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

10:20 A.M.

[ID 23-435](#)

HEARING to Consider Annexation Application No. P21-03755; Pre-zone Application No. P21-03756; Tentative Parcel Map No. 2022-03; and related Environmental Assessment No. TPM 2022-03/P21-03755/P21-03756 for approximately 0.68 acres of property located on the south side of West Bullard Avenue, between North Maroa and North Winchester Avenues (Council District 4).

1. ADOPT - Environmental Assessment No. TPM 2022-03/P21-03755/P21-03756 dated January 25, 2023, a determination that the proposed project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Sections 15315/Class 15 (Minor Land Division), 15319(b)/Class 19 (Annexation of Existing Facilities and Lots for Exempt Facilities), and 15061(b)(3) (Review for Exemption) of CEQA Guidelines.
2. ***RESOLUTION - Approving Annexation Application No. P21-03755 (for the Bullard-Maroa No. 3 Reorganization) proposing detachment from the Kings River Conservation District and North Central Fire Protection District and annexation to the City of Fresno. (Subject to Mayor's Veto)
3. BILL - (For introduction and adoption) - Approving Pre-zone Application No. P21-03756 proposing to pre-zone: approximately 0.68 acres of the subject property from the Fresno County R-1-C/NB (*Single-Family Residential/Neighborhood Beautification*) zone district to the City of Fresno RS-4 (*Single-Family Residential, Medium Low Density*) zone district.
4. APPROVE - Tentative Parcel Map No. 2022-03, proposing to subdivide approximately 0.68 acres of the subject property into a 4-lot single-family residential subdivision subject to compliance with the Conditions of Approval dated February 15, 2023, and contingent upon approval of Annexation No. P21-03755, Pre-zone Application No. P21-03756, and the related environmental assessment.

The above hearing was called to order at 1:59 p.m. There was no staff presentation and no Council discussion. Upon call, there was no public comment and the public comment period closed at 1:59 p.m.

RESOLUTION 2023-085 ADOPTED

BILL B-8 INTRODUCED / ADOPTED AS ORDINANCE 2023-007

On motion of Council President Maxwell, 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

10:25 A.M.

[ID 23-493](#) HEARING to receive public comment on the 2022 Housing Element and General Plan Annual Progress Reports

The above item was introduced to Council by Director Clark. Upon call, the following members of the public addressed Council: Lisa Flores, Karla Martinez, and James Marshal. The public comment period closed at 2:05 P.M.

HEARING HELD

10:30 A.M.

[ID 23-453](#) HEARING to consider Development Permit Application No. P22-00565 and related Environmental Assessment No. P22-00565 pertaining to ±14.78 acres of property located on the southwest corner of East North and South East Avenues (Council District 3) - Planning & Development Department.

1. CONSIDER Environmental Assessment No. P22-00565, dated October 28, 2022, a determination that the proposed project is consistent with the existing general plan, community plan, and zoning per Section 15183 of the State of California Environmental Quality Act (CEQA); and,
2. DENY the appeal and UPHOLD the action of the Planning Commission and Planning and Development Department Director to approve Development Permit Application No. P22-00565, authorizing the construction of a ±206,881 square-foot warehouse facility subject to compliance with the Conditions of Approval dated October 28, 2022.

The above hearing was called to order at 2:05 p.m. and was presented to Council by Applicant Representative Peter Peterson and Councilmember Arias. Upon call, the following members of the public addressed Council: Natalie Delgado, Isaac Serratas, and Lisa Flores. There was no Council discussion.

Councilmember Arias motioned to approve the item as amended to include several conditions he outlined as follows: 1) Dedicated truck route: located North Avenue, the trucks will go from the freeway access and remain on North into their facility to ensure that the trucks are not going to the residential neighborhoods in order to get to the facility. 2) Ride Share Parking: dedicated parking spaces, outside of the secured auto parking area, designated for rideshare or employee for drop-off and pick-up. 3) Outdoor and indoor amenity spaces: Amenity spaces are provided for employee's break periods. The amenities areas shall include shade structures, reflective pavement, and receptacles for trash and recycling. 4) Truck and Equipment Idling: will be limited to two minutes instead of five minutes. 5) Renewal energy: to convert fleet to electrification starting at 25% by 2027, 50% by 2030, 75% by 2033, and 100% by 2036. Additionally, in 2024 all other service vehicles will be electric and there will be improvements in the landscaping.

Councilmember Arias provided the City Clerk's Office a detailed written copy of the conditions for inclusion as part of the official record on this matter.

APPROVED AS AMENDED

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

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

3:00 P.M.

[ID 23-537](#) RESOLUTION-Initiating a text amendment to Chapter 15 of the Fresno Municipal Code pursuant to FMC Section 15-5803-A relating to regulation of e-commerce parcel delivery warehouses within the City of Fresno

The above item was removed from the agenda by Councilmember Esparza with no return date.

TABLED

6:00 P.M. (CONTINUED TO APRIL 20, 2023, AT 10:20 A.M.)

- [ID 23-229](#) HEARING to consider adoption of a resolution related to the designation of a property to the Local Register of Historic Resources
1. ***RESOLUTION - Designating the Sequoia Hotel/Fink & Skopp building located at 925-933 Van Ness Avenue, Fresno California to the Local Register of Historic Resources (APN46825403) (District 3) (Subject to Mayor Veto).

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

TABLED

3. GENERAL ADMINISTRATION

- 3.-A. [ID 23-117](#) Actions pertaining to amendments to resolutions related to classification and compensation for the Emergency Services Dispatcher classification series
1. ***RESOLUTION - Adopt the 9th Amendment to the FY 2023 Salary Resolution No. 2022-152, amending Exhibit 3, Unit 3, Non-Supervisory White Collar (FCEA) by adding the new classification of Emergency Services Call Taker and providing a salary step plan range for the classification; amending Exhibit 3, Unit 3, Non-Supervisory White Collar (FCEA) by increasing the salary step plan range for Emergency Services Dispatcher I/II/III classification; amending Exhibit 13-1, Unit 13, Exempt Supervisory and Professional (CFPEA) by increasing the salary step plan range for Emergency Services Communications Supervisor and retitling the classification to Emergency Services Dispatch Supervisor; and amending Exhibit 14, Unit 14, Management Classes (CFMEA) by reinstating the benchmarked classification of Emergency Services Communications Manager with the respective salary step plan range for the classification and retitling to Emergency Services Dispatch Manager, effective March 27, 2023 (Subject to Mayor's Veto)
 2. ***RESOLUTION - Adopt the 7th Amendment to the Position Authorization Resolution (PAR) No. 2022-153 adding one full-time position for Emergency Services Dispatch Manager (Subject to Mayor's Veto)

The above item was presented to Council by Human Resources Manager Perales and City Manager White. Upon call, there was no public comment

and no council discussion.

RESOLUTION 2023-060 ADOPTED

RESOLUTION 2023-061 ADOPTED

On motion of Councilmember Bredefeld, seconded by Councilmember Esparza, that the above Action Item be ADOPTED.

The motion carried by the following vote:

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

Absent: 1 - Arias

- 3.-B.** [ID 23-471](#) Actions pertaining to the development of Avalon Commons Phase I, a 60-unit affordable multifamily housing project to be located at 7521 N. Chestnut Avenue in northeast Fresno (District 6).
1. Approve a \$2,654,771 HOME Investment Partnerships Program Agreement with Fresno Avalon Commons Phase I, LP for 11 HOME-assisted units within the project; and
 2. Authorize the City Manager to execute a Permanent Local Housing Allocation Agreement with Fresno Avalon Commons Phase I, LP in the amount of \$345,229, approved as to form by the City Attorney's Office; and
 3. Authorize the City Manager to sign all implementing documents required by the United States Department of Housing and Urban Development and the California Department of Housing and Community Development.

The above item was presented to Council by Assistant Director Skei. Upon call, there was no public comment.

Council discussion on this item included the price of the affordable housing and the per unit cost increases.

APPROVED

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 - Esparza, Maxwell, Perea, Karbassi, Arias and Chavez

No: 1 - Bredefeld

- 3.-C.** [ID 23-521](#) Submission and Acceptance of the City of Fresno Annual Comprehensive Financial Report (ACFR) and Annual Comprehensive Dept Report (ACDR)

for Fiscal Year 2022

The above item was presented by Finance Controller Danisi. Upon call, there was no Council discussion and no public comment. The report was accepted by Council.

REPORT ACCEPTED

- 3.-D.** [ID 23-536](#) Actions related to the reallocation of the American Rescue Plan Act appropriations in order to improve compliance reporting requirements.
1. ***RESOLUTION - Adopt the 28th and 30th Amendment to the Annual Appropriation Resolution (AAR) No 2022-154 reallocating \$67,253,800 in appropriations related to the Coronavirus State and Local Fiscal Recovery Funds established under the American Rescue Plan Act (ARPA) from the General Fund to the ARPA Fund in order to improve compliance reporting requirements (Requires 5 affirmative votes) (Subject to Mayor's Veto)
 2. ***RESOLUTION - Approve the Non-AAR reallocation of \$57,013,000 in appropriations in the American Rescue Plan Act Fund from the Finance Department to various Departments in order to improve compliance reporting requirements (Requires 5 affirmative votes) (Subject to Mayor's Veto)

The above item was presented to Council by Deputy City Manager Torres. Upon call, there was no public comment and no Council discussion.

RESOLUTION 2023-086 ADOPTED

RESOLUTION 2023-087 ADOPTED

RESOLUTION 2023-088 ADOPTED

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

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

Absent: 1 - Bredefeld

4. CITY COUNCIL

5. CLOSED SESSION

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

Council withdrew from open session to hear closed session items at 3:38 p.m.

5.-A. [ID 23-481](#)

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)
Case Name: *Terance Frazier, et al. v. City of Fresno, et al.* United States District Court Case No.: 1:30-cv-01069

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

DISCUSSED

5.-B. [ID 23-482](#)

POTENTIAL EXPOSURE TO LITIGATION: Government Code Section 54956.9, subdivision (d)(2)
Central Valley NMTC Fund, LLC., v. City of Fresno

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

DISCUSSED

5.-C. [ID 23-523](#)

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

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

DISCUSSED

- 5.-D. [ID 23-527](#) CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION
Government Code Section 54956.9, subdivision (d)(2);

Case Name(s): PW Fund B, LP; Span Development, LLC; Robin W.
Martella Trust v. City of Fresno

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

DISCUSSED

- 5.-E. [ID 23-528](#) CONFERENCE WITH LEGAL COUNSEL - POTENTIAL EXPOSURE TO
LITIGATION:
Government Code Section 54956.9, subdivision (d)(2): Bakman Water
Company v. City of Fresno

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

DISCUSSED

ADJOURNMENT

City Council adjourned from regular session at 6:05 p.m.

The above minutes were approved by unanimous vote of the City Council during the April 20, 2023, regular meeting with Councilmember Chavez absent.