



City of Fresno

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

Meeting Minutes 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, August 29, 2024

9:00 AM

Council Chambers

Regular Meeting

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

9:03 A.M. ROLL CALL

Councilmember Esparza arrived at 9:05 A.M.

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

Pastor Robin Nino from Lifebridge Community Church 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:

2-A (ID 24-1146) regarding Approval of the minutes for August 15, 2024,

regular meeting – the title for item 2-R (ID 24-1023) is missing from the minutes and should read “Authorize the Chief of Police to enter into a Second Amendment to Agreement with SoundThinking, Inc. (formerly ShotSpotter Inc.) for an additional three years of service for a total amount not to exceed \$3,140,025 or \$1,046,675 annually, for the term of July 1, 2024 through June 30, 2027”

2-B (ID 24-1159) regarding Awarding a catering and concession services contract to Pardini’s Inc. of Fresno – the following corrections were read into the record:

The words "a contract to provide" should be removed from the agenda title, and the first sentence of the Subject and Recommendation sections of the staff report.

3-A (ID 24-1141) regarding Resolution amending the Better Business Act – Councilmember Arias intends to make a motion to approve this item with the following revision: Section 1(a) of the resolution is amended to read, “the ENA is for the purpose of negotiating the terms and conditions of a private project that will be located on City owned property in Roeding Park”.

2-C (ID 24-1164) regarding the allocation of American Rescue Plan Act funding - the grant award for South Tower Land Trust to be set at \$5,000 with remaining funds set aside for next round of grant making - by Councilmember Arias .

THE FOLLOWING ITEMS WERE REMOVED FROM THE AGENDA:

1:30 P.M. (ID 24-1152) regarding the workshop for Senator Anna Caballero’s 2024 Young Legislators Program – tabled with no specified return date by Council President Perea

2-W (ID 24-1120) regarding the third amendment to service agreement with Poverello House for triage center services - tabled with no specified return date by Councilmember Arias.

2-DD (ID 24-980) regarding the introduction of an amendment to FMC

section 13-305 regarding Tree Preservation – tabled to the September 12, 2024, meeting by sponsors Arias, Maxwell and Esparza.

2-EE (ID 24-1161) regarding a resolution repealing and restating resolution 2022-86 establishing the City of Fresno Tree Policy - tabled to September 12, 2024, by sponsors Arias, Maxwell and Esparza.

3-C (ID 24-1109) regarding the South Central Fresno AB 617 Community Truck Reroute Study – tabled to the September 26, 2024 meeting by Councilmember Karbassi, Councilmember Arias, and Staff.

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

2-B (ID 24-1146) awarding catering and concession services to Pardini's Inc. of Fresno – moved to Contested Consent by Councilmember Arias

2-K (ID 24-1107) pertaining to emergency preparation and implementation of a remediation action plan for the Fresno Sanitary Landfill – moved to Contested Consent by Councilmember Arias.

2-S (ID 24-1150) regarding the Fresno Police Officers Association (FPOA-Basic, Unit 4) - moved to Contested Consent by Councilmember Arias.

Councilmember Bredefeld Recused himself from Consent Calendar item 2-B (ID 24-1146) due to campaign donations received.

Councilmember Bredefeld reregistered a "NO" vote on Consent Calendar item 2-C (ID 24-1164).

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

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

CEREMONIAL PRESENTATIONS

[ID 24-1165](#) Proclamation for "Honoring Fresno Local Xavier Worthy, Kansas City Wide

Receiver”

PRESENTED

[ID 24-1071](#) Fresno Animal Center presents “Pet of the Month”

PRESENTED

COUNCILMEMBER REPORTS AND COMMENTS

Councilmember Arias Reports and Comments. Announced upcoming public workshops to discuss AB 617. Discussed findings from a recent Tower District Specific Plan Committee meeting. Spoke on new rules for mobile food vendors in parks developed in part by the Mobile Food Association. Discussed working with the Mayor and Downtown Association to develop the “Why Not Wednesdays” street fair. Announced the approval of a construction contract and ribbon cutting related to the Les Kimber Regional Park in West Fresno. Remembered the achievements of former Councilmember Les Kimber.

Councilmember Maxwell Reports and Comments. Discussed the fourth annual District 4 “Beat the Heat” event. Announced District 4 efforts to inform CSU Fresno students about paid internships and job options at City Hall. Wished a happy birthday to Council Vice President Karbassi and Councilmember Esparza.

Councilmember Esparza Reports and Comments. Acknowledged the FAX Department for quick work adding amenities to bus stops in District 7. Announced the opening of Clovis Unified School District’s Hirayama Elementary School, in District 7. Discussed a recent Fresno Economic Development Corporation (EDC) meeting which included updates and adoption of the EDC budget. Announced the Public Financing Authority of the Fresno Enhanced Infrastructure Financing District meeting was held the previous day to accept reports prepared by the Finance Department.

Vice President Karbassi Reports and Comments. Recognized city staff for hard work to open the pool in the Pinedale community the previous week. Discussed the success of the traffic light installation at Audubon Drive and Del Mar Avenue as well as the left turn phasing at Van Ness Boulevard and Herndon Avenue. Recognized the Fresno Police Department, the HART

Team and others for efforts to keep the children of Pinedale Elementary School safe on the way to and from school and the community center. Spoke highly of state Assembly Bills 2835 and 3057 which would help convert hotels and motels into shelters and streamline the process for junior accessory dwelling units. Requested the council meeting be adjourned in memory of Firefighter, Captain Walt Sickler, who recently passed from a battle with cancer.

Council President Perea Reports and Comments. Discussed the success of a Beautify Fresno event at Ashlan and West Avenues the previous weekend. Recognized District 1 staff for proactively reporting issues to help keep neighborhoods clean. Discussed a partnership with United Way and PG&E to help pay past due electricity bills up to \$2,000 for those who qualify.

MAYOR/MANAGER REPORTS AND COMMENTS

City Manager White Reports and Comments. Announced the AB617 truck route study has been continued to September 26, 2024, and a workshop on the matter would be held September 12, 2024.

CITY CLERK AND CITY ATTORNEY REPORTS AND COMMENTS

City Clerk Stermer Reports and Comments. Announced various board and commission meetings scheduled for the following week.

City Attorney Janz Reports and Comments. Announced the judge in the ACLU matter declined to Grant the ACLU's motion for judgment against the City for alleged Brown Act violations.

1. SCHEDULED COUNCIL HEARINGS AND MATTERS

9:10 A.M.

[ID 24-1058](#) HEARING to consider of an appeal regarding the denial of Conditional Use Permit Application No. P22-03906, requesting authorization to establish a State of California Alcoholic Beverage Control (ABC) Type 21 (Off-Sale Beer, Wine, & Distilled Spirits) alcohol license for Circle "D" Food & Liquor store located at 2520 East Olive Avenue on the southeast corner of North Fresno Street and East Olive Avenue. (Council District 7)

1. DENY the appeal and UPHOLD the action of the Planning and Development Department Director to deny CUP Application No.

P22-03906 requesting authorization to establish a State of California Alcoholic Beverage Control Type 21 (Off-Sale Beer, Wine, & Distilled Spirits) alcohol license for a Circle "D" Food & Liquor store.

The above item was called to order at 9:41 A.M. and was presented to Council by Planning Manager Siegrist. Upon call, the following members of the public addressed Council: Dirk Poeschel, Shawn Dang, Miss. 5250, Fernando Paul Elizondo Sr., Christopher Polk, and John. Public comment closed at 10:29 A.M.

Council discussion included: homeless encampments on the property; other businesses in the area; Tower Market; sale of alcohol; ABC license and Conditional Use Permit; smoke shops; products that will be sold in the business; routing the project through the Fresno Police Department; proximity to schools; future smoke shop ordinance; continuing the hearing to a future date; Responsible Neighborhood Market Act, purpose, clarification, and revising the policy; quality of life in the neighborhood; fire at the business; improvements to the property; length of time business has been operating; issues and violations at the property; support for the business; and reducing liquor licenses in the city.

On motion of Councilmember Esparza, seconded by Vice President Karbassi, that the above Action Item be TABLED to September 12, 2024. The motion carried by the following vote:

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

9:20 A.M. (CONTINUED TO SEPTEMBER 12, 2024 at 9:20 A.M.)

CONTINUED AS NOTED

[ID 24-998](#) HEARING to consider Conditional Use Permit Application No. P21-06064, (Council District 1) - Planning & Development.

1. DENY the appeal and UPHOLD the action of the Planning Commission to deny Conditional Use Permit Application No. P21-06064 requesting authorization to establish a State of California Alcoholic Beverage Control (ABC) Type 20 alcohol license (Off-Sale beer and wine) for a proposed Arco AM/PM combination automobile service station and convenience store.

CONTINUED AS NOTED

9:25 A.M. (CONTINUED TO SEPTEMBER 26, 2024 at 9:25 A.M. #2)**ID 24-903**

HEARING to consider initiation of the Tower District Specific Plan update, pertaining to all properties located within the boundaries of the Tower District Specific Plan area of the Fresno General Plan.

1. RESOLUTION - Application No. P24-02869 initiating the Tower District Specific Plan Draft Land Use Map and Draft Specific Plan update
2. RESOLUTION - Application No. P24-02420 initiating preparation of the Tower Entertainment District Overlay
3. RESOLUTION - Application No. P24-02871 initiating preparation of the Tower District Specific Plan Objective Design Standards
4. Second contract amendment extending the Consultant Services Agreement with Wallace, Roberts and Todd (WRT) to June 30, 2025.

CONTINUED AS NOTED

9:35 A.M. JOINT MEETING OF THE CITY COUNCIL, THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF FRESNO AND THE FRESNO REVITALIZATION CORPORATION**ID 24-1076**

Actions by the Successor Agency to the Fresno Redevelopment Agency pertaining to the dedication of a portion of property owned by the Successor Agency to the Fresno Redevelopment Agency for the purpose of a public street easement on a portion previously vacated Santa Clara Street, between O Street and N Street: (Council District 3)

1. Adopt a finding of Exemption from the California Environmental Quality Act (CEQA) per staff determination, pursuant to Section 15061(b)(3) of the CEQA Guidelines, Environmental Assessment Number 10429;
2. RESOLUTION - Dedicating a portion of Successor Agency-owned property for the purpose of a public street easement on a portion previously vacated Santa Clara Street, between O Street and N Street.

The above item was called to order at 10:30 A.M. and was presented to Council by Redevelopment Administrator Murphey. Upon call, no members of the public addressed Council. Public comment closed at 10:32 A.M.

There was no Council discussion on this item.

FRC VOTE: On motion of Member Arias, seconded by Member Bredefeld, the above FRC action item was adopted. The motion PASSED by the following vote:

*Aye (7): Perea, Arias, Maxwell, Chavez, Bredefeld, Esparza, Dyer
Absent (1): Karbassi*

RESOLUTION 2024-191 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: 6 - Perea, Arias, Maxwell, Chavez, Bredefeld and Esparza

Absent: 1 - Karbassi

1:30 P.M.

[ID 24-1152](#) WORKSHOP - Senator Anna Caballero's 2024 Young Legislators Program Presentation

The above item was removed from the agenda by Council President Perea with no return date.

2. CONSENT CALENDAR

Upon call, for public comment on all Consent, Contested Consent and Closed Session items, the following members of the public addressed Council: Jim Ellis (4-A), Brandi N.(2-C), Lisa Oliveira (2-B), Elliot Bailey (2-C), Stanley Johnson (2-C), Kiel Lopez-Schmidt (2-C), Nasreen Johnson (2-C), Matthew Gillian (2-C), Miss. 5250 (Closed Session/Conscent).

APPROVAL OF THE CONSENT CALENDAR

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

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

2.-A. [ID 24-1146](#) Approval of the minutes for August 15, 2024, regular meeting

During approval of the agenda, City Clerk Stermer announced on the

attached minutes, 2-R (ID 24-1023) the title is missing from the minutes and should read "Authorize the Chief of Police to enter into a Second Amendment to Agreement with SoundThinking, Inc. (formerly ShotSpotter Inc.) for an additional three years of service for a total amount not to exceed \$3,140,025 or \$1,046,675 annually, for the term of July 1, 2024 through June 30, 2027"

APPROVED ON CONSENT CALENDAR

2.-C. [ID 24-1164](#) Actions pertaining to allocation of American Rescue Plan Act funding:

1. Approve the recommendation of seven service proposals allocating American Rescue Plan Act (ARPA) funding for local Community Based Organizations (CBOs) totaling \$100,000 (Bid File 12402305) to the following organizations: (1) Trans-e-motion \$10,000; (2) BlaQueer Fresno \$20,000; (3) Casita Feliz \$13,500; (4) Dulce Upfront Labs \$13,600; (5) South Tower Land Trust \$25,000; (6) LGBTQ Fresno \$12,740; (7) Oasis Legal \$5,160;
2. RESOLUTION - Granting Authority to the City Manager or designee to enter into agreements with Community Based Organizations to provide programs and services funded by the American Rescue Plan Act (ARPA) to aid in the COVID-19 Recovery Effort.

During approval of the agenda, City Clerk Stermer announced the Grant award for south tower land trust to be set at \$5,000 with remaining funds set aside for next round of grant making by Councilmember Arias .

Councilmember Arias motioned to Grant award for south tower land trust to be set at \$5,000 with remaining funds set aside for next round of grant making.

During approval of the Consent Calendar, Councilmember Bredefeld reregistered a NO vote. As such, this item was approved 6-1 by the following vote:

*Aye: 6 – Perea, Karbassi, Arias, Maxwell, Chavez, Esparza
No: 1 – Bredefeld*

RESOLUTION 2024-192 ADOPTED

APPROVED ON CONSENT CALENDAR

2.-D. [ID 24-1008](#) ***RESOLUTION - Authorizing the Director of Aviation or other authorized

representative to: execute all implicated documentation for pre-application and application to the Federal Aviation Administration (FAA) for Airport Improvement Program (AIP) grants for federal fiscal years 2025 and 2026 for both Fresno Yosemite International Airport (FAT) and Fresno Chandler Executive Airport (FCH), accept FAA AIP grant(s) for FY 2025 and FY 2026 projects at both airports including all subsequent amendments thereto offered by the FAA; and apply for and accept grants and all subsequent amendments thereto offered by the California Department of Transportation Aeronautics Division for matching funds for FY 2025 and 2026 FAA grants for the Fresno Chandler Executive Airport. (Requires 5 Affirmative Votes) (Subject to Mayor's veto)

RESOLUTION 2024-193 ADOPTED

APPROVED ON CONSENT CALENDAR

- 2.-E. [ID 24-989](#) Approve a four-year preventative maintenance Service Agreement with SKIDATA, Inc. to provide preventative maintenance services for the Parking Access and Revenue Control System (PARCS) at Fresno Yosemite International Airport (FAT) in the amount of \$404,740, plus related maintenance costs not to exceed \$25,000 annually. (Council District 4)

APPROVED ON CONSENT CALENDAR

- 2.-F. [ID 24-993](#) Approve a five-year Service Agreement with SKIDATA, Inc. to provide upgrades to the point of sale system and Software as a Service (SaaS) for the Parking Access and Revenue Control System (PARCS) at Fresno Yosemite International Airport (FAT) in the amount of \$190,397. (Council District 4)

APPROVED ON CONSENT CALENDAR

- 2.-G. [ID 24-1077](#) Actions Pertaining to the Rebid of the Bridge Preventive Maintenance Program Phase II Project at Various Locations - Bid File Number 12400024-1 (Council District 4 and 7):
1. Adopt a finding of Categorical Exemption per staff's determination, pursuant to Sections 15301/Class 1 of the California Environmental Quality Act (CEQA) Guidelines;
 2. Award a Construction Contract in the amount of \$587,120 to American Paving Construction Company of Fresno, California.

APPROVED ON CONSENT CALENDAR

- 2.-H. [ID 24-1084](#) Approve the Agreement for Purchase and Sale of Real Property and Escrow Instructions to acquire fee interest from a portion of Assessor's Parcel Number 477-040-58 for a total cost of \$55,600 for the Southwest Fresno Trail Project. (Council District 3)

APPROVED ON CONSENT CALENDAR

- 2.-I. [ID 24-1087](#) Approve the Agreement for Purchase and Sale of Real Property and Escrow Instructions to acquire fee interest of a 0.17-acre (7,405 square feet) improved parcel, identified as Assessor's Parcel Number 451-134-06, owned by RR-M Reyna, Inc., a California corporation, for an amount of \$357,725, for the construction of the Blackstone McKinley BNSF Grade Separation Project. (Council Districts 1 and 7)

APPROVED ON CONSENT CALENDAR

- 2.-J. [ID 24-1108](#) RESOLUTION - Authorizing the Submission of Grant Applications to the California Department of Transportation Highway Safety Improvement Program Cycle 12 Call For Projects Totaling up to \$10 Million in Requests for Funding; and Authorizing the Execution of Grant Applications and Grant Agreement documents by the Public Works Director or Designee. (Council Districts 2, 6, 7)

*RESOLUTION 2024-194 ADOPTED***APPROVED ON CONSENT CALENDAR**

- 2.-L. [ID 24-1104](#) Award a requirements contract to Carus, LLC., for the purchase of ortho polyphosphate, for three years with an option for two one-year extensions, in the amount of \$920,887.49 per year plus annual Consumer Price Index increases (Bid File 12401056) (Citywide).

APPROVED ON CONSENT CALENDAR

- 2.-M. [ID 24-1112](#) BILL - (for Introduction) Granting Big Bros Dumpsters Rentals, E&E Transport, LLC., Everyday Junk Removal & Hauling, Inc., and UC Cleanup Services a Non-Exclusive Franchise for Roll-Off collection services within the City of Fresno. (Citywide)

*BILL B-28 INTRODUCED AND LAID OVER***APPROVED ON CONSENT CALENDAR**

- 2.-N. [ID 24-1106](#) Approve an agreement with The Kenneth L. Maddy Institute (Maddy Institute) allocating 150,000 in ARPA funding for recruitment, personnel costs and scholarship support to enhance the current status of the legislative internship program.

APPROVED ON CONSENT CALENDAR

- 2.-O. [ID 24-1115](#) Actions pertaining to the award of a Requirements Contract for the

purchase of eProcurement software and related services to OpenGov, Inc. for three years, with four optional one-year extensions in an amount not-to-exceed \$28,810.60 for one-time implementation services plus \$94,415.48 per year for cloud-hosted software, with annual increases not-to-exceed five percent (Bid File 9691)

APPROVED ON CONSENT CALENDAR

2.-P. [ID 24-1111](#)

Actions pertaining to the award of two requirements contracts for the purchase of On-Demand Towing Services for the City's municipal fleet in the total not-to-exceed aggregate amount of \$280,243 per year, plus annual price adjustments not-to-exceed 4%, and a contingency of \$20,000 per year (Bid File 12401505)

1. Award a requirements contract to Reyna Towing of Fresno, California for one year, with five optional one-year extensions for towing services of light and medium duty municipal fleet vehicles
2. Award a requirements contract to Action Towing Dive Team, Inc. of Fresno, California for one year, with five optional one-year extensions for towing services of light, heavy, and super-heavy municipal fleet vehicles

APPROVED ON CONSENT CALENDAR

2.-Q. [ID 24-1091](#)

Approve the First Amendment to the 2024 Playspace Agreement with KABOOM! Inc. in the amount of \$181,765, for a total increased contract amount of \$474,413, and to change the proposed project location. (Council District 4)

APPROVED ON CONSENT CALENDAR

2.-R. [ID 24-1113](#)

Actions pertaining to Senior Hot Meal Programming:

1. ***RESOLUTION - Approving the acceptance of a one-year \$160,000 Grant Award from the Fresno Madera Area Agency on Aging (FMAAA) to the Parks, After School, Recreation, and Community Services (PARCS) Department for the Senior Hot Meals Program at six community centers and authorize the City Manager or designee to execute the agreement, including any subsequent amendments and all necessary supporting documents with FMAAA (Subject to Mayor's Veto)
2. ***RESOLUTION - Adopting the 9th Amendment to the Annual Appropriation Resolution (AAR) No. 2024-122 appropriating \$42,600 from the FMAAA for the Senior Hot Meals Program into the PARCS Department's Fiscal Year 2025 budget (Citywide) (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)
3. RESOLUTION - Authorizing Acceptance of Food Service Equipment of a value not to exceed \$50,000 from the FMAAA to be

used for Senior Hot Meals Program Implementation

RESOLUTION 2024-196 ADOPTED

RESOLUTION 2024-197 ADOPTED

RESOLUTION 2024-198 ADOPTED

APPROVED ON CONSENT CALENDAR

- 2.-T.** [ID 24-1151](#) Actions pertaining to the Fresno Police Officers Association, FPOA-Management for Unit 9
1. ***Adopt a successor Memorandum of Understanding between the City of Fresno and Fresno Police Officers Association (Police Management - Unit 9) (Subject to Mayor's Veto)
 2. ***RESOLUTION: Adopt the Second Amendment to FY 2025 Salary Resolution No. 2024-120, amending Exhibit 9, Unit 9 - Police Management (FPOA), to provide a salary increase for respective classes as required by the Memorandum of Understanding between the City of Fresno and Fresno Police Officers Association (Police Management - Unit 9) (Subject to Mayor's Veto)

RESOLUTION 2024-200 ADOPTED

APPROVED ON CONSENT CALENDAR

- 2.-U.** [ID 24-1092](#) ***RESOLUTION - Adopt the Third Amendment to Fiscal Year 2025 Salary Resolution No. 2024-120, amending Exhibit 13-1, Unit 13, Exempt Supervisory and Professional (CFPEA) by retitling the Supervising Airports Operations Officer to Airports Operations Supervisor and increasing the monthly salary step plan range for the classification, effective September 9, 2024 (Subject to Mayor's Veto)

RESOLUTION 2024-201 ADOPTED

APPROVED ON CONSENT CALENDAR

- 2.-V.** [ID 24-935](#) Actions pertaining to the Travel Inn Affordable Rental Housing Development located at 1444 West White Avenue, Fresno, California (Council District 3):
1. Adopt a Categorical Exemption per staff determination pursuant to Section 15332/Class 32 of the California Environmental Quality Act (CEQA) Guidelines
 2. ***RESOLUTION - Adopt a Resolution in support of a contribution of City-owned property located at 1444 West White Avenue, Fresno, California 93728 to Cesar Chavez Foundation for the development of affordable rental housing, and authorize the City Manager, or designee, to execute all contract/lease related documents on behalf of the City (Subject to Mayor's Veto)

*RESOLUTION 2024-202 ADOPTED***APPROVED ON CONSENT CALENDAR**

- 2.-W. [ID 24-1120](#) Approve the Third Amendment to the Service Agreement with Poverello House for professional triage center services at Naomi's House and Clarion Pointe, and to increase funding by \$525,405.56 in Homeless, Housing Assistance, and Prevention funds (HHAP) for total program award \$3,125,195.25.

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

TABLED

- 2.-X. [ID 24-1114](#) Actions pertaining to the 2022 State Homeland Security Grant Program (SHSGP)
1. Authorize the Chief of Police to accept \$124,756 in grant funding for the 2022 State Homeland Security Grant awarded to the Fresno Police Department by the California Office of Emergency Services (CalOES) through the County of Fresno Department of Behavioral Health.
 2. Authorize the Chief of Police or her designee to execute the agreement and all related documentation applicable to the 2022 SHSGP grant.

APPROVED ON CONSENT CALENDAR

- 2.-Y. [ID 24-1117](#) Actions pertaining to the 2023 State Homeland Security Grant Program (SHSGP)
1. Authorize the Chief of Police to accept \$124,218 in grant funding for the 2023 State Homeland Security Grant awarded to the Fresno Police Department by the California Office of Emergency Services (CalOES) through the County of Fresno Department of Behavioral Health.
 2. Authorize the Chief of Police or her designee to execute the agreement and all related documentation applicable to the 2023 SHSGP grant.
 3. ***RESOLUTION - Adopt the 1st Amendment to the Annual Appropriation Resolution (AAR) No. 2024-122 appropriating \$124,200 for the Police Department's 2023 State Homeland Security Grant Program (Requires 5 Affirmative Votes) (Subject to Mayor's Veto).

*RESOLUTION 2024-203 ADOPTED***APPROVED ON CONSENT CALENDAR**

- 2.-Z. [ID 24-1118](#) Approve the FY 24 annual participation agreement for the Federal Equitable Sharing Agreement and Certification Program for the disposition of funds, including interest, forfeited in connection with a crime and authorize the City Manager and the Chief of Police to execute related documents.

APPROVED ON CONSENT CALENDAR

- 2.-AA. [ID 24-1040](#) RESOLUTION - Approval and implementation of the Public Transit Agency Safety Plan as required by the Federal Transit Administration, and execution of related agent forms.

RESOLUTION 2024-204 ADOPTED

APPROVED ON CONSENT CALENDAR

- 2.-BB. [ID 24-1168](#) ***RESOLUTION - For the Delinquent Utilities Enforcement Act directing the City Manager or designee to collect on all delinquent utility accounts over \$50,000 (Subject to Mayor's Veto)

RESOLUTION 2024-205 ADOPTED

APPROVED ON CONSENT CALENDAR

- 2.-CC. [ID 24-1101](#) ***RESOLUTION - Naming the park to be located at S. MLK Jr Blvd. and E. Church Ave. "Les Kimber Park." (Subject to Mayor's Veto)

RESOLUTION 2024-206 ADOPTED

APPROVED ON CONSENT CALENDAR

- 2.-DD. [ID 24-980](#) Bill - (For Introduction) - Amending Section 13-305 of the Fresno Municipal Code, relating to Tree Preservation

The above item was removed from the agenda by Councilmember Arias, and tabled to September 12, 2024.

TABLED

- 2.-EE. [ID 24-1161](#) ***RESOLUTION - Repealing and Restating Resolution 2022-086 Establishing the City of Fresno Tree Policy (Subject to Mayor's Veto)

The above item was removed from the agenda by Councilmembers Arias, Maxwell and Esparza, and Tabled to September 12, 2024.

TABLED

- 2.-FF. [ID 24-1056](#) Approve the reappointment of Stefanie Diaz to the City of Fresno Women's Commission to a term ending August 29, 2026.

APPROVED ON CONSENT CALENDAR

- 2.-GG.** [ID 24-1132](#) Actions pertaining to breeding, transfer, sale of dogs and cats and licensing of dogs:
1. ***BILL B-26 - (Intro'd 8/15/2024)(For Adoption) Amending Chapter 10, Article 3, Section 10-328 of the Fresno Municipal Code, relating to breeding, transfer and sale of dogs and cats (Subject to Mayor's Veto)
 2. ***RESOLUTION - Rescinding Resolution Number 2024-134 relating to a temporary moratorium on the issuance of new unaltered dog licenses, increased penalties, and development of a citywide program to reduce unauthorized breeding. (Subject to Mayor's Veto)

*BILL B-26 APPROVED / ORDINANCE ADOPTED AS 2024-026
RESOLUTION 2024-207 ADOPTED*

APPROVED ON CONSENT CALENDAR

- 2.-HH.** [ID 24-1133](#) ***BILL B-27 - (Intro'd 8/15/2024)(For Adoption) Adding Article 24 to Chapter 10 of the Fresno Municipal Code, to remove squatters from short-term rentals and hotels (Subject to Mayor's Veto)

BILL B-27 APPROVED / ORDINANCE ADOPTED AS 2024-027

APPROVED ON CONSENT CALENDAR**CONTESTED CONSENT CALENDAR**

- 2.-B.** [ID 24-1159](#) Approve the award of a contract to provide catering and concession services to Pardini's Inc. of Fresno, California, at the Fresno Convention and Entertainment Center for three years with two optional one-year extensions, and authorize the City Manager, or designee, to negotiate and execute the contract subject to approval as to form by the City Attorney's Office (Bid file 12400335)

During approval of the agenda, City Clerk Stermer announced the following corrections to the staff report:

Staff Report Subject/Agenda Title with corrections:

Approve the award of a contract to provide catering and concession services to Pardini's Inc. of Fresno, California, at the Fresno Convention and Entertainment Center for three years with two optional one-year extensions,

and authorize the City Manager, or designee, to negotiate and execute the contract subject to approval as to form by the City Attorney's Office (Bid file 12400335)

It should read:

Approve the award of catering and concession services to Pardini's Inc. of Fresno, California, at the Fresno Convention and Entertainment Center for three years with two optional one-year extensions, and authorize the City Manager, or designee, to negotiate and execute the contract subject to approval as to form by the City Attorney's Office (Bid file 12400335)

Staff Report Recommendation with corrections:

Staff recommends Council approve the award of a contract to provide catering and concession services to Pardini's Inc. of Fresno, California, at the Fresno Convention and Entertainment Center for three years with two optional one-year extensions, and authorize the City Manager, or designee, to negotiate and execute the contract subject to approval as to form by the City Attorney's Office

It should read:

Staff recommends Council approve the award of catering and concession services to Pardini's Inc. of Fresno, California, at the Fresno Convention and Entertainment Center for three years with two optional one-year extensions, and authorize the City Manager, or designee, to negotiate and execute the contract subject to approval as to form by the City Attorney's Office.

Councilmember Arias moved the above item to Contested Consent to discuss the agreement.

Council discussion included: the city going out to bid; when the contract expired; negotiations with Pardini's; catering contracts with the Convention Center; lost events to neighboring jurisdictions; surcharges, fees, and rates; checks and balances with the contract; City Manager or designee authority;

current subsidy the city provides; private events, and discounts; City of Fresno events, and community events; current rates of caterers; third party caterers; offerings by the primary caterers; denying other caterers; losing business do to not offering what the customers want; usage of the convention center; number of proposals submitted; evaluation of the proposals; conflicts; profits; third party caterers; financial responsibility; expectations of the operator; current language for alcohol charges; equipment ownership; current agreement; price point of food and alcohol offered; proposed price points compared to other venues; price controls, and caps on pricing; operator of the Save Mart Center.

Councilmember Bredefeld Recused himself due to campaign donations.

On motion of Councilmember Arias, seconded by Councilmember Chavez, that staff's recommendation be APPROVED with the inclusion that the full contract come back to council for final approval. The motion carried by the following vote:

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

Absent: 1 - Chavez

Recused: 1 - Bredefeld

- 2.-K.** [ID 24-1107](#) Actions pertaining to the emergency preparation and implementation of a remediation action plan for the Fresno Sanitary Landfill (Council District 3):
1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15308 (Class 8) of the California Environmental Quality Act guidelines for the remedial action project for the Fresno Sanitary Landfill;
 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 preparation and implementation of emergency remediation plan to mitigate gas emission exceedances at the north side of Fresno Sanitary Landfill. (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)

Councilmember Arias moved the above item to Contested Consent to get clarification on the "exceeds leakage" language in the staff report.

Council discussion included: grade adjustments; and public notification.

RESOLUTION 2024-195 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.-S.** [ID 24-1150](#) Actions pertaining to the Fresno Police Officers Association, FPOA-Basic for Unit 4
1. ***Adopt a successor Memorandum of Understanding between the City of Fresno and Fresno Police Officers Association (Non-Management Police - Unit 4) (Subject to Mayor's veto)
 2. ***RESOLUTION - Adopt the First Amendment to FY 2025 Salary Resolution No. 2024-120, amending Exhibit 4, Unit 4 - Non-Management Police (FPOA), to provide a salary increase for respective classes as required by the Memorandum of Understanding between the City of Fresno and Fresno Police Officers Association (Non-Management Police - Unit 4) (Subject to Mayor's veto)

Councilmember Arias moved the above item to Contested Consent to discuss the proposed contract.

Council discussion included: list of contracted police services for last year; increased percentage; terms of the President and Vice President; requested modifications; over staffing; additional pay for bilingual employees; long term absences, premium pay, and the task force assigned for investigations; rehab for employees; premium pay verses base pay; overtime pay; minimum staffing; drug testing officers; additional officers; differences between city employees jobs; labor negotiations; workers rights; and trends of long term absences.

RESOLUTION 2024-199 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 - Perea, Karbassi, Arias, Maxwell, Chavez, Bredefeld and Esparza

3. GENERAL ADMINISTRATION

- 3.-A. [ID 24-1141](#) ***RESOLUTION - Amending the Better Business Act (Resolution 2009-118) to add an exception for Exclusive Negotiating Agreements pertaining to private projects contemplated on City owned property that are anticipated to provide a substantial public benefit. (Subject to Mayor's veto)

During approval of the agenda, City Clerk Stermer announced for the record, there will be a motion to approve this item with the following revision:

Section 1(a) of the resolution is amended to read, "The ENA is for the purpose of negotiating the terms and conditions of a private project that will be located on City owned property in Roeding Park." by Councilmember Arias

Upon call, the following members of the public addressed Council: Miss. 5250.

Councilmember Arias motioned to amend section 1(a) to read "The ENA is for the purpose of negotiating the terms and conditions of a private project that will be located on City owned property in Roeding Park, and to approve the entering into exclusive negotiating agreement with the Fresno Chaffee Zoo Corporation."

Council discussion included: exemption to the Better Business Act; discussions with the zoo; parking; visitors; parking garage; growth of the zoo; activities at the park; and environmental studies.

RESOLUTION 2024-190 ADOPTED

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

- 3.-B. [ID 24-1142](#) Actions pertaining to an Exclusive Negotiating Agreement with Fresno's Chaffee Zoo Corporation:
1. Invoke Exception to the Better Business Act pursuant to Section 2 pertaining to certain Exclusive Negotiating Agreements.
 2. Enter into an Exclusive Negotiating Agreement with Fresno's Chaffee Zoo Corporation to develop the terms of an Amendment to the Lease Agreement and to negotiate terms to construct, operate,

manage, and maintain anticipated improvements to parking facilities.

Council discussion was combined with item 3-A (ID 24-1141).

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

3.-C. [ID 24-1109](#) Actions pertaining to the South Central Fresno AB 617 Community Truck Reroute Study, Fresno Community Environmental Health Impact Assessment, and to City of Fresno Truck Route Map:

1. RESOLUTION - Accepting the South Central Fresno AB 617 Community Truck Reroute Study prepared by Arcadis, and the Fresno Community Environmental Health Impact Assessment prepared by University of California, Merced;
2. BILL - (For Introduction) Adopting changes and additions to the official list of designated truck routes within the City of Fresno pursuant to Section 14-1303 of the Fresno Municipal Code. (Citywide)

The above item was removed from the agenda by Councilmember Karbassi, and staff, and tabled to September 26, 2024.

TABLED

UNSCHEDULED COMMUNICATION

Upon call, the following people addressed Council with unscheduled communication: Gary Doesekle, Karin Campbell, Leslie Swan; Tami Richardson, Cindy Fukuyama, Sharon Toroian.

[ID 24-1298](#)

Public Comment Received

4. CITY COUNCIL

4.-A. [ID 24-1177](#) Bill - (For Introduction) - Adding Chapter 10, Article 24 To The Fresno Municipal Code, Authorizing Local Businesses To Enforce Private Property Rights Against Trespassers At Privately Owned Locations Open To The Public

Upon call, the following members of the public addressed Council: Brandi N., Miss. 5250, Joseph Stevens, Cindy, and Fernando Paul Elizondo Sr.

Council discussion included: clarification on the ordinance; drug paraphernalia; rights of property owners; issues with trespassers; small business owners; hazards; tax dollars funding services; when the ordinance will go into effect; business fire in the Tower District; and extending the terms to include after business hours.

BILL B-29 INTRODUCED AND LAID OVER

On motion of Councilmember Bredefeld, 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

5. CLOSED SESSION

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

Council withdrew to closed session at 2:55 P.M.

- 5.-A.** [ID 24-983](#) CONFERENCE WITH LABOR NEGOTIATORS - Government Code Section 54957.6
City Negotiators: Jennifer Misner; Sumeet Malhi
Employee Organization(s): 1. International Union of Operating Engineers, Stationary Engineers, Local 39 (Local 39); 2. Fresno City Employees Association (FCEA); 3. Fresno Police Officers Association (FPOA Basic), Unit 4; 4. International Association of Firefighters, Local 202, Unit 5 (Fire Basic); 5. Amalgamated Transit Union, Local 1027 (ATU); 6. International Brotherhood of Electrical Workers, Local 100 (IBEW); 7. Fresno Police Officers Association (FPOA Management) Unit 9; 8. International Association of Firefighters, Local 202, Unit 10 (Fire Management); 9. City of Fresno Professional Employees Association (CFPEA); 10. City of Fresno Management Employees Association (CFMEA); 11. Fresno Airports Public Safety Officers Association (FAPSOA)

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

DISCUSSED

- 5.-B.** [ID 24-1136](#) CONFERENCE WITH LEGAL COUNSEL - PUBLIC SECURITY -

Government Code Section 54957(a): Discuss security of City Hall.

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

DISCUSSED

- 5.-C. [ID 24-1090](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Government Code Section 54956.9, subdivision (d)(1)
South Fresno Community Alliance v. City of Fresno; Fresno Superior Court
Case No.: 21CECG03237

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

DISCUSSED

- 5.-D. [ID 24-1098](#) CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section
54956.9: 1 potential case

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

DISCUSSED

- 5.-E. [ID 24-1102](#) CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section
54956.9: 1 potential case

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

DISCUSSED

- 5.-F. [ID 24-1054](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Government Code Section 54956.9, subdivision (d)(1)
Case Name: *Michael Manfredi v City of Fresno, PSI Administered by
Tristar Risk Management, Tristar Claim Number 1010104609-ADR-1*

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

DISCUSSED

- 5.-G.** [ID 24-1148](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Government Code Section 54956.9, subdivision (d)(1)
City of Fresno v. County of Fresno; Fresno Superior Court Case No.:
24CECG01199

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

DISCUSSED

ADJOURNMENT

The Council meeting adjourned from closed session in memory of Fire Captain Walter Sickler at 4:45 P.M.

The above minutes were approved by unanimous vote of the City Council during the September 12, 2024, regular meeting.