

City of Fresno

2600 Fresno Street

Fresno, CA 93721

www.fresno.gov



Meeting Minutes - Final

Thursday, August 20, 2020

9:00 AM

Electronic Meeting

City Council

President - Miguel Angel Arias

Vice President - Paul Caprioglio

Councilmembers:

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

Nelson Esparza

City Manager - Wilma Quan

City Attorney - Douglas T. Sloan

City Clerk - Yvonne Spence, MMC

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

9:06 A.M. ROLL CALL

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

Pledge of Allegiance to the Flag

APPROVE AGENDA

City Clerk Spence announced the following changes to the agenda: File ID 20-001005 (1-E) - Actions pertaining to FY 2021 Insurance Expenses, was removed from the agenda by Council President Arias and continued to August 27, 2020, File ID 20-00979 (1-V) - Resolution - Declaring property located on the Southeast corner of Broadway and Elizabeth Avenues (APN 452-114-34T) to be surplus and directing staff to comply with the Surplus Land Act was removed from the agenda by Council President Arias and continued to August 27, 2020, File ID 20-00996 (1-W) - Approve the reappointment of Mr. Don Simmons to the Historic Preservation Commission and the appointment of James W. Sponsler to the Council District 3 Project Review. Mayor Brand was added as a sponsor to the Historic Preservation Commission appointment, File ID 20-001064 (1-DD) – Actions Pertaining to Tollhouse Park (Council District 4) was continued to August 27, 2020, File ID 20-001013 (10:00 A.M. #4) - Hearing pertaining to Sierra Sky Park (Council District 2) was continued to September 17, 2020 at 10:05 A.M., File ID 20-00932 (10:00 A.M. #5) - Continued Hearing to consider Annexation Application No. P19-02239, Plan Amendment/Rezone Application No. P19-02237, for property located on the west side of North Hayes Avenue between West Ashlan and West Shields Avenues (Council District 1) was continued to September 17, 2020 at 10:15 A.M., File ID 20-00933 (10:15 A.M.) – Scheduled Communication – Appearance by Char Ghan and Kim Castro to review the Declaration of Independence, speaker requested to be removed from the agenda all together, File ID 20-00986

(10:40 A.M.) – Hearing to consider the adoption of Plan Amendment Application No. P-19-04226 and related Final Program Environmental Impact Report (FPEIR), State Clearinghouse (SCH) #2019050005 was continued to September 17, 2020 at 10:10 A.M.

The following items were pulled from Consent Calendar and moved to Contested Consent:

File ID 20-00-10022 (1-K) - Actions pertaining to the 2019 Edward Byrne Memorial Justice Assistance Grant (JAG) Program, was pulled by Council President Arias.

File ID 20-001024 (1-L) - Actions pertaining to the 2020 Coronavirus Emergency Supplemental Funding (CESF) Program, was pulled by Council President Arias.

File ID 20-00984 (1-U) - Resolution - approving the application(s) for per Capita Grant Funds was pulled by Councilmember Soria.

File ID 20-001014 (1-X) - Actions pertaining to amending the Census Outreach Agreements to extend time of performance to October 31, 2020 to align with the U.S. Census Bureau extension, Councilmember Chavez recused himself from the item.

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

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

5. CLOSED SESSION

City Council recessed into Closed Session at 9:10 A.M. and returned from Closed Session at 12:45 P.M.

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

- 5-D** [ID](#)
[20-00999](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)
1. Anthony Perez, et al. v. City of Fresno, et al.; United States District Court Case No.: 1:18-CV-00127 (Police Department)
- 5-C** [ID](#)
[20-00998](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)
1. Channel Centeno, et al. v. City of Fresno, et al.; United States District Court Case No.: 16-CV-00653 (Police Department)
- 5-E** [ID](#)
[20-001052](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)
1. Isiah Murrietta-Golding, et al. v. City of Fresno, et al.; United States District Court Case No.: 1:18-CV-00314 (Police Department)
- 5-F** [ID](#)
[20-001053](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1)
1. Terance Frazier, et al. v. City of Fresno, et al.; United States District Court Case No.: 1:20-CV-01069
- 5-G** [ID](#)
[20-001043](#) **CONFERENCE WITH LEGAL COUNSEL - PUBLIC SECURITY - Government Code Section 54957(a):**
Matters posing a threat to the security of public buildings, the security of essential public services, and to the public's right of access to public services and public facilities, and related actions pertaining to the Declaration by Governor Newsom of a State of Emergency to Help State Prepare for Broader Spread of COVID-19, and related local concerns.
- 5-A** [ID](#)
[20-00988](#) CONFERENCE WITH LABOR NEGOTIATORS - Government Code Section 54957.6
City Negotiators: Jeffrey Cardell, Richard Boyd
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); 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); 13. Unrepresented Employees in Unit 2 (Non-Represented Management and Confidential Classes): Airport Public Safety Manager, Assistant City Attorney, Assistant City Manager, Assistant Controller, Assistant Director, Assistant Director of Personnel Services, Assistant Director of Public Utilities, Assistant Director of Public Works, Assistant Police Chief, Assistant Retirement Administrator, Budget Analyst, Budget Manager, Chief Assistant City Attorney, Chief Information Officer, Chief of Staff to Councilmember, Chief of Staff to the Mayor, City Attorney (City Negotiator, Council President Arias), City Attorney Investigator, City Clerk (City Negotiator, Council President Arias), City Engineer, City Manager (City Negotiator, Mayor Brand), Community Coordinator, Community Outreach Specialist, Controller, Council Assistant, Deputy City Attorney II , Deputy City Attorney III, Deputy City Manager, Director, Director of Aviation, Director of Development, Director of Personnel Services, Director of Public Utilities, Director of Transportation, Economic Development Coordinator, Economic Development Director , Executive Assistant to Department Director, Executive Assistant to the City Attorney, Executive Assistant to the City Manager , Fire Chief, Governmental Affairs Manager, Human Resources Manager, Independent Reviewer, Internal Auditor, Investment Officer, Labor Relations Manager, Management Analyst II, Payroll Accountant, Payroll Manager, Police Chief, Principal Budget Analyst, Principal Internal Auditor, Public Affairs Officer, Public Works Director, Retirement Administrator, Retirement Benefits Manager, Senior Budget Analyst, Senior Deputy City Attorney I, Senior Deputy City Attorney II, Senior Deputy City Attorney III, Senior Human Resources/Risk Analyst , Senior Law Clerk, Supervising Deputy City Attorney

- 5-B** [ID](#) CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Government Code Section 54956.8 Property: Pride Park (APN 467-29-205T)
[20-00985](#) Negotiating Parties: City Manager, Fresno Economic Opportunities Commission Under Negotiations: Price and terms of acquisition

City Council recessed for lunch at 12:45 P.M. and returned from lunch at 2:14 P.M.

Council President Arias called the Special Meeting session to order at 2:14 P.M. and adjourned the Special Meeting session at 3:07 P.M. Council President Arias resumed the regular meeting session at 3:07 P.M.

COUNCILMEMBER REPORTS AND COMMENTS

Councilmember Soria mentioned District 1 Business Nonprofits are still providing face masks. If you need a new face mask, you can contact District 1 at 559-621-7817 or email them at district1@fresno.gov. She stated there is an effort to design a new Fresno Park at Milburn and Dakota, West of the 99 freeway and asked for the community's input. She stated the notices will be sent shortly and can be found on Facebook. She thanked all the families, teachers and students who have started school and who have embarked on their journey with distance learning.

Councilmember Karbassi stated he appreciates all the City Employees who continue to provide services to the residents and the community of the City of Fresno. He thanked his colleagues for all their support and help during his first year as Councilmember and looks forward to the next four years.

Council Vice President Caprioglio thanked the Fresno Police Department and Code Enforcement Department for their quick response to the community regarding the homeless and illegal activity that has been occurring in the City of Fresno. He thanked Captain Salazar, Sgt. Attkisson, Detective Kim, and the bike unit Dustin, Zac, Brian and Vilai. He thanked Code Enforcement and the City Attorney's Office, especially Housing and Neighborhood Revitalization Manager Horton and Senior Community Revitalization Specialist Madewell. He thanked several individuals on the District 4 project and thanked the street crew for their hard work in District 4.

Councilmember Chavez thanked the CBO and Churches for helping the Southeast community in District 5.

Councilmember Esparza thanked the United Health Center for testing over 150 individuals for COVID-19 in District 7. He thanked Dr. John Moua for taking the time to do a webinar meeting with Councilmember Esparza and residents of District 7 on how to stay safe during the pandemic. He thanked Captain Castro and Detective Bunch out at Central Policing District at Manchester for speaking with the residents for neighborhood watch. He recognized the Fresno Fire Department for their remarkable job they have

been doing over the last several months, especially in District 7. He mentioned he held a hearing for Fresno EFID and met with the County of Fresno to speak in favor of the residence input on the project on Blackstone. He stated he will be putting together a community forum to meet in a few weeks regarding the Blackstone project.

Council President Arias thanked the Fresno Fire Department for putting out several fires in District 3 caused by the homeless encampments. He thanked the local farmers and essential workers for all that they do as they continue to work during the COVID pandemic and the recent fires in order to keep City of Fresno safe and fed. He reminded the community the next mobile testing will be at Roding Park, Saturday, August 22, 2020 and then Jaswant Singh Khalra (JSK) Park on Clinton and Brawley, at that time they will be giving out food and Paycheck Protection Program (PPP).

1. CONSENT CALENDAR

Upon call, there was no public comment.

On motion of Councilmember Chavez, seconded by Councilmember Soria, the below CONSENT CALENDAR items were approved. The motion carried by the following vote:

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

- 1-A** [ID](#) Approval of Minutes for the July 16, 2020 Council Meeting and the July 28, 2020 Joint Workshop with the County of Fresno
[20-001012](#)
- 1-B** [ID](#) Actions related to a parking garage at Fresno Yosemite International Airport:
[20-001023](#)
1. Approve Phase Two of a Progressive Design-Build contract with C Overaa & Co., to construct a parking garage at Fresno Yosemite International Airport in an amount not to exceed \$36,100,000 (Council District 4); and
 2. Approve a consulting agreement with BSK and Associates of Fresno, California, to provide geotechnical quality assurance testing and inspection services for the parking garage at Fresno Yosemite International Airport in the amount of \$282,764 (Council District 4).
- 1-C** [ID](#) Actions pertaining to Side Letters of Agreement
[20-00785](#)
1. *** Approve a Side Letter of Agreement with the Fresno Police Officers Association (FPOA), for Unit 4 - Non-Management Police, regarding

Police Officer Lateral Hire Incentives **(Subject to Mayor's Veto)**

2. *** Approve a Side Letter of Agreement with the Fresno City Employees Association (FCEA), for Unit 3 - Non-Supervisory White Collar, regarding Emergency Services Dispatcher Lateral Hire Incentives **(Subject to Mayor's Veto)**

- 1-D [ID](#)
[20-001001](#) ***Approve a Side Letter of Agreement with the International Union of Operating Engineers, Stationary Engineers, Local 39 (Local 39) representing Unit 1, which amends provisions of the Memorandum of Understanding (MOU) between the City and Local 39 regarding Overtime **(Subject to Mayor's Veto)**

- 1-E [ID](#)
[20-001005](#) Actions pertaining to FY 2021 Insurance Expenses:
1. ***RESOLUTION - Approving the reallocation of \$480,000 in the Property Self-Insurance Fund to provide additional funding for FY 2021 insurance expenses (Subject to Mayor's Veto); (5 affirmative votes required).
 2. ***RESOLUTION - Approving the reallocation of \$295,000 in the Liability Self-Insurance Fund to provide additional funding for FY 2021 insurance expenses (Subject to Mayor's Veto); (5 affirmative votes required).

The above item was removed from the agenda by Council President Arias and continued to August 27, 2020.

- 1-F [ID](#)
[20-001017](#) Approve an amendment to the requirements contract with Metron-Farnier, LLC, to increase the total annual contract from \$143,930.68 to \$307,000 for the purchase single jet water meters and parts (Bid File 9396) (Citywide)

- 1-G [ID](#)
[20-001000](#) Reject all bids for the Wellhead Treatment Improvements Construction for Pump Stations 117 and 284 (Bid File 3747) (Council District 2 and County Island within)

- 1-H [ID](#)
[20-00994](#) ***RESOLUTION - Of Intention by the Council of the City of Fresno, California, to grant a Non-Exclusive Franchise for roll-off collection services within the City of Fresno and setting the public hearing for October 29, 2020 at 10:00 A.M. (Citywide) (Subject to Mayor's veto)

RESOLUTION 2020-180 ADOPTED

- 1-I [ID](#)
[20-00953](#) ***BILL NO. B-23 - (Intro. 6/25/2020) (For adoption) - Amending Article 17, Chapter 9, Section 9-1705 of Fresno Municipal Code, relating to Franchise Tow Agreements. (Subject to Mayor's veto)

ORDINANCE 2020-027 ADOPTED

- 1-J** [ID](#) ***Award an Exclusive Franchise Towing and Storage Service Agreement
[20-001021](#) for towing and storage of evidence vehicles by the Fresno Police
Department in the amount of \$405,039.99 for three years including an
option for two one-year extensions, at \$135,013.33 per year to Fortney
Towing, Bid File No. 9515. (Subject to Mayor's veto)
- 1-K** [ID](#) Actions pertaining to the 2019 Edward Byrne Memorial Justice Assistance
[20-001022](#) Grant (JAG) Program:
1. Authorize the Chief of Police to accept \$290,516 in total grant funding for the 2019 JAG Program from the U.S. Department of Justice, Bureau of Justice Assistance for the City and County of Fresno
 2. Authorize the Chief of Police to execute all related documents for the acceptance, modification, extension and administration of 2019 JAG Program
 3. Authorize the Chief of Police to execute an agreement between the City of Fresno and the County of Fresno regarding the 2019 JAG Program
 4. ***RESOLUTION - 10th amendment to the Annual Appropriation Resolution No. 2020-159 appropriating \$78,600 from the 2019 JAG Program award from the U.S. Department of Justice, Bureau of Justice Assistance (Requires 5 affirmative votes) (Subject to Mayor's Veto)

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

- 1-L** [ID](#) Actions pertaining to the 2020 Coronavirus Emergency Supplemental
[20-001024](#) Funding (CESF) Program:
1. Authorize the Chief of Police to apply for and accept \$683,062 in total grant funding for the 2020 CESF Program from the U.S. Department of Justice, Office of Justice Programs and Bureau of Justice Assistance for the City of Fresno
 2. Authorize the Chief of Police to execute all related documents for the application, acceptance, modification, extensions and administration of 2020 CESF Program
 3. ***RESOLUTION - Adopt 9th amendment to the Annual Appropriation Resolution No. 2020-159 appropriating \$683,100 from the 2020 CESF Program award from the U.S. Department of Justice, Office of Justice Programs and Bureau of Justice Assistance (Requires 5 affirmative votes)(Subject to Mayor's Veto)

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

- 1-M [ID](#)
[20-00957](#) Actions pertaining to CARES Act Expense Reimbursements totaling \$99,500:
1. ***RESOLUTION - Adopting the 3rd Amendment to the Annual Appropriation Resolution No. 2020-159 to Appropriate \$60,300 in CARES Act Funds in the Information Services Department for Expense Reimbursement. (Requires 5 affirmative votes) (Subject to Mayor's veto)
 2. ***RESOLUTION - Adopting the 4th Amendment to the Annual Appropriation Resolution No. 2020-159 to Appropriate \$15,300 in CARES Act Funds in the Information Services Department for Expense Reimbursement. (Requires 5 affirmative votes) (Subject to Mayor's veto)
 3. ***RESOLUTION - Adopting the 5th Amendment to the Annual Appropriation Resolution No. 2020-159 to Appropriate \$23,900 in CARES Act Funds in the Information Services Department for Expense Reimbursement. (Requires 5 affirmative votes) (Subject to Mayor's veto)

RESOLUTION 2020-183 ADOPTED

RESOLUTION 2020-184 ADOPTED

RESOLUTION 2020-185 ADOPTED

- 1-N [ID](#)
[20-001026](#) Approve a Third Amendment to the Consultant Services Agreement with SDI Presence LLC., to extend the completion date to December 31, 2020, for a previously approved contract in the amount not to exceed \$130,000.

- 1-O [ID](#)
[20-00961](#)

BILL 29 APPROVED, INTRODUCED AND LAID OVER

RESOLUTION 2020-186 ADOPTED

- 1-P [ID](#)
[20-00982](#) Approve the appointment of Amber Crowell to the Anti-Displacement Task Force

- 1-Q [ID](#)
[20-00995](#) Approve the appointment of Alma Torres, to the City of Fresno Employees Retirement Board.

- 1-R [ID](#)
[20-001019](#) Approve the appointment of Gerald Lee to the Fresno/Clovis Community Media Authority

- 1-S [D](#)
[20-001047](#) Actions pertaining to Animal Control Facility Project: (Council District 4):
1. Approve Consent to Assignment, for a Business Alliance between Northstar General Inc., and Quiring General, LLC., allowing Quiring to Act as General Contractor and provide bonds for the project

2. Approve Side Agreement with Quiring General, LLC.

- 1-T [ID](#)
[20-00978](#) Actions pertaining to 49-acres of City-controlled property at 2155 S. Peach Avenue
1. Adopt a finding of Categorical Exemption pursuant to Class 1, Section 15301 of the California Environmental Quality Act (CEQA) guidelines;
 2. Approve a Memorandum of Understanding with Southeast Fresno Community Economic Development Association (SEFCEDA) regarding ongoing maintenance and proposed development

- 1-U [ID](#)
[20-00984](#) RESOLUTION - Approving the application(s) for per Capita Grant Funds

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

- 1-V [ID](#)
[20-00979](#) RESOLUTION - Declaring property located on the southeast corner of Broadway and Elizabeth Avenues (APN 452-114-34T) to be surplus and directing staff to comply with the Surplus Land Act

The above item was removed from the agenda by Council President Arias and continued to August 27, 2020.

- 1-W [ID](#)
[20-00996](#) Approve the reappointment of Mr. Don Simmons to the Historic Preservation Commission and the appointment of James W. Sponsler to the Council District 3 Project Review Committee

- 1-X [ID](#)
[20-001014](#) Actions pertaining to amending the Census Outreach Agreements to extend time of performance to October 31, 2020 to align with the U.S. Census Bureau extension:
1. Approve an amendment with Educational Leadership Foundation
 2. Approve an amendment with Jakara Movement
 3. Approve an amendment with Fresno Economic Opportunities Commission

Councilmember Chavez recused himself from the above item. The item PASSED 6-0.

- 1-Y [ID](#)
[20-001003](#) Reject all bids for the Downtown Fresno Courthouse Park Interconnectivity Project - Bid File No. 3741 (Council District 3)

- 1-Z [ID](#)
[20-001004](#) Reject all bids for the Maple Avenue Cycle Track and Pedestrian Scramble Improvements - Bid File No. 3740 (Council District 4)

1-AA [ID](#)
[20-001008](#) Approve Fourth Amendment to Agreement with Integrated Designs by SOMAM, Inc., in the amount of \$6,600 increasing the contract amount to \$138,315 for the ADA Upgrades at the City of Fresno Convention Center (Council District 3)

1-BB [ID](#)
[20-001009](#) **RESOLUTION** - Of Intention to Annex Final Tract Map No. 6258 as Annexation No. 112 to the City of Fresno Community Facilities District No. 11 and to Authorize the Levy of Special Taxes; and setting the public hearing for Thursday, September 17, 2020, at 10:00 am (north side of West Ashlan Avenue near the northwest corner of North Hayes and West Ashlan Avenue) (Council District 1)

RESOLUTION 2020-188 ADOPTED

1-CC [ID](#)
[20-00997](#) Approve award of a two-year requirements contract, with options for three one-year extensions, to LNI Custom Manufacturing, Inc., a Hawthorne, California-based company, for the purchase of BRT shelters, in the amount of \$310,968 (Bid File 9545)

1-DD [ID](#)
[20-001064](#) Actions Pertaining to Tollhouse Park (Council District 4):

1. Adopt a finding of Categorical Exemption pursuant to Sections 15301/Class 1, 15303/Class 3, 15304/Class 4, and 15311/Class 11 of the California Environmental Quality Act (CEQA) Guidelines
2. Award a project consulting services contract to KABOOM!, of Washington D.C. in an amount not to exceed \$131,500
3. ***RESOLUTION - Approving the reallocation of \$377,800 within the PARCS Department's UGM Parks Citywide Facility Fees to address funding for Tollhouse Park (Subject to Mayor's Veto) (Requires 5 affirmative votes)

The above item was continued to August 27, 2020.

CONTESTED CONSENT CALENDAR

1-K [ID](#)
[20-001022](#) Actions pertaining to the 2019 Edward Byrne Memorial Justice Assistance Grant (JAG) Program:

1. Authorize the Chief of Police to accept \$290,516 in total grant funding for the 2019 JAG Program from the U.S. Department of Justice, Bureau of Justice Assistance for the City and County of Fresno
2. Authorize the Chief of Police to execute all related documents for the acceptance, modification, extension and administration of 2019 JAG Program
3. Authorize the Chief of Police to execute an agreement between the City of Fresno and the County of Fresno regarding the 2019 JAG Program
4. ***RESOLUTION - 10th amendment to the Annual Appropriation Resolution No. 2020-159 appropriating \$78,600 from the 2019 JAG Program award from the U.S. Department of Justice, Bureau of Justice

Assistance (Requires 5 affirmative votes) (Subject to Mayor's Veto)

Council President Arias asked Chief Hall to briefly describe what the money will be used for or to purchase and if this frees up the General Fund cash or are there plans for the General Fund money. Chief Hall responded.

Councilmember Soria asked what the needs are and what equipment was purchased with the funds. Chief Hall responded.

RESOLUTION 2020-181 ADOPTED

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

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

- 1-L** [ID](#) Actions pertaining to the 2020 Coronavirus Emergency Supplemental
[20-001024](#) Funding (CESF) Program:
1. Authorize the Chief of Police to apply for and accept \$683,062 in total grant funding for the 2020 CESF Program from the U.S. Department of Justice, Office of Justice Programs and Bureau of Justice Assistance for the City of Fresno
 2. Authorize the Chief of Police to execute all related documents for the application, acceptance, modification, extensions and administration of 2020 CESF Program
 3. ***RESOLUTION - Adopt 9th amendment to the Annual Appropriation Resolution No. 2020-159 appropriating \$683,100 from the 2020 CESF Program award from the U.S. Department of Justice, Office of Justice Programs and Bureau of Justice Assistance (Requires 5 affirmative votes)(Subject to Mayor's Veto)

Council President Arias asked if the money was going to be used to purchase weapons. Chief Hall responded no.

Councilmember Soria asked if the \$92,000 CARES Act will be expended first before the \$683,062 funding. Chief Hall responded.

RESOLUTION 2020-182 ADOPTED

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

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

1-U [ID 20-00984](#) RESOLUTION - Approving the application(s) for per Capita Grant Funds

Council President Arias asked about the Tupman Pocket Park. Assistant Director Chamberlin responded.

Councilmember Soria asked staff what tools were used in selecting the parks to prioritize. Assistant Director Chamberlin responded.

RESOLUTION 2020-187 ADOPTED

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

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

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:00 A.M.#1

[ID 20-001011](#)

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. 111 (Final Tract Map No. 6249) (south side of East Copper Avenue between North Willow and Chestnut Avenues) (Council District 6)

1. *****RESOLUTION** - To Annex Territory to Community Facilities District No. 11 and Authorizing the Levy of a Special Tax for Annexation No. 111 (Subject to Mayor’s Veto)
2. *****RESOLUTION** - Calling Special Mailed-Ballot Election (Subject to Mayor’s Veto)
3. *****RESOLUTION** - Declaring Election Results (Subject to Mayor’s Veto)
4. *****BILL** - (For introduction and adoption) - Levying a Special Tax for the Property Tax Year 2020-2021 and Future Tax Years Within and Relating to Community Facilities District No. 11, Annexation No. 111 (Subject to Mayor’s Veto)

The item was called to order at 3:42 P.M. There was no introduction to Council and upon call, there was no public comment and no Council discussion.

RESOLUTION 2020-189 ADOPTED
RESOLUTION 2020-190 ADOPTED
RESOLUTION 2020-191 ADOPTED
BILL 30/ORDINANCE 2020-028 ADOPTED

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

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

10:00 A.M.#2

[ID](#)
[20-001007](#)

HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community Facilities District No. 9, Annexation No. 45 (Final Tract Map No. 6290) (south side of West San Jose Avenue, west of North Maroa Avenue between North Nantucket and Colonial Avenues) (Council District 2)

1. *****RESOLUTION** - To Annex Territory to Community Facilities District No. 9 and Authorizing the Levy of a Special Tax for Annexation No. 45 (Subject to Mayor’s Veto)
2. *****RESOLUTION** - Calling Special Mailed-Ballot Election (Subject to Mayor’s Veto)
3. *****RESOLUTION** - Declaring Election Results (Subject to Mayor’s Veto)
4. *****BILL** - (For introduction and adoption) - Levying a Special Tax for the Property Tax Year 2020-2021 and Future Tax Years Within and Relating to Community Facilities District No. 9, Annexation No. 45 (Subject to Mayor’s Veto)

The item was called to order at 3:43 P.M. There was no introduction to Council and upon call, there was no public comment and no Council discussion.

RESOLUTION 2020-192 ADOPTED
RESOLUTION 2020-193 ADOPTED

RESOLUTION 2020-194 ADOPTED

BILL 31/ORDINANCE 2020-029 ADOPTED

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

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

10:00 A.M.#3

[ID](#)
[20-001010](#)

HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community Facilities District No. 9, Annexation No. 46 (Parcel A of Final Parcel Map No. 2019-06) (northeast corner of North First and East Nees Avenues) (Council District 6)

1. *****RESOLUTION** - To Annex Territory to Community Facilities District No. 9 and Authorizing the Levy of a Special Tax for Annexation No. 46 (Subject to Mayor's Veto)
2. *****RESOLUTION** - Calling Special Mailed-Ballot Election (Subject to Mayor's Veto)
3. *****RESOLUTION** - Declaring Election Results (Subject to Mayor's Veto)
4. *****BILL** - (For introduction and adoption) - Levying a Special Tax for the Property Tax Year 2020-2021 and Future Tax Years Within and Relating to Community Facilities District No. 9, Annexation No. 46 (Subject to Mayor's Veto)

The above item was continued to September 17, 2020 at 10:00 A.M.

10:00 A.M.#4

[ID](#)
[20-001013](#)

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

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

The above item was continued to September 17, 2020 at 10:05 A.M.

10:00 A.M.#5

[ID](#)
[20-00932](#)

CONTINUED HEARING to consider Annexation Application No. P19-02239, Plan Amendment/Rezone Application No. P19-02237, Vesting Tentative Tract Map No. 6234/UGM, and related Environmental Assessment No. T-6234/P19-02237/P19-02239, for property located on the west side of North Hayes Avenue between West Ashlan and West Shields Avenues (Council District 1) - Planning and Development Department.

1. ADOPT the finding of a Mitigated Negative Declaration as prepared for Environmental Assessment No. T-6234/P19-02237/P19-02239 dated March 13, 2020 for the proposed project pursuant to the California Environmental Quality Act (CEQA).
2. ***RESOLUTION - Approving Annexation Application No. P19-02239 proposing to initiate proceedings for the Dakota-Hayes No. 4 Reorganization to annex the ±235 acre property to the City of Fresno; and detachment from the North Central Fire Protection District and the Kings River Conservation District. (Subject to Mayor's Veto.)
3. RESOLUTION - Approving Plan Amendment Application No. P19-02237 proposing to amend the Fresno General Plan and the West Area Community Plan to change the planned land use designations for the subject property from the Low Density Residential (±1.06 acres), Medium-High Density Residential (±9.76 acres), Urban Neighborhood (±17.26 acres) and Open Space/Neighborhood Park (±5.25 acres) planned land use designations to the Medium Density Residential (±35.88 acres) land use designation.
4. BILL (For introduction and adoption) - Approving Pre-zone Application No. P19-02237 proposing to pre-zone the subject property from the Fresno County RR (*Rural Residential*) to the City of Fresno RS-3/UGM/ANX (*Single Family Residential, Low Density/Urban Growth Management/Annexed Rural Residential Transitional Overlay*), RS-5/UGM (*Residential Single Family, Urban Growth Management*), RS-5/UGM/ANX (*Residential Single Family, Medium Density/Urban Growth Management/Annexed Rural Residential Transitional Overlay*), RM-2/UGM/ANX (*Residential Multi-Family, Urban Neighborhood Density/Urban Growth Management/Annexed Rural Residential Transitional Overlay*) and OS/UGM/ANX (*Open Space/Urban Growth Management/Annexed Rural Residential Transitional Overlay*) zone districts in accordance with the Fresno General Plan and pursuant to the proposed General Plan Amendment.
5. APPROVE Vesting Tentative Tract Map No. 6234/UGM, proposing to subdivide approximately 88.1 acres of the subject property into a 486-lot single-family residential development subject to compliance with the Conditions of Approval dated May 20, 2020, and contingent upon approval of Annexation No. P19-02239, Plan Amendment/Rezone

Application No. P19-02237 and the related environmental assessment.

6. APPROVE Indemnification Agreement with Edward D. Fannuchi for indemnity related to claims arising from SB 330.

The above item was continued to September 17, 2020 at 10:15 A.M.

10:05 A.M.#1 JOINT MEETING WITH THE FRESNO JOINT POWERS FINANCING AUTHORITY

[ID](#)
[20-00955](#)

Actions pertaining to the Fresno Joint Powers Financing Authority Lease Revenue Refunding Bonds (Various Capital Projects), Series 2004:

1. RESOLUTION of the City Council of the City of Fresno authorizing the release of facilities (Promenade Parking Lot) and amendment to the Facilities Lease and Facilities Sublease relating to the Fresno Joint Powers Financing Authority Lease Revenue Refunding Bonds (Various Capital Projects), Series 2004 and approving the taking of all necessary or desirable actions in connection therewith (Council action)
2. RESOLUTION of the Fresno Joint Powers Financing Authority authorizing the release of facilities (Promenade Parking Lot) and amendment of the Facilities Sublease relating to the Fresno Joint Powers Financing Authority Lease Revenue Refunding Bonds (Various Capital Projects), Series 2004 and approving the taking of all necessary or desirable action in connection therewith (Authority action)

The item was called to order at 3:46 P.M. Upon call, there was no public comment.

Councilmember Soria asked if the committee met ahead of time, if the item was time sensitive and suggested the matter be continued to the next meeting.

Council President Arias motioned to continue the item to August 27, 2020. Councilmember Chavez seconded the motion.

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

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

10:10 A.M.

[ID](#)
[20-001050](#)

TEFRA HEARING - To hear and consider information concerning the proposed issuance of Multifamily Housing Revenue Bonds by California Statewide Communities Development Authority for the purpose of financing or refinancing the acquisition, rehabilitation, improvement and equipping of Pleasant Village Apartments

1. ***RESOLUTION - Approving the issuance by the California Statewide Communities Development Authority of Multifamily Housing Revenue Bonds, in an aggregate principal amount not to exceed \$15 million for the purpose of financing or refinancing the acquisition, rehabilitation, improvement and equipping of Pleasant Village Apartments and certain other matters relating thereto (Subject to Mayor's veto).

The item was called to order at 3:49 P.M. and introduced to Council by Director Lima, Finance Department. Upon call, there was no public comment and the hearing was closed at 3:51 P.M.

Councilmember Soria asked about the timeline of the rehab. Representative Franklin Hess responded.

RESOLUTION 2020-195 ADOPTED

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

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

10:15 A.M. - SCHEDULED COMMUNICATION

[ID](#)
[20-00933](#)

Appearances by Char Ghan and Kim Castro to review the Declaration of Independence for unity purposes. (Speakers reside in District 2)

The above item was removed from the agenda by the requested speaker.

10:20 A.M.

[ID](#)
[20-00944](#)

Actions pertaining to the Permanent Local Housing Allocation 5-Year Plan:

1. HEARING to obtain public comments regarding Permanent Local Housing Allocation 5-Year Plan
2. ***RESOLUTION - Adopting and authorizing submission of a five-year Plan to the California Housing and Community Development Department in application for funding from the

Permanent Local Housing Allocation (PLHA) for the development of affordable multifamily and single family housing, owner occupied home rehabilitation, and down payment assistance to benefit low- and moderate- income persons and authorizing the City Manager to sign all necessary implementing documents (Subject to Mayor's Veto)

3. ***RESOLUTION - 2nd amendment to the Annual Appropriation Resolution No. 2020-159 appropriating \$3,407,700 for affordable housing development, housing rehabilitation, and homebuyer assistance through state entitlement grant programs (Requires 5 affirmative votes) (Subject to Mayor's veto)

The item was called to order at 4:00 P.M. and was introduced to Council by Administrative Manager Jenks, Planning and Development Department. Upon call, the following member of the public addressed Council Brandi Villegas and Sheng Xiong.

Councilmember Esparza spoke regarding the portion that is going to be used for single family and he proposed that it be a multifamily. He proposed reallocating the new single family construction to a different category preferably multifamily.

Discussion was held between Councilmembers and Administrative Manager Jenks regarding single family and multifamily housing, home rehabilitation and what category is most preferred.

Councilmember Esparza motioned to approve the resolution as submitted with direction to come back with amendments on the allocation of housing. Councilmember Karbassi seconded the motion.

RESOLUTION 2020-196 ADOPTED

RESOLUTION 2020-197 ADOPTED

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

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

10:35 A.M.

[ID](#)[20-001018](#)

Action related to conversion of motels to permanent residences by modifying zoning and use regulations for Lodging-to-Dwelling uses within the City of Fresno.

***BILL NO. B-___ - (Intro. 8/20/2020) (For adoption) - Adding Section 15-2737.5 to the Fresno Municipal Code, relating to Lodging-to-Dwelling conversion requirements; amending Table 15-1102 relating to use regulations for Mixed-Use Districts; amending Table 15-1202 relating to land use regulations for Commercial Districts; amending Table 15-1302 relating to land use regulations for Employment Districts; and amending Table 15 -1502 relating to use regulations for Downtown Districts and amending Section 15-6702 relating to definitions for residential use classifications related to Text Amendment Application No. P20-00460, to modify zoning and use regulations for Lodging-to-Dwelling uses within the City of Fresno. (Subject to Mayor's veto.)

Councilmember Soria read into the record section F(d)(i) Efficiency Unit Kitchens and F(d)(ii) Common Use Kitchen, and F(f) Converted Efficiency Units. "Units converted to residential efficiency units shall comply with Healthy and Safety Code section 17958.1 and occupancy by no more than two persons is permitted when the unit has a minimum floor area of 150 square feet, and partial kitchen or bathroom facilities as set forth in the Minimum Standards, above."

The above item was introduced to Council by Planner II George, Planning and Development Department and Council President Arias, District 3.

Upon call, the following member of the public addressed Council: Brandi Villegas.

BILL 32 APPROVED, INTRODUCED AND LAID OVER

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

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

10:40 A.M.

[ID](#)
[20-00986](#)

HEARING to consider the adoption of Plan Amendment Application No. P19-04226 and related Final Program Environmental Impact Report (FPEIR), State Clearinghouse (SCH) # 2019050005. The following applications have been filed by the Planning and Development Department Director and pertain to the Planning Area of the City of Fresno:

1. **REVIEW AND CONSIDER Final Program Environmental Impact Report** (Draft PEIR SCH No. 2019050005 and Response to Comments Document), apply the Council's independent judgment and analyses to the review, and then adopt the resolution certifying the FPEIR including the GHG Reduction Plan set forth in Appendix G of the FPEIR, as having been completed in compliance with the California Environmental Quality Act (CEQA), based on the Planning Commission's recommendations on the proposed Final Program EIR and comments thereon.
 - a. **ADOPT** an appropriate Mitigation Monitoring and Reporting Program (MMRP) as required by Public Resources Code Section 21081.6 and CEQA Guidelines Section 15097;
 - b. **FIND** that based upon testimony presented by staff, there are significant, unavoidable, environmental impacts which have not been mitigated to a level below significant. Therefore, the City Council should adopt the findings of fact and adopt an appropriate statement of overriding considerations pursuant to Public Resources Code Section 21081 and CEQA Guidelines Sections 15091 and 15093; and
 - c. **ADOPT** the Greenhouse Gas Reduction Plan Update set forth in Appendix G, pursuant to CEQA Guidelines Section 15183.5(b).
2. **APPROVE Plan Amendment Application No P19-04226** which requests authorization to amend the text of the Fresno General Plan Mobility and Transportation Element to add a Vehicle Miles Traveled policy consistent with California Senate Bill (SB) 743 and to revise policies and text relating to Level of Service (LOS) metrics to update applicability.

The above item was continued to September 17, 2020 at 10:10 A.M.

3. GENERAL ADMINISTRATION

- 3-A [ID](#)
[20-001020](#) ***RESOLUTION - Adopting the 8th Amendment to the Annual Appropriation Resolution No. 2020-159 appropriating \$68,389,900 for new capital projects in the Public Works Department (citywide) (Subject to Mayor's veto) (Requires 5 votes)

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

Department. Upon call, there was no public comment and no Council discussion.

RESOLUTION 2020-198 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: 7 - Arias, Caprioglio, Soria, Karbassi, Chavez, Bredefeld and Esparza

3-B [ID](#) WORKSHOP - Santa Clara Street Area Update
[20-001046](#)

The above workshop was presented to Council by Director of Strategic Initiatives Spees, Mayor's Office. Council President Arias gave an updated on Santa Clara Street.

Upon call, the following member addressed Council: Dez Martinez and Brandi Villegas.

Councilmembers expressed their concerns and frustrations regarding Santa Clara Street and would like to have the area cleaned immediately.

Council President Arias motioned to direct staff to come back within two weeks with the clean up of Santa Clara Street, to enter into a service contract that is necessary for the Administration to execute the clean up of Santa Clara Street within the next 15 days. Councilmember Bredefeld seconded the motion.

On motion of President Arias, seconded by Councilmember Bredefeld, to give direction to staff to execute the clean up of Santa Clara Street within the next 15 days. The motion carried by the following vote:

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

4. CITY COUNCIL

4-A [ID](#) 20-00952 Approve a voting delegate, and two Councilmembers as voting alternates for the League of California Cities annual business meeting on Friday, October 9, 2020

Councilmember Bredefeld motioned to appoint Council President Arias as a voting delegate and Councilmember Soria and Councilmember Bredefeld as an alternate. Councilmember Soria seconded the motion.

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

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

PLEASE NOTE: UNSCHEDULED COMMUNICATION IS NOT SCHEDULED FOR A SPECIFIC TIME AND MAY BE HEARD ANY TIME DURING THE MEETING

UNSCHEDULED COMMUNICATION

Unscheduled Communication was taken with Consent Calendar.

eComments

[ID](#) 20-001128 eComments and Emails received for August 20, 2020 Regular Meeting

ADJOURNMENT

City Council adjourned at 5:14 P.M.