



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, May 2, 2024

9:00 AM

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

Regular Meeting

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

9:15 A.M. ROLL CALL

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

Invocation by Tribal Elder Audrey Yo-Wis-Nuth Osborne from Choinumni Yokuts

Invocation led by Tribal Elder Audrey Yo-Wis-Nuth Osborne

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:

Ceremonial Item (ID 24-509) regarding Proclamation for “International Workers Day” Councilmember Arias requested the proclamation title change to “Immigrant Workers Day”

Consent Calendar item 2-D (ID 24-574) regarding actions pertaining to acceptance of grant funding from Fresno Unified School District (FUSD) - Councilmember Chavez has a financial interest in Fresno Unified School District, but pursuant to the Government Code does not have a conflict with item 2-D.

*Consent Calendar item 2-V (ID 24-613) regarding authorize the City Manager to accept \$9,300,000 in grant funding from the San Joaquin River Conservancy - The title was modified to read: ***Authorize the City Manager to accept \$9,300,000 in grant funding from the San Joaquin River Conservancy to be used for the River West Project and execute all documents necessary for use of said funds unless the Conservancy has received an extension from the Department of Finance to expend the \$9.3 million grant funds and indicates to the City in writing that it no longer necessitates the City to accept the funds, if which case the City shall no longer accept funds (Subject to Mayor's Veto).*

THE FOLLOWING ITEMS WERE REMOVED FROM THE AGENDA:

Scheduled Hearing 9:15 A.M. (ID 24-529) regarding hearing for consideration of Text Amendment application No. P23-01018 and related Environmental Findings - was removed from the agenda by staff and tabled to May 23, 2024.

Schedule Hearing 9:20 A.M. (ID 24-424) regarding consideration of an appeal related to Zoning Inquiry No. P23-02357 for Bauer’s Towing located on approximately 0.71 acres between West Voorman and West Nielsen Avenues, west of North Thorne Avenue in Fresno, California – Councilmember Arias withdrew the appeal of the Planning Commission's decision on 02357 per Fresno Municipal Code Section 15-5017 (C)(3).

Schedule Hearing 5:00 P.M. (ID 24-577) regarding hearing on Proposed

Increases to Residential Solid Waste Service Charges in Accordance with Proposition 218 - The 5:00 P.M. hearing was removed from the agenda and re-noticed and rescheduled to June 20, 2024, at 5:00 P.M. For that reason, there was no public comments on that matter today.

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

2-B (ID 24-571) regarding the approval of appointment of Linda Calandra to the Planning Commission to a term ending June 30, 2027 - was moved to Contested Consent by Councilmember Arias.

2-C (ID 24-494) regarding actions pertaining to a Transportation Art Project Maintenance Agreement at San Pablo Park (District 3) - was moved to Contested Consent by Councilmember Arias.

2-R (ID 24-479) regarding approve the renewal of the Fresno Police Department Annual Military Equipment Use Report as originally required by Assembly Bill 481 - was moved to Contested Consent by Councilmember Arias.

2-S (ID 24-517) regarding actions pertaining to Requirements Contract for off-site hydrogen fuel - was moved to Contested Consent by Vice President Karbassi.

On motion of Councilmember Arias, seconded by Councilmember Maxwell, the above 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 24-552](#) Proclamation of "Terry Cox Day"

PRESENTED

[ID 24-610](#) Proclamation for "Sam Frank Day"

PRESENTED

[ID 24-509](#) Proclamation for “International Workers Day”

The above proclamation title change to “Immigrant Workers Day”

PRESENTED

[ID 24-256](#) Proclamation for "May 2024 as Missing and Murdered Indigenous Peoples Month."

PRESENTED

[ID 24-320](#) Proclamation for “National Police Week” and “Peace Officers Memorial Day”

PRESENTED

[ID 24-396](#) Proclamation for "Asian American and Pacific Islander Heritage Month"

PRESENTED

[ID 24-535](#) Proclamation for “Historic Preservation Month”

PRESENTED

COUNCILMEMBER REPORTS AND COMMENTS

Councilmember Arias Reports and Comments: Expressed appreciation to the Parks Department for the Broadway Parque item on the consent calendar. Acknowledged staff for the cleanup on Parkway. Raised concerns about the encampments developing between the cemeteries and west of the 99 freeway.

Councilmember Maxwell Reports and Comments: Attended Fresno State Vintage Days, celebrating its 50th anniversary. Visited Vineland Elementary School's open house. Acknowledged Public Works for completing infrastructure projects -repaving Dakota Avenue and Initiating repaving work in the neighborhood between Fresno, Gettysburg, and Ashlan.

Councilmember Chavez Reports and Comments: Expressed gratitude to Public Works for progress on the Complete Streets project in the Jackson neighborhood. Announced plans for an inaugural bike ride and pedestrian walk. Acknowledged Fresno Unified for their partnership in the demolition of

the old juvenile hall and upcoming completion of a new school site. Noted ongoing efforts to address issues related to homes with reverse mortgages.

Councilmember Bredefeld Reports and Comments: Discussed Hamas's actions, particularly against Israel and expressed his support for Israel.

Councilmember Esparza Reports and Comments: Participated in tree planting at Romain Park on Earth Day. Attended the Fresno Police and Neighborhood Watch Block Captain's Appreciation Lunch. Attended the ribbon-cutting ceremony for the Fresno Chaffee Zoo Festival, sponsored and televised by Univision.

Vice President Karbassi Reports and Comments: Acknowledged Fresno County Board of Supervisor Brian Pacheco for collaborating to install a hawk signal at Herndon and Barstow Elementary. Acknowledged Principal Debbie Bolls, for hosting the Pinedale Cares Luncheon. Attended the Employee Service Awards event. Attended Great American Cleanup in Northwest Fresno. Acknowledged the recent Police Department swearing-in ceremony. Acknowledged Terry Cox and her retirement. Acknowledged Public Works Department for their work on the Bullard median at Fig Garden, including cleanup, irrigation installation, tree removal, and planting.

Council President Perea Reports and Comments: Acknowledged the Economic Development Corporation team for the Real Estate Forecast event. Acknowledged Tower District Rotary Club and Goldstein and Highway City for collaborating with the team and Beautify Fresno to organize a cleanup effort in Tower District. Participated in the Armenian flag raising ceremony. Congratulated City Hall employees for their years of service. Recognized the Spot Archery as the Business of the Month. Announces the kickoff of a series of town halls for 2024, with the first one held at the Big Red Church. Addressed the hate crime incident in the Tower District.

MAYOR/MANAGER REPORTS AND COMMENTS

Mayor Dyer Reports and Comments: Participated in the Great American Cleanup. Participated in the Earth Day tree planting at Romain Park.

Participated in the Armenian Genocide flag raising ceremony. Attended the Real Estate Forecast event hosted by the Economic Development Corporation. Traveled to Sacramento for a big city mayor's visit, meeting with state officials to discuss homeless funding. Traveled to Washington DC to advocate for increased flexibility on CDBG dollars.

CITY CLERK AND CITY ATTORNEY REPORTS AND COMMENTS

City Clerk Stermer Reports and Comments: Congratulated Assistant City Clerk Parra for recent graduation from Fresno Pacific University.

City Attorney Janz Reports and Comments: Announced upcoming Tire Amnesty Day scheduled for Saturday, May 11, 2024, from 8:00 to 11:00 A.M.

1. SCHEDULED COUNCIL HEARINGS AND MATTERS

9:15 A.M.

[ID 24-529](#) HEARING for Consideration of Text Amendment Application No. P23-01018 and related Environmental Finding for Environmental Assessment No. P23-01018, amending Section 15-2009 of the Fresno Municipal Code, relating to locations where razor wire fencing is permitted.

1. ADOPTION of a finding set forth in Environmental Assessment No. P23-01018, that Text Amendment Application No. P23-01018 is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303/Class 3 of the CEQA Guidelines.
2. BILL (for introduction) amending Chapter 15 of the Fresno Municipal Code, Section 15-2009, relating to the locations where razor wire fencing is permitted.

The above item was removed from the agenda by staff and tabled to May 23, 2024.

TABLED

9:20 A.M.

[ID 24-424](#) Consideration of an appeal related to Zoning Inquiry No. P23-02357 for Bauer's Towing located on approximately 0.71 acres between West Voorman and West Nielsen Avenues, west of North Thorne Avenue in Fresno, California (Council District 3) - Planning and Development Department.

1. DENY the appeal and UPHOLD the determination that Bauer's

Towing is not in conformance with Policy and Procedure No. C-002 as reflected in the Zoning Inquiry response dated September 26, 2023, as prepared by the Planning and Development Department Director; and

2. Deny the appeal and UPHOLD the determination in the Zoning Inquiry response dated September 26, 2023, that Bauer's Towing is a legal non-conforming use and, absent any expansion and/or change in use, could continue to operate indefinitely.

Councilmember Arias withdrew the appeal of the Planning Commission's decision on P23-02357 per Fresno Municipal Code Section 15-5017 (C)(3).

TABLED

9:30 A.M.

[ID 24-522](#)

HEARING to adopt resolutions and ordinance to annex territory and Levy a Special Tax regarding City of Fresno Community Facilities District Number 9, Annexation Number 57 (territory known as Assessor's Parcel Number 329-090-19) (Southwest corner of East North Avenue and South East Avenue) (Council District 3)

1. ***RESOLUTION - to Annex Territory to Community Facilities District No. 9 and Authorizing the Levy of a Special Tax for Annexation No. 57 (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 2024-2025 and Future Tax Years Within and Relating to Community Facilities District No. 9, Annexation No. 57 (Subject to Mayor's Veto)

The above hearing was called to order at 11:19 A.M. and was introduced to Council by Director Mozier. Upon call, there was no public comment. The public comment period closed at 11:21 A.M and there was no council discussion.

RESOLUTION 2024-081 ADOPTED

RESOLUTION 2024-082 ADOPTED

RESOLUTION 2024-083 ADOPTED

BILL B-12 APPROVED / ORDINANCE ADOPTED AS 2024-013

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

by the following vote:

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

9:35 A.M.

[ID 24-584](#) Appearance by Jorge Zavala to discuss Damages and misappropriation for disadvantages for businesses enterprise and city violations (District 4 Resident)

APPEARED

9:40 A.M. JOINT MEETING OF THE CITY COUNCIL, THE CITY OF FRESNO IN ITS CAPACITY AS HOUSING SUCCESSOR TO THE REDEVELOPMENT AGENCY OF THE CITY OF FRESNO, AND FRESNO REVITALIZATION CORPORATION

[ID 24-598](#) Actions pertaining to property located at 887 Fulton Street (APN 468-282-21T) (Berkeley Building):

1. Adopt a finding of Categorical Exemption pursuant to Section 15332 (Infill) of the California Environmental Quality Act (CEQA) Guidelines
2. ***RESOLUTION - Finding substantial community benefits to justify a sales price less than fair market value and finding good cause and clear and convincing benefit to the public to allow close of escrow on the property to extend beyond 12 months of Council approval pursuant to Fresno Municipal Code Section 4-204 relating to the disposition of real property commonly known as 887 Fulton Street (Subject to Mayor's veto) (Requires 5 affirmative votes)
3. Approve a Disposition and Development Agreement between the City in its capacity as Housing Successor and the Fresno Area Hispanic Foundation, a California non-profit corporation

The above hearing was called to order at 11:25 A.M. and was introduced to Council by Executive Director Murphey. Upon call, there was no public comment. The public comment period closed at 11:27 A.M.

Council discussion on this item included: Any roadblocks and the need for immediate notification; ensure the project has experienced architects and engineers; addressing flood control issues, and seeking successful models for overcoming similar challenges.

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

vote:

Aye (8): Perea, Karbassi, Arias, Maxwell, Chavez, Bredefeld, Esparza, Dyer
No (0):

RESOLUTION 2024-084 ADOPTED

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

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

10:00 A.M. (RESCHEDULED TO MAY 23, 2024, AT 10:00 A.M.)

- [ID 24-578](#) HEARING to adopt resolutions and ordinance to annex territory and Levy a Special Tax regarding City of Fresno Community Facilities District Number 9, Annexation Number 59 (Final Parcel Map Number 2004-36) (East Belmont Avenue and North Laverne Avenue) (Council District 5)
1. ***RESOLUTION - to Annex Territory to Community Facilities District No. 9 and Authorizing the Levy of a Special Tax for Annexation No. 59 (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 2024-2025 and Future Tax Years Within and Relating to Community Facilities District No. 9, Annexation No. 59 (Subject to Mayor's Veto)

The above item was removed from the agenda by staff and rescheduled to May 23, 2024, at 10:00 A.M.

TABLED

5:00 P.M. (RE-NOTICED AND RESCHEDULED TO JUNE 20, 2024 AT 5:00 P.M.)

- [ID 24-577](#) HEARING on Proposed Increases to Residential Solid Waste Service Charges in Accordance with Proposition 218

The above item was removed from the agenda by staff, re-noticed, and rescheduled to June 20, 2024, at 5:00 P.M.

TABLED

2. CONSENT CALENDAR

Upon call, the following members of the public addressed Council: Brandi Nuse-Villegas (2-E & 2-W); Michael Lewison (2-S); Dez Martinez (2-W); Michael Maher (2-S); Bob McCloskey (2-W), and James Ruelas (2-E & 2-W).

APPROVAL OF THE CONSENT CALENDAR

On motion of Councilmember Arias, seconded by Vice President Karbassi, the CONSENT CALENDAR was hereby adopted as amended without Consent Calendar Item 2-W (ID 24-579) by the following vote:

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

- 2.-A.** [ID 24-585](#) Approval of the minutes for April 18, 2024, regular meeting

APPROVED ON CONSENT CALENDAR

- 2.-D.** [ID 24-574](#) Actions pertaining to acceptance of grant funding from Fresno Unified School District (FUSD):
1. Approve a one-year agreement between the City of Fresno (City) and FUSD to conduct Sports, Play, Active Recreation for Kids (SPARK) curriculum at up to twenty-nine (29) school sites from August 2024 through June 2025.
 2. Authorize the City Manager to execute the Independent Services Agreement and any amendments in an amount not to exceed \$ 850,000.

Councilmember Chavez has a financial interest in Fresno Unified School District, but pursuant to the Government Code does not have a conflict with item 2-D.

APPROVED ON CONSENT CALENDAR

- 2.-E.** [ID 24-485](#) Approve a First Amendment to the Service Agreement with Housing Authority of the City of Fresno for operation of Journey Home emergency shelter extending the contract term to June 30, 2025, and increasing funding by \$2,030,822.77 in Homeless Housing, Assistance, and Prevention funds (HHAP) for a total award of \$4,230,897.77.

APPROVED ON CONSENT CALENDAR

- 2.-F.** [ID 24-407](#) Approve the award of a Services Agreement to ARC Document Solutions,

Inc. of San Ramon, California to provide document imaging and indexing in an amount of \$28,390 with a contingency not to exceed \$10,000 (Bid File 12401718)

APPROVED ON CONSENT CALENDAR

- 2.-G. [ID 24-319](#) Approve actions pertaining to the Blythe Village Project to be located at 3572 N. Blythe Avenue in west central Fresno (District 1).
1. Adopt a finding of Categorical Exemption per staff's determination, pursuant to Section 15332/Class32 (Infill Development); and
 2. Approve a Community Development Block Grant Program Agreement in the amount of \$400,000 with Blythe Village, LP for the acquisition of the Blythe Village site for the subsequent development of a 67-unit manufactured rental housing property; and
 3. Approve a HOME Investment Partnerships Program Agreement in the amount of \$1,800,000 with Blythe Village, LP for hard construction costs of the project; and
 4. ***Resolution - Proposing to provide Blythe Village, LP, a limited partnership, with a financial commitment to the Blythe Village Project in an amount not to exceed \$800,000 (Subject to Mayor's Veto).

RESOLUTION 2024-085 ADOPTED

APPROVED ON CONSENT CALENDAR

- 2.-H. [ID 24-528](#) Approve a Consultant Services Agreement through July 31, 2025 in the amount of \$144,337.50 with Mosaic Community Planning, LLC for consulting services for the 2025-2029 Consolidated Plan for Housing and Community Development and the 2025 Analysis of Impediments.

APPROVED ON CONSENT CALENDAR

- 2.-I. [ID 24-566](#) Approve First Amendment to Consultant Services Agreement with SWCA Environmental Consultant for environmental consulting services for the Community Development Division's U.S. Department of Housing and Urban Development-funded projects, programs, and activities. The Amendment extends the Agreement from July 1, 2024, to July 1, 2025.

APPROVED ON CONSENT CALENDAR

- 2.-J. [ID 24-545](#) Approve a Regulatory Agreement and Declaration of Restrictive Covenants between the City of Fresno and Valley Teen Ranch and for the benefit as a third-party beneficiary the State of California Department of Housing and Community Development regarding the Homekey 3 Welcome Home project located at 6507 North Polk Avenue (District 2).

APPROVED ON CONSENT CALENDAR

- 2.-K. [ID 24-523](#) Actions pertaining to the Blackstone McKinley BNSF Grade Separation Project (Council Districts 1 and 7):
1. Approve the Agreement for Purchase and Sale of Real Property and Escrow Instructions to acquire fee interest of a 0.11-acre (4,800 square feet) parcel improved with a single-family residence located at 1599 North Calaveras Street (Assessor's Parcel Number (APN) 451-063-02), owned by Edward D. Fanucchi and Mariangela Tosto, in the amount of \$525,000;
 2. Approve the Agreement for Purchase and Sale of Real Property and Escrow Instructions to acquire fee interest of a 0.115-acre (5,000 square feet) parcel improved with a single-family residence located at 1598 North Glenn Avenue (APN 451-063-01), owned by Edward D. Fanucchi, in the amount of \$340,000;
 3. Approve the Agreement for Purchase and Sale of Real Property and Escrow Instructions to acquire fee interest of a 0.115-acre (5,000 square feet) parcel improved with a single-family residence located at 1592 North Glenn Avenue (APN 451-063-30), owned by Allan Foglio Jr. and Jennifer Foglio, in the amount of \$225,000.

APPROVED ON CONSENT CALENDAR

- 2.-L. [ID 24-532](#) Actions pertaining to the Upgrade Reclamation Well Power Poles 15KV Line Separation at the Fresno-Clovis Regional Wastewater Reclamation Facility Project (Bid File 12401459) (Council District 3):
1. Adopt a finding of Categorical Exemption per staff's determination, pursuant to Sections 15301/Class 1 and 15302/Class 2 of the California Environmental Quality Act Guidelines;
 2. Award a construction contract in the amount of \$181,818.50 to A-C Electric Company, of Bakersfield, California, as the lowest responsive and responsible bidder.

APPROVED ON CONSENT CALENDAR

- 2.-M. [ID 24-527](#) Approve the Second Amendment to the Professional Architectural Services Agreement with Temple-Andersen-Moore-Architects, LLP, of Fresno, California, in the amount of \$8,500, increasing the total contract amount to \$206,380, with an additional contingency amount not to exceed \$50,000 due to increased scope of services for the Paul "Cap" Caprioglio Community Center Remodel Project. (Council District 4)

APPROVED ON CONSENT CALENDAR

- 2.-N. [ID 24-530](#) Actions pertaining to the Broadway Parque (formerly known as South Tower Park) Project, Bid File 12401868 (Council District 3):
1. Adopt a finding of a Categorical Exemption per staff's

determination, pursuant to Sections 15332/Class 32 and 15304/Class 4 of the California Environmental Quality Act (CEQA) Guidelines, Environmental Assessment No. PC00204, for the Broadway Parque Project;

2. Approve a substitution of the listed subcontractor Ross Rec with King Khan Drilling & Construction Company;
3. Award a construction contract in the amount of \$2,480,119, for the Base Bid plus all five (5) Add Alternates, with Stockbridge General Contracting, Inc. of Clovis, California, as the lowest responsive and responsible bidder for the Broadway Parque Project.

APPROVED ON CONSENT CALENDAR

- 2.-O. [ID 24-519](#) RESOLUTION - Approving the Final Map of Tract No. 6269, and accepting dedicated public uses offered therein except for dedications offered subject to City acceptance of developer installed required improvements - located on the southwest corner of North Willow Avenue and North Alicante Drive (Council District 6).

RESOLUTION 2024-086 ADOPTED

APPROVED ON CONSENT CALENDAR

- 2.-P. [ID 24-521](#) ***RESOLUTION - Adopt the 51st Amendment to the Annual Appropriation Resolution No. 2023-185 appropriating \$878,500 for the Water Connection Charge Fund for completion of water system connection projects. (Requires 5 Affirmative Votes) (Subject to Mayor's Veto) (Citywide).

RESOLUTION 2024-087 ADOPTED

APPROVED ON CONSENT CALENDAR

- 2.-Q. [ID 24-524](#) Award a requirements contract to WestAir Gases and Equipment, Inc., for the purchase of Bulk Liquid Oxygen for three-years with two optional one-year extensions, for a total amount of \$1,370,318.05, plus annual Consumer Price Index increases (Bid File 12400338) (Citywide).

APPROVED ON CONSENT CALENDAR

- 2.-T. [ID 24-536](#) Approve the Seventh Amendment to the professional consultant agreement with Stantec Architecture, Inc., to incorporate additional project oversight and effort related to contractor delays in receiving critical electrical components and PG&E delays in approving and delivering necessary power resources for the completion of the Department of Transportation/Fresno Area Express (FAX) Facility Improvement Project in the amount not-to-exceed of \$165,000, increasing the total contract value to \$1,524,548.99 and authorize the Director of Transportation or designee

to execute all related documents.

APPROVED ON CONSENT CALENDAR

- 2.-U. [ID 24-593](#) Approve the appointment of Aisha Allenrojas to the Fresno Metropolitan Flood Control District (FMFCD) to a term ending August 3, 2026.

APPROVED ON CONSENT CALENDAR

- 2.-V. [ID 24-613](#) ***Authorize the City Manager to accept \$9,300,000 in grant funding from the San Joaquin River Conservancy to be used for the River West Project and execute all documents necessary for use of said funds. (Subject to Mayor's Veto)

The title was modified to read: Authorize the City Manager to accept \$9,300,000 in grant funding from the San Joaquin River Conservancy to be used for the River West Project and execute all documents necessary for use of said funds unless the Conservancy has received an extension from the Department of Finance to expend the \$9.3 million grant funds and indicates to the City in writing that it no longer necessitates the City to accept the funds, if which case the City shall no longer accept funds (Subject to Mayor's Veto).

APPROVED ON CONSENT CALENDAR AS AMENDED

- 2.-W. [ID 24-579](#) ***RESOLUTION - Declaring Outdoor Warming Fires to be a Health and Safety Hazard and a Public Nuisance and Direct the City Manager to Cause Them to be Extinguished (Subject to Mayor's Veto).

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

TABLED

CONTESTED CONSENT CALENDAR

- 2.-B. [ID 24-571](#) Approve the appointment of Linda Calandra to the Planning Commission to a term ending June 30, 2027.

Councilmember Arias moved the item to Contested Consent to discuss applicants for the Planning Commission from residents in District 3.

APPROVED

On motion of Councilmember Arias, seconded by Vice President Karbassi, that the above Action Item be APPROVED. The motion

carried by the following vote:

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

- 2.-C. [ID 24-494](#) Actions pertaining to a Transportation Art Project Maintenance Agreement at San Pablo Park (District 3):
1. Approve the Transportation Art Project Maintenance Agreement between the City of Fresno and Caltrans as part of the State of California's Clean California Local Grant Program.
 2. Authorize the City Manager or Designee to execute the agreement on behalf of the City of Fresno.

Councilmember Arias moved the item to Contested Consent to discuss the practical implementation of the agreement to maintain and restore public murals, seeking clarification on the reporting process for vandalism and damages.

APPROVED

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

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

- 2.-R. [ID 24-479](#) Approve the renewal of the Fresno Police Department Annual Military Equipment Use Report as originally required by Assembly Bill 481, codified under Government Codes 7070-7075.

Councilmember Arias moved the item to Contested Consent to discuss the use and handling of drone footage by the police department, including its recording, storage, and potential availability through public records requests.

APPROVED

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

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

- 2.-S. [ID 24-517](#) Actions pertaining to Requirements Contract for off-site hydrogen fuel:
1. ***RESOLUTION - Authorizing a sole source Requirements Contract with H2B2 USA LLC., for the purchase of Hydrogen Fuel without Advertised Competitive Bidding (Subject to Mayor's Veto).
 2. Approve a three-year Sole Source Requirements Contract, with options for two one-year extensions to H2B2 USA LLC., for off-site hydrogen fuel for a total contract amount not to exceed \$3,500,000 (Bid File 9690).

Vice President Karbassi moved the item to Contested Consent to discuss concerns regarding the use of hydrogen fuel for buses, including the cost implications, the reliability of the technology compared to natural gas buses, and the potential consequences of rejecting the proposal.

RESOLUTION 2024-088 ADOPTED

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

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

Absent: 1 - Arias

3. GENERAL ADMINISTRATION

UNSCHEDULED COMMUNICATION

Upon call, the following members of the public addressed Council: Layla Darwish; Simone Rhodes; Elvia Olea; Brayden Grenly; Lethal Garcia; Brandi Nuse-Villegas; James Ruelas; Hashid K.; Lori Garcia; Robert McCloskey, and Matthew Gillian.

[ID 24-643](#) Public Comment Received

4. CITY COUNCIL

5. CLOSED SESSION

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

Council withdrew to closed session at 1:37 P.M. to discuss 5-A (ID 24-599) regarding Existing Litigation City of Fresno v. Fresno Building Healthy Communities Court of Appeal. City Council reconvened regular session at

1:56 P.M.

Council withdrew to closed session at 2:42 P.M. to discuss 5-B (ID 24-611) regarding Anticipated Litigation 1 Potential Case.

5.-A. [ID 24-599](#)

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Government Code Section 54956.9, subdivision (d)(1) Case Name(s): City of Fresno v. Fresno Building Healthy Communities Court of Appeal Case No.: F084662; and Fresno Building Healthy Communities v. City of Fresno Court of Appeal Case No.: F084666 (PARCS Department)

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

DISCUSSED

5.-B. [ID 24-611](#)

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 regarding this item.

DISCUSSED

ADJOURNMENT

City Council adjourned from the closed session at 3:04 P.M.