

City of Fresno

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



Meeting Minutes - Draft

Thursday, September 14, 2023

9:00 AM

Regular Meeting

Council Chambers (In Person and/or Electronic)

City Council

President - Tyler Maxwell

Vice President - Annalisa Perea

Councilmembers:

Mike Karbassi, Miguel Angel Arias, Luis Chavez,

Garry Bredefeld, Nelson Esparza

City Manager - Georgeanne A. White

City Attorney - Andrew Janz

City Clerk - Todd Stermer, CMC

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

9:06 A.M. ROLL CALL

Present: 6 - Councilmember Nelson Esparza
Council President Tyler Maxwell
Vice President Annalisa Perea
Councilmember Mike Karbassi
Councilmember Luis Chavez
Councilmember Garry Bredefeld

Absent: 1 - Councilmember Miguel Angel Arias

Invocation by Pastor Franklin from Cornerstone Church

Pastor Franklin gave the invocation.

Pledge of Allegiance to the Flag

Councilmember Bredefeld led the Pledge of Allegiance.

APPROVE AGENDA

Council President Maxwell made a request that all signs in the council chamber be careful of obstructing public view.

City Clerk Stermer announced the following changes to the agenda:

Ceremonial Presentation (ID 23-1294) regarding proclamation for "Hispanic Heritage Month" – Mayor Dyer was added as a co-sponsor.

Ceremonial Presentation (ID 23-1213) regarding proclamation for "Captain Anthony Martinez Day" - Vice President Perea was added as a co-sponsor.

Consent Calendar item 1-B (ID 23-1327) regarding acceptance of 2022 Fire Prevention & Safety (FP&S) Grant Award – The dollar amount listed for this item is incorrect. The 2022 Fire Prevention & Safety (FP&S) Grant Award is in the amount of \$89,257.46, not \$98,659.23.

Consent Calendar item 1-P (ID 23-1298) regarding the summary vacation of a portion of a public street easement at the southeast corner of East Shaw Avenue and North Fresno Street – the resolution is not subject to veto.

Consent Calendar item 1-T (ID 23-1296) regarding the Infectious Disease

Lab Accountability and Transparency Ordinance adding Section 9-110 to Chapter 9 of the Fresno Municipal Code - the agenda title incorrectly lists the introduction date as September 14, 2023. The record should reflect the introduction date as August 24, 2023, and was also removed from the agenda by Councilmember Bredefeld and tabled to an unknown date.

Consent Calendar item 1-U (ID 23-1285) related to human rights, including protections against discrimination based on an individual's caste and indigeneity - was removed from the agenda by Vice President Perea and tabled to no return date.

Scheduled Hearing and Matters 10:25 A.M. #1 (ID 23-1276) regarding consideration of an appeal filed regarding Vesting Tentative Tract Map No. 6366, Planned Development Permit Application No. P22-04877, and related Environmental Assessment No. T-6366/P22-04877 for approximately 7.94 acres of property located on the west side of North Bliss Avenue between East Shields and East Princeton Avenues - was removed from the agenda by the Applicant and tabled to September 28, 2023.

General Administration item 3-B (ID 23-1153) regarding the creation of the Animal Center Department within the City of Fresno - the resolution refers to creating the Animal Services Department, it should read "creating the Animal Center Department."

ITEMS MOVED TO CONTESTED CONSENT FOR FURTHER DISCUSSION:

1-K (ID 23-1288) regarding homeless street outreach, assessment and mobile shower operations agreements proved under the Homeless Housing, Assistance, and Prevention (HHAP) program - was moved to Contested Consent by Councilmember Esparza.

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

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

Absent: 1 - Arias

CEREMONIAL PRESENTATIONS

[ID 23-1293](#) Proclamation for "National Voter Registration Day"

PRESENTED

[ID 23-1324](#) Proclamation "Valley Animal Center's Dr. James W. Thornton Dog Park"

PRESENTED

[ID 23-1213](#) Proclamation "Captain Anthony Martinez Day"

PRESENTED

[ID 23-1294](#) Proclamation for "Hispanic Heritage Month"

PRESENTED

COUNCILMEMBER REPORTS AND COMMENTS

Councilmember Karbassi Reports and Comments: Acknowledged his Council colleagues for supporting Captain Anthony Martinez during his proclamation presentation. Attended the Fresno Police Department's Officer and staff swearing-in ceremony. Acknowledged the Public Works Department for all the hard work on redesigning the overlooked off Milburn and Herndon where the community can begin enjoying the San Joaquin River. Recognized Fresno Unified and Fresno Trustee Wittrup for the invite to participate in the Fresno Unified School District Community Health and Literacy Event at Tenaya Middle School. Acknowledged Boy Scout Troop 199 and attended the merit badge ceremony. Announced Friday evening is the start of Rosh Hashanah and wishes a Happy Jewish New Year.

Councilmember Chavez Reports and Comments: Wished the Jewish community a happy Rosh Hashanah and a happy and prosperous New Year. Attended a neighborhood watch community meeting on Huntington and Tenth and acknowledged Fresno Police Officers and School Resource Officers for attending to discuss issues in the neighborhood. Announced the completion of the Calwa sidewalk and recognized staff for their hard work on the project and their efforts in making it ADA-accessible.

Councilmember Esparza Reports and Comments: Attended the Fresno Police Department's Officer and staff swearing-in ceremony. Attended the neighborhood meeting off Armstrong and Shields to discuss infrastructure issues. Announced and invited the community to the upcoming Greek Fest at Saint George Greek Orthodox Church starting Friday, September 15, 2023.

Vice President Perea Reports and Comments: Attended the Proteus

Farmworker Appreciation lunch and honored a farmer worker and an organization. Attended the Central Unified and Central Foundation Grand opening of the new food pantry at Teague Elementary School. Acknowledged the PARCs staff for holding another District 1 Senior meeting to discuss the new Senior Center. Held a press conference with District 3 to discuss the Tower District's recent accomplishments, from façade programs to the new pressure washing team. Acknowledged the recent Labor Day weekend kick-off with the Iron Workers alleyway cleanup in District 1. Toured the American Ambulance Dispatch Center. Attended the recent Senior Townhall meeting at the West Lake Mobile Home Park and acknowledged staff for attending and providing information to the community.

Council President Maxwell Reports and Comments: Attended the Fresno State Bulldog Football game and presented a proclamation to the Fresno State Marching Band. Attended the Hyatt House Groundbreaking at Campus Point. Acknowledged and honored a small business in District 4, Café Leon Mexican Restaurant off North Blackstone. Announced District 1 and District 4's new launch of the Business Façade program, where businesses in the Tower District and Airport District will be eligible for grants from \$25,000 to \$50,000 to improve the façade of their business. If interested, visit FresnoAHF.org, the Fresno Area Hispanic Foundation. Welcomed new intern for District 4, Marco Flores, a Maddy Intern.

MAYOR/MANAGER REPORTS AND COMMENTS

Mayor Dyer Reports and Comments: Attended the September 11th ceremony and acknowledged survivor Will Jimeno. Hosted a roundtable to combat hate with Attorney General Bonta. Announced upcoming "World Cleanup Day," Saturday, September 16, 2023, at JSK Park, Hidalgo Neighborhood, and Southeast Fresno. If interested in participating register at www.beautifyfresno.org.

City Manager White Reports and Comments: Provided the Council with an update on processing of delinquent utility accounts and sent out a tray memo on the traffic assessment in response to the recent resolution passed. Announced and invited the community to attend the Greek Fest this coming weekend.

CITY CLERK AND CITY ATTORNEY REPORTS AND COMMENTS

City Clerk Stermer Reports and Comments: Announced the voter registration for the March 5, 2023, election deadline is February 20, 2024.

UNSCHEDULED COMMUNICATION

Upon call, the following members of the public addressed Council: Dallas Blanchard, Ed Mason (1-L), Steve Diddy, Brixton Layne, Fernando Elizando, David Willis, Leticia Luquia, Arnold Minor, Cindy Pimbino, Lisa Flores, Dez Martinez, Brandi Nuse-Villegas (1-I and 1-K), Melanie Lamp, Lethal Garcia, and Robert McCloskey.

1. CONSENT CALENDAR

APPROVAL OF THE CONSENT CALENDAR

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

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

Absent: 1 - Arias

- 1.-A.** [ID 23-1321](#) Approval of Minutes for August 24, 2023, Regular Meeting.

APPROVED ON CONSENT CALENDAR

- 1.-B.** [ID 23-1327](#) Approve acceptance of 2022 Fire Prevention & Safety (FP&S) Grant Award in the amount of \$98,653, requiring a City match of \$4,697.77.

1. ***RESOLUTION - Authorizing the acceptance of the 2022 Fire Prevention & Safety (FP&S) Grant and authorizing the completion and submission of all required documents (Subject to Mayor's veto).

A correction was read into the record - The dollar amount listed for this item is incorrect. The 2022 Fire Prevention & Safety (FP&S) Grant Award is in the amount of \$89,257.46, not \$98,659.23.

RESOLUTION 2023-241 ADOPTED

APPROVED ON CONSENT CALENDAR

- 1.-C.** [ID 23-1306](#) Actions pertaining to the award of five Requirements Contracts for equipment and vehicle rentals for various departments on an as needed basis in the total aggregate amount of \$1,250,000 per year plus annual CPI increases to (Bid File 9673):

1. Enterprise Fleet Management of Fresno, California through April 18, 2026, with one optional one-year extension
2. Caterpillar, Inc. of Fresno, California through August 27, 2024, with one optional one-year extension

3. Altec Inc. dba Global Rental Inc. of Bakersfield, California through August 27, 2024, with one optional one-year extension
4. Sunbelt Rentals Inc. of Fowler, California through August 27, 2024, with one optional one-year extension
5. United Rentals (North America) Inc. of Fresno, California through August 27, 2024, with one optional one-year extension

APPROVED ON CONSENT CALENDAR

- 1.-D. [ID 23-1307](#) Actions pertaining to the award of six Requirements Contracts for the purchase of aftermarket vehicle parts and supplies in the total aggregate amount of \$1,000,000 per year plus annual CPI increases to (Bid Files 9671 & 9672):
1. Genuine Parts Company dba NAPA Auto Parts, of Fresno, through May 19, 2025, with one optional one-year extension
 2. Jasper Holdings, Inc., of Visalia, California through May 19, 2025, with one optional one-year extension
 3. O'Reilly Auto Enterprises dba O'Reilly Auto Parts, of Fresno, California through May 19, 2025, with one optional one-year extension
 4. Elliott Auto Supply Co. Inc. dba Factory Motor Parts, of Fresno, California through December 14, 2024, with one optional one-year extension
 5. Ford Motor Company, of Fresno, California through December 14, 2024, with one optional one-year extension
 6. General Motors LLC, of Fresno, California through December 14, 2024, with one optional one-year extension

APPROVED ON CONSENT CALENDAR

- 1.-E. [ID 23-1312](#) Approve the award of a Requirements Contract to E.J. Ward, Inc., of San Antonio, Texas for one year with one optional one-year extension for the purchase of vehicle fueling and monitoring equipment, in the amount of \$200,000 per year plus annual CPI increases. (Bid File 9674)

APPROVED ON CONSENT CALENDAR

- 1.-F. [ID 23-1313](#) Award a requirements contract for street sweeper brooms and brushes to United Rotary Brush Corporation of Lenexa, Kansas, for four years, with three one-year optional extensions, for a total seven-year contract amount of \$2,262,817 plus annual CPI adjustments (Bid File 12302516)

APPROVED ON CONSENT CALENDAR

- 1.-G. [ID 23-1314](#) Approve the award of a purchase contract to Elk Grove Dodge of Elk Grove, California, for the purchase of 78 Dodge Durango marked patrol vehicles in the amount of \$3,676,998 for the Police Department and Airports Department (Bid File 12400501)

APPROVED ON CONSENT CALENDAR

- 1.-H. [ID 23-1322](#) Approve the award of a purchase contract to Swanson Fahrney Ford, of Selma, California, for the purchase of 56 Ford F-150 trucks for Department of Public Utilities, Department of Public Works, Airports Department, Fire Department, Police Department, PARCS Department, General Services Department, and Animal Center in the amount of \$2,388,274 (Bid File 12400368)

APPROVED ON CONSENT CALENDAR

- 1.-I. [ID 23-1315](#) Actions pertaining to acceptance of grant funding from the Fresno-Madera Area Agency on Aging (FMAAA) (Districts 1, 2, 3, 5, and 7):
1. ***RESOLUTION - Approving a one-year agreement between the City of Fresno (City) and FMAAA in the amount of \$124,000 for the Senior Hot Meals Program at six community centers and authorizing the City Manager or designee to execute the agreement and all related documents with FMAAA (Subject to Mayor's Veto)
 2. *** RESOLUTION - Adopting the 12th Amendment to the Annual Appropriation Resolution No. 2023-185 to allocate \$124,000 for the Fresno-Madera Area Agency On Aging Agreement in the PARCS Department for Senior Hot Meals Programming. (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)

RESOLUTION 2023-242 ADOPTED

RESOLUTION 2023-243 ADOPTED

APPROVED ON CONSENT CALENDAR

- 1.-J. [ID 23-1326](#) ***RESOLUTION - Adopt the Second Amendment to Fiscal Year 2024 Salary Resolution No. 2023-183, amending Exhibit 3, Unit 3, Non-Supervisory White Collar (FCEA), to adjust the A Step of the Emergency Services Dispatcher II classification from \$5,405 to \$5,410 monthly and amending Exhibit 13-1, Unit 13, Exempt Supervisory and Professional (CFPEA) by increasing the Chief Surveyor monthly salary step plan range from \$9,861 - \$11,966 to \$11,353 - \$13,800 (Subject to Mayor's Veto)

RESOLUTION 2023-244 ADOPTED

APPROVED ON CONSENT CALENDAR

- 1.-L. [ID 23-1297](#) ***BILL B-31 (Intro'd August 24, 2023) (For Adoption) -Amending Article 17, Chapter 9, Sections 9-1702 9-1704, 9-1706, 9-1707, 9-1708,

9-1709, 9-1711, 9-1712 and 9-1713 of the Fresno Municipal Code as it relates to police department dispatching of tow trucks. (Subject to Mayor's Veto)

ORDINANCE 2023-030 ADOPTED

APPROVED ON CONSENT CALENDAR

- 1.-M. [ID 23-1310](#) ***RESOLUTION - Authorizing the submittal of application(s) for all CalRecycle grants and payment programs for which the City of Fresno is eligible (Citywide). (Subject to Mayor's Veto)

RESOLUTION 2023-240 ADOPTED

APPROVED ON CONSENT CALENDAR

- 1.-N. [ID 23-1287](#) Actions pertaining to the Requirements Contract to Furnish and Install Permanent Asphalt Concrete Pavement Repairs. (Bid File 12302384) (Citywide):
1. Adopt a finding of Categorical Exemption per staff determination pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15301(b) and (d), Class 1 (Existing Facilities) and 15302(c), Class 2 (Replacement and Reconstruction)
 2. ***RESOLUTION - Adopting the 9th Amendment to the Annual Appropriation Resolution (AAR) No. 2023-185 appropriating \$960,000 for the Requirements Contract to Furnish and Install Permanent Asphalt Concrete Pavement Repairs (Requires 5 Affirmative Votes) (Subject to Mayor's Veto).
 3. Award a construction contract to Dawson-Mauldin LLC., in the amount of \$1,537,300.

RESOLUTION 2023-245 ADOPTED

APPROVED ON CONSENT CALENDAR

- 1.-O. [ID 23-1154](#) Approve a consultant services agreement with Southwest Strategies, LLC, for an amount not to exceed \$299,744 for professional education and outreach services for City of Fresno residential food waste education and outreach program (Bid File 12301817) (Citywide)

APPROVED ON CONSENT CALENDAR

- 1.-P. [ID 23-1298](#) Actions pertaining to the summary vacation of a portion of a public street easement at the southeast corner of East Shaw Avenue and North Fresno Street (Council District 4):
1. Adopt a finding of Categorical Exemption per Environmental Assessment Number D-17-120 per staff determination, pursuant to Section 15332 Class 32 of the California Environmental Quality Act (CEQA) Guidelines
 2. ***RESOLUTION - Ordering the summary vacation of a portion of

a public street easement at the southeast corner of East Shaw Avenue and North Fresno Street

A correction was read into the record - the resolution is not subject to veto.

RESOLUTION 2023-246 ADOPTED

APPROVED ON CONSENT CALENDAR

- 1.-Q. [ID 23-1302](#) Approve a Third Amendment to the Consultant Service Agreement with SWCA Environmental Consultants, of San Luis Obispo, California in the amount of \$18,426 to provide additional environmental and technical memoranda services for the Ashlan Avenue Widening Project, for a total contract value of \$87,334 (Council District 1)

APPROVED ON CONSENT CALENDAR

- 1.-R. [ID 23-1337](#) Actions pertaining to the New Fire Station 10 Project (Council District 7):
1. ***RESOLUTION - Adopting the 14th Amendment of the Annual Appropriation Resolution (AAR) No. 2023-185 appropriating \$756,700 in order to enter into a professional engineering services agreement with The Taylor Group Architects for design and construction services for permanent Fire Station 10 and to fund related City staff costs (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)
 2. Approve an agreement for Professional Engineering Services with The Taylor Group Architects of Clovis, CA for \$865,000, with a \$80,000 contingency, for design and construction support services for the new Fire Station 10

RESOLUTION 2023-247 ADOPTED

APPROVED ON CONSENT CALENDAR

- 1.-S. [ID 23-1304](#) Approval of a Product Purchase Utilizing a Washington Statewide Contract with Gillig LLC. for Twelve (12) 40' Low Floor CNG buses in the amount of \$11,020,284.

APPROVED ON CONSENT CALENDAR

- 1.-T. [ID 23-1296](#) ***BILL B-32 (Intro'd September 14, 2023) (For Adoption) Adding Section 9-110 to Chapter 9 of the Fresno Municipal Code, Adding the Infectious Disease Lab Accountability and Transparency Ordinance. (Subject to Mayor's Veto)

The above item was removed from the agenda by Councilmember Bredefeld and tabled to no return date.

TABLED

- 1.-U. [ID 23-1285](#) ***Bill B-27 (Intro'd August 10, 2023) (For adoption) - Amending Sections 3-616, 7-1510, 9-234 and 9-915 of the Fresno Municipal Code, relating to human rights, including protections against discrimination based on an individual's caste and indigeneity (Subject to Mayor's Veto)

The above item was removed from the agenda by Vice President Perea and tabled to no return date.

TABLED

CONTESTED CONSENT CALENDAR

- 1.-K. [ID 23-1288](#) Actions pertaining to homeless street outreach, assessment and mobile shower operations agreements provided under the Homeless Housing, Assistance, and Prevention (HHAP) program (Bid File 12302683):
1. Approve an Agreement for one-year with one optional one-year extension with Poverello House to conduct homeless street outreach and assessment in the annual amount of \$379,738.00.
 2. Approve an Agreement for one-year with one optional one-year extension with Gracebound to operate mobile shower trailers in the annual amount of \$300,000.00.

Councilmember Esparza pulled this item to Contested Consent to discuss the locations and the matrix of the mobile showers. After discussion, it was requested the item be continued to September 28, 2023.

CONTINUED

On motion of Councilmember Esparza, seconded by Councilmember Chavez, that the above Action Item be CONTINUED TO SEPTEMBER 28, 2023. The motion carried by the following vote:

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

Absent: 1 - Arias

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:05 A.M.

- [ID 23-1246](#) Actions pertaining to funding provided by the U.S. Department of Housing and Community Development Office of Community Planning and Development (HUD CPD):
1. HEARING to obtain public comments regarding Substantial Amendment 2023-01 to the 2023-2024 Annual Action Plan and submission of a \$20 million Section 108 Loan Application to the

United States Department of Housing and Urban Development (HUD) for the development of a Senior Activity Center, located at 4343 North Blackstone Avenue

2. ***RESOLUTION - Adopting Substantial Amendment 2023-01 to the Fiscal Year (FY) 2023-2024 Annual Action Plan; authorizing submission to the U.S. Department of Housing and Urban Development (HUD) to apply for a \$20 million Section 108 Loan for the development of a Senior Activity Center; and authorizing the City Manager or designee to sign all necessary implementing documents required by HUD (Subject to Mayor's veto)

The above hearing was called to order at 10:45 A.M. Upon call, the following members of the public addressed Council: Brandi Nuse-Villegas, Dez Martinez, Robert McCloskey, and Erlinda T. The public comment period closed at 10:56 A.M. There was no staff presentation and no council discussion on this item.

RESOLUTION 2023-239 ADOPTED

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

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

Absent: 1 - Arias

10:10 A.M.

[ID 23-1247](#) Actions pertaining to the Program Year (PY) 2022 Consolidated Annual Performance Evaluation Report (CAPER) for U.S. Department of Housing and Urban Development (HUD) Community Planning and Development (CPD) programs:

1. HEARING to obtain public comments regarding the PY 2022 CAPER; and
2. Adopt PY 2022 CAPER and authorize submission to the U.S. Department of Housing and Urban Development (HUD).

The above hearing was called to order at 10:57 A.M. Upon call, there was no staff presentation, no public comment, and no council discussion.

APPROVED

On motion of Council President Maxwell, seconded by Councilmember Esparza, that the above Action Item be APPROVED. The motion carried by the following vote:

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

Absent: 1 - Arias

10:25 A.M. #1

[ID 23-1276](#) Consideration of an appeal filed regarding Vesting Tentative Tract Map No. 6366, Planned Development Permit Application No. P22-04877, and related Environmental Assessment No. T-6366/P22-04877 for approximately 7.94 acres of property located on the west side of North Bliss Avenue between East Shields and East Princeton Avenues (Council District 7).

1. ADOPT Environmental Assessment No. T-6366/P22-04877 dated July 12, 2023, an Addendum to Environmental Assessment No. P22-01202, in accordance with Section 15164 of the California Environmental Quality Act (CEQA) Guidelines.
2. DENY the appeal and UPHOLD the action of the Planning Commission in the approval of Vesting Tentative Tract Map No. 6366 proposing to subdivide approximately 7.94 acres of the subject property into a 71-lot single-family residential development subject to the following:
 - a. Development shall take place in accordance with the Conditions of Approval for Vesting Tentative Tract Map No. 6366 dated August 2, 2023.
3. DENY the appeal and UPHOLD the action of the Planning Commission in the approval of Planned Development Permit Application No. P22-04877 proposing to modify the RS-5 (*Single-Family Residential, Medium Density*) zone district development standards to allow for a reduction in the garage setback, rear yard setback, garage to façade setback, minimum lot size, minimum lot depth, an increase in maximum lot coverage, and gated private streets subject to the following:
 - a. Development shall take place in accordance with the Conditions of Approval for Planned Development Permit Application No. P22-04877 dated August 2, 2023.

The above item was removed from the agenda by the applicant and tabled to September 28, 2023.

TABLED

10:25 A.M. #2

[ID 23-1271](#) Hearing to consider adoption of resolutions related to the designation of properties to the Local Register of Historic Resources and adoption of findings necessary to support recommendation pursuant to FMC 12-1609

1. ***RESOLUTION - A Resolution of the City Council of the City of

Fresno, California, designating the Dr. Earl R. Meyers Sr. & Mrs. Mattie B. Meyers Fresno Street Medical Arts Center located at 444 Fresno Street, Fresno California to the Local Register of Historic Resources (Council District 3) (Subject to Mayor's veto).

The above hearing was called to order at 10:57 A.M. and presented to Council by Planning and Development Director Clark. Upon call, the following member of the public addressed Council: David Marshall.

RESOLUTION 2023-248 ADOPTED

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

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

Absent: 1 - Arias

3. GENERAL ADMINISTRATION

- 3.-A.** [ID 23-1309](#) Actions related to the Second Amendment to Commercial Solid Waste Franchise Agreements with Allied Waste Services of North America dba Republic Services of Fresno, LLC, and Mid-Valley Disposal, LLC, to comply with Senate Bill 1383 Short-Lived Climate Pollutants (Citywide)
1. RESOLUTION - Adopting findings pursuant to California Environmental Quality Act Guidelines Sections 15091 and 15093 as required for Responsible Agencies by the California Environmental Quality Act Guidelines Section 15096 for SB 1383 Regulations Short-Lived Climate Pollutants: Organic Waste Methane Emission Reduction
 2. Approve the Second Amendment to the Commercial Solid Waste Franchise Agreement with Allied Waste Services of North America dba Republic Services of Fresno, LLC, to add Organic Waste Reductions requirements and to extend the term of the agreement by five years to November 30, 2036
 3. Approve the Second Amendment to the Commercial Solid Waste Franchise Agreement with Mid-Valley Disposal, LLC, to add Organic Waste Reductions requirements and to extend the term of the agreement by five years to November 30, 2036

The above item was presented to Council by Public Utilities Assistant Director Alkhayat, Mid-Valley Representative Joseph Kalpakoff, and Republic Services Representative Alex Cox. Upon call, there was no public comment.

Council discussion on this item included: questions related to waste

management and Senate Bill (SB) 1383; business fees and waivers; bulk items as it relates to handling and illegal dumping; service request in multi-family residential areas; waiver criteria and uniformity; outreach and communication plans as it relates to SB 1383 implementation; addressing health hazards related to trash bins and illegal dumping; incorporating provisions in agreement to manage waste; vendor performance and contingency plans if vendors are unable to perform; cancellation of contract should poor performance occur; support for small businesses during the transition and providing outreach, and proactive engagement and negotiations between the City Manager and vendors to prevent issue escalation.

RESOLUTION 2023-249 ADOPTED

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

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

Absent: 1 - Arias

- 3.-B.** [ID 23-1153](#) Actions pertaining to the creation of the Animal Center Department within the City of Fresno
1. ***RESOLUTON - Creating the Animal Center Department within the City of Fresno (Subject to Mayor's Veto)
 2. ***RESOLUTION - Adopting the 8th Amendment to the Annual Appropriations Resolution (AAR) No. 2023-185 reclassifying \$6,741,400 from the General City Purpose Department to the new Animal Center Department (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)
 3. ***RESOLUTION - Adopt the Second Amendment to the Position Authorization Resolution (PAR) No. 2023-184 adding 75 positions and transferring 2 positions from the General City Purpose Department to the Animal Center Department (Subject to Mayor's Veto)
 4. ***RESOLUTION - Adopt the Third Amendment to the FY 2024 Salary Resolution No. 2023-183, amending Exhibit 3, Unit 3, Non-Supervisory White Collar (FCEA), by adding the new classification of Animal Resource Officer I, Animal Resource Officer II and Senior Animal Resource Officer and providing a monthly salary step plan range. (Subject to Mayor's Veto).

A correction was read into the record - the resolution refers to creating the Animal Services Department, it should read "creating the Animal Center

Department."

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

Council discussion on this item included: Council acknowledged and gave appreciation for the efforts of the team behind creating the Animal Center; the transition and hiring plans for the Animal Center including the transfer of positions and the hiring of new employees; on-site Veterinarian services and the need for more than one Veterinarian; the timeline and milestones for getting the department up and running effectively; the issues related to irresponsible pet ownership, including illegal breeding, and whether there are penalties for such activities; how many people in Fresno register their dogs and the request for data on dog licenses issued in recent years; the sustainability of the animal center including the challenges posed by the large number of loose and abandoned dogs in the city; request for information regarding adoption rates, pursuit of grants to support operations, and whether free spaying and neutering services could increase participation, and the idea of the council making a financial commitment to reduce pet overpopulation with a focus on addressing the root causes of the problem.

RESOLUTION 2023-250 ADOPTED

RESOLUTION 2023-251 ADOPTED

RESOLUTION 2023-252 ADOPTED

RESOLUTION 2023-253 ADOPTED

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

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

Absent: 1 - Arias

4. CITY COUNCIL

5. CLOSED SESSION

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

Council withdrew to closed session at 12:21 p.m.

- 5.-A. [ID 23-1325](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Government Code Section 54956.9, subdivision (d)(1)

*HAVEN #20, LLC v. City of Fresno; Fresno Superior Court Case No.:
22CECG00238*

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

DISCUSSED

- 5.-B. [ID 23-1341](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Government Code Section 54956.9, subdivision (d)(1)

*City of Fresno v. Pinedale County Water District; Kings County Superior
Court Case No.: 18C-0051*

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

DISCUSSED

- 5.-C. [ID 23-1340](#) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Government Code Section 54956.9, subdivision (d)(4): 1 potential case

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

DISCUSSED

ADJOURNMENT

Adjourned from Closed Session at 12:45 P.M.