



City of Fresno

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

Meeting Minutes - Final City Council

President - Tyler Maxwell

Vice President - Annalisa Perea

Councilmembers:

Mike Karbassi, Miguel Angel Arias, Luis Chavez,

Garry Bredefeld, Nelson Esparza

City Manager - Georgeanne A. White

City Attorney - Andrew Janz

City Clerk - Todd Stermer, CMC

Thursday, October 19, 2023

9:00 AM

**Council Chambers (In
Person and/or Electronic)**

Regular Meeting

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

9:10 A.M. ROLL CALL

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

Invocation by Reverend Jessica Harmon, who is the Cathedral Curate at St. James Episcopal Cathedral

Reverend Jessica Harmon gave the invocation.

Pledge of Allegiance to the Flag

Councilmember Bredefeld led the Pledge of Allegiance.

APPROVE AGENDA

City Clerk Stermer announced the following changes to the agenda:

Consent Calendar Item 1-M (ID 23-1525) regarding the 5th Amendment to

Fiscal Year 2024 Salary Resolution No. 2023-183, amending Exhibit 3, Unit 3, Non-Supervisory White Collar (FCEA) - there was a correction to Exhibit 13-1, Unit 13, Exempt Supervisory and Professional (CFPEA) to update the Animal Center Supervisor monthly salary from \$5,687 - \$6,913 to \$6,450 - \$7,803 in the staff report, Resolution and Salary Tables.

Closed Session item 5-B (ID 23-1529) regarding CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION Government Code Section 54956.9, subdivision (d)(1) Case name: 1 Community Compact v. City of Fresno. – was removed from the agenda by the City Attorney's Office.

Vice President Perea recused herself from Consent Calendar item 1-Q (ID 23-1443) regarding Woodward Tot Lot and ADA Accessibility Improvements.

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

1-B (ID 23-1511) regarding the appointment of Chenier Derrick to the Disability Advisory Commission for a term ending June 30, 2024. Approve the appointment of Kurt Madden to the Fresno Regional Workforce Development Board for a term ending November 1, 2025. Approve the reappointments of Edgar Blunt, Scott Miller, and Terry Metters Jr. to the Fresno Regional Workforce Development Board for terms ending November 1, 2025 – was moved to Contested Consent by Councilmember Arias.

1-D (ID 23-1379) regarding the rebudget of American Rescue Plan Act (ARPA) grant funding within various Departments – was moved to Contested Consent by Councilmember Arias.

1-F (ID 23-1484) regarding the Fresno Fire Department's Firefighting Turnouts - was moved to Contested Consent by Councilmember Arias.

1-H (ID 23-1482) regarding the award of a construction contract for the City Hall North and South Parking Lot Security Camera project adding a total of 40 security cameras to the North and South parking lots (Bid File 12302202) - was moved to Contested Consent by Councilmember Arias.

1-L (ID 23-1466) regarding the FY24 Position Authorization Resolution No. 2023-184: 1: ***RESOLUTION - Adopt the 5th Amendment to Position Authorization Resolution (PAR) No. 2023-184, adding three (3) full-time positions in the Public Works Department (Subject to Mayor's Veto) - was moved to Contested Consent by Council President Maxwell.

1-O (ID 23-1485) regarding the homeless youth services agreement provided under the Homeless Housing, Assistance, and Prevention (HHAP) program (Bid File 12400090 - was moved to Contested Consent by Councilmember Chavez.

1-R (ID 23-1483) regarding a construction contract for the Base Bid plus all eight (8) Add Alternates in the total amount of \$8,646,293 to Avison Construction, Inc of Madera, CA - was moved to Contested Consent by Councilmember Arias.

1-W (ID 23-1490) regarding a contract to ScrubCan Inc., a California corporation, to provide janitorial services at Department of Public Utilities facilities - was moved to Contested Consent by Councilmember Arias.

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

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

CEREMONIAL PRESENTATIONS

[ID 23-1458](#) Proclamation for "National Latino/a Physician Day"

PRESENTED

[ID 23-1501](#) Fresno Animal Center presents "Pet of the Month"

PRESENTED

COUNCILMEMBER REPORTS AND COMMENTS

Councilmember Karbassi Reports and Comments: Requested the meeting be adjourned in memory of Roselyn 'Roz' Clark, co-founder of Fresno's Neighborhood Watch.

Councilmember Arias Reports and Comments: Acknowledged staff and announced the new dog park and the upcoming naming of the park. Announced on November 4, 2023, there will be a bike and helmet giveaway in Tower District at 11:00 a.m. in partnership with the Fresno County Bike Coalition. Acknowledged staff for their weekly cleanup efforts in Chinatown. Acknowledged staff for the progress on the water tower improvements and preserving it as a historic asset.

Councilmember Chavez Reports and Comments: Acknowledged the Fresno Fair's successful event. Toured Fresno Unified's new Farber Educational Complex and acknowledged staff for installing a crosswalk light on the corner, which will improve safety for families and children traveling to and from the school. Requested the meeting adjourn in memory of Roselyn 'Roz' Clark, Dr. Alfred Valles, and his wife Selina Valles.

Councilmember Bredefeld Reports and Comments: Mentioned the District 6 community meeting was held and acknowledged city staff members for attending the meeting.

Councilmember Esparza Reports and Comments: Announced and acknowledged staff for the kickoff of the fall season of town hall meeting. Attended the ribbon-cutting event for Webster Park in the Webster Elementary neighborhood. Announced the upcoming "Trunk or Treat" event at Manchester Center on Saturday, October 21, 2023, from 11:00 a.m. to 1:00 p.m. Announced the Taco Truck Throwdown event at Chukchansi Park on Saturday, October 21, 2023.

Vice President Perea Reports and Comments: Acknowledged the Fresno Arts Council and Lilia Chavez for partnering on the repainting of two crosswalks. Congratulated the firefighters and employees who recently celebrated awards and promotions. Gave appreciation to the ISD Department for their great assistance. Acknowledged the Public Works teams for their regular presence in District 1 neighborhoods, leading to positive improvements. Participated in the "Firefighter for a Day" program offered by the Fresno Fire Department with plans to create a physical and mental challenge.

Council President Maxwell Reports and Comments: Announced the upcoming third Annual Fall Fest in District 4 on Saturday, October 28, 2023, at 11:00 a.m. located at Large Park 4424 North Milbrook Avenue.

MAYOR/MANAGER REPORTS AND COMMENTS

City Manager White Reports and Comments: The following tray memos were provided to Council: Measure P Fiscal Year 2022 Annual Report, Fall Home and Garden Show event and discussed Planning and Development will be present to discuss Accessory Dwelling Units (ADUS). Acknowledged and announced the City of Fresno ISD was recognized as the recipient of the prestigious 2023 MISAC (Municipal Information Systems Association of California) Excellence in Information Technology Practices Award. Gave an update to Council on the implementation of the Charter fence gate, to be in effect as of November 1, 2023.

CITY CLERK AND CITY ATTORNEY REPORTS AND COMMENTS

City Clerk Stermer Reports and Comments: Announced the need to fill a vacancy on the Civil Service Board and provided information on how to apply. Noted the deadline for voter registration for the March 5, 2024, presidential primary is February 20, 2024. Mentioned the availability of a candidate guidebook for those interested in running for local office.

City Attorney Janz Reports and Comments: Provided an update on the Waste Tire Amnesty event in District 7, where 877 waste tires were collected. Gave special thanks to code enforcement, specifically the Legal Dumping Task Force, for their efforts.

UNSCHEDULED COMMUNICATION

Upon call, the following members of the public addressed Council: Fernando Elizando; Steve Diddy; Jennifer McElland (10:05 a.m.); Robert McCloskey (1-D); Matthew Gillian (1-D); Linda Tubach; Lisa Flores; Rebekah Shannon; Brandi Nuse-Villegas; Daisy; Lethal Garcia, and Scott Oldenburg.

1. CONSENT CALENDAR

APPROVAL OF THE CONSENT CALENDAR

On motion of Councilmember Arias, seconded by Councilmember

Karbassi, the CONSENT CALENDAR was hereby adopted by the following vote:

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

- 1.-A.** [ID 23-1507](#) Approval of Minutes for September 28, 2023, Regular Meeting, October 5, 2023, Regular Meeting, and October 5, 2023, Special Meeting.

APPROVED ON CONSENT CALENDAR

- 1.-C.** [ID 23-1424](#) Approve first amendment to the consultant services agreement with RS&H California, Inc., to provide professional airport planning and environmental consulting services to prepare and implement an Air Traffic Control Tower Replacement Work Plan for Fresno Yosemite International Airport in the amount of \$329,179 (Council District 4).

APPROVED ON CONSENT CALENDAR

- 1.-E.** [ID 23-1500](#) Actions pertaining to American Rescue Plan Act (ARPA) funding to the Valley Dream Center (VDC):
1. Adopt a finding of Categorical Exemption pursuant to CEQA Guidelines Section 15301/Class 1 for proposed project pursuant to the California Environmental Quality Act (CEQA).
 2. Approve an agreement with VDC allocating \$200,000 in ARPA funding for capital improvements to the Valley Dream Center's gymnasium located at 1835 N Winery Avenue.

APPROVED ON CONSENT CALENDAR

- 1.-G.** [ID 23-1498](#) ***RESOLUTION - Adopting the 20th Amendment to the Annual Appropriation Resolution (AAR) 2023-185 appropriating \$236,600 for the 2021 Assistance to Firefighters Grant for Firefighters Annual Physicals (Requires 5 Affirmative Votes) (Subject to Mayor's Veto).

RESOLUTION 2023-276 ADOPTED

APPROVED ON CONSENT CALENDAR

- 1.-I.** [ID 23-1509](#) Approve the award of a cooperative purchase agreement to Altec Industries, Inc. of Birmingham, Alabama, for the purchase of five Altec bucket trucks in the amount of \$1,027,905 procured by means of a cooperative purchase agreement with Sourcewell, for the Department of Public Works and Department of Public Utilities.

APPROVED ON CONSENT CALENDAR

- 1.-J. [ID 23-1339](#) Approve the purchase of laptops, docking stations, and desktops from Dell Technologies (Dell) in an amount not to exceed \$2,525,100, utilizing NASPO Contract MNWNC-108/7-15-70-34-003 for year two of the Citywide Computer Replacement Plan (Plan).

APPROVED ON CONSENT CALENDAR

- 1.-K. [ID 23-1503](#) Approve Amendment 4 to the Software as a Service Agreement with Tyler Technologies, Inc. reallocating funds within the project from unspent Software as a Service (SaaS) fees. No additional funding is requested.

APPROVED ON CONSENT CALENDAR

- 1.-M. [ID 23-1525](#) ***RESOLUTION: Adopt the Fifth Amendment to Fiscal Year 2024 Salary Resolution No. 2023-183, amending Exhibit 3, Unit 3, Non-Supervisory White Collar (FCEA) by adding the new classification and providing a monthly salary step plan range for Animal Care Specialist I, Animal Care Specialist II, Senior Animal Care Specialist and Animal Services Representative I, Animal Services Representative II, Senior Animal Services Representative; and amending Exhibit 13-1, Unit 13, Exempt Supervisory and Professional (CFPEA) by adding the new classification and providing a salary step plan range for Animal Center Supervisor, effective October 23, 2023 (Subject to Mayor's Veto)

City Clerk Stermer announced the following correction was made to the above item -correction to Exhibit 13-1, Unit 13, Exempt Supervisory and Professional (CFPEA) to update the Animal Center Supervisor monthly salary from \$5,687 - \$6,913 to \$6,450 - \$7,803 in the staff report, Resolution and Salary Tables.

RESOLUTION 2023-278 ADOPTED

APPROVED ON CONSENT CALENDAR

- 1.-N. [ID 23-1369](#) Actions pertaining to the demolition of a city owned building located at 735-741 H Street, Fresno CA 93721- Parcel Number 467-040-23 (District 3).
1. ***RESOLUTION - Approve an Interfund Loan Agreement between the General Fund and the Brownfields Revolving Loan Fund. (Requires 5 Affirmative votes) (Subject to Mayor's veto)
 2. ***RESOLUTION - Declaring an Urgent Necessity for the Preservation of Life, Health, Property; and Authorizing the Planning & Development Director or Designee to Enter Into and Administer Contracts for the Demolition of Dangerous Structures, and Removal of Hazardous Materials Without Advertised Competitive Bidding; and Approve the Following Contracts: David Knott Incorporated for

Demolition Services In An Amount Not To Exceed \$589,972 And Centec Construction For The Removal Of Hazardous Materials in an Amount Not To Exceed \$99,360; and Authorize the Planning & Development Director to Sign Such Contracts (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)

3. **RESOLUTION - Adopt the 25TH Amendment to the Annual Appropriation Resolution (AAR) No. 2023-185 to appropriate \$540,000.00 in the General Fund for demolition of a city owned building located at 735-741 H Street, Fresno, CA 93721 (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)
4. Approve an agreement with JSA Environmental Consulting in the amount of \$50,160.00 for remediation of any hazardous materials.

RESOLUTION 2023-279 ADOPTED

RESOLUTION 2023-280 ADOPTED

RESOLUTION 2023-281 ADOPTED

APPROVED ON CONSENT CALENDAR

- 1.-P. [ID 23-1523](#) Actions pertaining to a proposed permanent affordable housing project at 6507 North Polk Avenue, known as the Welcome Home Project (District 2):
1. ***RESOLUTION - Authorizing acceptance of Project Homekey 3 Funding from the State of California Department of Housing and Community Development for the Welcome Home Project in the amount of \$21,983,607 and authorizing the City Manager or designee to enter into and execute a standard agreement to secure the Homekey 3 funds and participate in the Homekey 3 Program (Subject to Mayor's Veto)
 2. ***RESOLUTION - Adopting the 24th amendment to the Annual Appropriation Resolution (AAR) No. 2023-185 appropriating \$21,983,700 to the Homekey Program fund for Fiscal Year 2023-2024. (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)
 3. Approve a State and Local Fiscal Recovery Funds (part of the American Rescue Plan Act) Agreement with Valley Teen Ranch for development of the Welcome Home Project, in an amount not to exceed \$2,800,000.
 4. Approve a Memorandum of Understanding with Valley Teen Ranch related to the Welcome Home Project and the State of California Homekey 3 Program.

Councilmember Karbassi acknowledged staff and highlighted the importance of accepting \$23 million in state funds for the project and acknowledged the community's feedback on parking, traffic patterns, and infrastructure needs.

RESOLUTION 2023-282 ADOPTED

RESOLUTION 2023-283 ADOPTED

APPROVED ON CONSENT CALENDAR

- 1.-Q. [ID 23-1443](#) Actions pertaining to Woodward Tot Lot and ADA Accessibility Improvements (Council District 6):
1. Reject the bid received and direct staff to re-bid the project (Bid File 12400255).
 2. Approve the First Amendment to the Consultant Services Agreement with Quad Knopf, Inc, dba QK, in the amount not to exceed \$7,500, for a total increased contract amount not to exceed \$57,200, for professional support services to re-bid the project.

Vice President Perea recused herself from the above item. The item was approved 6-0 by the following vote:

Ayes (6): Karbassi, Arias, Chavez, Bredefeld, Esparza, Maxwell

Recused (1): Perea

APPROVED ON CONSENT CALENDAR

- 1.-S. [ID 23-1469](#) Actions pertaining to the Friant Road Southbound Right Turn Lane Extension at Audubon Drive (Bid File 12303030) (Council District 6):
1. Adopt a finding of Categorical Exemption per staff's determination pursuant to Section 15301/Class 1 of the California Environmental Quality Act (CEQA) Guidelines.
 2. Award a construction contract in the amount of \$697,625 to Avison Construction, Inc., Madera, California.

APPROVED ON CONSENT CALENDAR

- 1.-T. [ID 23-1473](#) Actions pertaining to the Tulare Complete Streets Project from 6th Street to Cedar Avenue (Bid File No. 12300027) (Council Districts 5 and 7):
1. Adopt a finding of Categorical Exemption pursuant to Sections 15301/Class 1 (Existing Facilities), 15303/Class 3 (New Construction or Conversion of Small Structures), and 15304/Class 4 (Minor Alterations to Land) of the California Environmental Quality Act (CEQA) Guidelines
 2. Award a construction contract in the amount of \$2,339,250 to Agee Construction Corporation of Clovis, California

APPROVED ON CONSENT CALENDAR

- 1.-U. [ID 23-1474](#) Approve an agreement for Professional Engineering Services with BKF

Engineers, from Oakland, California in the amount of \$149,773, with a \$10,000 contingency, for the design and construction support services for the Shaw Avenue Roadway Improvements Project between Fruit Avenue and Palm Avenue (Council District 1 and 2).

APPROVED ON CONSENT CALENDAR

- 1.-V. [ID 23-1516](#) Actions pertaining to the Audubon Drive and Del Mar Avenue Traffic Signal Installation (Bid File No. 12302647) (Council District 2):
1. RESOLUTION - adopting findings pursuant to California Environmental Quality Act (CEQA) guidelines sections 15091 and 15093 as required by CEQA guidelines section 15096 for the River West Eaton Trail Extension Project.
 2. Award a construction contract in the amount of \$1,016,680 to American Paving Company, of Fresno, California.

RESOLUTION 2023-284 ADOPTED**APPROVED ON CONSENT CALENDAR**

- 1.-X. [ID 23-1491](#) Approve the Fourth Amendment to the consultant services agreement with Water Systems Consulting, Inc., to extend the term of the contract to December 31, 2026, for the development of the Metropolitan Water Resources Management Plan, Programmatic Environmental Impact Report and 2020 Urban Water Management Plan (Citywide).

APPROVED ON CONSENT CALENDAR

- 1.-Y. [ID 23-1496](#) Approve the Third Amendment to the consultant services agreement with CDM Smith, Inc., to expand the scope of services, extend the agreement to June 30, 2025, and increase the contract amount by \$644,753 for a total amount of \$1,390,403 for Groundwater and Landfill Remediation Services at the City of Fresno Sanitary Landfill (Council District 3).

APPROVED ON CONSENT CALENDAR

- 1.-Z. [ID 23-1497](#) Approve the First Amendment to the consultant services agreement with NBS Government Finance Group, to extend the term of the agreement to December 27, 2024, for the previously approved contract in the amount of \$139,689 for the Study for Various Utility Connection and Capacity Fees. (Citywide)

APPROVED ON CONSENT CALENDAR

- 1.-AA. [ID 23-1366](#) RESOLUTION - Dedicating a portion of City-owned property for public street purposes to accommodate the construction of a public driveway approach to the new South Peach Park on the easterly side of Peach Avenue (Council District 5).

*RESOLUTION 2023-285 ADOPTED***APPROVED ON CONSENT CALENDAR**

- 1.-BB. [ID 23-1449](#) RESOLUTION - Of Intention to Annex Final Tract Map Number 6269 as Annexation Number 147 to the City of Fresno Community Facilities District Number 11 and to Authorize the Levy of Special Taxes; and setting the public hearing for Thursday, December 7, 2023, at 10:00 am (located on the southwest corner of North Willow Avenue and North Alicante Drive) (Council District 6).

*RESOLUTION 2023-286 ADOPTED***APPROVED ON CONSENT CALENDAR**

- 1.-CC. [ID 23-1451](#) Actions related to the award of a Maintenance Agreement with DILAX Systems US Inc., in the amount of \$228,855.00:
1. Affirm the City Manager's determination that DILAX Systems, Inc., is uniquely qualified to perform maintenance services for the Department of Transportation, FAX Division, on the Automatic Passenger Counter system (APC).
 2. Affirm the City Manager's determination that DILAX Systems, Inc., is uniquely capable as defined by the Federal Transit Administration for sole source non-competitive procurements, to perform software maintenance services for the Department of Transportation.
 3. Award a three (3) year contract with two (2) 1-year optional extensions for an Annual Hardware and Software Maintenance Agreement as part of the Automatic Passenger Counters (APC) Project to DILAX Systems US Inc., in the amount of \$228,855.00.
 4. Authorize the Director of Transportation or designee to execute all related documents.

APPROVED ON CONSENT CALENDAR

- 1.-DD. [ID 23-1455](#) Approve the award of Product Requirements Contract 12400064 for Fresno Area Express Fare Media for two years with four optional one-year extensions to EDM Technology, Inc. (Bid File 12400064). Purchases made by the City of Fresno Department of Transportation shall not exceed \$338,528.74 during the initial two-year contract period.

APPROVED ON CONSENT CALENDAR

- 1.-EE. [ID 23-1524](#) Approve the reappointment of James S. Kitch and Myra N. Coble to the Tower District Specific Plan Implementation Committee for a term which serves at the pleasure of the Councilmember.

APPROVED ON CONSENT CALENDAR

CONTESTED CONSENT CALENDAR

- 1.-B. [ID 23-1511](#) Approve the appointment of Chenier Derrick to the Disability Advisory Commission for a term ending June 30, 2024. Approve the appointment of Kurt Madden to the Fresno Regional Workforce Development Board for a term ending November 1, 2025. Approve the reappointments of Edgar Blunt, Scott Miller, and Terry Metters Jr. to the Fresno Regional Workforce Development Board for terms ending November 1, 2025.

Councilmember Arias moved this item to Contested Consent to discuss the vacancy in the Planning Commission and requested a legal memo on how long a vacancy can remain expired before action is required.

APPROVED

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

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

- 1.-D. [ID 23-1379](#)

Actions pertaining to the rebudget of American Rescue Plan Act (ARPA) grant funding within various Departments:

1. ***RESOLUTION - Adopting the 18th Amendment to the Annual Appropriation Resolution (AAR) No. 2023-185 to reclassify \$14,915,600 and appropriate \$419,200 in various department budgets within the ARPA fund (citywide) (Requires 5 Affirmative Votes) (Subject to Mayor's Veto).

Councilmember Arias moved this item to Contested Consent for further discussion. Upon call, there was no staff presentation and no council discussion.

RESOLUTION 2023-274 ADOPTED

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

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

Absent: 1 - Karbassi

- 1.-F. [ID 23-1484](#) Actions pertaining to the Fresno Fire Department's Firefighting Turnouts:
1. Award a three (3) year sole source contract, not to exceed \$2,700,000 to LN Curtis (Curtis Tools for Heroes) for the purchase of Globe firefighting turnouts as a sole-source provider based on unique features only available with Globe turnouts.
 2. *** RESOLUTION - Adopt Resolution authorizing the Fire Department Chief or designee to enter into a three (3) year contract with Curtis Tools for Heroes without advertised competitive bidding. (Subject to Mayor's Veto)

Councilmember Arias moved this item to Contested Consent to discuss the existing equipment being replaced.

RESOLUTION 2023-275 ADOPTED

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

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

Absent: 1 - Karbassi

- 1.-H. [ID 23-1482](#) Actions pertaining to the award of a construction contract for the City Hall North and South Parking Lot Security Camera project adding a total of 40 security cameras to the North and South parking lots (Bid File 12302202) (District 3):
1. Adopt finding of a Categorical Exemption pursuant to Section 15301(f) Existing Facilities of the California Environmental Quality Act (CEQA) Guidelines.
 2. Award a construction contract to Alpha Omega Data Solutions of Los Banos, California, for \$440,625 for the construction of the City Hall North and South Parking Lot Security Camera project.
 3. Authorize the Director of General Services or designee to execute all related documents.

Councilmember Arias moved this item to Contested Consent for further discussion. Upon call, there was no staff presentation and no council discussion.

APPROVED

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

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

- 1.-L. [ID 23-1466](#) Actions pertaining to the FY24 Position Authorization Resolution No. 2023-184:
1: ***RESOLUTION - Adopt the 5th Amendment to Position Authorization Resolution (PAR) No. 2023-184, adding three (3) full-time positions in the Public Works Department (Subject to Mayor's Veto).

Council President Maxwell moved this item to Contested Consent to discuss project delays in district 4.

Council discussion on this item included: concerns regarding the timely delivery of Public Works projects and the prioritization of neighborhood improvements, the challenges posed by increased funding and projects and the needs for innovative delivery models.

RESOLUTION 2023-277 ADOPTED

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

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

- 1.-O. [ID 23-1485](#) Action pertaining to homeless youth services agreement provided under the Homeless Housing, Assistance, and Prevention (HHAP) program (Bid File 12400090):
1. Approve an Agreement for one-year with one optional one-year extension with Fresno County Economic Opportunities Commission to provide homeless youth bridge housing services in the annual amount of \$139,429.00.

Councilmember Chavez moved this item to Contested Consent to get clarification regarding the funding and the services provided for homeless youth.

Council discussion on this item included: funding for bridge housing beds aimed at supporting homeless youth between the ages of 18 to 24; the utilization of the sanctuary shelter and the reason behind its closure, and how referrals to these services work.

APPROVED

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

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

Absent: 1 - Bredefeld

- 1.-R.** [ID 23-1483](#) Award a construction contract for the Base Bid plus all eight (8) Add Alternates in the total amount of \$8,646,293 to Avison Construction, Inc of Madera, CA, as the lowest responsive and responsible bidder for the Transformative Climate Communities (TCC) Park at MLK Magnet Core Project (Bid File No. 12302905) (Council District 3).

Councilmember Arias moved this item to Contested Consent to discuss the construction schedule.

APPROVED

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

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

Absent: 1 - Bredefeld

- 1.-W.** [ID 23-1490](#) Award a requirements contract to ScrubCan Inc., a California corporation, to provide janitorial services at Department of Public Utilities facilities for an amount not to exceed \$499,824 per year for one year with an optional one-year extension, plus annual Consumer Price Index adjustments (Bid File 12301773) (Council Districts 3, 4, 6, and 7).

Councilmember Arias moved this item to Contested Consent to discuss the lowest bidder.

Council discussion on this item included: the reasons behind not selecting the lowest bidder and the evaluation criteria used in the vendor selection process, prevailing wage, union status, job classifications.

APPROVED

On motion of Councilmember Arias, seconded by Councilmember

Esparza, that the above Action Item be **APPROVED**. The motion carried by the following vote:

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

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:00 A.M.

[ID 23-1460](#) Actions pertaining to the acquisition of a permanent street easement and right of way to benefit the Tract 6162 Development Project for the widening of West Ashlan Avenue between North Polk Avenue and North Hayes Avenue (Council District 1):

1. HEARING to consider a resolution of public use and necessity for acquisition of a permanent street easement and right of way for public street purposes over, under, through and across a portion of Assessor's Parcel Number (APN) 511-040-06, owned by Elvia Gonzalez, for the construction of the widening of West Ashlan Avenue between North Polk Avenue and North Hayes Avenue.
2. ***RESOLUTION - Determining that public interest and necessity require acquisition of a permanent easement and rights of way for public street purposes over, under, through and across portions of APN 511-040-06, owned by Elvia Gonzalez, a married woman as her sole and separate property for the construction of the widening of West Ashlan Avenue between North Polk Avenue and North Hayes Avenue and authorizing eminent domain proceedings for public use and purpose (Requires 5 Affirmative Votes) (Subject to Mayor's Veto).

The above hearing was called to order at 10:07 a.m. Upon call, there was no public comment, no staff presentation, and no council discussion. The public comment period closed at 10:10 a.m.

RESOLUTION 2023-287 ADOPTED

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

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

10:05 A.M.

[ID 23-1470](#) HEARING to consider Conditional Use Permit Application P22-03146 and related Environmental Assessment P22-03146 pertaining to ±1.38 acres of property located on the south side of West Bullard Avenue, between North Van Ness Boulevard and North Forkner Avenue (Council District 2) - Planning & Development Department.

1. DENY the appeal and ADOPT Environmental Assessment P22-03146, dated May 24, 2023, a determination of Categorical Exemption, Section 15332/Class 32 of the California Environmental Quality Act (CEQA) Guidelines; and,
2. DENY the appeals and UPHOLD the action of the Planning Commission and Planning and Development Department Director to approve Conditional Use Permit Application P22-03146, authorizing the adaptive reuse of an existing residence to be used as a new residential respiratory care facility (congregate living health facility), subject to compliance with the Conditions of Approval dated September 6, 2023.

Councilmember Chavez and Councilmember Bredefeld recused themselves from the above item and was not a part of the discussion. Councilmember Karbassi informed the council of his reasons for abstaining from the discussion and vote.

The above hearing was called to order at 10:10 a.m. and introduced to Council by Planning Manager Siegrist and Applicant Representative Brian Whelan, and CEQA Appellant Michael Patrick Durkee.

Upon call, the following members of the public addressed Council in favor of the project: Joel Campbell; Jennifer McElland, and Brandi Nuse-Villegas;

Upon call, the following members of the public addressed Council in opposition of the project: Andrew Wanger; Robert Sullivan Jr.; Dr. Oliver Ezenwugo, and Brad Homen.

The public hearing was closed at 10:56 a.m.

Council discussion on this item included: the proposed welcome home project; the concerns regarding the project and the application of the California Environmental Quality Act, and the need for housing for the disabled.

Councilmember Arias motioned to deny the appeals and uphold the original

conditional use permit, allowing the project to proceed. The motion was seconded by Councilmember Esparza.

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

Aye: 4 - Esparza, Maxwell, Perea and Arias

Recused: 2 - Chavez and Bredefeld

Abstain: 1 - Karbassi

10:10 A.M.

[ID 23-1519](#) Appearance by Jamie Quezaza Jr. to discuss Fresno Police Department and their responsibilities (Resident District 1)

DID NOT APPEAR

3. GENERAL ADMINISTRATION

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 11:43 a.m.

5.-A. [ID 23-1416](#)

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Government Code Section 54956.9, subdivision (d)(1)

Veronica A. Flores v. City of Fresno, et al.; Fresno Superior Court Case No.: 20CECG01711

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

DISCUSSED

5.-B. [ID 23-1529](#)

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Government Code Section 54956.9, subdivision (d)(1)

Case name: *1 Community Compact v. City of Fresno*, Fresno Superior Court Case No. 23CECG02740

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

ADJOURNMENT

*City Council adjourned from Closed Session at 12:13 a.m. in memory of
Roselyn 'Roz' Clark, Dr. Alfred Valles, and his wife Selina Valles.*

**The above minutes were approved by unanimous vote of the City Council during the
November 2, 2023, regular meeting.**