



# City of Fresno

2600 Fresno Street  
Fresno, CA 93721  
[www.fresno.gov](http://www.fresno.gov)

## Meeting Minutes 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**

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**Thursday, September 28, 2023**

**9:00 AM**

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

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### Regular Meeting

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

9:07 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 Chaplain Kevin Llanos with the Police Chaplaincy

*Kevin Llanos gave the invocation.*

Pledge of Allegiance to the Flag

*Councilmember Bredefeld led the Pledge of Allegiance.*

### **APPROVE AGENDA**

*Assistant City Clerk Parra announced the following changes to the agenda:*

*Consent Calendar item 1-V (ID 23-1367) regarding actions pertaining to the*

*Fresno Police Department Student Resource Officer Program – There was a correction to the 13th Annual Appropriation Resolution: The amount on the staff report and title of the agenda is \$190,800, however, the amount is incorrect and should be in the amount of \$192,400 and not \$190,800.*

*Consent Calendar item 1-II (ID 23-1395) regarding ordinance 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 individuals' caste and indigeneity - second paragraph of the ordinance on Page 3 - "Bhagat Ravidas" was changed to "Guru Ravidas."*

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

*1-F (ID 23-1331) regarding the award of three Requirements Contracts for the purchase of radios, related equipment, and repairs with radio equipment manufacturers L3Harris Technologies, Inc. – was moved to Contested Consent by Councilmember Arias.*

*1-J (ID 23-1405) regarding the award of a cooperative purchase contract to Haaker Equipment Company Inc. of La Verne, California - was moved to Contested Consent by Councilmember Arias.*

*1-K (ID 23-1354) regarding the award of a purchase contract to Lenco Armored Vehicles of Pittsfield, Massachusetts - was moved to Contested Consent by Councilmember Arias.*

*1-L (ID 23-1353) regarding the Second Amendment to the Agreement between the City of Fresno and Community Media Access Collaborative (CMAC) - was moved to Contested Consent by Councilmember Arias.*

*1-M (ID 23-1349) regarding the award of three requirement contracts for on-call technology support services and hardware - was moved to Contested Consent by Councilmember Arias.*

*1-O (ID 23-1377) regarding a resolution authorizing Submission of Application to the California Public Utilities Commission - was moved to*

*Contested Consent by Councilmember Arias.*

*1-S (ID 23-1386) regarding homeless street outreach, assessment and mobile shower operations agreements provided under the Homeless Housing, Assistance, and Prevention (HHAP) program - was moved to Contested Consent by Councilmember Bredefeld.*

*1-T (ID 23-1392) regarding the Infill Infrastructure Grant - Catalytic Qualifying Infill Area (IIGC) Program - was moved to Contested Consent by Councilmember Arias.*

*1-U (ID 23-1359) regarding the 2024 Selective Traffic Enforcement Program (STEP) grant - was moved to Contested Consent by Councilmember Arias.*

*1-X (ID 23-1381) regarding the FY 24 Positions Authorization Resolution – was moved to Contested Consent by Council President Maxwell.*

*1-BB (ID 23-1399) regarding the Third Amendment to the Consultant Services Agreement with UltraSystems Environmental Inc. - was moved to Contested Consent by Councilmember Arias.*

*1-EE (ID 23-1345) regarding the First Amendment to the Consultant Services Agreement with RossDrulisCusenbery Architecture, Inc. - was moved to Contested Consent by Councilmember Bredefeld.*

*1-FF (ID 23-1346) regarding the award of a construction contract to MAG Engineering, Inc for the demolition of existing building and parking lot at 4343 Blackstone Avenue project – was moved to Contested Consent by Council President Maxwell.*

*1-JJ (ID 23-1390) regarding bill for introduction adding Section 9-110 to Chapter 9 of the Fresno Municipal code, adding the Infectious Disease Lab Accountability and Transparency Ordinance - was moved to Contested Consent by Councilmember Bredefeld.*

**On motion of Councilmember Karbassi, seconded by Councilmember Arias, 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 23-1355](#) Proclamation for “Roosevelt Strong Day”

*PRESENTED*

[ID 23-1344](#) “Honoring Historically Black Colleges and Universities.

*PRESENTED*

[ID 23-1316](#) ASE Blue Seal of Excellence Recognition to the Maintenance Division of the Department of Transportation

*PRESENTED*

[ID 23-1303](#) Fresno Animal Center presents “Pet of the Month”

*PRESENTED*

## **COUNCILMEMBER REPORTS AND COMMENTS**

*Councilmember Karbassi Reports and Comments: Expressed concerns about the ongoing conflict in Armenia and Artsakh, highlighting the importance of providing humanitarian aid and support.*

*Councilmember Arias Reports and Comments: Acknowledged everyone who joined Downtown Fresno for the Fiestas Patrias parade and festival and thanked the organizations for their partnership. Acknowledged the Fresno Fire Department for helping with the final inspections for Hotel Fresno and the 80 units are complete and ready to be moved in. Announced the JSK Park playground is now re-opened. Acknowledged the residents of South Tower for their patience regarding the infrastructure projects that are currently underway within the area. Discussed the Muir Elementary Safe Routes to School Project started on Dennet Avenue and is expected to be completed in February 2025. New streets, curbs, gutters, and sidewalks will be coming to the area. Acknowledged the Indigene and Punjabi Community for joining the meeting in support of the historic agenda item to amend to protect against caste and indigeneity discrimination.*

*Councilmember Chavez Reports and Comments: Attended the Beautify Fresno events in the 11th and Vroom area and Jackson neighborhood. Invited residents to join the Saint Anthony Harvest Festival. Announced the upcoming Big Fresno Fair and acknowledged the staff for their efforts in beautifying and repairing the fairgrounds. Discussed and recognized the individuals at the Fair for their engagement and efforts in obtaining grants to improve the Fresno Fairgrounds and mentioned the upcoming inaugural kickoff horse race on Friday, October 6, 2023.*

*Councilmember Bredefeld Reports and Comments: Acknowledged staff for attending the community meeting at Rotary Park to discuss the pickleball courts.*

*Councilmember Esparza Reports and Comments: Congratulated the Central California Food Bank for opening the First Fruits Market at the City Center Campus. Acknowledged and thanked city staff on the open house at Manchester Park's splash pad project and the Neighbors' Night Out event at Manchester Park. Attended a meeting on parking districts with planning and parking directors. Announced the upcoming State of the College event at City College with President Pimentel on Friday, September 29, 2023. Invited the community to join a neighborhood cleanup event with Beautify Fresno in the Radio Park neighborhood on Saturday. If anyone is interested, meet in the parking lot of Sam's Deli.*

*Vice President Perea Reports and Comments: Acknowledged the City's graffiti team for their prompt cleanup of graffiti. Congratulated Robin McGehee on becoming the City's first LGBTQ liaison. Recognized the District One Business of the Month, "Re-Loved Vintage." Thanked the Mexican consulate for their partnership in a flag-raising event for Mexican Independence Day. Announced the repainting of crosswalks coinciding with the Fresno High Community block party. Invited the community to participate in the crosswalk repainting event. Announced the Manhattan Short Film Festival presented by Creative Fresno. Mentioned the Big Fresno Fair opening day and gave appreciation for the city's efforts to make it welcoming and beautiful.*

*President Maxwell Reports and Comments: Recognized and gave*

*appreciation to the Crime Scene Investigation unit during Crime Scene Investigation Appreciation Week. Announced the city received \$24 million in funding to combat retail vehicle theft, vehicle theft, and catalytic converter theft, leading to the ability to hire 25 new police officers. Discussed the recent community meeting with the announcement of building the city's first pickle ball and Futsal courts. Announced the concrete repairs near Baird Middle School. Reminded businesses in the airport district area to apply for the Small Business Facade Improvement Grant. Acknowledged Mayor Dyer's involvement in the press conference and collaboration with Chief Balderrama on catalytic converter theft reduction legislation.*

### **MAYOR/MANAGER REPORTS AND COMMENTS**

*Mayor Dyer Reports and Comments: Announced the city received a \$24 million retail grant to combat theft and fund 25 police officers. Discussed the establishment of a task force with other law enforcement agencies and collaboration for combined prosecution of theft cases. Acknowledged the American Planning Association of California Conference held in Fresno and its positive impact on the local economy. Gave appreciation to staff members for their work in organizing the conference. Participated in the Chinatown Open for Business program and optimism among Chinatown business owner. Gave a shout out to a popular local business, Tamale Mama's, in Chinatown. Attended the Centenarian Day and presenting certificates to nine centenarians, including a World War II veteran. Acknowledged the positive contributions and experiences shared by the centenarians.*

*City Manager White Reports and Comments: Attended the Central California Women's Conference with Brooke Shields as the keynote speaker.*

### **CITY CLERK AND CITY ATTORNEY REPORTS AND COMMENTS**

*There were no Reports and Comments made by City Clerk and City Attorney's Office.*

### **UNSCHEDULED COMMUNICATION**

*Upon call, the following members of the public addressed Council: Shar Thompson; Anna McClenden; Patricia Granillo; Vicky Donnell; Nanaki Kaur; Fernando Elizando; Amar Daroch (1-II); Naindeep Singh (1-II); Sarit*

*Martinez (1-II); Patricia Shawn; Antionette Thompson; Kim Sanos; David Willis; Jaskeet Kaur (1-II); Judith Martinez (1-II); Margarita Vasquez (1-II); Brandi Nuse-Villegas; Traci Robertson; Laura Gromis; Gaurang Desai (1-II); Lisa Flores; Dez Martinez, and Janice B.*

## **1. CONSENT CALENDAR**

### **APPROVAL OF THE CONSENT CALENDAR**

**On motion of Vice President Perea, seconded by Councilmember Esparza, the CONSENT CALENDAR was hereby adopted by the following vote:**

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

**Absent:** 1 - Karbassi

- 1.-A.** [ID 23-1391](#) Approval of Minutes for September 14, 2023, Regular Meeting.

### **APPROVED ON CONSENT CALENDAR**

- 1.-B.** [ID 23-1375](#) Actions related to the Food & Beverage Concession Agreement with SSP America, Inc. dba SSP America FAT, LLC, at Fresno Yosemite International Airport (FAT). (Council District 4)
1. Adopt a finding of Categorical Exemption pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act Guidelines; and
  2. Approve a Food & Beverage Concessions Agreement (Agreement) with SSP America, Inc., dba SSP America FAT, LLC., for Food & Beverage Concessions at Fresno Yosemite International Airport for the term of fifteen (15) years. The amount of potential revenue generated by this Agreement is \$816,436 annually, this includes \$450,586 from percentage sales and \$365,850 from space rent. Total anticipated revenue during the full term of the Agreement is approximately \$12,246,540 plus annual CPI adjustments for space rent.

### **APPROVED ON CONSENT CALENDAR**

- 1.-C.** [ID 23-1376](#) Actions related to the News & Convenience Concession Agreement with HG Fresno Concessionaires JV, at Fresno Yosemite International Airport (FAT). (Council District 4)
1. Adopt a finding of Categorical Exemption pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act Guidelines; and
  2. Approve a News & Convenience Concessions Agreement (Agreement) with HG Fresno Concessionaires JV, for News &

Convenience Concessions at Fresno Yosemite International Airport for the term of fifteen (15) years. The amount of potential revenue generated by this Agreement is \$623,437 annually, this includes \$461,617 from percentage sales and \$161,820 from space rent. Total anticipated revenue during the full term of the Agreement is approximately \$9,351,555 plus annual CPI adjustments for space rent.

#### **APPROVED ON CONSENT CALENDAR**

**1.-D. [ID 23-1308](#)**

Actions pertaining to American Rescue Plan Act (ARPA) funding to Armenian Cultural Foundation (ACF)

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 ACF allocating \$150,000 in ARPA funding for capital improvement of the Garo and Alice Gurechian Armenian Cultural Center.

#### **APPROVED ON CONSENT CALENDAR**

**1.-E. [ID 23-1389](#)**

Actions pertaining to an agreement with Price Paige & Company, Certified Public Accountants, LLP for professional consulting services to support completion of monthly bank reconciliations for the 2022/23 fiscal year:

1. Affirm the City Manager's determination that Price Paige & Company, Certified Public Accountants, LLP is uniquely qualified to provide services to assist with monthly bank reconciliations.
2. Approve an agreement with Price Paige & Company, Certified Public Accountants, LLP in an amount not to exceed \$120,000 to provide assistance and consulting services to complete bank reconciliations for the 2022/23 fiscal year.

#### **APPROVED ON CONSENT CALENDAR**

- 1.-G. [ID 23-1333](#)** Approve the award of a cooperative purchase agreement to PB Loader of Fresno, California, for the purchase of one Freightliner asphalt patch truck in the amount of \$188,933 for the Department of Public Utilities

#### **APPROVED ON CONSENT CALENDAR**

- 1.-H. [ID 23-1352](#)** Approve the award of a purchase contract to Pape Kenworth of Fresno, CA, for the purchase of three Kenworth T880 water trucks in the amount of \$764,940 for the Department of Public Utilities and the Department of Public Works

#### **APPROVED ON CONSENT CALENDAR**



- 1.-I. [ID 23-1404](#) Actions pertaining to the award of multiple general building and HVAC Job Order Contracting construction contracts for one year plus two one-year optional extensions not to exceed an annual aggregate total of \$2,000,000 each (Bid File 12303112) (Citywide):
1. Adopt finding of a Categorical Exemption pursuant to Section 15301(d) Existing Facilities of the California Environmental Quality Act (CEQA) Guidelines.
  2. Award Job Order Contracting contracts with Quincon, Inc., Exbon Development, Inc., Better Enterprises, Inc., Durham Construction Company, Inc., Puma Construction Company, Inc., Heritage General, Newton Construction & Management, Inc., Strategic Mechanical, Inc. and ACCO Engineered Systems, Inc.
  3. Authorize the General Services Director or designee to sign all related documents.

**APPROVED ON CONSENT CALENDAR**

- 1.-N. [ID 23-1350](#) Approve the award of three requirement contracts for on-call technology support services, hardware and software configuration, for three years with three optional one-year extensions in a total aggregate amount not to exceed \$500,000 per year to (RFP# 12301308):
1. AMS.NET Inc., of Livermore, California
  2. ConvergeOne Inc., of San Francisco, California
  3. 22nd Century Technologies Inc., of Los Angeles, California

**APPROVED ON CONSENT CALENDAR**

- 1.-P. [ID 23-1378](#) Actions Pertaining to a Requirements Contract for Logging Services for Camp Fresno and Camp Fresno Junior:
1. Adopt a finding of Categorical Exemption per staff determination pursuant to Section 15301/Class 1 and 15304/Class 4 of the California Environmental Quality Act (CEQA) Guidelines.
  2. Approve the Award of a Requirements Contract to Arbor Pros LLC., for One-Year with Two Optional One-Year Extensions (Proposal No 12301339).
  3. Authorize spending authority for logging services in an amount not to exceed \$180,000 per year for a total of \$540,000, with no minimum spending guarantee expressed or implied under any respective requirements contract.
  4. Authorize the City Manager or designee to sign all related documents on behalf of the City.

**APPROVED ON CONSENT CALENDAR**

- 1.-Q. [ID 23-1228](#) Actions pertaining to homeless services provided by Poverello House under the Homeless Housing, Assistance and Prevention (HHAP) Program

and the Encampment Resolution Funding Round 2 (ERF-2R) Program:

1. Approve an agreement with Poverello House through June 30, 2025 to provide Encampment Resolution Fund homeless services in the total amount of \$9,780,325.71.
2. Approve the first amendment to the agreement with Poverello House for Clarion Triage Center Emergency Shelter services reducing funding by \$1,039,909.29 for a total amount of \$1,760,088.19.

### APPROVED ON CONSENT CALENDAR

- 1.-R. [ID 23-1343](#) Actions related to the acquisition of Travelodge Motel, located at 3876 North Blackstone Avenue (436-260-22) to facilitate the development of permanent affordable housing (District 4):
1. Adopt a finding of Categorical Exemption pursuant to Sections 15301/Class 1 and 15332/Class 32 of the California Environmental Quality Act (CEQA) Guidelines.
  2. \*\*\*RESOLUTION - Authorizing use of Encampment Resolution Funds for the acquisition of Travelodge Motel in an amount not to exceed \$4,401,709.00 (Subject to Mayor's veto).
  3. Approve a month-to-month lease agreement for up to 12 months with Shiv Investments, Inc., for the Travelodge located at 3876 North Blackstone Avenue (436-260-22) for \$1,000 per month effective upon execution and authorize the City Manager or designee to execute all contract related documents on behalf of the City.

### RESOLUTION 2023-255 ADOPTED

### APPROVED ON CONSENT CALENDAR

- 1.-V. [ID 23-1367](#) Actions pertaining to the Fresno Police Department Student Resource Officer (SRO) program.
1. Authorize the Chief of Police to enter into an agreement with Fresno County Superintendent of Schools (FCSS) to provide one Police Officer (Student Resource Officer) at .95 FTE, one sergeant at .15 FTE, one patrol vehicle lease cost, and administrative fees totaling \$213,609 for one year, the officer will be housed at Violet Heintz Educational Academy.
  2. \*\*\*RESOLUTION - Adopt the 13th Amendment to the Annual Appropriation Resolution (AAR) No. 2023-185 appropriating \$190,800 to fund one (1) FTE Police Officer (Student Resource Officer) for the FCSS contract, one patrol vehicle lease cost, and administrative fees. (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)
  3. \*\*\*RESOLUTION - Adopt the 3rd Amendment to Position Authorization Resolution (PAR) No. 2023-184, adding one FTE

Police Officer position to the Fresno Police Department, assigned to the Violet Heintz Educational Academy. (Subject to Mayor's Veto)

*There was a correction to the 13th AAR: The amount on the staff report and title of the agenda is \$190,800, however, the amount is incorrect and should be in the amount of \$192,400 and not \$190,800.*

**RESOLUTION 2023-259 ADOPTED**

**RESOLUTION 2023-260 ADOPTED**

**APPROVED ON CONSENT CALENDAR**

- 1.-W. [ID 23-1385](#) Approve an agreement with the County of Fresno for the purpose of processing Fresno Police Department Arrestees at the Fresno County Jail at a rate of \$33.55 per prisoner.

**APPROVED ON CONSENT CALENDAR**

- 1.-Y. [ID 23-1397](#) Actions pertaining to Hiring Incentives and Referral Incentives for Qualified Police Officer Recruits, Lateral Police Officers, and Lateral Emergency Services Dispatcher II/IIIs:
1. \*\*\*Approve a Side Letter of Agreement with the Fresno Police Officers Association (FPOA), for Unit 4 - Non-Management Police, regarding Police Officer Lateral Hire and Referral Incentives and Police Officer Recruit Hire Incentives (Subject to Mayor's Veto).
  2. \*\*\*Approve a Side Letter of Agreement with the Fresno City Employees Association (FCEA), for Unit 3 - Non-Supervisory White Collar, regarding Emergency Services Dispatcher Lateral Hire and Referral Incentives (Subject to Mayor's Veto).

**APPROVED ON CONSENT CALENDAR**

- 1.-Z. [ID 23-1380](#) RESOLUTION - Approving the Final Map of Tract No. 6283, and accepting dedicated public uses offered therein except for dedications offered subject to City acceptance of developer installed required improvements - located at the southeast corner of Fowler Avenue and Dakota Avenue (Council District 4)

**RESOLUTION 2023-262 ADOPTED**

**APPROVED ON CONSENT CALENDAR**

- 1.-AA. [ID 23-1342](#) Actions pertaining to the Shaw Avenue Lighting Project (Bid File No. 12302722) (Council District 4):
1. Adopt a finding of Categorical Exemption per consultant determination, pursuant to Section 15302 of the California

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Environmental Quality Act (CEQA) Guidelines

2. Award a construction contract in the amount of \$649,865 to Power Design Electric of Kingsburg, California

**APPROVED ON CONSENT CALENDAR**

- 1.-CC. [ID 23-1301](#) RESOLUTION - Adopt a resolution for dedicating a portion of City-owned property for the purpose of a Constructing Public Street Improvements for Veterans Boulevard Grade Separation Project In and Around the Veterans Overpass and Through the New Golden State Boulevard Realignment (Council District 2)

*RESOLUTION 2023-263 ADOPTED***APPROVED ON CONSENT CALENDAR**

- 1.-DD. [ID 23-1329](#) Actions pertaining to the Jensen Avenue Overlay Project between State Route 41 and Martin Luther King Jr. Boulevard (Bid File No. 12301728) (Council District 3):
1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Sections 15301/Class 1, 15302/Class 2, 15303/Class 3, and 15304/Class 4 of the California Environmental Quality Act (CEQA) Guidelines
  2. Award a construction contract in the amount of \$2,219,535.45 to Granite Construction Company, of Fresno, California

**APPROVED ON CONSENT CALENDAR**

- 1.-GG. [ID 23-1249](#) Actions related to the award of an annual software and hardware service contract with Trapeze Software Group, Inc., dba Vontas, of Cedar Rapids, Iowa, in the amount of \$2,168,965:
1. Affirm the City Manager's determination that Trapeze Software Group, Inc. dba Vontas, is uniquely qualified to perform software and hardware maintenance services for the Department of Transportation's Computer Aided Dispatch/Automated Vehicle Locator (CAD/AVL) system.
  2. Affirm the City Manager's determination that Trapeze Software Group, Inc. dba Vontas is uniquely capable as defined by the Federal Transit Administration for sole source non-competitive procurements, to perform software and hardware maintenance services for the Department of Transportation's CAD/AVL system.
  3. Award a three-year, with two 1-year optional extensions, software and hardware maintenance service agreement to Trapeze Software Group, Inc., dba Vontas, of Cedar Rapids, Iowa, in the amount of \$2,168,965.
  4. Authorize the Director of Transportation or designee to execute all related documents.

**APPROVED ON CONSENT CALENDAR**

- 1.-HH. [ID 23-1361](#) Award a requirements contract to Tolar Manufacturing Company, Inc. of Corona, California for two years with three options one-year extensions not-to-exceed \$7,050,877, plus annual CPI adjustments, over a five-year maximum contract duration for transit shelters and associated passenger amenities (Bid File No. 12302459)

**APPROVED ON CONSENT CALENDAR**

- 1.-II. [ID 23-1395](#) \*\*\*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)

*On the second paragraph on page 3, "Bhagat Ravidas" is changed to "Guru Ravidas".*

**ORDINANCE 2023-031 ADOPTED****APPROVED ON CONSENT CALENDAR**

- 1.-KK. [ID 23-1428](#) RESOLUTION - Initiating an Amendment to the Fresno General Plan, any Applicable Specific Plan, and to the Official Zoning Map for Real Property Located at the Northwest Corner of East McKinley Avenue and North Fine Avenue, APNs 494-29-105 and 494-29-110, Pursuant to Fresno Municipal Code Sections 15-5803-B and 15-5803-C.

**RESOLUTION 2023-264 ADOPTED****APPROVED ON CONSENT CALENDAR**

- 1.-LL. [ID 23-1434](#) Approve the First Amendment to an agreement with the Fresno Area Hispanic Foundation for the Small Business Façade Program (Districts 1 and 4).

**APPROVED ON CONSENT CALENDAR****CONTESTED CONSENT CALENDAR**

- 1.-F. [ID 23-1331](#) Actions pertaining to the award of three Requirements Contracts for the purchase of radios, related equipment, and repairs with radio equipment manufacturers L3Harris Technologies, Inc., JVC Kenwood USA Corporation, and BK Technologies, Inc., for three years with two optional one-year extensions not-to-exceed the total aggregate amount of

\$1,500,000 per year plus annual CPI increases (Bid File 9675)

*Councilmember Arias moved this item to Contested Consent to discuss the allocation of \$1.5 million for radios.*

*Council discussion on this item included: if the \$1.5 million for radios going toward permanent radio infrastructure or just for individual radios; will the radios purchased with the \$1.5 million work when the permanent radio infrastructure system is in place, or will they need to be upgraded; is there a potential that the \$1.5 million spent on radios may become obsolete when upgrading the permanent radio infrastructure; how long until the radios purchased for new officers will need to be replaced with new technology, and is the city accounting for the potential obsolescence of the radios purchased with the \$1.5 million in emerging technology.*

**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:** 6 - Esparza, Maxwell, Perea, Karbassi, Arias and Bredefeld

**Absent:** 1 - Chavez

- 1.-J.** [ID 23-1405](#) Approve the award of a cooperative purchase contract to Haaker Equipment Company Inc. of La Verne, California for the purchase of two Elgin CNG Broom Bear street sweepers in the amount of \$1,173,353 for Public Works Street Maintenance Division.

*Councilmember Arias moved this item to Contested Consent to discuss the acquisition of a CNG truck and the purchase of street sweepers designed for bike lane maintenance in the city.*

**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:** 6 - Esparza, Maxwell, Perea, Karbassi, Arias and Bredefeld

**Absent:** 1 - Chavez

- 1.-K. [ID 23-1354](#) Approve the award of a purchase contract to Lenco Armored Vehicles of Pittsfield, Massachusetts, for the purchase of one Lenco BearCat armored tactical vehicle in the amount of \$398,765 for the Police Department

*Councilmember Arias moved this item to Contested Consent to discuss the use of military-style equipment.*

*Council discussion on this item included: The appropriateness of using military-style equipment, specifically the vehicle, for non-police business purposes like community events; whether there is a focus on limiting the usage of such equipment for police-related tasks only; concerns about the unease of using military equipment in community events, especially where children are present; a request to avoid using the equipment for community events with children present, and the acknowledgment of support for the item (the use of military-style equipment) as long as it is needed by the police department.*

**APPROVED**

**On motion of Councilmember Arias, seconded by Councilmember Karbassi, 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 23-1353](#) Approve the Second Amendment to the Agreement between the City of Fresno and Community Media Access Collaborative (CMAC) to increase the per person per hour production rate to \$85.00 per hour.

*Councilmember Arias moved this item to Contested Consent to discuss whether the budget already incorporates a specific increase and the status of conversations regarding additional space in the existing city building.*

**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:** 6 - Esparza, Maxwell, Perea, Karbassi, Arias and Bredefeld

**Absent:** 1 - Chavez



- 1.-M. [ID 23-1349](#) Approve the award of three requirement contracts for on-call technology support services and hardware, for three years with three optional one-year extensions in a total aggregate amount not to exceed \$250,000 per year to (RFP# 12301307):

1. Alpha Omega, of Los Banos, California
2. AMS.NET Inc., of Livermore, California
3. Cook's Communications Corp., of Fresno, California

*Councilmember Arias moved this item to Contested Consent to discuss clarifications about the services provided for on-call technology and whether hiring additional IT staff has been considered, along with concerns about the quality of IT services and the impact on workflow.*

**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:** 6 - Esparza, Maxwell, Perea, Karbassi, Arias and Bredefeld

**Absent:** 1 - Chavez

- 1.-O. [ID 23-1377](#) RESOLUTION - Authorizing Submission of Application to the California Public Utilities Commission for Federal Funding Account last mile broadband deployment in total amount of approximately \$11,800,000 and authorize the City Manager or designee, to apply for grant funds and execute all related documents.

*Councilmember Arias moved this item to Contested Consent to get clarification on the proposed areas for the grant application, the timeline for connectivity, the flexibility to adjust locations, verification of unserved areas, and a request for a list of unserved locations in the councilman's district.*

**RESOLUTION 2023-254 ADOPTED**

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

**Aye:** 6 - Esparza, Maxwell, Perea, Karbassi, Arias and Bredefeld

**Absent:** 1 - Chavez

- 1.-S. [ID 23-1386](#) 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 two mobile shower trailers in the annual amount of \$300,000.00.

*Councilmember Bredefeld moved this item to Contested Consent to discuss whether the Grace Bound mobile shower trailers aim to get people off the streets and into programming and treatment.*

**APPROVED**

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

**Aye:** 6 - Esparza, Maxwell, Perea, Karbassi, Arias and Bredefeld

**Absent:** 1 - Chavez

- 1.-T.** [ID 23-1392](#) Actions pertaining to the Infill Infrastructure Grant - Catalytic Qualifying Infill Area (IIGC) Program
1. \*\*\*RESOLUTION - Authorizing the City Manager to accept \$43,733,136 in IIGC program award funds to the City of Fresno from the California Department of Housing and Community Development (HCD); and authorizing the City Manager, or designee, to sign all required implementing documents. (Subject to Mayor's Veto)
  2. \*\*\*RESOLUTION - Adopting the 21st amendment to the Annual Appropriation Resolution (AAR) No. 2023-185 appropriating \$43,733,136 from the IIGC Program awarded by HCD for capital improvement projects. (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)

*Councilmember Arias moved this item to Contested Consent to clarify the purpose and geographic scope of the recently awarded grant for capital infrastructure improvements in downtown Fresno and inquired about the deadline to initiate the awarded work.*

**RESOLUTION 2023-256 ADOPTED**

**RESOLUTION 2023-257 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:** 6 - Esparza, Maxwell, Perea, Karbassi, Arias and Bredefeld

**Absent:** 1 - Chavez

- 1.-U. [ID 23-1359](#) Actions pertaining to the 2024 Selective Traffic Enforcement Program (STEP) grant
1. Authorize the Chief of Police to accept \$600,000 in grant funding for the 2024 STEP grant awarded to the Fresno Police Department from the National Highway Traffic Safety Administration (NHTSA) through the California Office of Traffic Safety (OTS)
  2. Authorize the Chief of Police or his designee to execute the agreement, extensions and all related documentation applicable to the 2024 STEP grant
  3. \*\*\*RESOLUTION - Adopt the 16th Amendment to the Annual Appropriation Resolution (AAR) No. 2023-185 appropriating \$450,000 for the Police Department's STEP grant (Requires 5 Affirmative Votes) (Subject to Mayor's Veto).

*Councilmember Arias moved this item to Contested Consent to discuss DUI checkpoints and their effectiveness.*

*Council discussion on this item included: concerns about the locations where DUI checkpoints are being conducted and the trend of using the same locations over the years; there was a suggestion to explore conducting DUI checkpoints intentionally at locations with large events and alcohol consumption, such as concerts, nightclubs, and festivals; questions were raised about the criteria used by the Police Department to determine DUI checkpoint locations and the factors considered, including data on DUI accidents and traffic flow; the need to ensure that DUI checkpoints do not create more traffic problems; the rotation of DUI checkpoints throughout the city to address the issue citywide; there was a request for the council to receive data snapshots showing where DUI collisions are occurring and exploring potential correlations with locations of high incidents, and the importance of informing the public about the presence of DUI checkpoints was emphasized and the relevance of data in decision-making, especially in light of recent grants and investments.*

**RESOLUTION 2023-258 ADOPTED**

**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.-X.** [ID 23-1381](#) Actions pertaining to the FY24 Position Authorization Resolution No. 2023-184:  
1: \*\*\*RESOLUTION - Adopt the 4th Amendment to Position Authorization Resolution (PAR) No. 2023-184, adding two (2) full-time positions in the Finance Department, two (2) full-time positions in the General Services Department, three (3) full-time positions in the Public Works Department, and three (3) full-time positions in the Transportation Department. (Subject to Mayor's Veto).

*Council President Maxwell moved this item to Contested Consent to discuss additional positions in the Public Works department, specifically Concrete Finishers.*

*Council discussion on this item included: clarification about the role of concrete finishers and their cost; discussion about the need for additional staff to address small one-off concrete repair projects, and concerns about project timelines and the capacity to meet expectations with current staffing.*

*Council President Maxwell motioned to approve the item with a request to carry over the Public Works portion for further discussion and potential amendments.*

**RESOLUTION 2023-261 ADOPTED AS AMENDED**

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

**Aye:** 6 - Esparza, Maxwell, Perea, Karbassi, Arias and Bredefeld

**Absent:** 1 - Chavez

- 1.-BB.** [ID 23-1399](#) Approve the Third Amendment to the Consultant Services Agreement with UltraSystems Environmental Inc. of Irvine, California extending the consultant's performance period by one year to September 30, 2024, to continue professional environmental services and preparation of technical memos for the McKinley Avenue Widening Project between Marks Avenue and Hughes Avenue (Council District 3)

*Councilmember Arias moved this item to Contested Consent to discuss the*

*construction project and its impact on the construction timeline.*

*Council discussion on this item included: an amendment related to environmental work for a construction project; concerns about the impact of the amendment on the construction timeline; clarification on the cause of the environmental delay; the anticipated completion date of the project, and the federal funding source and its deadlines.*

**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:** 6 - Esparza, Maxwell, Perea, Karbassi, Arias and Bredefeld

**Absent:** 1 - Chavez

- 1.-EE.** [ID 23-1345](#) Approve the First Amendment to the Consultant Services Agreement with RossDrulisCusenbery Architecture, Inc., of Sonoma, California in the amount of \$2,951,601, for a total increased contract amount of \$3,875,201 with a remaining contingency of \$25,000 for professional architectural services for the design of plans and general construction contract documents for the Fresno Fire Department Regional Training Center (County of Fresno)

*Councilmember Bredefeld moved this item to Contested Consent to discuss architectural services for a regional fire training center, the cost of the project, and the shift in site location for the project.*

**APPROVED**

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

**Aye:** 5 - Esparza, Maxwell, Perea, Karbassi and Bredefeld

**Absent:** 2 - Arias and Chavez

- 1.-FF.** [ID 23-1346](#) Award a construction contract in the amount of \$249,800 to MAG Engineering, Inc of Fresno, CA, as the lowest responsive and responsible bidder for the Demolition of Existing Building and Parking Lot at 4343 Blackstone Avenue project (Bid File No. 12302820) (Council District 4)

*Council President Maxwell moved this item to Contested Consent to discuss the demolition of a building at 4343 Blackstone Avenue, the bidding process, and the allocation of Community Development Block Grant (CDBG) funds for the project.*

**APPROVED**

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

**Aye:** 6 - Esparza, Maxwell, Perea, Karbassi, Arias and Bredefeld

**Absent:** 1 - Chavez

- 1.-JJ.** [ID 23-1390](#) BILL - (for introduction) Adding Section 9-110 to Chapter 9 of the Fresno Municipal Code, Adding the Infectious Disease Lab Accountability and Transparency Ordinance.

*Councilmember Bredefeld moved this item to Contested Consent to discuss the proposed ordinance aimed at preventing the operation of illegal labs in Fresno and acknowledged staff and organizations for their contributions to refining the ordinance.*

**BILL B-33 APPROVED, INTRODUCED AND LAID OVER**

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

**Aye:** 6 - Esparza, Maxwell, Perea, Karbassi, Arias and Bredefeld

**Absent:** 1 - Chavez

## **2. SCHEDULED COUNCIL HEARINGS AND MATTERS**

### **10:00 A.M.**

[ID 23-1318](#) 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 site of the Inaugural National Farm Workers Association meeting located at 1405 E California Avenue, 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 11:16 A.M. and was introduced to Council by Director Clark, Dr. Garcia, and Eddie Varela. Upon call, there was no public comment and the public comment period closed at 11:25 A.M.*

*Council discussion on this item included: the historical significance; future celebration, and community engagement.*

**RESOLUTION 2023-265 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 23-1323](#) Actions pertaining to the acquisition of fee interest and a permanent street easement and right of way for the construction of a storm drain pipeline along the McKinley Avenue alignment between Armstrong Avenue and Laverne Avenue (Council District 7)

1. HEARING to consider a resolution of public use and necessity for acquisition of fee interest and a permanent street easement and rights of way for public street purposes over, under, through and across portions of Assessor's Parcel Number (APN) 574-130-05, owned by Sukhwinder Singh, for the construction of a storm drain pipeline between Armstrong Avenue and Laverne Avenue (Project)
2. \*\*\*RESOLUTION - Determining that public interest and necessity require acquisition of fee interest and permanent easement and rights of way for public street purposes over, under, through and across portions of APN 574-130-05, owned by Sukhwinder Singh, a married man as his sole and separate property, for the construction of a storm drain pipeline between Armstrong Avenue and Laverne 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 11:33 A.M. and was introduced to Council by Assistant Director Benelli. Upon call, the following members of the public addressed Council: Dennis Gabe and Lisa Flores. The public comment period closed at 11:36 A.M. There was no council discussion.*

*RESOLUTION 2023-266 ADOPTED*

**On motion of Councilmember Esparza, seconded by Councilmember Karbassi, 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. (REMOVED FROM THE AGENDA)**

[ID 23-1330](#) Hearing to consider Text Amendment Application No. P23-02443 and related Environmental Finding pertaining to acceptance of subdivision Improvements (all Council Districts):

1. ADOPTION of a Finding that the project is exempt pursuant to Section 15061(b)(3), No Possibility of Significant Adverse Effect, pursuant to the California Environmental Quality Act (CEQA) Guidelines as prepared for Environmental Assessment No. P23-02443 dated August 2, 2023.
2. RECOMMEND APPROVAL of Text Amendment Application No. P23-02443 Adding Subsection U to Section 3804 of Chapter 15 of the Fresno Municipal Code relating to the deferral of certain sidewalk construction, driveway approaches and street trees in subdivisions until prior to occupancy of single-family homes.

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

**10:15 A.M.**

[ID 23-1398](#) Appearance by Paul Haros to discuss Significance of Parade to the Central Valley and it's contribution to the downtown Fresno area (Resident District 1)

*Appearance by Paul Haros to discuss the Central Valley Parade.*

*APPEARED*

**10:25 A.M.**

[ID 23-1357](#) 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 hearing was called to order at 11:09 A.M. Upon call, the following member of the public addressed Council: Jeff Reid. The hearing closed at 11:40 A.M.*

*The above item was presented to Council by Director Mozier, Appellant Representative Drew Phelps and Darius Assemi.*

*Council discussion on this item included: CFD creation date and effective date; the accuracy of historical data related to the CFD; annual increase in the rate; CFD boundaries and if it applies to lands annexed since 2002; how the rest of the revenue is being used to provide other services outside of development; how many projects have been annexed into the CFD since its inception; the agreement to annex the Park West development; If the CFD applies to all lands annexed since 2002 or just future annexations; request for analysis breakdown of the costs incurred by the city related to fire and police services; exemption for rental property and concerns of disparities in costs between different areas of the city; development subsidies; the need for sufficient revenue to support community services; the tax sharing*



*agreement with the County; what services will it pay for; if CFD only applies to new development; the existence of other districts for purposes like medium island maintenance, streets, and lights, and how they relate to the discussed development and the CFD; alternative funding sources if the higher fee is not applied regarding the general fund and its allocation to police and fire services; request of a final assessment of the true cost of providing services, both from city staff and the applicant to better understand the financial implications; intentions for the rental properties and whether there are plans to make them affordable or if they will be sold to investment firms; request of a confidential memo from the city attorney on the defensibility of the different paths discussed during the hearing and the potential liability or exposure for the city; request for a legally defensible dissolution to dissolve the CFD 18; request for the City Attorney's office to draft a new ordinance; whether the project in question is an infill project and seeks an explanation of what that means; request for a memo from the city explaining if CFD 18 will provide enhanced services and additional patrol; request for a memo on the implications of dissolving the CFD 18, including the impact on outstanding developments, financial implications, and funding sources.*

CONTINUED

**On motion of Councilmember Esparza, seconded by Councilmember Arias, that the above Action Item be CONTINUED TO OCTOBER 5, 2023. The motion carried by the following vote:**

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

### **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 3:07 P.M.*

**5.-A. [ID 23-1413](#) 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 open session at 4:20 P.M.*