

# City of Fresno

2600 Fresno Street

Fresno, CA 93721

[www.fresno.gov](http://www.fresno.gov)



## Meeting Minutes - Final

Thursday, February 18, 2021

9:00 AM

Regular Meeting

Electronic Meeting

## City Council

*President -Luis Chavez*

*Vice President - Nelson Esparza*

*Councilmembers:*

*Esmeralda Z. Soria, Mike Karbassi, Miguel Arias, Tyler Maxwell, Garry Bredefeld*

*City Manager - Thomas Esqueda*

*City Attorney - Douglas T. Sloan*

*City Clerk - Yvonne Spence, MMC*

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

9:00 A.M. ROLL CALL

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

Invocation

*Invocation given by Pastor Karen Pugh from Wesley United Methodist Church*

Pledge of Allegiance to the Flag

**APPROVE AGENDA**

*City Clerk Spence announced the following changes to the agenda:*

*The following items are being removed from the agenda, with no return date:*

*1. File ID 21-253 (1-I): \*\*\* Approve a Resolution providing 2021 COVID-19 Supplemental Leave time to City employees effective January 1, 2021. (Subject to Mayor's Veto) was removed from Consent Calendar and moved to Closed Session by Councilmember Arias.*

*2. File ID 21-285 (4-A): Consider action to direct the City Attorney to file lawsuit against Fresno Unified School District to reopen for in person learning was removed from the Consent Calendar by Council Vice President Esparza.*

*Councilmember Bredefeld motioned to keep File ID 21-285 (4-A) - Consider action to direct the City Attorney to file lawsuit against Fresno Unified School District to reopen for in person learning on the agenda for discussion. Councilmember Karbassi seconded the motion. Motion FAILED 4/3, Councilmember Arias, Councilmember Maxwell, Council Vice*

*President Esparza, and Council President Chavez voted no.*

*The following items are being removed from the agenda, to a future date:*

*1. File ID 21-210 (1-C): Actions pertaining to the 2017 Transformative Climate Communities (TCC) Grant and Transform Fresno Plan projects was removed from Consent Calendar by Councilmember Ares and continued to March 4, 2021.*

*The following items are being pulled from the Consent Calendar and moved to Contested Consent for further discussion:*

*1. File ID 21-244 (1-G): Reject all proposals received on August 4, 2020, in response to the Department of Transportation Fresno Area Express Transit Mobile Ticketing Solution solicitation and staff will rebid the project (Bid File #9544) was pulled from the Consent Calendar by Councilmember Maxwell.*

*City Clerk Spence announced that Spanish, Hmong, Punjabi and ASL translators are available for today's meeting.*

**On motion of Councilmember Soria, seconded by Councilmember Arias, the above Action was approved as amended. The motion carried by the following vote:**

**Aye:** 5 - Chavez, Esparza, Soria, Arias and Maxwell

**No:** 2 - Karbassi and Bredefeld

## **CEREMONIAL PRESENTATIONS**

[ID 21-251](#) Black History Month Proclamation Presentation

*PRESENTED*

## **COUNCILMEMBER REPORTS AND COMMENTS**

*Councilmember Soria spoke regarding food distributions and asked the community to continue to watch for more information on social media. She thanked everyone who has been involved and in partnership with District 1 in the food distributions. She spoke regarding the black community and ways to provide opportunities for members of the community to succeed in*

*the City of Fresno. She recognized Black History Month and spoke regarding the vaccinations for COVID and where the Black community is on the list of priority.*

*Councilmember Karbassi thanked the Council Vice President Esparza and Councilmember Arias for this gift.*

*Councilmember Arias thanked Mayor Dyer for the District 3 neighborhood meeting, the clean-up in West Fresno, and the event to open the most recent hotel with the Housing Authority 's partnership. He addressed the homeless issue across City of Fresno and spoke regarding the affordable housing for the homeless. He announced there will be vaccinations in West Fresno at Gaston Middle School for anyone who is above the age of 65, please call 559-312-8044 and make an appointment for vaccines. He spoke regarding the inequities of Black Americans, Hispanic and Asians not being vaccinated at the same rate of others and they are the most vulnerable in the community. He encouraged everyone who qualifies to make an appointment to be vaccinated.*

*Councilmember Maxwell announced his kick-off to the 100 days, 100 tree event and has planted 10 trees at Cary Park, teaming up with Public Works to plant 80 trees along the Sierra Corridor all the way from Gettysburg to Shields. He thanked Tree Fresno, PARCs Department, and the Public Works Department. He stated the last 10 trees will be planted on Earth Day at Robinson Park. He extended a big thank you to Mayor Dyer and Director Standriff for the recent neighborhood cleanup event at Cary Park where minor potholes, street signs and sidewalk were fixed, trees were trimmed and trash was picked up. Councilmember Maxwell spoke regarding the SAFR program and stated meals continue to be provided to seniors at Vineland Park every Thursday from 8:00 A.M. until 12:00 P.M. until March 4, 2021. He announced there will be a District 4 community engagement meeting, there will be an application and recruitment process where every year there will be a new cohort of district 4 residents where they will be trained on how to report issues on Fresno, they will be involved in planning community events, community cleanup events, identifying areas where there are free libraries and be apart of discussion on what is happening at City Hall. There will be a different City leader every month to talk about*

*what their department does.*

*Councilmember Bredefeld made several comments regarding the item directing the City Attorney to file a lawsuit against Fresno Unified School District to reopen for in person learning and read a letter into the record from a constituent from District 6.*

*Council President Chavez spoke regarding the reopening of Fresno Unified School District and the challenges of online learning. He feels that it is important for all parties to work together when it comes to opening schools.*

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

*Mayor Dyer gave several updates on support of President Biden's relief plan. Commend Director of Housing and Homeless Services Spees regarding Project Off Ramp housed over 120 individuals. Commend Director, Beautify Fresno Standriff. Spoke regarding opening up Schools safely.*

*City Manager Eqsueda gave update on Tray Memos to City Council.*

## **UNSCHEDULED COMMUNICATION**

*Upon call, the following members of the public addressed Council: Sam Frank, Kaylene Valenzuela, Brandi Villegas, Dez Martinez, and David Brodsly.*

[ID 21-321](#) eComments received for Unscheduled Communication.

## **1. CONSENT CALENDAR**

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

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

**1-A** [ID 21-012](#) Approval of minutes for February 4, 2021 Regular Meeting.

**1-B** [ID 21-239](#) Actions pertaining to the Ordinance Number 2021-005, the Fresno Clean and Safe Neighborhood Parks Tax Ordinance (Measure P):

1. \*\*\*RESOLUTION - Certifying and declaring the results of the Consolidated General Election held in the City of Fresno on November 6, 2018, as to Measure P (Subject to Mayor’s Veto)
2. RESOLUTION - Authorizing the Controller or his designee to execute agreements with the California Department of Tax and Fee Administration for implementation of a local transactions and use tax
3. RESOLUTION - Authorizing examination of sales or transactions and use taxes records
4. \*\*\*RESOLUTION - Adopting the 67th amendment to the Annual Appropriation Resolution No. 2020-159 appropriating up to \$175,000 for State administration of Measure P (Requires 5 affirmative votes) (Subject to Mayor’s veto)

*The above item PASSED 5/2, Councilmember Karbassi and Councilmember Bredefeld voted no.*

*RESOLUTION 2021-040 ADOPTED  
 RESOLUTION 2021-041 ADOPTED  
 RESOLUTION 2021-042 ADOPTED  
 RESOLUTION 2021-043 ADOPTED  
 ORDINANCE 2021-005 ADOPTED*

- 1-C**     [ID 21-210](#)     Actions pertaining to the 2017 Transformative Climate Communities (TCC) Grant and Transform Fresno Plan projects:
1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301 and Section 15304 of the California Environmental Quality Act (CEQA) Guidelines for Project #16 and Project #17
  2. Approve Sub-Recipient Agreement with Fresno Metro Ministry for Project #15 Yosemite Village Community Orchard totaling \$262,500
  3. Approve Sub-Recipient Agreement with Fresno Metro Ministry for Project #16 St. Rest + Food to Share Hub: Urban Heat Island Mitigation totaling \$62,220
  4. Approve Sub-Recipient Agreement with Fresno Metro Ministry for Project #17 St. Rest + Food to Share Hub: Healthy Food Rescue and Redistribution Hub totaling \$1,488,280
  5. \*\*\*RESOLUTION - Adopting the 60th amendment to the Annual Appropriation Resolution (AAR) No. 2020-159 appropriating \$3,663,600 for the TCC grant (requires five affirmative votes)

(Subject to Mayor's Veto).

*The above item was continued to March 4, 2021.*

**1-D** [ID 21-161](#)

Award a Service Contract in the amount of \$138,320, to Turner Security Systems for Security operations at the Fresno-Clovis Regional Wastewater Reclamation Facility. This Contract term is for three year(s), with provisions for two, one-year extensions, not to exceed \$691,600. Bid File 9535 (Council District 3)

**1-E** [ID 21-255](#)

Approve the First Amendment to the Consultant Services Agreement with Carollo Engineers, Inc., to expand the scope of services, increase the original contract amount of \$906,350 by \$24,681 for a total amended contract amount of \$931,031, and to extend the term of the contract from August 15, 2020 to March 31, 2022, for professional civil engineering services for the Fresno-Clovis Regional Wastewater Reclamation Facility Waste Gas Flare Improvement Project (Council District 3)

**1-F** [ID 21-259](#)

Award a Consultant Services Agreement to Blair, Church & Flynn Consulting Engineers in an amount not to exceed \$145,158, inclusive of a \$10,000 contingency, for the design of sewer rehabilitation improvements in the area bound by Blackstone, Maroa, McKinley, and Clinton Avenues (Council Districts 1 and 7)

**1-G** [ID 21-244](#)

Reject all proposals received on August 4, 2020, in response to the Department of Transportation Fresno Area Express Transit Mobile Ticketing Solution solicitation and staff will rebid the project (Bid File #9544)

*The above item was pulled from Consent Calendar by Councilmember Maxwell and moved to Contested Consent for further discussion.*

**1-H** [ID 21-135](#)

Approve a Five-year Agreement with KNN Public Finance for Financial Advisory Services for a total fee not to exceed \$425,000

**1-I** [ID 21-253](#)

\*\*\* Approve a Resolution providing 2021 COVID-19 Supplemental Leave time to City employees effective January 1, 2021. (Subject to Mayor's Veto)

*The above item was removed from Consent Calendar and continued to Closed Session.*

- 1-J [ID 21-247](#) **RESOLUTION** - Of Intention to Annex Final Tract Map No. 6285 as Annexation No. 97 to the CITY OF FRESNO COMMUNITY FACILITIES DISTRICT NO. 11 and to Authorize the Levy of Special Taxes; and setting the public hearing for Thursday, April 8, 2021, at 10:00 am (area surrounding the southeast corner of North Armstrong and East Clinton Avenues) (Council District 4)

*RESOLUTION 2021-044 ADOPTED*

- 1-K [ID 21-248](#) Actions pertaining to Final Map of Tract No. 6235

1. **RESOLUTION** - Approving the Final Map of Tract No. 6235, of Vesting Tentative Tract Map No. 6235, and accepting dedicated public uses offered therein except for dedications offered subject to City acceptance of developer installed required improvements - northeast corner of Olive Avenue and Armstrong Avenue (Council District 4)

*RESOLUTION 2021-045 ADOPTED*

- 1-L [ID 21-249](#) **RESOLUTION** - Authorizing the Submission of a Grant Application to the Fresno Council of Governments for the 2021 Measure "C" Transit Oriented Infrastructure for In-Fill Development Grant Program in the amount of \$1,138,000 for the Merced Complete Street Project; and Authorizing the Execution of Grant Application and Grant Agreement Documents by the Public Works Director or Designee (Council District 3)

*RESOLUTION 2021-046 ADOPTED*

- 1-M [ID 21-294](#) \*\*\***RESOLUTION** - Approve Non-AAR Reallocation of \$60,000 from the City Attorney's Department/Code Section to the City Council Department, Council City Support Section. (Subject to Mayor's Veto)

*RESOLUTION 2021-047 ADOPTED*

## **CONTESTED CONSENT CALENDAR**

- 1-G [ID 21-244](#) Reject all proposals received on August 4, 2020, in response to the Department of Transportation Fresno Area Express Transit Mobile Ticketing Solution solicitation and staff will rebid the project (Bid File #9544)

*APPROVED*

**On motion of Councilmember Maxwell, seconded by Vice President Esparza, that the above Action Item be approved. The motion carried**



by the following vote:

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

### **3. GENERAL ADMINISTRATION**

- 3-A**    [ID 21-273](#)    Workshop - Coordination of Regional Homelessness Initiatives and Funding

*The above item was introduced to Council by Councilmember Arias, District 3, Director Clark, Planning and Development Department and Director of Housing and Homeless Services Spees, City Manager's Office.*

*PRESENTED*

- 3-B**    [ID 21-267](#)    Actions pertaining to supplemental funding provided by the U.S. Department of Housing and Community Development Office of Community Planning and Development (HUD CPD) to prevent, prepare for, and respond to the Coronavirus:

1. \*\*\*RESOLUTION - Adopting Substantial Amendment 2019-06 to the 2019-2020 Annual Action Plan and COVID-19 Amendments to the Citizen Participation Plan to submit a request to HUD to program \$7,980,086 of Community Development Block Grant-Coronavirus (CDBG-CV) funds to prevent, prepare for, and respond to the Coronavirus (COVID-19); approving allocations to activities in accordance therewith; and authorizing the City Manager or designee to sign all implementing documents as approved to form by the City Attorney (Subject to Mayor's veto)
2. Approve first revision of ESG-CV Activity Allocations to allocate \$5,960,899 of Emergency Solutions Grant-Coronavirus, 2nd tranche (ESG-CV2) to activities to prevent, prepare for, or respond to the Coronavirus among homeless populations and persons at risk of homelessness; and authorizing the City Manager or designee to sign all implementing documents as approved to form by the City Attorney
3. \*\*\*RESOLUTION - Adopting the 59th amendment to the Annual Appropriation Resolution No. 2020-159 appropriating \$3,796,000 for COVID-19-related CDBG activities (Requires 5 affirmative votes) (Subject to Mayor's veto)

*Councilmember Arias motioned to approve the Substantial Amendment 2019-06 to the 2019-20 Annual Action Plan with the following change:  
Reduce Community Development Block Grant -Coronavirus (CDBG-CV) funds proposed for the operation of Fresno Housing Authority Project*

*Homekey sites by \$1,332,385, and include \$774,099 of ESG-CV2 proposed for COVID response activities to be used for the acquisition and/or rehabilitation of hotel/motel site(s) for emergency homeless shelter. This will bring the total amount allocated for acquisition and rehabilitation of hotel/motel site(s) for emergency homeless shelter to \$2,106,484. Council Vice President Esparza seconded the motion.*

*Upon call, the following members of the public addressed Council: Brandi Villegas, Dez Martinez, Lisa Flores, Robert McCloskey, Ruben Espinoza, and Yonas Paulos.*

*RESOLUTION 2021-049 ADOPTED AS AMENDED*

*RESOLUTION 2021-050 ADOPTED*

**On motion of Councilmember Arias, seconded by Vice President Esparza, that the above Action Item be adopted as amended. The motion carried by the following vote:**

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

City Council recessed for lunch at 11:53 A.M. and returned from lunch at

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

### **1:00 P.M.**

[ID 21-284](#) \*\*\*RESOLUTION regarding The Zero Fare Clean Air Act (Subject to Mayor's Veto)

*The above item was introduced to Council by Councilmember Maxwell, District 4. Upon call, the following members of the public addressed Council: Monica Chacon, Cynthia Rocha, Mario Manganiello, Kiel Lopez-Schmidt, Lydia Chavez, Bridget Mosley-Watkins, Keshia Thomas, Tina Robertson, Keya Herron, Grecia Elenes, Alan Jacobsen, Evelyn Gamble, Adam Rodriguez, Raymart Ka, Amber Crowell, Brandi Villegas, Brenda Quispe, Lisa Flores, Rick Steitz, Henry Amador, Pedro Navarro Cruz, Eric Payne, Anthony Molina, Kevin Hall, Jaziah Cooper, and David Johnson.*

*Councilmember Soria, Councilmember Arias, Council Vice President*

*Esparza, Council President Chavez, and Mayor Dyer spoke in support the Zero Fare Clean Air Act.*

*Councilmember Karbassi and Councilmember Bredefeld spoke in opposition of the Zero Fare Clean Air Act.*

*Councilmember Maxwell motioned to adopt as amended to remove the following language from Section 8 "or remain on the bus for more than two successive hours." Councilmember Soria seconded the motion.*

**RESOLUTION 2021-048 ADOPTED AS AMENDED**

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

**Aye:** 5 - Chavez, Esparza, Soria, Arias and Maxwell

**No:** 2 - Karbassi and Bredefeld

#### **4. CITY COUNCIL**

- 4-A**     [ID 21-285](#)     Consider action to direct the City Attorney to file lawsuit against Fresno Unified School District to reopen for in person learning.

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

#### **5. CLOSED SESSION**

*City Council recessed into Closed Session at 3:19 P.M. and returned from Closed Session at 3:53 P.M.*

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

- 5-A**     [ID 21-283](#)     CONFERENCE WITH LABOR NEGOTIATORS - Government Code Section 54957.6  
City Negotiator: Jeffrey Cardell  
Employee Organizations:  
1. International Union of Operating Engineers, Stationary Engineers, Local 39 (Local 39); 2. Fresno City Employees Association (FCEA); 3. Fresno Police Officers Association (FPOA Basic); 4. International Association of Firefighters, Local 753, Unit 5 (Fire Basic); 5. Amalgamated Transit Union, Local 1027 (ATU); 6. International Brotherhood of Electrical Workers, Local 100 (IBEW); 7. Fresno Police

Officers Association (FPOA Management); 8. International Association of Firefighters, Local 753, Unit 10 (Fire Management); 9. City of Fresno Professional Employees Association (CFPEA); 10. City of Fresno Management Employees Association (CFMEA); 11. Operating Engineers, Local Union No. 3, Fresno Airport Public Safety Supervisors (FAPSS); 12. Operating Engineers, Local Union No. 3, Fresno Airport Public Safety Officers (FAPSO); 13. Unrepresented Employees in Unit 2 (Non-Represented Management and Confidential Classes): Airport Public Safety Manager, Assistant City Attorney, Assistant City Manager, Assistant Controller, Assistant Director, Assistant Director of Personnel Services, Assistant Director of Public Utilities, Assistant Director of Public Works, Assistant Police Chief, Assistant Retirement Administrator, Budget Analyst, Budget Manager, Chief Assistant City Attorney, Chief Information Officer, Chief of Staff to Councilmember, Chief of Staff to the Mayor, City Attorney (City Negotiator, Council President Chavez), City Attorney Investigator, City Clerk (City Negotiator, Council President Chavez), City Engineer, City Manager (City Negotiator, Mayor Dyer), Community Coordinator, Community Outreach Specialist, Controller, Council Assistant, Deputy City Attorney II , Deputy City Attorney III, Deputy City Manager, Director, Director of Aviation, Director of Development, Director of Personnel Services, Director of Public Utilities, Director of Transportation, Economic Development Coordinator, Economic Development Director , Executive Assistant to Department Director, Executive Assistant to the City Attorney, Executive Assistant to the City Manager , Fire Chief, Governmental Affairs Manager, Human Resources Manager, Independent Reviewer, Internal Auditor, Investment Officer, Labor Relations Manager, Management Analyst II, Payroll Accountant, Payroll Manager, Police Chief, Principal Budget Analyst, Principal Internal Auditor, Public Affairs Officer, Public Works Director, Retirement Administrator, Retirement Benefits Manager, Senior Budget Analyst, Senior Deputy City Attorney I, Senior Deputy City Attorney II, Senior Deputy City Attorney III, Senior Human Resources/Risk Analyst, Senior Law Clerk, Supervising Deputy City Attorney

- 1-I [ID 21-253](#) \*\*\* Approve a Resolution providing 2021 COVID-19 Supplemental Leave time to City employees effective January 1, 2021. (Subject to Mayor's Veto)

## **ADJOURNMENT**

*City Council adjourned in memory of Sgt. Paul Brown at 3:53 P.M.*