



City of Fresno

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

Meeting Minutes - Draft City Council

President - Annalisa Perea

Vice President - Mike Karbassi

Councilmembers:

Miguel Angel Arias, Tyler Maxwell, Luis Chavez,

Garry Bredefeld, Nelson Esparza

City Manager - Georgeanne A. White

City Attorney - Andrew Janz

City Clerk - Todd Stermer, CMC

Thursday, February 22, 2024

9:00 AM

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

Regular Meeting

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

9:05 A.M. ROLL CALL

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

Invocation by Fresno Police Department Chaplain Mathew Markarian

Chaplain Mathew Markarian 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 2-B (ID 24-196) regarding the Second Amendment to the Consultant Services Agreement with Landry Consulting LLC., there was an update to the Background on the staff report. The first paragraph second sentence "With the issuance of SNPRM (FAA Order 5200.11) on May 24, 2022 should read July 20, 2021, all airports with commercial passenger service will have 18 months to implement their SMS no later than April 30, 2027" and second paragraph to read the change in the amount into the record from \$99,970 to \$100,000.

ITEMS MOVED TO CONTESTED CONSENT FOR FURTHER DISCUSSION

2-E (ID 24-263) regarding amending the Graffiti Abatement Ordinance - was moved to contested consent by Councilmember Arias.

2-K (ID 24-246) regarding amending the lease agreement with Tutelian Holdings I, LLC. - was moved to contested consent by Councilmember Arias.

2-W (ID 24-220) regarding grants for water and sewer infrastructure for the Community of Britten Avenue - was moved to contested consent by Councilmember Arias .

2-GG (ID 24-254) regarding the City Attorney Amended At-Will Agreement - was moved to contested consent by Councilmember Arias and Vice President Karbassi.

2-HH (ID 24-130) regarding resolution regarding Boards Commissions and Similar Bodies - was moved to contested consent by Councilmember Arias, Vice President Karbassi, and Council President Perea.

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

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

CEREMONIAL PRESENTATIONS

[ID 24-125](#) Proclamation for "Mid Valley's Recycler of the Year"

PRESENTED

[ID 24-178](#) Fresno Animal Center presents "Pet of the Month"

PRESENTED

COUNCILMEMBER REPORTS AND COMMENTS

Councilmember Arias Reports and Comments: Acknowledged the Public Works team for undertaking all the infrastructure work in Tower. Acknowledged the PARCs team on improving the parks and announced work will start on Jensen overlay from 41 to MLK. Requested updates on the Selland Arena Catering Contract and the Arts Council lease. Addressed concerns with the District Attorney and Prop. 47.

Councilmember Esparza Reports and Comments: Held the first Espresso with Esparza event Mi Cafecito. Attended the affordable housing project, The Authur @ Blackstone ribbon cutting. Visited the Crossroads Village, the first Home Key site converting from shelter housing to permanent affordable housing.

Council President Perea Reports and Comments: Participated in the Valentine's for Veterans. Welcomed Leadership Fresno to City Hall. Acknowledged the volunteers, Beautify Fresno and the Public Works teams for the Beautify Fresno Event in the Shields and Brawley neighborhood.

MAYOR/MANAGER REPORTS AND COMMENTS

There were no Reports and Comments made.

CITY CLERK AND CITY ATTORNEY REPORTS AND COMMENTS

City Attorney Janz Reports and Comments: Reported on Tire Amnesty Events at the Fresno Chandler Airport.

1. SCHEDULED COUNCIL HEARINGS AND MATTERS

9:30 A.M.

[ID 24-255](#) Appearance by Richard Renteria to discuss meet and greet. (Resident of District 3)

APPEARED

9:35 A.M.

[ID 24-260](#) Appearance by Fernando Elizando to discuss public scrutiny aka freedom of speech (Resident of District 3)

APPEARED

10:00 A.M.

[ID 24-210](#) HEARING to consider Development Permit Application No. P21-02699, Vesting Tentative Parcel Map No. 2021-09, and related Final Environmental Impact Report (FEIR), State Clearinghouse (SCH) No. 2022050265, regarding an Office/Warehouse Project located on approximately ± 48.03 acres of property at the northeast intersection of North Marks and West Nielsen Avenues (Council District 3)

1. CERTIFY Final Environmental Impact Report (SCH No. 2022050265), apply the Council's independent judgment and analysis to the review, and then adopt the resolution certifying the FEIR as having been completed in compliance with the California Environmental Quality Act (CEQA) on the proposed Final EIR and comments thereon; and;
 - a. ADOPT the Water Supply Assessment (WSA) attached to the FEIR as Appendix K in compliance with Section 10910 of the California Water Code and Section 15155 of the CEQA Guidelines, and adopt the WSA as a technical addendum to the Environmental Impact Report; and,
 - b. ADOPT Findings of Fact pursuant to CEQA Guidelines Section 15091; and,
 - c. ADOPT a Mitigation Monitoring and Reporting Program (MMRP) pursuant to CEQA Guidelines section 15097
2. DENY the appeal and UPHOLD the action of the Planning Commission in the approval of Development Permit Application No. P21-02699 which requests authorization to construct four office/warehouse buildings with a total gross floor area of approximately ± 901,438 square feet, subject to compliance with the Conditions of Approval dated October 4, 2023; and,
3. DENY the appeal and UPHOLD the action of the Planning Commission in the approval of Vesting Tentative Parcel Map No. 2021-09 which requests authorization to subdivide the subject property into four parcels: Parcel A ± 11.68 acres, Parcel B ± 5.38 acres, Parcel C ± 5.14 acres, Parcel D ± 26.15 acres, subject to

compliance with the Conditions of Approval dated October 4, 2023.

The above hearing was called to order at 10:00 a.m. and presented to Council by Planner II Martinez, Applicant Paul Starn, Applicant John Kinsey, EIR Consultant Cara Cunningham, and Appellant Kevin Carmichael.

Upon call, the following members of the public addressed Council and spoke in favor of the item: Will Oliver; Chris Stockwell; Rex Hime; Nick Audino; Ben Granholm; Mayor Dyer; Matthew Estipona; Eric Christen; Susan Siegert, and Alex Tavlian.

Upon call, the following members of the public addressed Council and spoke in opposition of the item: Johnhenry Lopez; James Ruleas; Lisa Flores; Victoria Yundt; Lynn Owens; Bob McCloskey; Dez Martinez;

Public comment period closed at 11:06 a.m.

Council discussion on this item includes: Discussion on the Environmental Impact Report; the applicants stance on unionized labor and project labor agreements; concerns and questions pollution mitigation efforts; Lack of clarity on project details regarding specific users, truck trips, passenger vehicle trips, and pollution estimates; traffic study; proposed mitigation measures; community engagement; potential tents, and local employment and economic impact.

Councilmember Arias motioned to deny the certification of the Environmental Impact Report (SCH No. 2022050265), on the basis that there is no substantial evidence on the record to support a conclusion that the EIR sufficient with respect to the air quality, noise, and traffic impact. To move to grant the appeals and overturn the action by the Planning Commission on both the development permit and the vesting track map therefore denying both the applications on the basis that without a certified EIR neither application is in full compliance with the applicable standards and the requirements of the development code which require an environmental assessment prior to approval. Motion FAILED for lack of second.

On motion of Vice President Karbassi, seconded by Councilmember Esparza, that the above Action deny the appeal and approve the project. The motion carried by the following vote:

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

No: 2 - Arias and Chavez

2. CONSENT CALENDAR

APPROVAL OF THE CONSENT CALENDAR

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

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

2.-A. [ID 24-216](#) Approval of minutes for February 2, 2024, regular meeting.

APPROVED ON THE CONSENT CALENDAR

2.-B. [ID 24-196](#) Actions related to the Second Amendment to the Consultant Services Agreement with Landry Consulting LLC:

1. Adopt a finding of Categorical Exemption pursuant to Section 15301 (Existing Facilities) of the California Environment Quality Act Guidelines.
2. Approve the Second Amendment to the Consultant Services Agreement for an additional \$180,000 with Laundry Consulting, LLC., for the implementation of the Airport Safety Management Systems program at Fresno Yosemite International airport. The total contract value is not to exceed \$380,000. (Council District 4)

There was a correction read into the record: the Background on the staff report. The first paragraph second sentence "With the issuance of SNPRM (FAA Order 5200.11) on May 24, 2022 should read July 20, 2021, all airports with commercial passenger service will have 18 months to implement their SMS no later than April 30, 2027" and second paragraph to read the change in the amount into the record from \$99,970 to \$100,000.

APPROVED ON THE CONSENT CALENDAR

2.-C. [ID 24-201](#) Actions pertaining to the Fresno Yosemite International Airport SMART Program Bid File No. 12302377 (Council District 4)

1. Adopt a finding of Categorical Exemption pursuant to Section 15301 (a) and (b) (Existing Facilities) of the California Environmental Quality Act Guidelines
2. Award a construction contract in the amount of \$794,000.00 to S&L Specialty Construction, of Syracuse, New York for the acoustic treatment of 17 homes in the vicinity of Fresno Yosemite International Airport

APPROVED ON THE CONSENT CALENDAR

- 2.-D. [ID 24-243](#) Actions pertaining to a grant agreement between the City of Fresno and Cal Recycle:
1. *** RESOLUTION - 37th Amendment to the Annual Appropriation Resolution (AAR) 2023-185 to Appropriating \$38,700 in Cal Recycle Grant Funding in FY2024 (Requires 5 Affirmative Votes) (Subject to Mayor’s Veto)

RESOLUTION 2024-026 ADOPTED

APPROVED ON THE CONSENT CALENDAR

- 2.-F. [ID 24-253](#) Approval of Memorandum of Understanding with ACTS Foundation/Mint Thrift Store for temporary emergency housing if activated as a Warming Center (District 1).

APPROVED ON THE CONSENT CALENDAR

- 2.-G. [ID 24-217](#) Approve a consultant agreement with Moss Adams, LLC., for an evaluation of the Youth Jobs Corps Program (YJCP) using grant funding from the Transformative Climate Communities (TCC) grant not to exceed \$58,000.

APPROVED ON THE CONSENT CALENDAR

- 2.-H. [ID 24-231](#) Action pertaining to Federal Emergency Management Agency (FEMA) reimbursement through the California Office of Emergency Services (CalOES) for eligible expenses under various disaster preparedness programs.
1. ***RESOLUTION - Authorizing the City Manager or Designee to Apply for and Accept Federal Emergency Management Agency (FEMA) Grant Funding through the California Office of Emergency Services (CalOES) for reimbursement related to disaster preparedness funding (Subject to Mayor’s Veto)
 2. Authorize the City Manager or designee to sign all documents related to FEMA reimbursement

RESOLUTION 2024-027 ADOPTED

APPROVED ON THE CONSENT CALENDAR

- 2.-I. [ID 24-207](#) Actions related to 2022 Assistance to Firefighters Grant:
- 1) Award Consultant Agreement to AP Triton in the amount not to exceed \$97,914 to conduct a comprehensive and expert Community Risk Assessment-Standards of Cover (CRR-SOC) and create an associated Community Risk Reduction (CRR) Plan
 - 2) ***RESOLUTION - Adopting the 32nd Amendment to the Annual Appropriation Resolution (AAR) 2023-185 appropriating \$93,900 for the 2022 Assistance to Firefighters Grant to conduct a comprehensive and expert Community Risk Assessment-Standards of Cover (CRR-SOC) and create an associated Community Risk Reduction (CRR) Plan (Requires 5 Affirmative Votes) (Subject to Mayor's Veto).

RESOLUTION 2024-028 ADOPTED

APPROVED ON THE CONSENT CALENDAR

- 2.-J. [ID 24-228](#) Approve the First Amendment to the Consultant Services Contract with Gaetke Medical Corporation and 1582, LLC in the amount of \$18,600 for a total contract amount of \$279,600 for Annual Fitness/Wellness Evaluations (Annual Physicals) for the Fresno Fire Department sworn personnel.

APPROVED ON THE CONSENT CALENDAR

- 2.-L. [ID 24-205](#) Actions pertaining to the Quigley Park Rehabilitation Project (Council District 1):
1. Affirm the City Manager's finding that Melton Design Group Inc. is uniquely qualified;
 2. Approve the professional engineering and architectural services agreement with Melton Design Group Inc., of Sacramento, California in the amount of \$869,200 with an additional \$80,000 contingency, for design and construction support services for the Quigley Park Rehabilitation Project.

APPROVED ON THE CONSENT CALENDAR

- 2.-M. [ID 24-206](#) Reject all bids for the Cary Park ADA, Bleachers, and Pétanque Play Court Improvements Project Bid File No. 12400560 (Council District 4).

APPROVED ON THE CONSENT CALENDAR

- 2.-N. [ID 24-208](#) Actions pertaining to the Roessler Winery Building Project (Council District 4):
1. Affirm the City Manager's finding that Brooks Ransom Associates is uniquely qualified;
 2. Approve an agreement for professional architectural and engineering services with Brooks Ransom Associates of Fresno,

California for an amount not to exceed \$67,500 with an additional \$15,000 contingency, for design and construction support services for the historic Roessler Winery Building Project.

APPROVED ON THE CONSENT CALENDAR

- 2.-O. [ID 24-200](#) Approve Contract Change Order No. 05 with American Paving Company in the amount of \$53,327.38 for the Audubon Drive and Nees Avenue Traffic Signal Modification and Roadway Reconstruction Project, Project ID PW00806 (Council District 2).

APPROVED ON THE CONSENT CALENDAR

- 2.-P. [ID 24-150](#) RESOLUTION - Authorizing the Submission of a Grant Application to the Fresno Council of Governments for the 2024 Measure "C" Transit Oriented Development Grant Program in the amount not to exceed \$1,500,000 for the Project(s) to support transit-oriented development; and Authorizing the Execution of Grant Application and Grant Agreement Documents by the Public Works Director or Designee (Council Districts 1, 3, 5 and 7).

RESOLUTION 2024-029 ADOPTED

APPROVED ON THE CONSENT CALENDAR

- 2.-Q. [ID 24-157](#) ***BILL B-2 (Intro'd January 18, 2024)(For Adoption) -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 (Subject to Mayor's Veto).

ORDINANCE 2024-003 ADOPTED

APPROVED ON THE CONSENT CALENDAR

- 2.-R. [ID 24-212](#) ***RESOLUTION - Adopting the 41st Amendment to the Annual Appropriation Resolution No. 2023-185 to appropriate \$4,077,500 for previously approved capital improvement projects in the Public Works Department (citywide) (Subject to Mayor's veto) (Requires 5 Affirmative Votes)

RESOLUTION 2024-030 ADOPTED

APPROVED ON THE CONSENT CALENDAR

- 2.-S. [ID 24-213](#) ***RESOLUTION - Adopting the 34th Amendment to the Annual Appropriation Resolution No. 2023-185 to appropriate \$632,400 for new capital improvement projects in the Public Works Department (citywide) (Subject to Mayor's Veto) (Requires 5 Affirmative Votes).

*RESOLUTION 2024-031 ADOPTED***APPROVED ON THE CONSENT CALENDAR**

- 2.-T. [ID 24-187](#) Actions pertaining to an Extraterritorial Water and Sewer Service and Offsite Infrastructure Agreement between Clovis Unified School District and the City of Fresno (City of Fresno Sphere of Influence and County of Fresno):
1. RESOLUTION - Considering Mitigated Negative Declaration SCH No. 2018031007 and adopting findings pursuant to California Environmental Quality Act Guidelines section 15162;
 2. Approve an Extraterritorial Water and Sewer Service and Offsite Infrastructure Agreement between Clovis Unified School District and the City of Fresno.

*RESOLUTION 2024-032 ADOPTED***APPROVED ON THE CONSENT CALENDAR**

- 2.-U. [ID 24-202](#) Approve a consultant services agreement with AECOM Technical Services Inc., for a total amount not to exceed \$85,560, inclusive of a \$14,260 contingency, to provide engineering design and construction support services for the conversion of two natural gas driven pumps to electric motor-driven at Pump Stations 10A and 82-1. (Bid File No. 12400659) (Council Districts 5 and 7).

APPROVED ON THE CONSENT CALENDAR

- 2.-V. [ID 24-209](#) Approve a consultant services agreement with ADS Corp for an amount not to exceed \$1,086,249 to provide wastewater flow monitoring services for the City of Fresno. (Bid File 12400756) (Citywide).

APPROVED ON THE CONSENT CALENDAR

- 2.-X. [ID 24-223](#) Actions pertaining to the Northeast Surface Water Treatment Facility Sodium Hypochlorite Tank Replacement (Bid File 12400125) (Council District 6):
1. Adopt a finding of Categorical Exemption pursuant to Sections 15301/Class 1 and 15302/Class 2 of the California Environmental Quality Act Guidelines;
 2. Award a purchase contract in the amount of \$445,335.00 to Liberty Chemical Equipment & Supply, Inc., for a sodium hypochlorite replacement tank for the City of Fresno's Northeast Surface Water Treatment Facility.

APPROVED ON THE CONSENT CALENDAR

- 2.-Y. [ID 24-179](#) Approve the award of a cooperative purchase agreement to Lehr Auto of

Sacramento, California for the purchase of 32 Panasonic CF-33 Toughbook laptops in an amount not to exceed \$242,300 to replace aging, out of date computers in Police vehicles.

APPROVED ON THE CONSENT CALENDAR

2.-Z. [ID 24-204](#)

Approve the updated Agreement between the City of Fresno Police Department and Flock Safety, in an amount not to exceed \$1,498,690.41 for three (3) years for the subscription services of Automated License Plate Readers (ALPR), cameras, and software.

APPROVED ON THE CONSENT CALENDAR

2.-AA. [ID 24-224](#)

Actions pertaining to the 2024 Selective Traffic Enforcement Program (STEP) grant

1. Authorize the Chief of Police to accept additional grant funding of \$270,000 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) for a total of \$870,000
2. Authorize the Chief of Police or his designee to execute the revised agreement, extensions and all related documentation applicable to the 2024 STEP grant
3. ***RESOLUTION - Adopt the 39th Amendment to the Annual Appropriation Resolution (AAR) No. 2023-185 to appropriate \$270,000 for the Police Department's 2024 STEP grant (Requires 5 Affirmative Votes)(Subject to Mayor's Veto)
4. ***RESOLUTION - Adopt a Resolution authorizing the purchase of 364 mobile printers and power systems supplies in an amount not to exceed \$250,000, with Barcodes, LLC without advertised competitive bidding (Requires 5 Affirmative Votes)(Subject to Mayor's Veto)

RESOLUTION 2024-034 ADOPTED

RESOLUTION 2024-035 ADOPTED

APPROVED ON THE CONSENT CALENDAR

2.-BB. [ID 24-226](#)

Actions pertaining to the 2023 Off-Highway Vehicle (OHV) Grant Program:

1. Authorize the Chief of Police to accept grant funding in the total amount of \$17,406 for the 2023 Off-Highway Vehicle grant program awarded to the Fresno Police Department from the State of California Department of Parks and Recreation;
2. Authorize the Chief of Police to execute the agreement and all related documents applicable to the 2023 OHV grant including amendments and extensions;

3. ***RESOLUTION - Adopt a Resolution authorizing acceptance of \$17,406 in grant funding from the State of California Department of Parks and Recreation for the Fresno Police Department's 2023 Off-Highway Vehicle grant (Subject to Mayor's Veto);
4. ***RESOLUTION - Adopt the 38th Amendment to the Annual Appropriation Resolution (AAR) No. 2023-185 to appropriate \$17,406 for the Police Department's Off-Highway Vehicle (OHV) grant program (Requires 5 Affirmative Votes) (Subject to Mayor's Veto).

RESOLUTION 2024-036 ADOPTED

RESOLUTION 2024-037 ADOPTED

APPROVED ON THE CONSENT CALENDAR

- 2.-CC. [ID 24-227](#) Actions pertaining to the 2024 Law Enforcement Specialized Unit Program
1. Authorize acceptance of \$203,143 in grant funding from the California Governor's Office of Emergency Services' Law Enforcement Specialized Unit Program
 2. ***RESOLUTION - Adopt the 36th Amendment to the Annual Appropriation Resolution No. 2023-185 appropriating \$203,100 in Law Enforcement Specialized Unit Program Grant funding for the police department's Domestic Violence Unit (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)
 3. Authorize Chief of Police to enter into a Memorandum of Understanding with the Marjaree Mason Center not to exceed \$115,313

RESOLUTION 2024-038 ADOPTED

APPROVED ON THE CONSENT CALENDAR

- 2.-DD. [ID 24-232](#) Authorize the Chief of Police to enter an agreement with County of Fresno for the reimbursement of five Fresno Police Officers, one Police Sergeant, and one Crime Analyst, which will be assigned to the Adult Compliance Team (ACT)/ Multi-Agency Gang Enforcement Consortium Team (MAGEC) in an amount not to exceed \$1,773,531 for Fiscal Year 2023-24.

APPROVED ON THE CONSENT CALENDAR

- 2.-EE. [ID 24-104](#) Approve the First Amendment to the Repair Services Agreement with the Housing Authority of the City of Fresno (Fresno Housing) to amend The Valley Inn (Property) repairs and maintenance budget of \$2,651,648 by \$258,975.53 for a total amended contract amount of \$2,910,623.53. The Valley Inn is located at 933 North Parkway Drive, Fresno, California (APN 449-335-32).

APPROVED ON THE CONSENT CALENDAR

- 2.-FF. [ID 24-215](#) ***RESOLUTION - Authorizing application for and acceptance of funding from the Permanent Local Housing Allocation (PLHA) Program of the California Housing and Community Development Department for the development of Affordable multifamily and single-family housing, owner-occupied home rehabilitation, and down payment assistance to benefit Low- and Moderate-Income persons, and authorizing the City Manager, or designee, to sign all necessary implementing documents. (Subject to Mayor's Veto)

RESOLUTION 2024-039 ADOPTED

APPROVED ON THE CONSENT CALENDAR

- 2.-II. [ID 24-258](#) RESOLUTION - Establishing the Master Tax Sharing Agreement Subcommittee

RESOLUTION 2024-041 ADOPTED

APPROVED ON THE CONSENT CALENDAR

- 2.-JJ. [ID 24-214](#) ***RESOLUTION - Directing City of Fresno Administration to Display Clement Renzi's "A Day in the Park" Sculpture at Storyland (Subject to Mayor's Veto)

RESOLUTION 2024-042 ADOPTED

APPROVED ON THE CONSENT CALENDAR

- 2.-KK. [ID 24-262](#) ***Resolution - Adopting the 42nd Amendment to the Annual Appropriations Resolution (AAR) No. 2023-185 Appropriating \$100,000 in Women's Recovery Grant Funding in FY 2024 (Subject to Mayor's Veto) (Requires 5 Affirmative Votes).

RESOLUTION 2024-043 ADOPTED

APPROVED ON THE CONSENT CALENDAR

- 2.-LL. [ID 24-269](#) ***RESOLUTION - Adopting the 45th Amendment to the Annual Appropriations Resolution (AAR) No. 2023-185 reallocating \$103,400 from the Public Works Department to the City Council Department for the purchase and installation of wood framed windows at the Armenian Town Homes through the Housing Successor to the Redevelopment Agency (Requires 5 Affirmative Votes) (Subject to Mayor's Veto).

RESOLUTION 2024-044 ADOPTED

APPROVED ON THE CONSENT CALENDAR

2. [ID 24-272](#) RESOLUTION - Renaming the South Tower Park to the Broadway Parque
-MM.

RESOLUTION 2024-045 ADOPTED

APPROVED ON THE CONSENT CALENDAR

CONTESTED CONSENT CALENDAR

- 2.-E. [ID 24-263](#) Bill (For Introduction) - Amending the Graffiti Abatement Ordinance, FMC Section 9-2514(e) to amend the violations imposed for graffiti abatement and adding Article 23 to Chapter 10 of the Fresno Municipal Code, to protect public and private property from acts of vandalism and defacement.

Councilmember Arias moved this item to Contested Consent to discuss the item in detail. City Attorney Janz presented the item to Council.

Council discussion on this item included: Responsibility for prosecution; City Attorney's role; felony classification; resource allocation, and task force for graffiti.

BILL B-3 APPROVED, INTRODUCED AND LAID OVER

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

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

- 2.-K. [ID 24-246](#) Approve the second amendment to the lease agreement between the City of Fresno and Tutelian Holdings I, LLC, for office space at 2440 Tulare Street, Civic Center Square, extending the lease term through August 31, 2025, in the amount of \$137,434 for rent plus the proportionate CAM (Common Area Maintenance) charges estimated through end of the term at \$81,602 for the Planning and Development Department, Housing and Community Development Division

Councilmember Arias moved this item to Contested Consent to discuss the contract extension and the General Fund commitment.

APPROVED

On motion of Councilmember Arias, seconded by Councilmember Chavez, that the above Action Item be APPROVED. The motion carried

by the following vote:

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

- 2.-W. [ID 24-220](#) ***RESOLUTION - Authorizing the Department of Public Utilities Director or designee(s) to prepare and submit grant applications, accept funds, and execute any financial assistance agreements and amendments with the California State Water Resources Control Board on behalf of the City of Fresno for the planning, design, and construction of water and sewer infrastructure to serve the Community of Britten Avenue. (Subject to Mayor's Veto) (Unincorporated Fresno County)

Councilmember Arias moved this item to Contested Consent to acknowledge the work of the Department.

RESOLUTION 2024-033 ADOPTED

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

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

- 2.-GG. [ID 24-254](#) Approve City Attorney Amended At-Will Agreement.

Councilmember Arias moved this item to Contested Consent to discuss the evaluation of the City Attorney and his recent successes.

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 - Perea, Karbassi, Arias, Maxwell, Chavez, Bredefeld and Esparza

- 2.-HH. [ID 24-130](#) RESOLUTION - Repealing and Replacing Resolutions 2004-6, 2004-185 and 2020-43, Establishing the Procedure for the Creation of Boards, Commissions, Committees, and Similar Bodies of the City of Fresno, and Establishing the Appointment Process

Councilmember Arias, Vice President Karbassi, and Council President Perea moved this item to Contested Consent to discuss the list of current

committees and which committees are subject to the Brown Act.

RESOLUTION 2024-040 ADOPTED

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

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

3. GENERAL ADMINISTRATION

3.-A. [ID 24-229](#) WORKSHOP - FY 2024 Mid-Year Budget Review

The above workshop was presented to Council by Director Fierro and City Manager White.

Council discussion on this item included: Revenue trends; increasing expenses including attrition levels and job vacancies; potential legislative changes regarding sales tax collection methods; cannabis industry; financial projections, franchise fees, and the potential impact on incomplete capital projects, and property tax growth.

PRESENTED

3.-B. [ID 24-257](#) Progress of Code Enforcement, including ASET Quarterly report

The above report was presented to Council by Chief Assistant City Attorney Camarena and Assistant City Attorney Roberson.

PRESENTED

3.-C. [ID 24-259](#) *RESOLUTION - Declaring Outdoor Warming Fires to be a Health and Safety Hazard and a Public Nuisance and Direct the City Manager to Cause Them to be Extinguished (Subject to Mayor's Veto).**

The above item was introduced to Council by Councilmember Arias.

Upon call, the following members of the public addressed Council: Maria Gomez; James Ruelas; Lethal Garcia; Brandi Nuse-Villegas; Lynn Owens; Lisa Flores; Maria Gee; Bob McCloskey, and Dez Martinez.

Discussion on this item included: The response of Fire Department handling open fires; air quality regulations; prevention of fires in abandoned structures; warming centers; open fires for cooking purposes; small businesses; the unhoused; portable stoves; and clear and consistent policy.

TABLED

On motion of Councilmember Arias, seconded by Vice President Karbassi, that the above item be tabled to tabled with direction to staff to return to Council in 30 days with a proposed policy on how the city is going to enforce the current Municipal Code for open fires across the city. The motion carried by the following vote:

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

UNSCHEDULED COMMUNICATION

[ID 24-330](#)

Public Comment Received

Upon call, the following members of the public addressed Council: Lauren Lopez; Zahra Al; Desiree Ledezma; Steve Diddy; Sheila Smith; Lorraine Estrada; Rosemilía Juarez; Kim Sands; Josefina Rojas; James Ruelas (2-F); Brandi Nuse-Villegas (2-F); Lisa Flores (2-F); Mohammed Q.; Lynn Owens; Bob McCloskey, and Layla Darwish.

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 4:38 P.M.

5.-A. [ID 24-249](#)

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Government Code Section 54956.9, subdivision (d)(1)

Case Name: *James Copland v. City of Fresno, PSI, Administered by Tristar Risk Management; Tristar Claim No. 1010106162*

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

session announcements regarding this item.

DISCUSSED

5.-B. [ID 24-250](#)

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Government Code Section 54956.9, subdivision (d)(1)

Case Name: *David Gibeault v. City of Fresno, PSI, Administered by Tristar Risk Management*, Claim Number 1010104308-ADR-1.

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

DISCUSSED

5.-C. [ID 24-251](#)

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Government Code Section 54956.9, subdivision (d)(1)

Case Name: *Fred Martinez v. City of Fresno, PSI, administered by Tristar Risk Management*, Claim No.: 01161148

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

DISCUSSED

5.-D. [ID 24-265](#)

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Government Code Section 54956.9, subdivision (d)(1)

La Hacienda Mobile Estates, LLC v. City of Fresno, et al; Case Number: 24CECG00271.

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

DISCUSSED

5.-E. [ID 24-266](#)

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Government Code Section 54956.9, subdivision (d)(2): 1 potential case

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

session announcements regarding this item.

DISCUSSED

- 5.-F. [ID 24-268](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Government Code Section 54956.9, subdivision (d)(1)

Lasha Johnson, individually and as successor-in-interest to Gerald Johnson, et al. v. City of Fresno, et al.; Fresno Superior Court Case No.: 21CECG00057

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

DISCUSSED

ADJOURNMENT

City Council adjourned from closed session at 5:10 P.M.