

RECEIVED

2022 JUN 22 AM 9:27

CITY OF FRESNO
CITY CLERK'S OFFICE

Regular Council Meeting
June 23, 2022

FRESNO CITY COUNCIL



Information Packet

ITEM(S)

File ID 22-1032, 1-A

Approval of the Minutes of the June 9, 2022 Regular City Council Meeting, June 13, 2022 Budget Hearing Meeting, June 14, 2022 Budget Hearing Meeting, and the June 15, 2022 Budget Hearing Meeting.

Contents of Supplement:

Draft Minutes for the June 9, 2022 Regular City Council Meeting

Item(s)

Supplemental Information:

Any agenda related public documents received and distributed to a majority of the City Council after the Agenda Packet is printed are included in Supplemental Packets. Supplemental Packets are produced as needed. The Supplemental Packet is available for public inspection in the City Clerk's Office, 2600 Fresno Street, during normal business hours (main location pursuant to the Brown Act, G.C. 54957.5(2)). In addition, Supplemental Packets are available for public review at the City Council meeting in the City Council Chambers, 2600 Fresno Street. Supplemental Packets are also available on-line on the City Clerk's website.

Americans with Disabilities Act (ADA):

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, sign language interpreters, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650. Please keep the doorways, aisles and wheelchair seating areas open and accessible. If you need assistance with seating because of a disability, please see Security.

City of Fresno

2600 Fresno Street

Fresno, CA 93721

www.fresno.gov



Meeting Minutes

Thursday, June 9, 2022

9:00 AM

Regular Meeting

Council Chambers (In Person And/Or Electronic)

City Council

President - Nelson Esparza

Vice President - Tyler Maxwell

Councilmembers:

Esmeralda Z. Soria, Mike Karbassi, Miguel Angel Arias, Luis Chavez,

Garry Bredefeld

City Manager - Georgeanne A. White

Interim City Attorney - Rina Gonzales

City Clerk - Todd Stermer, CMC

The City Council for the City of Fresno convened in regular session on June 9, 2022, at 9:00 A.M.

9:06 A.M. ROLL CALL

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

Invocation

The invocation was led by Mayor Jerry Dyer.

Pledge of Allegiance to the Flag

APPROVE AGENDA

City Clerk Stermer announced the following changes to the agenda:

For Consent Calendar item 1-H (ID 22-889), regarding Nitrous Oxide Emission Reduction Credits, the following was read into the record: "[t]he last sentence of the last paragraph under "Background," should read, "[t]he City is in the process of executing an agreement with Air Quality Consultants for their brokerage services.' Consent Calendar item 1-R (ID 22-930) regarding the reappointment of Don Priest, Mr. Priest is being reappointed to the Fresno/Clovis Community Media Authority and not CMAC; Scheduled Hearing item 10:00 A.M. (ID 22-958) regarding electric fences was continued to June 30, 2022, and; Scheduled Hearing item 10:15 A.M. (ID 22-906) regarding the hearing to consider Rezone Application No. P22-00451, was removed from the agenda by staff with no specific return date.

THE FOLLOWING ITEMS WERE REMOVED FROM THE AGENDA AND TABLED TO THE NEXT MEETING:

1-A (ID 22-929) regarding the approval of minutes for May 26, 2022, and May 31, 2022, - removed by staff and tabled to June 16, 2022.

1-O (ID 22-875) regarding the lease agreement with Ray Morgan – removed by staff and tabled to June 16, 2022.

1-V (ID 22-898) regarding the joint service plan and local homelessness action plan - removed by Councilmember Arias and tabled to June 16, 2022.

1-W (ID 22-924) regarding an amendment to the 2500 MLK, LLC Development Agreement - removed by Councilmember Arias and tabled to June 16, 2022.

10:10 A.M. (ID 22-905) regarding the Parc West Development - removed by staff and tabled to June 16, 2022.

3-C (ID 22-928) regarding the workshop for Measure C3 Renewal - removed by staff and tabled to June 16, 2022.

4-A (ID 22-919) regarding renewal of Measure C - removed from the agenda by Councilmember Arias and tabled to June 16, 2022.

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

1-I (ID 22-913) pertaining to a well at Pump Station 372 - moved to Contested Consent by Councilmember Arias.

1-M (ID 22-918) pertaining to the purchase of 97 Ford vehicles - moved to Contested Consent by Councilmember Arias.

1-Q (ID 22-850) pertaining to the property management agreement with Turning Point of Central California - moved to Contested Consent by Councilmember Soria.

1-S (ID 22-880) pertaining to the 568th amendment to the Master Fee Schedule – moved to Contested Consent by Vice President Maxwell.

AGENDA APPROVED AS AMENDED

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

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

CEREMONIAL PRESENTATIONS

[ID 22-251](#) Proclamation for “Alzheimer’s and Brain Awareness Month”

PRESENTED

[ID 22-252](#) Proclamation for “LGBTQ+ Pride Month”

PRESENTED

[ID 22-799](#) Proclamation for “National Gun Violence Awareness Month”

PRESENTED

[ID 22-944](#) Proclamation for “Fresno State Men’s Rugby Day”

PRESENTED

COUNCILMEMBER REPORTS AND COMMENTS

Councilmember Soria discussed her attendance at the following: a community meeting west of the 99 at the Highway City Center to address future investments in the area; the Rainbow Pride Parade in Tower District; the Super Health Festival at Lions Parks, and; the second annual LGBT Pride Flag ceremony at City Hall.

Councilmember Arias reported he would miss part of the meeting due to an lunch event with his child and a scheduled meeting with the League of Cities to discuss taxation models related to distribution centers.

Vice President Maxwell announced his attendance at the Fresno State University installation ceremony; he recognized D’Aungillique Jackson who was leaving her role of President of Associated Students, Incorporated and; he congratulated Dr. Xuanning Fu on his recent appointment as the Provost and Vice President of Academic Affairs at Fresno State University.

Council President Esparza discussed his attendance at the Rainbow Pride Parade in Tower District; the upcoming LGBT Pride Flag ceremony at City Hall, and; the groundbreaking event of The Arthur - a 41 unit affordable housing development in Central Fresno.

MAYOR/MANAGER REPORTS AND COMMENTS

Mayor Dyer announced the City of Fresno received a Climate Action Award and that Deputy Mayor Grundy attended the opening of the El Salvador Consulate in Fresno.

UNSCHEDULED COMMUNICATION

Upon call, the following members of the public addressed Council: Brandi Nuse-Villegas, Cindy Piombino, Lisa Flores, and Dez Martinez.

1. CONSENT CALENDAR

APPROVAL OF THE CONSENT CALENDAR

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

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

- 1.-A.** [ID 22-929](#) Approval of the Minutes of the May 12, 2022 Regular City Council Meeting and the May 31, 2022 Special City Council Meeting

The above item was removed from the agenda by staff and tabled to June 16, 2022.

TABLED

- 1.-B.** [ID 22-780](#) Actions pertaining to the Rebid Friant Kern Canal Pipeline Inlet Valve Replacement at the City of Fresno's Northeast Surface Water Treatment Facility (Bid File 3869) (Council District 6):
1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 of the California Environmental Quality Act (CEQA) Guidelines
 2. Award a purchase contract in the amount of \$172,842.09 to Cascade Consultants, LLC, for a 36-inch diameter plunger valve

APPROVED ON CONSENT CALENDAR**1.-C. [ID 22-782](#)**

Actions pertaining to the construction of the Substation Expansion at the Fresno-Clovis Regional Wastewater Reclamation Facility (Bid File 3863) (Council District 3):

1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 of the California Environmental Quality Act (CEQA) Guidelines
2. Award a construction contract, inclusive of the City's adopted project labor agreement requirements, to A-C Electric Company, in the amount of \$2,179,000

APPROVED ON CONSENT CALENDAR**1.-D. [ID 22-786](#)**

Approve a consultant services agreement with AECOM Technical Services Inc., to provide engineering design and construction support services for the installation of three emergency backup generators at Pump Stations 154, 158 and 163 for a total amount not to exceed \$168,600 (Council Districts 2 & 6)

APPROVED ON CONSENT CALENDAR**1.-E. [ID 22-792](#)**

Actions pertaining to a requirements contract to Rehabilitate Public Water Supply Wells in East Quadrant (Bid File 9643) (Districts 4, 6, and 7, and Unincorporated Fresno County):

1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines for the rehabilitations of public water supply wells in the east quadrant.
2. Award a requirements contract to Zim Industries, Inc., for a term of one year in an amount of \$1,024,240 per year, with provisions for up to two one-year extensions

APPROVED ON CONSENT CALENDAR**1.-F. [ID 22-793](#)**

Actions pertaining to a requirements contract to Rehabilitate Public Water Supply Wells in West Quadrant (Bid File 9644) (Districts 1, 2, 3, 4, 6, and 7 and Unincorporated Fresno County):

1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines for the rehabilitation of public water supply wells in the west quadrant.
2. Award a requirements contract to Zim Industries, Inc., for a one-year term in an amount of \$856,480 per year, with provisions for up to two one-year extensions

APPROVED ON CONSENT CALENDAR

- 1.-G. [ID 22-882](#) Actions pertaining to the Sanitary Sewer Pipeline Rehabilitation in Gettysburg Avenue between First and Fresno Streets (Bid File 3843) (Council District 4):
1. Adopt a finding of Categorical Exemption pursuant to Class 1, Sections 15301(b)&(d) and Class 2, Section 15302(c) of the California Environmental Quality Act Guidelines
 2. Award a construction contract to Emmett's Excavation, Inc., in the amount of \$571,020

APPROVED ON CONSENT CALENDAR

- 1.-H. [ID 22-889](#) Authorize the Director of Public Utilities, or designee, to execute a Purchase and Sale Agreement for the purchase of Nitrous Oxide (NOx) Emission Reduction Credits (ERCs), in a total amount not to exceed \$900,000, for necessary improvements at the Fresno-Clovis Regional Wastewater Reclamation Facility, as required by the San Joaquin Valley Air Pollution Control District (Council District 3).

APPROVED ON CONSENT CALENDAR

- 1.-J. [ID 22-829](#) Approve the award of a cooperative purchase agreement to Altec Industries, Inc. of Birmingham, Alabama, for the purchase of two Altec bucket trucks in the amount of \$353,982 procured by means of a cooperative purchase agreement with Sourcewell, for the Department of Public Works

APPROVED ON CONSENT CALENDAR

- 1.-K. [ID 22-856](#) Approve the award of a purchase contract to PB Loader Corporation of Fresno, California, for the purchase of one Western Star 4700SB dump truck in the amount of \$189,732, for the Department of Parks, After School, Recreation & Community Service

APPROVED ON CONSENT CALENDAR

- 1.-L. [ID 22-870](#) Approve the award of a purchase contract to PB Loader Corporation of Fresno, California for the purchase of one Model L-250-CT PB Loader in the amount of \$376,376.00 for the Department of Public Works

APPROVED ON CONSENT CALENDAR

- 1.-N. [ID 22-885](#) Actions pertaining to the Information Technology Strategic Plan Update for the City of Fresno.
1. ***RESOLUTION: Adopt the 69th amendment to the Annual Appropriation Resolution (AAR) No 2021-178 appropriating \$150,000 from the Information Services Department (ISD) FY22

- carryover (Requires 5 Affirmative votes) (Subject to Mayor's Veto)
2. Award a contract for an Information Technology (IT) Strategic Plan Update in the amount of \$141,932 to ThirdWave Corporation (Bid File 10099) (Citywide).

RESOLUTION 2022-131 ADOPTED

APPROVED ON CONSENT CALENDAR

- 1.-O. [ID 22-875](#) Approve Addendum to Lease Agreement with Ray Morgan Company eliminating the Termination for Convenience Clause

The above item was tabled to June 16, 2022, by staff.

TABLED

- 1.-P. [ID 22-957](#) Actions pertaining to a Parking Agreement between the City of Fresno and Metro Hospitality, Inc.:
1. Adopt a finding of Categorical Exemption per staff determination pursuant to Article 19, Section 15301 Class 1 (existing facility) of the California Environmental Quality Act Guidelines
 2. Authorization to Approve a Parking Agreement with Metro Hospitality Inc. (DBA Courtyard Marriot- Fresno Downtown) for parking in City of Fresno Parking Garages 7, 8, 9 for one (5) year term starting upon possession of certificate of occupancy (Council District 3)

APPROVED ON CONSENT CALENDAR

- 1.-R. [ID 22-930](#) Approve the Appointments of Todd Cregar (Resident of District 2) to the Civil Service Board, and Eduardo Leal (Resident of District 5) to the Mobile Home Rent Review and Stabilization Commission. Reappointments of Paul Bauer (Resident of District 6) to the Fresno Regional Workforce Development Board, and Don Priest (Resident of District 1) to the Community Media Access Collaborative.

APPROVED ON CONSENT CALENDAR

- 1.-T. [ID 22-893](#) ***RESOLUTION - Adopt the Twentieth Amendment to FY 2022 Salary Resolution No. 2021-176, amending Exhibit 3, Unit 3, Non-Supervisory White Collar (FCEA) to modify the salary ranges for Engineer I and Engineer II classifications, effective June 13, 2022 (Subject to Mayor's Veto)

RESOLUTION 2022-133 ADOPTED

APPROVED ON CONSENT CALENDAR

- 1.-U. [ID 22-899](#) Actions pertaining to Workforce Innovation and Opportunity Act (WIOA) American Job Centers of California (AJCC) Mandated Partner Memorandums of Understanding:
1. Approve Mandated Partner Memorandums of Understanding with an Infrastructure Funding Agreement value projected at \$50,000 or greater; and
 2. Authorize the City Manager or their designee to sign all other Mandated Partner Memorandums of Understanding, under \$50,000, as are presented to the City Manager during the term of Program Years 2022-2025.
 3. Authorize the City Manager to sign any additional Partner Memorandums of Understanding that the FRWDB presents to the City during the term of Program Years 2022-2025.

APPROVED ON CONSENT CALENDAR

- 1.-V. [ID 22-898](#) Approve the State of California Business, Consumer Services and Housing Agency's (BCSH) California Interagency Council on Homelessness (Cal ICH) joint service plan and local homelessness action plan as an individual applicant for the third round of Homeless Housing, Assistance, and Prevention Program (HHAP)

The above item was tabled to June 16, 2022, by Councilmember Arias.

TABLED

- 1.-W. [ID 22-924](#) ***BILL B-12 - (Intro'd 5/26/2022) (For Adoption) - Approving an Amendment to the Development Agreement by and between the City of Fresno and 2500 MLK, LLC for purposes of amending Section 3.9(a) of the Development Agreement which limits the specific number of units relative to respective residential housing types within the West Creek Village project area (Subject to Mayor's Veto).

The above item was tabled to June 16, 2022, by Councilmember Arias.

TABLED

- 1.-X. [ID 22-813](#) Actions pertaining to the 2021 Edward Byrne Memorial Justice Assistance Grant (JAG) Program:
1. Authorize the Chief of Police to accept \$305,917 in total grant funding for the 2021 JAG Program from the U.S. Department of Justice, Bureau of Justice Assistance for the City and County of Fresno
 2. Authorize the Chief of Police to execute all related documents for the acceptance, modification, extension and administration of 2021 JAG

Program

3. Authorize the Chief of Police to execute an agreement between the City of Fresno and the County of Fresno regarding the 2021 JAG Program

APPROVED ON CONSENT CALENDAR

- 1.-Y. [ID 22-876](#) RESOLUTION - Authorizing the Submission of Grant Applications to the California Department of Transportation's Active Transportation Program (ATP) Cycle 6 Call for Projects Totaling up to \$24 Million in Requests for Funding; and Authorizing the Execution of Grant Application and Grant Agreement Documents by the Public Works Director or Designee (Council Districts 1, 2, 3, 4, and 7)

RESOLUTION 2022-134 ADOPTED

APPROVED ON CONSENT CALENDAR

- 1.-Z. [ID 22-878](#) RESOLUTION - Of Intention to Annex Final Tract Map No. 6308 as Annexation No. 130 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, July 21, at 10:00 am (property located on the northeast corner of North Bryan and West Ashlan) (Council District 1)

RESOLUTION 2022-135 ADOPTED

APPROVED ON CONSENT CALENDAR

- 1.-AA. [ID 22-887](#) Award a requirements contract to Clay Miranda Trucking, Inc. in the amount of \$674,150.00 per year for the purchase of Trucking Services. Bid File No. 9640 (City Wide)

APPROVED ON CONSENT CALENDAR

- 1.-BB. [ID 22-888](#) Actions pertaining to the Jensen Avenue Corridor Intelligent Transportation Systems (ITS) Adaptive Project from Elm Avenue to Temperance Avenue - Bid File 3867 (Council Districts 3 and 5):
1. Adopt a finding of Categorical Exemption per staff determination pursuant to Section 15301/Class 1 of the California Environmental Quality Act (CEQA) Guidelines
 2. Award a construction contract in the amount of \$2,574,600.00 to Audeamus, dba Sebastian, of Fresno, California

APPROVED ON CONSENT CALENDAR

- 1.-CC. [ID 22-916](#) BILL (For Introduction) - Amending Management of Real Property Ordinance, FMC sections 10-701 - 10-706.

BILL B-13 INTRODUCED AND LAID OVER

APPROVED ON CONSENT CALENDAR

- 1.-DD. [ID 22-917](#) BILL (For Introduction) - Amending Filing a Notice of Appeal, FMC section 1-407, to remove automatic stay on enforcement when filing an appeal.

BILL B-14 INTRODUCED AND LAID OVER

APPROVED ON CONSENT CALENDAR

- 1.-EE. [ID 22-955](#) Approve Agreement of Interim City Attorney

APPROVED ON CONSENT CALENDAR**CONTESTED CONSENT CALENDAR**

- 1.-I. [ID 22-913](#)

Actions pertaining to the construction of a new production well at Pump Station 372 (Council District 3):

1. Adopt Environmental Assessment No. P19-04891, dated June 21, 2021, a Negative Declaration for the proposed project pursuant to the California Environmental Quality Act (CEQA);
2. Award a construction contract to Zim Industries, Inc., in the amount of \$855,935 to drill a new production well at Pump Station 372 (Bid File 3861).

There was no staff presentation on the above item and there was no Council discussion.

Councilmember Arias and Councilmember Chavez left the meeting at 10:30 A.M.

APPROVED

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

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

Absent: 2 - Arias and Chavez

- 1.-M. [ID 22-918](#) Approve the award of a purchase contract to Swanson Fahrney Ford, of Selma, California, for the purchase of 97 Ford vehicles for Department of Public Utilities, Department of Public Works, Department of Transportation, Airports Department, Planning and Development, Police Department, and Animal Center in the amount of \$4,139,218 (Bid File 3874)

The above item was presented to Council by Transportation Director Barr. City Manager White responded to questions.

Councilmember Chavez returned to the meeting at 11:33 P.M.

APPROVED

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

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

Absent: 1 - Arias

- 1.-Q.** [ID 22-850](#) Approve the First Amendment to the property management agreement with Turning Point of Central California, Inc., for The Valley Inn, a 107-room motel located at 933 N. Parkway Drive (APN 449-335-32), to provide temporary shelter and prevent COVID-19 among individuals experiencing homelessness in the City of Fresno to extend the term of the agreement for one year until June 24, 2023, and add additional insurance requirements to the agreement as Exhibit E

There was no staff presentation on the above item. Planning and Development Assistant Director Skei and Business Manager Espinoza responded to questions.

Discussion on this item included: the long term plan for the Valley Inn; permanent housing; funding sources, and; Home Key dollars.

Councilmember Karbassi left the meeting at 11:40 A.M.

APPROVED

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

Aye: 5 - Esparza, Maxwell, Soria, Chavez and Bredefeld

Absent: 2 - Karbassi and Arias

- 1.-S.** [ID 22-880](#) ***RESOLUTION - 568th Amendment to the Master Fee Schedule (MFS) Resolution No. 80-420 to Adjust, Revise or Delete Various Fees in the

Parks, After School, Recreation and Community Services (PARCS)
Department (Subject to Mayor's veto)

There was no staff presentation on the above item. PARCS Director Aguirre responded to questions.

Councilmember Karbassi returned to the meeting at 11:43 A.M. and Councilmember Chavez and Councilmember Soria left at 11:45 A.M.

Discussion on this item included: the swim fees; Special Events process; increase in the gymnasiums; increase in recreation fee, and; staff salary.

RESOLUTION 2022-132 ADOPTED

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

Aye: 3 - Esparza, Maxwell and Karbassi

No: 1 - Bredefeld

Absent: 3 - Soria, Arias and Chavez

City Council recessed for lunch at 11:47 A.M. and returned from lunch at 1:34 P.M.

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

(CONTINUED TO JUNE 23, 2022) 10:00 A.M.

[ID 22-958](#)

HEARING Consideration of Text Amendment Application No. P21-05809 and related Environmental Finding for Environmental Assessment No. P21-05809, amending Section 15-2010 of the Fresno Municipal Code, relating to the to the Zone Districts where Electrified Fences are permitted.

1. RECOMMEND CONSIDERATION of Environmental Assessment No. P21-05809 dated April 20, 2022, that Text Amendment Application No. P21-05809 is exempt from the California Environmental Quality Act (CEQA) pursuant to the Commonsense Exemption that it can be seen with certainty that there is no possibility that the proposed text amendment may have a significant effect on the environment pursuant to CEQA Guidelines Section 15061(b)(3).

2. RECOMMEND CONSIDERATION of Text Amendment Application No.

P21-05809, to amend Section 15-2010 of the Fresno Municipal Code, relating to the to the Zone Districts where Electrified Fences are permitted.

City Clerk Stermer announced the above item was being continued to June 30, 2022, not June 23 as stated on the agenda.

TABLED TO JUNE 30, 2022.

(CONTINUED FROM MAY 26, 2022) 10:05 A.M. #1

[ID 22-798](#)

HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding CITY OF FRESNO COMMUNITY FACILITIES DISTRICT NO. 11, Annexation No. 132 (Final Tract Map No. 6336) (property surrounded by East Clinton, North Armstrong, East McKinley and North Fowler Avenues) (Council District 7)

1. ***RESOLUTION - to Annex Territory to Community Facilities District No. 11 and Authorizing the Levy of a Special Tax for Annexation No. 132 (Subject to Mayor's Veto)
2. ***RESOLUTION - Calling Special Mailed-Ballot Election (Subject to Mayor's Veto)
3. ***RESOLUTION - Declaring Election Results (Subject to Mayor's Veto)
4. ***BILL - (For introduction and adoption) - Levying a Special Tax for the Property Tax Year 2022-2023 and Future Tax Years Within and Relating to Community Facilities District No. 11, Annexation No. 132 (Subject to Mayor's Veto)

The above item was called to order at 1:34 P.M. There was no staff presentation on the above item. Upon call, there was no public comment and no Council discussion. Public comment closed at 1:35 P.M.

RESOLUTION 2022-136 ADOPTED

RESOLUTION 2022-137 ADOPTED

RESOLUTION 2022-138 ADOPTED

BILL B-15/ORDINANCE 2022-012 ADOPTED

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

Aye: 5 - Esparza, Maxwell, Soria, Arias and Bredefeld

Absent: 2 - Karbassi and Chavez

10:05 A.M. #2

[ID 22-891](#)

Actions pertaining to the Street Improvements at N. Van Ness Boulevard & Weldon Avenue project: (District 1)

1. Adopt a Mitigated Negative Declaration as prepared for Environmental Assessment No. P22-02156 dated April 2022 for the proposed project pursuant to the California Environmental Quality Act (CEQA) Guidelines
2. Approve the Agreement for Purchase and Sale to acquire a 9,339 square foot parcel located at 2004 N. Van Ness Boulevard (APN 444-153-28S), owned by Scott Speaks for \$315,000
3. Award a construction contract with Avison Construction, Inc. of Madera, CA, for \$457,222 (Bid File 3864)

The above item was called to order at 1:35 P.M. There was no staff presentation on the above item and no Council discussion.

Councilmember Chavez returned to the meeting at 1:36 P.M.

Upon call, the following member of the public addressed Council: Lisa Flores. Public comment closed at 1:37 P.M.

APPROVED

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

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

Absent: 1 - Karbassi

10:05 A.M. #3

[ID 22-874](#)

HEARING to consider the vacation of a portion of the northeast corner of North Van Ness Avenue and East Weldon Avenue (Council District 1)

1. ***RESOLUTION - Ordering the vacation of a portion of the northeast corner of North Van Ness Avenue and East Weldon Avenue (Subject to Mayor's Veto)

The above item was called to order at 1:37 P.M. There was no staff presentation on the item.

Upon call, there was no public comment and no Council discussion. Public Comment closed at 1:38 P.M.

RESOLUTION 2022-139 ADOPTED

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

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

Absent: 1 - Karbassi

10:10 AM.

[ID 22-905](#)

Hearing to consider a proposed Development Agreement by and between the City of Fresno and Parc West Development, Inc. relating to the development of the Parc West Project (Council District 1):

1. ADOPT - Addendum to the previously certified Final Environmental Impact Report (EIR) SCH No. 2020039061, pursuant to Section 15164 of the California Environmental Quality Act (CEQA) Guidelines.
2. BILL - (For introduction) - Approving the Development Agreement by and between the City of Fresno and Parc West Development, Inc. for purposes of the Parc West Project, pertaining to ±160 acres of property located on the west side of North Grantland Avenue between West Ashlan Avenue and the West Gettysburg Avenue alignment.

The above item was removed from the agenda by staff and tabled to June 16, 2022.

TABLED

(CONTINUED TO JUNE 30, 2022) 10:15 A.M.

[ID 22-906](#)

HEARING to consider Rezone Application No. P22-00451 and related Environmental Assessment No. P22-00451 pertaining to ±5.57 acres of property located on the southwest corner of West Bullard Avenue and North Del Mar Avenue (Council District 4) - Planning and Development Department.

1. ADOPT Environmental Assessment No. P22-00451, dated May 18, 2022, a determination that the proposed project is in compliance with Section 15183 (Projects Consistent with a Community Plan,

General Plan, or Zoning) of the California Environmental Quality Act (CEQA); and,

2. BILL - (For introduction and adoption) - Approving Rezone Application No. P22-00451 requesting authorization to rezone the subject property from the PI/cz (*Public and Institutional/conditions of zoning*) zone district to the PI/cz (*Public and Institutional/conditions of zoning*) zone district in order to modify the conditions of zoning tied to the ±5.57 acres of property located at 255 West Bullard Avenue.

City Clerk Stermer announced the above item, which had been continued to June 20, 2022, had been removed from the agenda by staff with no specified return date.

TABLED WITH NO SPECIFIED RETURN DATE

3. GENERAL ADMINISTRATION

3.-A. [ID 22-920](#) Actions pertaining to COVID-19 emergency:

1. ***RESOLUTION - Confirming the termination of the local emergency related to COVID-19 (Subject to Mayor's Veto)
2. ***RESOLUTION - Adopting Administrative Order on COVID-19 applicable to City Council and City Council staff, the City Attorney and City Attorney staff, and the City Clerk and City Clerk staff (Subject to Mayor's Veto)

The above item was presented to Council by Assistant City Manager Barfield. Deputy Chief of Staff Montelongo, Assistant City Manager Barfield, and City Manager White responded to questions.

Discussion on this item included: the eviction moratorium; rental assistance; state and federal grant funding; the impact and allocation of funding for small businesses; working with local partners and Chambers for future funding, and; mask and testing mandates.

Upon call, the following members of the public addressed Council: Greg Terzakis and Lisa Flores.

RESOLUTION 2022-140 ADOPTED

RESOLUTION 2022-141 ADOPTED

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

the following vote:

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

Absent: 1 - Karbassi

3.-B. [ID 22-883](#) WORKSHOP - 2022 Water Supply & Drought Response

The above workshop was presented to the Council by Department of Public Utilities Director Buche.

Discussion on this item included: current groundwater levels; watering of businesses and industrial areas; watering schedules for parks; recycled water; the age and condition of City of Fresno irrigation systems; sales of excess water; relocation of excess water to southwest; agriculture; rebates for turf replacement; brown lawns; reduction in watering days, and; greenery at City facilities.

PRESENTED

3.-C. [ID 22-928](#) WORKSHOP - Measure C3 Renewal

The above item was tabled to June 16, 2022 by staff.

TABLED

3.-D. [ID 22-931](#) Progress of Code Enforcement, including ASET Quarterly report.

The above workshop was presented to Council by Chief Assistant City Attorney Camarena and Assistant City Attorney Roberson. City Manager White also responded to questions.

Discussion on this item included: encampments; cost of cleanups; role of Code Enforcement and the HART Team, and; upcoming budget requests for Code Enforcement.

PRESENTED

3.-E. [ID 22-977](#) Fresno EDC Presentation

The above workshop was presented by the Fresno County Economic Development Commission team led by President and CEO, Lee Ann Eager.

Discussion on this item included: diversity of the executive board; the facade improvement program; funding levels from the City and County; interfacing with the City of Fresno's Economic Development Department, and; Drive program and funding.

PRESENTED

4. CITY COUNCIL

- 4.-A. [ID 22-919](#) Actions pertaining to proposed renewal of Measure C:
1. **RESOLUTION** - Calling on the Fresno Transportation Authority and Fresno Council of Governments of the Measure C Renewal Effort for Placement on the Ballot in 2024

The above item was tabled to June 16, 2022, by Councilmember Arias.

TABLED

5. CLOSED SESSION

Upon conclusion of the open session items, Council adjourned into closed session at 3:05 P.M.

Before entering closed session, Interim City Attorney Gonzales announced each of the closed session items to be discussed and stated there would be no announcements.

- 5.-A. [ID 22-938](#)
CONFERENCE WITH REAL PROPERTY NEGOTIATOR -Government Code Section 54956.8
Property: 461-020-03T (UMC Campus)
Negotiating Parties: City Manager, County of Fresno
Under negotiations: Price and terms of sale

There were no open session announcements following the above closed session item and Councilmember Chavez recused himself from the item and was not a part of the discussion.

DISCUSSED

- 5.-B. [ID 22-943](#) CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Government Code Section 54956.8

Property: 508-030-48ST (Herndon and Brawley)

Negotiating Parties: City Manager, EKAM Construction, LLC, Lakhjit S. Sandhu, MD, and Master Storage 365, LLC.

Under negotiations: Price and Term of Sale.

There were no open session announcements following the above closed session item.

DISCUSSED

5.-C. [ID 22-847](#)

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

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

Case Name: *Hayden M. Snyder, a minor, by and through his guardian ad litem, Ryan Snyder v. City of Fresno, Pedro Valencia Alvarado, and DOES 1 to 10*; Fresno Superior Court Case No. 20CECG02826

There were no open session announcements following the above closed session item.

DISCUSSED

5.-D. [ID 22-848](#)

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION -

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

Dennis Cooper vs. Nathan Hannah and City of Fresno, Fresno Superior Court Case No. 19CECG04245 (Police Department)

There were no open session announcements following the above closed session item.

DISCUSSED

5.-E. [ID 22-954](#)

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION -

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

Case Name: County of Fresno, Lexington Insurance Co. v City of Fresno; Fresno Superior Court Case No. 21CECG03058

There were no open session announcements following the above closed session item.

DISCUSSED

- 5.-F. [ID 22-912](#) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION:
Government Code Section 54956.9, subdivision (d)(1)
Case name: City of Fresno and Fresno Successor Agency v. Department
of Finance (Case No. C091324)

There were no open session announcements following the above closed session item.

DISCUSSED

- 5.-G. [ID 22-921](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
-Government Code Section 54956.9, subdivision (d)(1)
Case Name: *Nelson Esparza v. Garry Bredefeld*; Fresno Superior Court
Case No. 22CECG01469

There were no open session announcements following the above closed session item and Councilmember Bredefeld and Council President Esparza recused themselves from the item and were not a part of the discussion.

DISCUSSED

- 5.-H. [ID 22-953](#) CONFERENCE WITH LABOR NEGOTIATORS - Government Code
Section 54957.6
City Negotiator: TJ Miller
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).

There were no open session announcements following the above closed session item.

DISCUSSED

5.-I. [ID 22-925](#)

A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

1. Government Code Section 54957(b): consider the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee.

Title: City Attorney

2. Government Code Section 54957.6: conference with labor negotiator.

City Negotiator: Council President Nelson Esparza

Unrepresented Employee: City Attorney

There were no open session announcements following the above closed session item.

DISCUSSED

ADJOURNMENT

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