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Regular Council Meeting

September 1, 2022

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CITY OF FRESNO
CITY CLERK'S OFFICE

FRESNO CITY COUNCIL



Supplemental Packet

ITEM(S)

1-A (ID 22-1358)

Approve minutes for August 11, 2022, Regular Meeting, August 18, 2022, Regular Meeting, and August 18, 2022, Special Meeting.

Contents of Supplement:

Draft Minutes of August 11, 2022, Regular Meeting, August 18, 2022, Regular Meeting and August 18, 2022, Special Meeting.

Item(s)

Supplemental Information:

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DRAFT MINUTES OF AUGUST 11, 2022

City of Fresno

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



Meeting Minutes

Thursday, August 11, 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 August 11, 2022, at 9:00 A.M.

9:09 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 by Kevin Llanos with the Police Chaplaincy

Pledge of Allegiance to the Flag

APPROVE AGENDA

City Clerk Stermer announced the following changes to the agenda: Brad Hardie was removed from consideration for reappointment to the Planning Commission by Councilmember Arias in Consent Calendar item 1-D (ID 22-1214); the end date for the Maxie Parks contract in Consent Calendar Item 1-K (ID 22-1257) is June 30, 2024, not 2025; James Sponsler was removed from consideration for reappointment to the Historic Preservation Commission by Councilmember Arias in Consent Calendar item 1-V (ID 22-1262).

Councilmember Soria and Council President Esparza announced a conflict and recused themselves from General Administration Item 3-E (ID 22-1264) regarding the City of Fresno and the Downtown Association of Fresno. Councilmember Soria also announced a conflict and recused herself from Closed Session item 5-C (ID 22-1275) regarding Conference with Real Property Negotiator Property: APN 46828205T, 46828222T, 46828223T (South Stadium).

Councilmember Chavez announced a conflict and recused himself from Consent Calendar item 1-M (ID 22-1295) regarding the Violence Intervention and Prevention Initiative Grant Program.

Councilmember Bredefeld registered a "no" vote on Consent Calendar item 1-B (ID 22-1187) regarding Commercial Cannabis Activity.

THE FOLLOWING ITEMS WERE TABLED TO THE AUGUST 18, 2022 MEETING:

1-N (ID 22-1181) regarding supplemental Emergency Solutions Grant funding – tabled to August 18, 2022, by Vice President Maxwell and Councilmember Arias.

1-Q (ID 22-1182) regarding the Orange Avenue and Central Avenue Intersection Improvement Project - tabled to August 18, 2022, by Councilmember Arias.

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

1-D (ID 22-1214) regarding appointments for Mobile Home Rent Review, Planning Commission, and Disability Advisory – moved by Councilmember Arias.

1-M (ID 22-1295) regarding the Violence Intervention and Prevention Initiative Grant Program -moved by Councilmember Bredefeld.

1-R (ID 22-1253) regarding regulations for urban water conservation – moved by Vice President Maxwell.

1-S (ID 22-1244) to reject the sole bid received from the Rebid Requirements Contract - moved by Councilmember Karbassi.

1-T (ID 22-1215) awarding a revenue contract for bus advertising services to Lamar Transit LLC – moved by Councilmember Arias.

APPROVED AS AMENDED

On motion of Councilmember Soria, seconded by Vice President Maxwell, the 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 22-1192](#) Proclamation for “Junior Councilmember of the Day, Sebastian Arambula”

PRESENTED

[ID 22-1283](#) Proclamation for “Muslim Appreciation and Awareness Month”

PRESENTED

[ID 22-1270](#) Proclamation for “Recognition of Citizenship Ambassador Margarita Rocha”

PRESENTED

[ID 22-1271](#) Proclamation for “Recognition of Citizenship Ambassador Pao Yang”

PRESENTED

[ID 22-1282](#) Certificate of Recognition for Myrella Preciado

PRESENTED

[ID 22-1239](#) Proclamation for “International Dog Assistance Week (August 7-13)”

PRESENTED

COUNCILMEMBER REPORTS AND COMMENTS

Councilmember Soria discussed: the continued work by the City of Fresno to address the ongoing issues in the Shields and West neighborhood; the upcoming Beautify Fresno cleanup event for the Shields and West area; the groundbreaking of a new park in the Van Ness and Weldon area, and; continued investments and work related to tree trimming throughout the city and specifically in the Mora, Palm, Shields and Clinton area.

Councilmember Arias requested status updates on: the vandalized electric vehicle charging stations; the downtown garbage compactor; the repair of the city owned artwork on the Mariposa Mall; the maintenance work on art pieces on Fulton Street, and; the Cultural Arts Plan portion of Measure P. He also discussed the assistance of West Fresno Resource Center with the

Back-to-School event at Valdez Hall. Councilmember Arias also discussed the City of Fresno settlement with London Wallace and his concerns over certain aspects of the settlement process and employee discipline.

Councilmember Chavez discussed: the Mayor's city wide community cleanup event and the organizations that volunteered in Southeast Fresno; the backpack giveaway event by the East Boys and Girls Club; the benefits and public feedback regarding the Police Department bike units patrolling Southeast Fresno; the groundbreaking of a project in Calwa that would bring new housing, restaurants and stores to the area. Councilmember Chavez also recognized Gabriel Lozano as the newest member of the District 5 team.

Councilmember Bredefeld responded to the comments of Councilmember Arias that were critical of the settlement and employee discipline processes. He also reiterated his support for the Fresno Police Department.

Vice President Maxwell discussed the District 4, "Beat the Heat" events held at Vineland and Cary Parks. He lauded the event sponsors and partners which helped make the events successful. The Vice President also discussed the success of the "Kickit Outreach" event with Pastor Edward Thomas which saw more than six hundred pairs of shoes given to children heading back to school. Finally, he announced an upcoming community meeting at Vineland Elementary School on August 17, 2022.

Council President Esparza thanked the volunteers that helped clean up Council District 7 during the Mayor's city wide community cleanup event the previous Saturday. He also: announced the winding down of Camp Fresno activities; congratulated Dr. Robert Pimentel for his appointment as the Fresno City College President, and; discussed the formal groundbreaking for the Clinton Avenue Apartments at Clinton and Blackstone Avenues.

MAYOR/MANAGER REPORTS AND COMMENTS

Mayor Dyer discussed: City Manager White being selected as one of the Top Ten Professional Women by the Marjaree Mason Center; the successful Beautify Fresno city wide community cleanup event held the previous Saturday; the groundbreaking for the five story Courtyard by

Marriott hotel in Downtown Fresno; the success of the West Fresno Family Resource Center's Backpack Giveaway; the events he attended to recognize the appointment of Dr. Robert Pimentel as the President of Fresno City College, and; the passing of Jack Hannah, a former coach at Hoover High School and one of the founders of the Sons of the San Joaquin music group.

City Manager White announced the administration distributed a memo explaining the informal bid limit has been adjusted up from \$149,000 to \$158,000 due to Consumer Price Index changes. She also congratulated Deputy Police Chief Mindy Casto, for being selected as one of the Top Ten Professional Women by the Marjaree Mason Center.

UNSCHEDULED COMMUNICATION

Upon call, the following members of the public addressed Council: Maxie Park, Fernando Paul Elizando, Gloria Hernandez, Joseph Haydocle, Reza Nekumanesh, Sandra Celedon, Daniel Sosa, Sherrie Phillips, Lisa Flores, Michaelynn Lewis, Dez Martinez, Brandi Nuse-Villegas, Darin Preisendorf, Yolanda Randles, Cruz Avila, and Rachel Washington.

[ID 22-1342](#) Unscheduled Communication received

1. CONSENT CALENDAR

APPROVAL OF THE CONSENT CALENDAR

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

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

Absent: 2 - Karbassi and Chavez

- 1.-A.** [ID 22-1263](#) Approval of minutes for July 21, 2022, Regular Meeting, July 21, 2022, Special Closed and Open Session Meeting, and July 25, 2022, Special Open Session Meeting.

APPROVED ON CONSENT

- 1.-B.** [ID 22-1187](#) Actions pertaining to Commercial Cannabis Activity:
Approve a No-Cost Extension Agreement Amendment with Make Green Go LLC for Cannabis Social Equity Business Technical Assistance to

October 31, 2022.

Councilmember Bredefeld registered a "no" vote on the above Consent Calendar item which PASSED 4-1 with Councilmember Chavez and Councilmember Karbassi absent.

APPROVED ON CONSENT

- 1.-C. [ID 22-1189](#) Approve the first amendment to Sub-Recipient Agreement with the Youth Leadership Institute for the Leadership Development Community Partner component of the Transform Fresno Community Engagement Plan as a part of the Transformative Climate Communities (TCC) grant.

APPROVED ON CONSENT

- 1.-D. [ID 22-1214](#) Approve the Appointments of Kathryn Wilbur to the Mobile Home Rent Review and Stabilization Commission. Approve the Reappointments of Peter Vang, Monica Diaz, and Brad Hardie to the Planning Commission. Approve the Reappointment of Ken Elvington and Dr. Jenelle Pitt Parker to the Disability Advisory Commission

As announced during Approval of the Agenda, the reappointment of Brad Hardie to the Planning Commission was removed from the agenda.

APPROVED ON CONSENT

- 1.-E. [ID 22-1228](#) A Resolution of the Council of the City of Fresno, California, concerning Measure C Extension Local Transportation Purposes Pass-Through Projects and Program Funds annual allocation for fiscal year 2022-2023

RESOLUTION 2022-179 ADOPTED

APPROVED ON CONSENT

- 1.-F. [ID 22-1236](#) ***Approve the Second Amendment to the Project Labor Agreement (PLA) related to the Transformative Climate Communities (TCC) grant extending the agreement until July 3, 2024. (Subject to Mayor's Veto)

APPROVED ON CONSENT

- 1.-G. [ID 22-1246](#) Award Mail and Print Services Contract to DataProse, LLC and authorize the Finance Director/Controller to negotiate and execute a three-year (3) contract for services

APPROVED ON CONSENT

- 1.-I. [ID 22-1249](#) Actions pertaining to an operations agreement with the State of California Department of Parks and Recreation:
1. ***RESOLUTION - Adopting the 3rd Amendment to the Annual

Appropriation Resolution (AAR) No. 2022-154 to appropriate \$140,000 for the operations and maintenance, and capital outlays relating to the Maxie L. Parks Community Center, located at 1802 E. California Ave., Fresno, CA 93706 (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)

2. Approve an operations agreement between the Parks, After School, Recreation and Community Services Department (PARCS) and the State of California Department of Parks and Recreation (State Parks) for the acceptance of settlement funds in the amount of \$70,000 annually, not to exceed \$700,000 over ten years, from an escrow account established by State Parks for distribution to the City of Fresno (City) for Maxie. L Parks Community Center (Council District 3).
3. Authorize the PARCS Director or their designee to execute the operations agreement.

RESOLUTION 2022-182 ADOPTED

APPROVED ON CONSENT

- 1.-J. [ID 22-1256](#) Actions related to Community Services at Mosqueda Community Center:
1. Affirm City Manager's determination that Reading and Beyond is uniquely qualified to provide community services at Mosqueda Community Center.
 2. Approve a Service Agreement (Agreement) between the Parks, After School, Recreation and Community Services (PARCS) Department and Reading and Beyond to provide community services for a three-year term at Mosqueda Community Center, located at 4670 E. Butler Ave, Fresno, CA 93702, for \$1 per year.
 3. Authorize the PARCS Director or their designee to execute the Agreement subject to approval by the City Attorney (District 5).

APPROVED ON CONSENT

- 1.-K. [ID 22-1257](#) Actions related to services at Maxie L. Parks and Mary Ella Brown Community Centers:
1. Affirm City Manager's determination that the West Fresno Health Care Coalition dba the West Fresno Family Resource Center (WFFRC) is uniquely qualified to provide community services at Maxie L. Parks (Maxie) and Mary Ella Brown Community Centers (Mary Ella Brown).
 2. Approve a Service Agreement (Agreement) between the Parks, After School, Recreation and Community Services (PARCS) Department and the West Fresno Health Care Coalition dba the WFFRC to provide community services for a three-year term at

Maxie Community Center, located at 1802 E. California Avenue, Fresno, CA 93706, for \$1 per year.

3. Approve an Agreement between the PARCS Department and the West Fresno Health Care Coalition dba the WFFRC to provide community services for a three-year term at Mary Ella Brown Community Center, located at 1350 E. Annadale Avenue, Fresno, CA 93706, for \$1 per year
4. Authorize the PARCS Director or their designee to execute both Agreements subject to approval by the City Attorney (District 3).

City Clerk Stermer read a correction into the record noting the Maxie Parks contract end date was June 30, 2024, not 2025.

APPROVED ON CONSENT

- 1.-L. [ID 22-1259](#) Actions related to Community Services at Sunset Community Center:
1. Affirm City Manager's determination that Street Saints is uniquely qualified to provide community services at Sunset Community Center for a one-year term.
 2. Approve a Service Agreement (Agreement) between the Parks, After School, Recreation and Community Services (PARCS) Department and HandsOn Central California, acting as the fiscal and administrative sponsor for Street Saints, to provide community services for a one-year term at Sunset Community Center, located at 1345 W. Eden Ave, Fresno, CA 93706, for \$1 per year.
 3. Authorize the PARCS Director or their designee to execute the Agreement subject to approval by the City Attorney (District 3).

APPROVED ON CONSENT

- 1.-N. [ID 22-1181](#) Actions pertaining to supplemental Emergency Solutions Grant 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. Approve a First Amendment to the Emergency Solutions Grant-Coronavirus (ESG-CV) agreement between the City of Fresno and Poverello House to extend the term of the agreement through September 30, 2023 and increase the funding by \$304,180 for a total award of \$671,605 for Street Outreach within the City of Fresno.
 2. Approve the sixth revision of the Emergency Solutions Grant-Coronavirus (ESG-CV) Activity Allocations to allocate \$777,284.21 of ESG-CV funds to activities for Street Outreach and Emergency Shelter operations.

The above item was removed from the agenda and tabled to August 18,

2022, by Councilmember Arias and Vice President Maxwell.

TABLED

- 1.-O. [ID 22-1254](#) Approve a Second Amendment to the HOME Investment Partnerships Program, Community Housing Development Organization Agreement with Self-Help Enterprises to allow for subordination to the State of California CalHome Program and hold a no less than third position lien (District 3)

APPROVED ON CONSENT

- 1.-P. [ID 22-1255](#) Approve a \$250,000 Consultant Services Agreement with SWCA Environmental Consultants for 2022-2024 environmental consulting services for the Housing and Community Development Division, U.S. Department of Housing and Urban Development funded projects, programs, and activities.

APPROVED ON CONSENT

- 1.-Q. [ID 22-1182](#) Actions pertaining to the Orange Avenue and Central Avenue Intersection Improvement Project - Bid File No. 3833 (Council District 3):
1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301 of the California Environmental Quality Act (CEQA) guidelines
 2. Award a construction contract in the amount of \$2,582,991 to Avison Construction, Inc. of Madera, California

The above item was removed from the agenda and tabled to August 18, 2022, by Councilmember Arias.

TABLED

- 1.-U. [ID 22-1280](#) Approval of the appointment of Kathleen Hendron to the District 2 Project Implementation Committee and Kacey Auston-Tibbetts to the City of Fresno Women's Commission.

APPROVED ON CONSENT

- 1.-V. [ID 22-1262](#) Approve the appointment of Guadalupe Cazarez to the Women's Commission and approve the reappointment of James W. Sponsler to the Historic Preservation Commission.

As announced during Approval of the Agenda, the reappointment of James Sponsler to the Historic Preservation Commission was removed from the agenda by Councilmember Arias.

APPROVED ON CONSENT

- 1.-W. [ID 22-1277](#) Approve the appointment of Gabriel Lozano to the Bicycle and Pedestrian Commission (BPAC).

APPROVED ON CONSENT

- 1.-X. [ID 22-1269](#) Approval of the appointment of Aida Macedo to the City of Fresno Women's Commission.

APPROVED ON CONSENT**CONTESTED CONSENT CALENDAR**

- 1.-H. [ID 22-1169](#)

Actions pertaining to the 2021 Community Policing Development (CPD) De-Escalation Training grant program

1. Authorize the Chief of Police to accept \$200,000 in grant funding for the 2021 Community Policing Development (CPD) De-Escalation Training grant awarded to the Fresno Police Department from the U.S. Department of Justice, through the Office of Community Oriented Policing Services (COPS)
2. ***RESOLUTION - Adopt the 1st Amendment to the Annual Appropriation Resolution (AAR) No. 2022-154 appropriating \$200,000 for the Police Department's 2021 Community Policing Development (CPD) De-Escalation Training grant (requires five affirmative votes) (subject to Mayor's veto)
3. RESOLUTION - Adopt Resolution approving an exception to formal bidding procedures and award a sole source purchase agreement for a de-escalation training simulator
4. Approve the award of a sole source purchase agreement with VirTra for the purchase of a de-escalation training simulator in the amount of \$148,429.42

There was no staff presentation on the above item. Police Chief Balderrama responded to questions. Topics of discussion included de-escalation training, retention of records and the continuation of improvements.

RESOLUTION 2022-180 ADOPTED

RESOLUTION 2022-181 ADOPTED

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

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

- 1.-M.** [ID 22-1295](#) Actions pertaining to the allocation of funding for the Violence Intervention and Prevention Initiative Grant Program:
1. Approve the recommendation of grant proposals allocating \$950,000 from American Rescue Plan Act (ARPA) and \$550,000 in General Fund to local Community Based Organizations totaling \$1,500,000 to the following organizations: Boys and Girls Clubs of Fresno County (\$180,000); Fresno Economic Opportunities Commission/Advance Peace (\$375,000); Hope Now for Youth (\$130,000); Live Again Fresno (\$150,000); The Resiliency Center (\$50,000); Take a Stand Committee (\$50,000); Trauma Research and Education Foundation of Fresno (\$130,000); and a combined total of \$435,000 to the following collaborative partners: West Fresno Health Care Coalition dba West Fresno Family Resource Center (\$150,000)/Brain Wise Solutions (\$25,000), Every Neighborhood Partnership (\$75,000)/Gidai Maaza (\$35,000), HandsOn Central California/Fresno Street Saints (\$75,000), and the Fresno Police Activities League (\$75,000).
 2. ****RESOLUTION - Granting Authority to the Parks, After School, Recreation and Community Services (PARCS) Director or their Designee to Enter Into Agreements with Community Based Organizations For One Year With The Option of One, One-Year Extension and Amendment to Provide Programs and Services Funded by the American Rescue Plan Act (ARPA) and General Fund to Aid in the COVID-19 Recovery Effort. (Subject to Mayor's Veto) (Citywide)

Councilmember Chavez was recused from the above item.

There was no staff presentation on the above item. Business Manager McNab responded to questions. Councilmember Bredefeld clarified that the Advance Peace portion of this item did not include stipends. He stated, for the record, he would support this item upon its return to Council as there were no stipends in the Advance Peace program.

TABLED

On motion of Vice President Maxwell, seconded by Councilmember Arias, that the above Action Item be TABLED with no specific return date. The motion carried by the following vote:

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

Recused: 1 - Chavez

1.-R. [ID 22-1253](#)

BILL (for introduction) - Amending Section 6-520 of the Fresno Municipal Code, relating to regulations for urban water conservation

The above item was presented to Council by Public Utilities Director Buche.

Topics of discussion included: the differences with existing state law; State and Water Board Resolution 2022-18; utilizing existing fines in the Master Fee Schedule; how violations would be brought to the attention of the City; applicability to future emergency orders from the State of California; the affect upon median island watering; the exemption of properties over two acres in size.

TABLED TO AUGUST 18, 2022

**On motion of Councilmember Arias, seconded by Vice President Maxwell, that the above Action Item be TABLED to August 18, 2022.
The motion carried by the following vote:**

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

City Council recessed for lunch at 12:01 A.M. and returned at 1:37 P.M.

1.-S. [ID 22-1244](#)

Reject the sole bid received for the Rebid Requirements Contract to Furnish & Install Polyethylene Water Service Replacements (Bid File 9629) (Citywide).

There was no staff presentation on the above item. Public Utilities Manager Gonzalez, Purchasing Manager Perales, and City Manager White responded to questions.

Discussion on the item included: the bid process; potential impacts within the department from moving the project in-house; the timeline to re-bid the contract and accelerating the timeline wherever possible; encouraging additional participation in the bidding process, and; utilizing a 21 day period to allow bids.

APPROVED WITH DIRECTION TO RE-BID

On motion of Councilmember Karbassi, seconded by Councilmember Arias, that the above Action Item be APPROVED to reject and direct staff to go out and rebid. The motion carried by the following vote:

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

Absent: 1 - Maxwell

- 1.-T.** [ID 22-1215](#) Award a revenue contract for bus advertising services to Lamar Transit LLC for \$2,190,000 over five years (Bid Eval 9650)

There was no staff presentation on the above item. Assistant Director McMillan-Haener, Assistant City Manager Barfield and City Manager White responded to questions.

Discussion topics included: utilizing FAX buses as billboards for advertisement, Federal State rules requiring buses be used as advertisement, how advertising revenue is used; City of Fresno use of advertising space on buses; the potential impacts from possibly eliminating advertising revenue to solely allow City of Fresno advertising on busses, and; proactively advertising essential services

APPROVED

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

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

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:00 A.M. #1 (CONTINUED TO FUTURE DATE TO BE RENOTICED)

- [ID 22-1211](#) Consideration of Development Code Text Amendment Application No. P22-02413 and related Environmental Finding for Environmental Assessment No. P22-02413, amending Tables 15-1102, 15-1103, 15-1202, 15-1203, 15-4907 and Section 15-1104 of the Fresno Municipal Code and adding Sections 15-1106 and 15-5102-E to the Fresno Municipal Code, and corresponding General Plan Text Amendment relating to mixed-use development:

1. ADOPT a finding set forth in Environmental Assessment No. P22-02413 dated July 6, 2022, of a Mitigated Negative Declaration pursuant to CEQA Guidelines Section 15168(d)
2. APPROVE Development Code Text Amendment Application No. P22-02413, amending Tables 15-1102, 15-1103, 15-1202, 15-1203, 15-4907 and Section 15-1104 of the Fresno Municipal Code and adding Sections 15-1106 and 15-5102-E to the Fresno Municipal Code, relating to mixed-use development, with staff corrections as recommended by Planning Commission on July 20, 2022
3. APPROVE General Plan Text Amendment Application No. P22-02413 amending Chapter 3, the Urban Form, Land Use, and Design Element of the Fresno General Plan, Table 3-1, and pages 3-41 and 3-42 consistent with the Development Code Text Amendment described above

The above item was removed from the agenda and tabled with no specific return date.

TABLED

10:00 A.M. #2

- [ID 22-1238](#) Consideration of Rezone Application 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).
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.
 2. BILL (for introduction and adoption) Approving Rezone Application No. P22-00451 proposing to rezone the subject property from the PI/cz (Public and Institutional/with conditions of zoning) zone district to the PI/cz (Public and Institutional/with 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.

The above item was called to order at 2:03 P.M. and was presented to Council by Planning and Development Planner II Richardson.

Upon call, the following members of the public addressed Council: Lisa Flores and Brady. Public comment closed at 2:13 P.M.

Discussion topics included the definition of "homeless shelters" and the presence of green-space at shelters.

As part of his motion to approve this item, Vice President Maxwell included the following conditions of zoning:

- 1. Allowed uses include: Public or Private schools or college, emergency shelter, and social service facility.*
- 2. Vehicular access to Del Mar Avenue is limited to emergency access only.*
- 3. Southern and Eastern walls shall be 7 feet high measured from the higher of the two grades.*
- 4. Property owner must notify the City of intent to sell or lease the property.*
- 5. Buildings of two or more stories must have screening measures to provide a reasonable degree of privacy. Screening measures include, but are not limited to, landscaping, alternate window and balcony placements, placing windows at least 6 feet from the floor of the interior of the unit on second and higher stories, using glass block or other translucent material, and incorporating wing walls or louvers.*

BILL B-25 INTRODUCED/ADOPTED AS ORDINANCE 2022-025

On motion of Vice President Maxwell, seconded by Councilmember Karbassi, that the above Action Item be approved with the zoning conditions discussed. The motion carried by the following vote:

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

3. GENERAL ADMINISTRATION

- 3.-A.** [ID 22-1216](#) WORKSHOP - FATforward Update - Moving Fresno Yosemite International Airport into the Future

The above workshop was not presented.

WITHDRAWN

- 3.-B.** [ID 22-1217](#) Actions pertaining to the Terminal East Apron Reconfiguration project at Fresno Yosemite International Airport (Council District 4):
1. Award a construction contract to A. Teichert & Son, Inc. dba

Teichert Construction, of Fresno, California, for the Terminal East Apron Reconfiguration project at Fresno Yosemite International Airport in the amount of \$10,130,425 (Bid File 3859)

2. Approve a consulting agreement with Moore Twining Associates of Fresno, California, to provide geotechnical quality assurance testing and inspection services for the Terminal East Apron Reconfiguration project at Fresno Yosemite International Airport in the amount of \$255,288

There was no staff presentation on the above item. Airports Director Thompson responded to questions. Upon call, there was no public comment.

Discussion topics included the Project Labor Agreement policy.

APPROVED

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

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

3.-C. [ID 22-1278](#) Workshop - Measure C Renewal

Michael Leonardo, Executive Director of the Fresno County Transit Authority (FCTA), gave the presentation for the above workshop.

Discussion topics included: the timing of the vote and getting the issue on the ballot; prohibitions on the use of certain Measure C dollars; allowing future input for infrastructure projects; annual audits for agencies; set-asides for sidewalks; how terms for Measure C differ for newer and older neighborhoods; the drivers behind changes to Measure C; the accuracy of the needs for the County Safe Routes to School program; restrictions on "local control" funds; the possibility of an weighted voting system for the FCTA; possible Brown Act violations during the Measure C renewal process; the California Attorney General's criticism of the Measure C renewal process; the California Environmental Quality Act; the ability of the Council of Governments (COG) and FCTA to change criteria without necessarily amending the plan; local hiring, and; Workforce Development funding.

Councilmember Arias clarified, for the record, that even if the City of Fresno did not approve this item, the COG could still put the Measure C item on the ballot.

PRESENTED

- 3.-D.** [ID 22-1260](#) ***RESOLUTION - In support of the Measure C Renewal Expenditure Plan and implementation guidelines (Subject to Mayor's Veto).

There was no staff presentation on the above item. Upon call, the following members of the public addressed Council: Gloria Hernandez, Jason Martinez, Sukaina Hussain, Veronica Garibay, Lisa Flores, Sarah Harris, Sadia Khan, Angelica Perez-Flores and Andrew.

Michael Leonardo, Executive Director of the Fresno County Transit Authority (FCTA) responded to questions.

RESOLUTION 2022-178 ADOPTED

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

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

No: 1 - Arias

Abstain: 1 - Esparza

- 3.-E.** [ID 22-1264](#) Approve a Memorandum of Understanding Between the City of Fresno and the Downtown Association of Fresno (DBA Downtown Fresno Partnership) for Baseline Services.

Councilmember Soria and Councilmember Arias recused themselves from the above item and were not present for the discussion.

The above item was presented to Council by Assistant City Manager Barfield. Upon call there was no public comment and no Council discussion.

APPROVED

On motion of Councilmember Chavez, seconded by Vice President Maxwell, that the above Action Item be APPROVED. The motion

carried by the following vote:

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

Recused: 2 - Soria and Arias

4. CITY COUNCIL

- 4.-A.** [ID 22-1279](#) Resolution-Opposing Proposed Provisions of Senate Bill 930 Identifying the City of Fresno As A Qualified City Eligible For The SB 930 Pilot Program.

*There was no staff presentation no Council discussion on the above item.
Upon call, there was no public comment.*

RESOLUTION 2022-183 ADOPTED

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

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

- 4.-B.** [ID 22-1284](#) ***RESOLUTION - Updating the Council Orientation Act (Subject to Mayor's Veto)

*There was no staff presentation no Council discussion for the above item.
Upon call, there was no public comment.*

RESOLUTION 2022-184 ADOPTED

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

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

5. CLOSED SESSION

Upon call, there was no public comment for Closed Session items.

During open session, Interim City Attorney Gonzales announced the items to be discussed in Closed Session.

Council withdrew from Open Session to hear Closed Session at 4:30 P.M.

5.-A. [ID 22-1218](#)

CONFERENCE WITH SECURITY OFFICIALS - Government Code
Section 54957(a)

Topic: Matters that pose a threat to essential government services and the
public's right of access to government services and facilities - cybersecurity
assessment

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

DISCUSSED

5.-B. [ID 22-1268](#)

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

Case Name: *Pismos of Fresno, LLC, et al. v. City of Fresno*, et al. Fresno
Superior Court Case No. 20CECG03646

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

DISCUSSED

- 5.-C. [ID 22-1275](#)** CONFERENCE WITH REAL PROPERTY NEGOTIATOR Government
Code Section 54956.8
Property: APN 46828205T, 46828222T, 46828223T (South Stadium)
Negotiating Parties: Executive Director Murphey, Noyan Frazier Capital,
L.P.
Under Negotiations: Terms of sale
Sponsor: Executive Director, Fresno Revitalization Corporation

*There were no open session announcements following the above closed
session item. Councilmember Soria recused herself and was not present for
the discussion.*

DISCUSSED

ADJOURNMENT

City Council adjourned from Closed Session at 5:05 P.M.

**DRAFT MINUTES OF AUGUST 18, 2022 -
Regular**

City of Fresno

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



Meeting Minutes

Thursday, August 18, 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 August 18, 2022, at 9:00 A.M. concurrently with a separately noticed special meeting.

9:06 A.M. ROLL CALL

Present: 6 - Council President Nelson Esparza
Vice President Tyler Maxwell
Councilmember Esmeralda Z. Soria
Councilmember Miguel Angel Arias
Councilmember Luis Chavez
Councilmember Garry Bredefeld

Absent: 1 - Councilmember Mike Karbassi

Invocation

Pledge of Allegiance to the Flag

APPROVE AGENDA

City Clerk Stermer announced the following changes to the agenda:

THERE WAS A SEPARATELY NOTICED SPECIAL MEETING TO HEAR THE FOLLOWING ITEMS:

General Administration Item A. (ID 22-1347) regarding the Ambassador Inn located at 1804 W. Olive Avenue.

General Administration Item B. (ID 22-1348) regarding the Villa Motel located at 817 N. Parkway Drive.

THE FOLLOWING CONSENT CALENDAR ITEMS WERE TABLED UNTIL THE SEPTEMBER 1, 2022, MEETING:

1-A (ID 22-1308) regarding approval of minutes for August 11, 2022 - tabled to September 1, 2022, by staff.

1-E (ID 22-1053) regarding use of Parking Garage 7 – - tabled to September 1, 2022, by staff and Councilmember Arias.

THE FOLLOWING ITEMS WERE REMOVED FROM THE AGENDA WITH

NO SPECIFIC RETURN DATE:

Consent Calendar item 1-H (ID 22-914) regarding the Artistic Crosswalk Policy - removed from the agenda by Councilmember Arias.

General Administration item 3-C (ID 22-1287) regarding the Villa Motel at 817 N. Parkway Drive – removed from the agenda by staff and replaced by Special Meeting item, ID 22-1348.

General Administration item 3-D (ID 22-1288) regarding the Ambassador Inn located at 1804 W. Olive Avenue - removed from the agenda by staff and replaced by Special Meeting item, ID 22-1347.

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

1-C (ID 22-1273) regarding fees for the Tower Theatre in the Master Fee Schedule - moved to Contested Consent by Councilmember Bredefeld.

1-D (ID 22-1276) regarding the purchase of two Smeal heavy fire apparatuses - moved to Contested Consent by Councilmember Arias.

1-F (ID 22-1323) regarding supplemental Emergency Solutions Grant funding - moved to Contested Consent by Councilmember Arias.

1-G (ID 22-873) regarding a grant application for a Vision Zero Action Plan Project - moved to Contested Consent by Councilmember Arias.

1-J (ID 22-1324) regarding the Orange Avenue and Central Avenue Intersection Improvement Project - moved to Contested Consent by Councilmember Arias.

1-K (ID 22-1326) regarding regulations for urban water conservation - moved to Contested Consent by Councilmember Arias and Councilmember Bredefeld.

1-L (ID 22-1281) regarding the third amendment to the FY 2023 salary resolution - moved to Contested Consent by Councilmember Arias.

1-M (ID 22-429) regarding emergency conditions impacting the ability of legislative bodies to meet safely in person - moved to Contested Consent by Councilmember Bredefeld.

1-O (ID 22-1327) regarding acceptance of State of California pass-through funds to be distributed to local non-profits pursuant to AB 178 - moved to Contested Consent by Councilmember Bredefeld.

Councilmember Soria announced a conflict and recused herself from Consent Calendar item 1-E (ID 22-1053) regarding the use of Parking Garage 7 and the 10:00 A.M. Joint Meeting item (ID 22-1330) regarding The Park at South Fulton Street (South Stadium).

Councilmember Bredefeld registered a "no" vote on Consent Calendar item 1-B (ID 22-1250) regarding Commercial Cannabis Activity.

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

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

Absent: 1 - Karbassi

CEREMONIAL PRESENTATIONS

There was no Ceremonial Presentation on the agenda.

COUNCILMEMBER REPORTS AND COMMENTS

Councilmember Soria announced Council District 1 was partnering with Beautify Fresno for a cleanup event in the Shields and West neighborhood on August 20, 2022. She also discussed the possibility of extending the hours of operation for the city cooling centers.

Councilmember Arias requested a follow up from the administration regarding the Convention Center and Selland Arena Request for Proposal and the Community Affairs Department, Implementation Plan. He discussed the progress regarding the alley gates at the Monarch Housing Project in

China Town. The Councilmember discussed the homeless crisis and the workshop that would be held to discuss the homeless related agenda items. Finally, he asked the administration to develop a workshop regarding the Police Reform Implementation Committee.

Councilmember Chavez congratulated Lauri King as the new CEO for the Big Fresno Fair. He discussed the plan to spruce up the Kings Canyon corridor and to repair the roundabout facade on Cedar and Kings Canyon. He also discussed a project to have kids help fix up the ornamental fence along the corridor. Finally, the Councilmember announced his office was working to help coordinate promotions for the Hmong New Year event that would provide tickets to seniors and children.

Vice President Maxwell discussed: the recent community meeting at Sun Garden Acres neighborhood; concrete repair in the Rotary Park neighborhood; tree trimming between Chestnut and Willow and Shaw and Ashlan, and; advertising the opening of cooling centers as far in advance as possible.

MAYOR/MANAGER REPORTS AND COMMENTS

City Manager White discussed a memo from the administration to the Councilmembers regarding the various bike patrols and schedules. She also discussed the belated forwarding of the Police Department's Reportable Response to Resistances Report to Councilmembers. Finally, City Manager White congratulated Mindy Casto for her recent appoint to Deputy Chief of Police.

UNSCHEDULED COMMUNICATION

Upon call, the following members of the public addressed Council: Fernando Paul Elizondo, Justin, Chadusty Daggett, Brandi Nuse-Villegas, Michael Mathew, David Ramming, Todd Blanco, Susan Smith, and Cindy Piombino.

Tiffany Wright spoke on Consent Calendar item 1-B (ID 22-1250) regarding Commercial Cannabis Activity.

The following speakers expressed support for Consent Calendar item 1-G

(ID 22-873) : Susan Smith, Terry Shelton, Anthony Molina, Verenize Rios, Galilea Ortiz, Joe Martinez, Dez Martinez, Cindy Piombino, Bryce Herrera and Robert McCloskey.

The following speakers expressed support for Consent Calendar item 1-O (ID 22-1327) regarding pass-through funds to be distributed to local non-profits pursuant to AB 178: Hanna Krebs, Bernadette Planting, Katherine Shurik, Patsy Montgomery, Rev. Tim Kutzmark, Sharon Bell-Stevens, Lauren Babb, Terry Shelton, Haley White, Susan McCall Carrasco, Brooke Aiello, Ruth Ann Hill, Karla Martinez, Lisa Flores, Dez Martinez, Laura Moore, Brandi Nuse-Villegas, Karen Poluitz, Josefa Vega, Socorro Santillan, Samantha Snow, Trudi Thor, Robert McCloskey, Dr. Daniel O'Conner, and Venise Curry.

The following speakers expressed opposition for Consent Calendar item 1-O (ID 22-1327) regarding pass-through funds to be distributed to local non-profits pursuant to AB 178: Kelley Gill, Linda Jason, David Keith, Nicki Stallard, Jennifer McLian-Romero, John Erickson, Allison Martinez, Linda Telina, John Gerardi, Scott Brandon, Martha Kolstad, Niha Guzon-Dalmore, Denis McCourt, Ivonne Trejo, Bob Hall, Sarah Ghoering, Travis Newell, Lorie Cuevas, and Naeli Aguirre.

[ID 22-1381](#) Unscheduled Communication received

1. CONSENT CALENDAR

APPROVAL OF THE CONSENT CALENDAR

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

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

Absent: 1 - Karbassi

1.-A. [ID 22-1308](#) Approval of minutes for August 11, 2022, Regular Meeting.

The above item was tabled by staff to September 1, 2022.

TABLED

1.-B. [ID 22-1250](#) Actions pertaining to Commercial Cannabis Activity:

1. Approve the Second Amendment to the software service and support agreement with OpenGov, Inc., in the amount of \$27,500 for a total contract value of \$99,150, for software services, support, and professional services.

Councilmember Bredefeld registered a "no" vote on the above item which PASSED 5-1 with Councilmember Karbassi absent.

APPROVED ON CONSENT

- 1.-E. [ID 22-1053](#) Actions pertaining to the use of Parking Garage 7:
1. Adopt a finding of Categorical Exemption pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act Guidelines.
 2. Approve the Second Amendment to the License Agreement between the City of Fresno, and T-Mobile West, LLC., to license use of certain real property, together with access and utility rights located at the Fresno City Parking Garage 7 (801 Van Ness Avenue, Fresno, CA 93721) for four (4) five-year terms and total contract revenue of \$436,920 (District 3)

The above item was tabled to September 1, 2022, by staff and Councilmember Arias.

TABLED

- 1.-H. [ID 22-914](#) ***RESOLUTION - Adopting the Artistic Crosswalk Policy (Subject to Mayor's veto) (Citywide)

The above item was removed from the agenda by Councilmember Arias with no specific return date.

TABLED

- 1.-I. [ID 22-1266](#) Actions pertaining to West Audubon Drive Street Reconstruction at West Nees Avenue (Council District 2)
1. Approve an Agreement with Pacific Gas and Electric Company (PG&E) in the amount of \$85,700.00 to relocate telecommunication facilities associated with the relocation of electrical facilities. (Council District 2)

APPROVED ON CONSENT

- 1.-N. [ID 22-1317](#) Approval of the appointment of Leonela Harari to the City of Fresno Women's Commission.

APPROVED ON CONSENT

- 1.-P. [ID 22-1328](#) Approval of the appointment for Laura Ward to the City of Fresno Woman's Commission.

APPROVED ON CONSENT

CONTESTED CONSENT CALENDAR

- 1.-C. [ID 22-1273](#) ***RESOLUTION - Adopting the 572nd Amendment to the Master Fee Schedule Resolution No. 80-420 to add various fees for the Tower Theatre in the General Government Section (Subject to Mayor's Veto).

Councilmember Soria left the meeting at 2:35 P.M.

There was no staff presentation on the above item. City Manager White and Assistant City Manager Quinto responded to questions.

Discussion on the above item included: parking fees at the Tower Theater and other city owned properties under the Master Fee Schedule.

RESOLUTION 2022-185 ADOPTED

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

Aye: 4 - Esparza, Maxwell, Arias and Chavez

No: 1 - Bredefeld

Absent: 2 - Soria and Karbassi

- 1.-D. [ID 22-1276](#) Approve the award of a purchase contract to Fire Apparatus Solutions of Rialto, California, for the purchase of two Smeal heavy fire apparatuses in the amount of \$2,158,724 for the Fresno Fire Department

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

APPROVED WITH CONDITIONS

On motion of Councilmember Arias, seconded by Vice President Maxwell, that the above Action Item be Approved with conditions that the administration provide the Council with a list of all the trucks and the age of those what will be replaced in the upcoming years. The motion carried by the following vote:

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

Absent: 1 - Karbassi

City Council recessed for lunch at 12:13 P.M. and returned at 1:52 P.M.

- 1.-F. [ID 22-1323](#) Actions pertaining to supplemental Emergency Solutions Grant 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. Approve a First Amendment to the Emergency Solutions Grant-Coronavirus (ESG-CV) agreement between the City of Fresno and Poverello House to extend the term of the agreement through September 30, 2023 and increase the funding by \$304,180 for a total award of \$671,605 for Street Outreach within the City of Fresno.
 2. Approve the sixth revision of the Emergency Solutions Grant-Coronavirus (ESG-CV) Activity Allocations to allocate \$777,284.21 of ESG-CV funds to activities for Street Outreach and Emergency Shelter operations.

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

Discussion on this item included: the indirect costs; high costs of mobile showers, and; staff salaries.

APPROVED

On motion of Councilmember Arias, seconded by Councilmember Soria, 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

- 1.-G. [ID 22-873](#) RESOLUTION - Authorizing the Submission of a Grant Application to the United States Department of Transportation Safe Streets and Roads for All Discretionary Grant Opportunity for a Vision Zero Action Plan Project Totaling Up to \$1 Million in Request for Funding; and Authorizing the Execution of Grant Application and Grant Agreement Documents by the Public Works Director or Designee (Citywide)

The above item was introduced to Council by Public Works Manager

Gormley. Service Aide Woodward and City Manager White also addressed Council. .

Discussion on this item included: Police Department changes to address pedestrian safety; data for the last five years of pedestrian deaths, the need for School Resource Officers to regulate traffic near schools during pick-up and drop-off hours, current pedestrian safety data, repainting streets; utilizing the budget process to repaint streets, settlement agreements and crosswalks; and traffic lights near Orange Avenue.

Vice President Maxwell committed to making a motion for one million dollars for Vision Zero during the FY 2024 if the current grant is not received by the city.

RESOLUTION 2022-186 ADOPTED

On motion of Councilmember Arias, seconded by Council President Esparza, 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

- 1.-J. [ID 22-1324](#)** Actions pertaining to the Orange Avenue and Central Avenue Intersection Improvement Project - Bid File No. 3833 (Council District 3):
1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301 of the California Environmental Quality Act (CEQA) guidelines
 2. Award a construction contract in the amount of \$2,582,991 to Avison Construction, Inc. of Madera, California

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

APPROVED

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

Aye: 4 - Esparza, Soria, Arias and Bredefeld

Absent: 3 - Maxwell, Karbassi and Chavez

1.-K. [ID 22-1326](#)

BILL (for introduction) - Amending Section 6-520 of the Fresno Municipal Code, relating to regulations for urban water conservation

There was no staff presentation on the above item and there was no Council discussion. Councilmember Arias motioned to amend this item to revise Section 6-520(a)(6)(i)(b) to read as follows "School and park facilities, and."

BILL B-26 INTRODUCED AS AMENDED AND LAID OVER

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

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

Absent: 2 - Karbassi and Chavez

1.-L. [ID 22-1281](#)

***RESOLUTION - Adopt the Third Amendment to the FY 2023 Salary Resolution No. 2022-152, amending Section 9, subsection 1.b; and Exhibit 2, Non-Represented Management and Confidential Classes adding the new classification of Project Liaison/Program Administrator and the respective new E13 salary range, retitling the Labor Relations Manager to Chief Labor Negotiator and modifying the salary range from E7 to E6, modifying the Deputy City Manager salary range from E7 to E6, and retitling the Principal Labor Relations Analyst to Principal Labor Relations/Risk Analyst, effective August 22, 2022 (Subject to Mayor's Veto)

There was no staff presentation on the above item. Personnel Director Sanchez and City Manager White responded to questions.

Councilmember Arias requested additional information regarding the adjusted salary range for the Deputy City Manager position.

TABLED

On motion of Councilmember Arias, seconded by Vice President Maxwell, that the above Action Item be TABLED to September 1, 2022. The motion FAILED by the following vote:

Aye: 3 - Esparza, Maxwell and Arias

No: 1 - Bredefeld

Excused: 3 - Soria, Karbassi and Chavez

- 1.-M. [ID 22-429](#) ***RESOLUTION - Confirming emergency conditions continue to directly impact the ability of legislative bodies to meet safely in person, and authorizing remote teleconference meetings of City legislative bodies for 30 days, pursuant to Brown Act provisions (Subject to Mayor's Veto).

There was no staff presentation on the above item.

Council discussion on this item revolved around the need to continue adopting an emergency resolutions.

RESOLUTION 2022-187 ADOPTED

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

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

Absent: 2 - Soria and Karbassi

- 1.-O. [ID 22-1327](#) Actions pertaining to acceptance of State of California funds allocated to the City of Fresno as pass-through entity to be distributed to local non-profits pursuant to AB 178:
1. *** RESOLUTION - Accepting \$7 million in state funds to the City of Fresno, as pass-through entity for Arte Americas; Accepting \$1.5 million in state funds to the City of Fresno, as pass-through entity for Neighborhood Industries; and accepting \$1 million in state funds to the City of Fresno, as pass-through entity for Planned Parenthood Mar Monte (Subject to Mayor's veto)
 2. ***RESOLUTION - Adopting the 5th Amendment to the Annual Appropriation Resolution (AAR) No. 2022-154 to appropriate \$7 million from the State of California to the City of Fresno as pass-through entity, which funds are earmarked for local non-profit Arte Americas (Requires 5 votes)(Subject to Mayor's veto)
 3. ***RESOLUTION - Adopting the 6th Amendment to the Annual Appropriation Resolution (AAR) No. 2022-154 to appropriate \$1.5 million from the State of California to the City of Fresno as pass-through entity, which funds are earmarked for local non-profit Neighborhood Industries (Requires 5 votes)(Subject to Mayor's veto)
 4. ***RESOLUTION - Adopting the 7th Amendment to the Annual Appropriation Resolution (AAR) No. 2022-154 to appropriate \$1 million from the State of California to the City of Fresno as

pass-through entity, which funds are earmarked for local non-profit Planned Parenthood Mar Monte (Requires 5 votes)(Subject to Mayor's veto)

5. Approve subrecipient agreement between the City as grantor and Arte Americas for \$7 million
6. Approve subrecipient agreement between the City as grantor and Neighborhood Industries for \$1.5 million
7. Approve subrecipient agreement between the City as grantor and Planned Parenthood Mar Monte for \$1 million

There was no presentation on the above item.

Councilmember Bredefeld spoke in opposition of allocating \$1 million to Planning Parenthood Mar Monte.

Discussion on this item included: medical support for the community, services provided by Planned Parenthood, expanding access to health care, resources provided to the City of Fresno, women's right to choice, and the overturn of Roe vs. Wade.

RESOLUTION 2022-188 ADOPTED

RESOLUTION 2022-189 ADOPTED

RESOLUTION 2022-190 ADOPTED

RESOLUTION 2022-191 ADOPTED

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

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

No: 1 - Bredefeld

Absent: 1 - Karbassi

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:00 A.M. Joint Meeting of The City Council, The City in Its Capacity as Housing Successor to the Redevelopment Agency of the City of Fresno and The Fresno Revitalization Corporation

[ID 22-1330](#) Actions pertaining to the Amended and Restated Disposition and Development Agreement between the City of Fresno and Noyan Frazier Capital, L.P., for The Park at South Fulton Street (South Stadium)

1. RESOLUTION-Finding Good Cause and Public Benefit for Extension of the South Fulton Street Mixed Use Residential Rental Project Pursuant to the Fresno Municipal Code Section 4-204 Relating to the disposition of real property (APN 468-282-22T, 468-282-05T, 468-282-23T)(Requires 5 affirmative votes)
2. Consider Request from Noyan Frazier Capital L.P. for a Second Amendment to the Amended and Restated Disposition and Development Agreement

Councilmember Soria recused herself from the above item and was absent for the discussion.

The above item was called to order at 1:52 P.M. and was introduced to Council by Councilmember Arias. The applicants gave a PowerPoint presentation for Council.

Upon call, the following members of the public addressed Council: Susan McCall Carrasco, Lisa Flores, Dez Martinez, and Terri Shelton. Public comment closed at 2:15 P.M.

Discussion on this item included: affordable housing, plans to sell the project after its been built, management of the property, and the timeline of the project.

Councilmember Bredefeld spoke in opposition of the item related to his concerns with Terrance Frazier.

On motion of Councilmember Arias, seconded by Council President Esparza, that the above Action Item approve the resolution and the second amendment if the State grants the Surplus Land Act extension for close of escrow to March 31, 2023 to coincide with the extension of the funding, then the outside date for close of escrow shall be March 31, 2023, not to exceed December 31, 2022, and City Attorney staff shall revise the agreement accordingly. The motion carried by the following vote:

Aye: 4 - Esparza, Maxwell, Arias and Chavez

No: 1 - Bredefeld

Absent: 1 - Karbassi

Recused: 1 - Soria

The above item passed in part and failed in part as the resolution required five affirmative votes. As such, part one of this item, concerning the resolution, FAILED 4-1. Part two of this item, concerning the request from Noyan Frazier Capital, L.P., PASSED 4-1.

10:05 A.M.

[ID 22-1316](#) Appearance by Amanda Hyde to discuss “rent control and rent increase protection” (Resides in District 1)

APPEARED

3. GENERAL ADMINISTRATION

3.-A. [ID 22-1286](#) WORKSHOP - Parkway Drive Shelter Operations and Future Plan

The above workshop was presented to Council by Assistant Planning and Development Director Skei. City Manager White also addressed Council.

Discussion on this item included: county owned shelters in the City of Fresno; building tiny home villages in all districts; HomeKey2 funding, and; appropriations received in the last few months.

PRESENTED

3.-B. [ID 22-1248](#) Actions pertaining to homeless services agreements provided under the Homeless Housing, Assistance, and Prevention (HHAP) program:

1. Approve a First Amendment to the Agreement with Elevate Community Services (Elevate) to extend the Term to operate the Ambassador Inn as a low-barrier emergency homeless shelter and increase funding by \$789,531.75 for a total award amount of \$1,619,520.25.
2. Approve a First Amendment to the Agreement with Elevate Community Services (Elevate) to extend the Term to operate the Villa Motel as a low-barrier emergency homeless shelter and increase funding by \$789,531.75 for a total amount of \$1,668,959.75.

There was no staff presentation on the above item. Assistant Planning and Development Director Skei responded to questions. Councilmember Arias stated he would pursue a street closure on the frontage road of Motel Drive due to the lack of police resources in the area.

Upon call, the following member of the public addressed Council: Brandi Nuse-Villegas, Dez Martinez, Terry Shelton, Lisa Flores, and Robert McCloskey.

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

Absent: 1 - Karbassi

- 3.-C.** [ID 22-1287](#) Actions pertaining to using the Villa Motel located at 817 N. Parkway Drive, Fresno 93728, as an interim low-barrier homeless shelter:
1. Adopt a finding of Categorical Exemption pursuant to Section 15301 of the California Environmental Quality Act (CEQA) guidelines; and
 2. Affirm City's Manager's determination with RH Community Builders LP is uniquely qualified; and
 3. Approve a Repair Services Agreement with the RH Community Builders LP not to exceed \$4,702,108 (District 3)

The above item was removed from the agenda with no return date and was superseded by the August 18, 2022, Special Meeting item (ID 22-1348) that was separately noticed.

TABLED

- 3.-D.** [ID 22-1288](#) Actions pertaining to using the Ambassador Inn located at 1804 W. Olive Avenue, Fresno 93728, as an interim low-barrier homeless shelter:
1. Adopt a finding of Categorical Exemption pursuant to Section 15301 of the California Environmental Quality Act (CEQA) guidelines; and
 2. Affirm the City Manager's finding that RH Community Builders LP, is uniquely qualified; and
 3. Approve a Repair Services Agreement with the RH Community Builders LP not to exceed \$5,981,700 (District 3)

The above item was removed from the agenda with no return date and was superseded by the August 18, 2022, Special Meeting item (ID 22-1347) that was separately noticed.

TABLED

4. CITY COUNCIL

There were no City Council items on the agenda.

5. CLOSED SESSION

There were no Closed Session items on the agenda.

ADJOURNMENT

City Council adjourned at 4:58 P.M.

DRAFT MINUTES OF AUGUST 18, 2022 - Special

City of Fresno

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



Meeting Minutes

Thursday, August 18, 2022

9:00 AM

Special 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 special session on August 18, 2022, at 9:00 A.M. concurrently with a separately notice regular meeting.

9:00 A.M. ROLL CALL

Present: 6 - Council President Nelson Esparza
Vice President Tyler Maxwell
Councilmember Esmeralda Z. Soria
Councilmember Miguel Angel Arias
Councilmember Luis Chavez
Councilmember Garry Bredefeld

Absent: 1 - Councilmember Mike Karbassi

APPROVE AGENDA

On motion of Councilmember Chavez, seconded by Councilmember Arias, the Agenda was **APPROVED**. The motion carried by the following vote:

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

Absent: 1 - Karbassi

[ID 22-1345](#) Notice of Special Session Meeting - Signed

GENERAL ADMINISTRATION

- A. [ID 22-1347](#) Actions pertaining to using the Ambassador Inn located at 1804 W. Olive Avenue, Fresno 93728, as an interim low-barrier homeless shelter:
1. Adopt a finding of Categorical Exemption pursuant to Section 15301 of the California Environmental Quality Act (CEQA) guidelines; and
 2. ***RESOLUTION - Declaring an urgent necessity for the preservation of life, health, property and authorizing the City Manager or designee to enter into a Repair Services Agreement for the Ambassador Inn without advertised competitive bidding to RH Community Builders LP (Requires 5 votes) (Subject to Mayor's veto); and
 3. Approve a Repair Services Agreement with the RH Community Builders LP not to exceed \$5,981,700 (District 3)

There was no staff presentation on the above item. Upon call, the following members of the public addressed Council: Lisa Flores, Dez Martinez, Terry Shelton, Brandi Nuse-Villegas, and Robert McCloskey.

There was no council discussion.

RESOLUTION 2022-193 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: 6 - Esparza, Maxwell, Soria, Arias, Chavez and Bredefeld

Absent: 1 - Karbassi

- B.** [ID 22-1348](#) Actions pertaining to using the Villa Motel located at 817 N. Parkway Drive, Fresno 93728, as an interim low-barrier homeless shelter:
1. Adopt a finding of Categorical Exemption pursuant to Section 15301 of the California Environmental Quality Act (CEQA) guidelines; and
 2. ***RESOLUTION - Declaring an urgent necessity for the preservation of life, health, property and authorizing the City Manager or designee to enter into a Repair Services Agreement for the Villa Motel without advertised competitive bidding to RH Community Builders LP (Requires 5 votes) (Subject to Mayor's veto); and
 3. Approve a Repair Services Agreement with the RH Community Builders LP not to exceed \$4,702,108 (District 3)

There was no staff presentation on the above item. Upon call, there was no public comment and no Council discussion.

RESOLUTION 2022-194 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: 6 - Esparza, Maxwell, Soria, Arias, Chavez and Bredefeld

Absent: 1 - Karbassi

ADJOURNMENT

City Council adjourned the special meeting session at 4:58 P.M.