

# Regular Council Meeting

June 8, 2023

## FRESNO CITY COUNCIL



### Supplemental Packet

#### ITEM(S)

#### 1-A (ID 23-917)

Approval of Minutes for May 25, 2023, Regular Meeting and May 25, 2023, Special Meeting.

**Supplement Content: Draft Minutes for the May 25, 2023 Regular and Special meetings.**

#### *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.

RECORDED  
2023 JUN -6 PM 12:55  
CITY OF FRESNO  
CITY CLERK'S OFFICE

# Draft Regular Minutes of May 25, 2023



# City of Fresno

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

## Meeting Minutes City Council

**President - Tyler Maxwell**

**Vice President - Annalisa Perea**

**Councilmembers:**

**Mike Karbassi, Miguel Angel Arias, Luis Chavez,**

**Garry Bredefeld, Nelson Esparza**

**City Manager - Georgeanne A. White**

**City Attorney - Andrew Janz**

**City Clerk - Todd Stermer, CMC**

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**Thursday, May 25, 2023**

**9:00 AM**

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

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### Regular Meeting

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

9:05 A.M. ROLL CALL

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

Invocation by Pastor Eli Loera

*Pastor Eli Loera gave the invocation.*

Pledge of Allegiance to the Flag

*Councilmember Bredefeld led the Pledge of Allegiance.*

### **APPROVE AGENDA**

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

*A special meeting had been separately noticed for 9:00 a.m. to discuss: A.*

*(ID 23-888) regarding a resolution finding good cause and clear and convincing benefit to the public pursuant to Fresno Municipal Code Section 4-204 relating to the development of property for an affordable housing development APN 426-253-19 (4323-4333 N. Blackstone Avenue).*

*Consent Calendar item 1-E (ID 23-811) regarding actions pertaining to a License Agreement with California Interscholastic Federation – removed from the agenda by the administration and will return June 15, 2023.*

*Consent Calendar item 1-F (ID 23-815) regarding a consultant agreement with Baker Tilly US, LLP – removed from the agenda by the administration and will return June 15, 2023.*

*Consent Calendar item 1-G (ID 23-807) regarding various appoints to various boards - the reappointments of Jon Dohlin and Jose Barraza to the Parks, Recreation, and Arts Commission have been removed from the agenda by staff.*

*Consent Calendar item 1-BB (ID 23-756) regarding the Downtown Fresno Neighborhood Beautification and Cleanup Project – removed from the agenda by the administration and will return June 15, 2023.*

*Consent Calendar item 1-LL (ID 23-816) regarding a traffic assessment with options for improved safety – Vice President Perea is a co-sponsor of the item.*

*Councilmember Esparza recused himself from Consent Calendar item 1-EE (ID 23-774) regarding approving Contract Change Order No. 02 for the sewer rehabilitation in the area.*

*Vice President Perea recused herself from Consent Calendar item 1-FF (ID 23-730) regarding an agreement for professional engineering services with Quad Knopf, dba., QK Inc.*

*Councilmember Karbassi registered a "no" vote on Consent Calendar item 1-O (ID 23-779) regarding Accela Civic Platform Enterprise Land Management System.*

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

1-G (ID 23-807) regarding various appoints and re-appointments to the Parks, Recreation and Arts Commission, the Mobile Home Rent Review and Stabilization Commission and the Civil Service Board – moved to Contested Consent by Councilmember Arias.

1-M (ID 23-775) regarding a purchase contract to Samsara Network Inc. for a citywide municipal fleet management solution – moved to Contested Consent by Councilmember Arias and Councilmember Chavez.

1-N (ID 23-729) regarding the 39th amendment to the Annual Appropriations Resolution for various Information Services Department projects – moved to Contested Consent by Councilmember Arias.

1-Q (ID 23-802) regarding the use of FMC section 4-502(d), Design Build Qualification method of procurement for automation and video surveillance at the City of Fresno Parking Garages – moved to Contested Consent by Councilmember Arias.

1-X (ID 23-773) regarding the transmission grid main reimbursements - moved to Contested Consent by Councilmember Chavez.

1-CC (ID 23-757 regarding the Caltrans Art Project at San Pablo Park at State Route 180 and Belmont Avenue - moved to Contested Consent by Councilmember Bredefeld.

1-MM (ID 22-833) regarding the addition of Article 21 and 22 to Chapter 10 of the FMC to prohibit impeding on sidewalks within 500 feet from sensitive areas. – moved to Contested Consent by Councilmember Arias.

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

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

## **CEREMONIAL PRESENTATIONS**

[ID 23-760](#) Proclamation for “Community Action Month”

*PRESENTED*

[ID 23-626](#) Proclamation for “Older Americans Month”

*PRESENTED*

[ID 23-552](#) Proclamation for “CASA Awareness Day”

*PRESENTED*

[ID 23-553](#) Proclamation for “Kim Shehadey Day”

*PRESENTED*

[ID 23-767](#) Proclamation for “Celebrating National Public Works Week”

*PRESENTED*

[ID 23-710](#) Fresno Animal Center’s “Pet of the Month” presented by Fresno Humane Animal Services

*PRESENTED*

## **COUNCILMEMBER REPORTS AND COMMENTS**

*Councilmember Karbassi Reports and Comments. Attended the California Restaurant Association awards and congratulated Kuppa Joy, Red Apple Café, Pismo’s Coastal Grill, Parma Restaurant, and voted the best date night and most romantic venue, The Cracked Pepper Bistro. Announced the Restaurant Tour of the Year, Brandon Smith Camp, and Chef of the Year, Jimmy Pardini. Participated in a press conference to discuss the resolution to conduct a traffic assessment consent calendar agenda item.*

*Councilmember Arias Reports and Comments. Discussed attendance at State of the City. Acknowledged staff for getting the inspections of Hotel Fresno back on track. He will circle back with the administration on a list of inspections to follow up on. He invited everyone out to the Tower District Farmers Market. Announced the upcoming 559 Market event in Chinatown from 5:00 pm to 10:00 pm. Discussed the proposed Governor’s revised*

*budget regarding the \$250 million designated for downtown infrastructure projects to accommodate the 10,000 housing units. He will be participating in the 1:00 pm Senate hearing to provide public testimony and to clarify the intent of the \$250 million.*

*Councilmember Bredefeld Reports and Comments. Attended the California Restaurant Association awards and recognized the LaRocca family for the Lifetime Achievement award.*

*Councilmember Esparza Reports and Comments. Acknowledged the community partners for the successful and staff back-to-back Play Street events.*

*Vice President Perea Reports and Comments. Acknowledged Barbara Horn, District 1 Resident, and Community Office Danny Guzman for hosting the neighborhood watch. If residents in District 1 are interested in hosting a neighborhood watch, contact the office of District 1. Acknowledged staff and the Fresno Animal Center for hosting a community open house where several families were united with an adopted dog or cat free of charge. Hosted the second town hall meeting at the Big Red Church for the Fresno High Historical neighborhood community. Acknowledge all who participated in the town hall meeting. Hosted the second annual Pleasant Street Block Party and acknowledged partners and staff for making the event successful. Held a press conference regarding the resolution to conduct a traffic assessment consent calendar agenda item. Discussed the upcoming launch of the campaign "Operation Slow Down Fresno" to educate residents about traffic safety. Encouraged the community to come out and participate in the Tower District Farmers Market every Thursday from 5:00 pm to 9:00 pm. Announced the upcoming Memorial Day Annual Block Party hosted by Ampersand ice cream off Echo and Weldon from 11:00 am to 3:00 pm. Announced the Tower District Pride Parade on June 3, 2023, at 10:00 am.*

*Council President Maxwell Reports and Comments. Welcomed District 4 staff, Deputy District Director Kia Vang, and Policy Director Shawn Clark. Held a town hall meeting for the Senior Living Village community at San Joaquin Terraces and acknowledged the staff for attending the town hall event. Attended the Valley Honor Flight. For those who wish to be involved,*

*sign up to be a guardian and can accompany a Veteran to Washington, DC. Discussed on the same page initiative and have collected 1400 books, and Reading Heart will match, leaving the book at 3,000 to distribute and thanked everyone for participating in the initiative.*

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

*City Manager White Reports and Comments. Acknowledged staff for the Economic Development Department's first activity report which was distributed to Council and will be going forward on a quarterly basis. Acknowledged the Airports team on the airports bond transaction which closed. Discussed the fire inspectors' vacancies and filling the positions. Clarified the June 8, 2023 is scheduled to be a regular business meeting and budget meeting.*

## **UNSCHEDULED COMMUNICATION**

*Upon call, the following members of the public addressed the Council for Unscheduled Communication, Consent Calendar, and Closed Session: Steven Diddy; Kay Bertken (1-OO); Fernando Elizando; Cindy Pimbino (1-MM); Alan Patzkowsky; Maria Alvarez Garcia; Rain Chamberlain (1-MM); Lethal Garcia (1-MM); Raymond Juarez; Brandi Nuse-Villegas (1-MM); Alexandra Alvarado (1-MM); Leticia Castillas; Patricia Shawn; David Willis; Victoria Santilla; Gloria Hernandez; Green eyes (1-MM); Dez Martinez (1-MM); Lynne Owens; Lisa Flores (1-MM); Marisa Moraza (1-MM); Shar Thompson; Kiel Lopez Schmidt (1-MM); Lindsay Herbert, and Ruben Espinoza.*

## **1. CONSENT CALENDAR**

### APPROVAL OF THE CONSENT CALENDAR

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

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

- 1.-A.** [ID 23-781](#) Approval of Minutes for May 11, 2023, Regular Meeting and May 18, 2023, Special Meeting.

### **APPROVED ON CONSENT CALENDAR**



- 1.-B. [ID 23-737](#) Actions related to Amendment No. 15 to the Engineering and Related Environmental Support Services Agreement with Environmental Resources Management, Inc.:
1. Affirm the City Manager's determination that Environmental Resources Management, Inc., is uniquely qualified to perform environmental and remedial services at Fresno Yosemite International Airport
  2. Approve Amendment No. 15 to the Agreement between City of Fresno and Environmental Resources Management, Inc., to provide ongoing engineering, environmental and remedial actions concerning groundwater contamination at Fresno Yosemite International Airport for an amount not to exceed \$789,014, for a total contract amount of \$5,463,939 (Council District 4)

**APPROVED ON CONSENT CALENDAR**

- 1.-C. [ID 23-813](#) Actions related to the Support and Maintenance Agreement with Amadeus Airport IT Americas, Inc.:
1. Affirm the City Manager's determination that Amadeus Airport IT Americas, Inc. is uniquely qualified to perform maintenance and technical support on Fresno Yosemite International Airport's (FAT) common use platform and equipment.
  2. Adopt a finding of Categorical Exemption pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act Guidelines.
  3. Approve the Support and Maintenance Agreement with Amadeus Airport IT Americas, Inc., for 24/7 Support and Maintenance to the airline common use system at FAT for a term of five years. Annual costs are \$611,129. Total costs during the full five-year term of the agreement are \$3,055,645. (Council District 4)

**APPROVED ON CONSENT CALENDAR**

- 1.-D. [ID 23-850](#) Actions related to Bid File 12301856 soliciting proposals for Air Service Development Consulting Services at Fresno Yosemite International Airport (FAT). (Council District 4)
1. Award a five-year term Agreement to Campbell-Hill in the amount of \$500,000, for Air Service Support Services at Fresno Yosemite International Airport (FAT) and authorize the Director of Aviation (Director) to execute the contractual document(s) (Bid File 12301856) (District 4)

**APPROVED ON CONSENT CALENDAR**

- 1.-E. [ID 23-811](#) Actions pertaining to a License Agreement with California Interscholastic Federation (CIF) for use of Woodward Park for the State Cross Country

Championship Special Event:

- 1. Authorize a five (5) year License Agreement with California Interscholastic Federation (CIF) for use of Woodward Park for the State Cross Country Championship Special Event two days per year

*The above item was removed from the agenda by staff and tabled to June 15, 2023.*

**TABLED**

- 1.-F. [ID 23-815](#) Approve a consultant agreement with Baker Tilly US, LLP in the amount of \$256,443, plus a not-to-exceed contingency amount of \$10,000, to provide consulting services on development of an assessment - along with recommendations for options - to improve the services and affordability of electricity in the City of Fresno; authorize the City Manager or designee to execute all related documents. (Citywide)

*The above item was removed from the agenda by staff and tabled to June 15, 2023.*

**TABLED**

- 1.-H. [ID 23-742](#) Approve a 3-year agreement with the County of Fresno to receive County Aid Dispatch services for \$3,086,756.

**APPROVED ON CONSENT CALENDAR**

- 1.-I. [ID 23-747](#) Approve agreement with the California Office of Emergency Services (Cal OES) for temporary assignment of a Type I Fire Engine.

**APPROVED ON CONSENT CALENDAR**

- 1.-J. [ID 23-812](#) \*\*\*RESOLUTION - Adopt the 38th Amendment to the Annual Appropriation Resolution 2022-154 establishing appropriations in the amount of \$202,000 for Fire Department reimbursable training programs. (Requires 5 Affirmative Votes) (Subject to Mayor’s Veto)

*RESOLUTION 2023-146 ADOPTED*

**APPROVED ON CONSENT CALENDAR**

- 1.-K. [ID 23-748](#) Adoption of the Federal Emergency Management Agency (FEMA) and California Governor’s Office of Emergency Services (CalOES) standard resolutions designating authorized agents for the City of Fresno for future Public Assistance Grants

*RESOLUTION 2023-145 ADOPTED*

**APPROVED ON CONSENT CALENDAR**

- 1.-L. [ID 23-843](#) Actions pertaining to RFP No. 012023RQ soliciting proposals for consultant services and agreed-upon procedures.
1. Approve agreement with Macias Gini & O'Connell, LLP for consultant services for agreed-upon procedures in the amount of \$69,788; and
  2. Approve agreement with Price Paige & Company, Certified Public Accountants, LLP for professional consulting services in the amount of \$139,800.

**APPROVED ON CONSENT CALENDAR**

- 1.-O. [ID 23-779](#) Actions pertaining to Accela Civic Platform Enterprise Land Management System:
1. Affirm the City Manager's determination that Accela, Inc. is uniquely qualified; and
  2. Approve a five-year Subscription Services Agreement and Order with Accela, Inc., to upgrade the software to current Cloud-based SaaS version, in the amount of \$5,144,900.76; and
  3. Approve the SaaS Migration Services Statement of Work with Accela, Inc., in the amount of \$219,100

*Councilmember Karbassi registered a "no" vote on the above item. The item was APPROVED 6-1 by the following vote:*

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

*No: 1 - Karbassi*

**APPROVED ON CONSENT CALENDAR**

- 1.-P. [ID 23-810](#) \*\*\*RESOLUTION - Adopt the 14th Amendment to the FY 2023 Salary Resolution No. 2022-152, amending Exhibit 8, Unit 8 - Non-Represented, by adding the new classification of Youth Jobs Corps Program Ambassador and providing a salary range of \$15.50 - \$19.50 per hour; Youth Jobs Corps Program Participant and providing a salary range of \$15.50 - \$19.50 per hour; Youth Jobs Corps Program Mentor and providing a salary range of \$16.00 - \$20.50 per hour; Airport Public Safety Officer and respective salary range; and Airport Public Safety Supervisor and respective salary range; deleting Exhibit 11, Unit 11 - Airport Public Safety Officers; deleting Exhibit 15, Unit 15, Airport Public Safety Supervisors (FAPSS); amending Section 13 to remove Exhibit 11, Unit 11, Airport Public Safety Officers and to remove Exhibit 15, Unit 15, Airport Public Safety Supervisors, and amending Section 18 to incorporate benefits and terms and conditions for permanent employees in classifications of Airport Public Safety Officer and Airport Public Safety Supervisor, retroactively effective May 22, 2023 (Subject to Mayor's Veto)

*RESOLUTION 2023-148 ADOPTED***APPROVED ON CONSENT CALENDAR**

[ID 23-939](#) Public comment received for May 25, 2023, Regular Meeting

- 1.-R. [ID 23-738](#) Award a consultant services agreement to Hazardous Materials Institute, LLC, in the amount not to exceed \$121,575 to update the confined space entry program and provide training for the Department of Public Utilities - Wastewater Management Division (Citywide).

**APPROVED ON CONSENT CALENDAR**

- 1.-S. [ID 23-706](#) Award a consultant services agreement to Omni Design, Inc., of San Luis Obispo, California, for an amount not to exceed \$207,728 for the Design of Materials Storage Buildings at the Fresno-Clovis Regional Wastewater Reclamation Facility's (Council District 3).

**APPROVED ON CONSENT CALENDAR**

- 1.-T. [ID 23-739](#) Approve a consultant services agreement with Carollo Engineers Inc., in an amount not to exceed \$810,873, inclusive of a \$74,000 contingency, for the Downtown Area Water and Wastewater Infrastructure Improvements Study (Bid File 12301832) (Council District 3)

**APPROVED ON CONSENT CALENDAR**

- 1.-U. [ID 23-762](#) Award a consultant services agreement to Blair, Church and Flynn Consulting Engineers, Inc., in the amount not to exceed \$211,600, inclusive of a \$20,000 contingency, for the design of sewer rehabilitation improvements in the area bound by Ashlan, Millbrook, Gettysburg, and Cedar Avenues (Council District 4).

**APPROVED ON CONSENT CALENDAR**

- 1.-V. [ID 23-769](#) \*\*\*RESOLUTION - Of Intention by the Council of the City of Fresno, California, to grant Valley Dumpster Service LLC, a Non-Exclusive Franchise for Roll-Off collection services within the City of Fresno, and setting the public hearing for August 10, 2023, at 10:00 AM (Citywide). (Subject to Mayor's Veto)

*RESOLUTION 2023-149 ADOPTED***APPROVED ON CONSENT CALENDAR**

- 1.-W. [ID 23-772](#) Award a consultant services agreement to Michael K. Nunley & Associates, Inc., in the amount of \$80,500, inclusive of a \$10,000 contingency, for professional engineering services to prepare the

Fresno-Clovis Regional Wastewater Reclamation Facility Bar Screen Optimization Study (Council District 3).

**APPROVED ON CONSENT CALENDAR**

- 1.-Y. [ID 23-770](#) Award a consultant services agreement to Akel Engineering Group, Inc. in the amount of \$708,000 to prepare the Sanitary Sewer Master Plan (Citywide).

**APPROVED ON CONSENT CALENDAR**

- 1.-Z. [ID 23-778](#) Actions pertaining to the water main replacement project bound by West Clinton, West University, North Fruit and North Teilman Avenues. (Bid File 12301902) (Council District 1):
1. Adopt a finding of Categorical Exemption per staff determination pursuant to Section 15301/Class 1 (Existing Facilities) and 15302/Class 2 (Replacement or Reconstruction) of the California Environmental Quality Act Guidelines.
  2. Award a construction contract to Dawson-Mauldin, LLC., in the amount of \$4,787,434.

**APPROVED ON CONSENT CALENDAR**

- 1.-AA. [ID 23-819](#) Approve a cooperative purchase agreement with Quinn Power Systems, for the purchase of three new Caterpillar natural gas generators in the amount of \$7,762,480.04, for the Fresno-Clovis Regional Wastewater Reclamation Facility (Council District 3).

**APPROVED ON CONSENT CALENDAR**

- 1.-BB. [ID 23-756](#) Actions pertaining to the Downtown Fresno Neighborhood Beautification and Cleanup Project (Council Districts 1, 3, & 7):
1. Affirm the City Manager's determination that Fresno Arts Council is uniquely qualified
  2. Approve the Agreement between City of Fresno and Fresno Arts Council, Inc. of Fresno CA, a uniquely qualified consultant, in the amount of \$207,500 for procurement of transportation art on behalf of the City of Fresno.

*The above item was removed from the agenda by staff and tabled to June 15, 2023.*

**TABLED**

- 1.-DD. [ID 23-766](#) Actions pertaining to the Waste Gas Flare Project at the Fresno-Clovis Regional Wastewater Reclamation Facility Project ID TC00159 (Bid File No. 3750) (District 3)
1. Approve Contract Change Order 04 to W.M Lyles Co., in the

amount of \$ 132,418.10 and two (2) additional working days.

**APPROVED ON CONSENT CALENDAR**

- 1.-EE. [ID 23-774](#) Approve Contract Change Order No. 02 in the amount of \$85,840 and allow Ten (10) additional working days for the completion of this additional work to Emmett's Excavation, Inc. for the Sewer Rehabilitation in the area bound by Blackstone, Maroa, McKinley, and Clinton Avenues Project ID RC00177 (Bid File 3836) (Council Districts 1 and 7)

*Councilmember Esparza recused himself from the above item. The item was APPROVED 6-0 by the following vote:*

*Aye: 6 - Perea, Karbassi, Arias, Maxwell, Chavez, Bredefeld  
Recused: 1 - Esparza*

**APPROVED ON CONSENT CALENDAR**

- 1.-FF. [ID 23-730](#) Approve an agreement for professional engineering services with Quad Knopf, dba., QK Inc., for \$73,800, with a \$7,000 contingency, for design and construction support services for the Al Radka Small Dog Park Project (Council District 5)

*Vice President Perea recused herself from the above item. The item was APPROVED 6-0 by the following vote:*

*Aye: 6 - Karbassi, Arias, Maxwell, Chavez, Bredefeld, Esparza  
Recused: 1 - Perea*

**APPROVED ON CONSENT CALENDAR**

- 1.-GG. [ID 23-733](#) Actions pertaining to the award of a requirements contract to International Coatings Co. in the amount up to \$186,121.46 for the purchase of Traffic Paint. (Bid File 12301341)

**APPROVED ON CONSENT CALENDAR**

- 1.-HH. [ID 23-763](#) RESOLUTION - Acknowledge an update to the Bicycle and Pedestrian Committee's 2003 charter and the name change of the Bicycle and Pedestrian Advisory Committee to the Active Transportation Advisory Committee

*RESOLUTION 2023-153 ADOPTED*

**APPROVED ON CONSENT CALENDAR**

- 1.-II. [ID 23-768](#) Actions pertaining to Armstrong Avenue and Hamilton Avenue Children's

and Tot Play Area Project Bid File 12301734 (Council District 5):

1. Adopt a finding of Categorical Exemption per staff's determination, pursuant to Section 15301/Class 1, 15303/Class 3 and 15311/Class 11 of the California Environmental Quality Act (CEQA) Guidelines
2. Award a construction contract in the amount of \$402,535 to Truxell & Valentino Landscape Development, Inc. of Fresno, California, as the lowest responsive and responsible bidder

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

- 1.-JJ. [ID 23-771](#) Actions pertaining to Initiating Proceedings and Declaring Intention to Levy the Annual Assessment for the City of Fresno Landscaping and Lighting Maintenance District No. 1; and setting the public hearing for June 29, 2023, at 10:05 a.m. (Citywide)
1. RESOLUTION - Initiating proceedings for the annual levy of assessment for Landscaping and Lighting Maintenance District No. 1
  2. RESOLUTION - Of Intention to levy and collect the annual assessment for landscaping and lighting maintenance District No. 1

*RESOLUTION 2023-154 ADOPTED*

*RESOLUTION 2023-155 ADOPTED*

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

- 1.-KK. [ID 23-823](#) Actions pertaining to the John Muir Elementary Safe Routes to School Project - Bid File 12301163 (Council District 3)
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 \$1,695,390 to Avison Construction, Inc., of Madera, California

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

- 1.-LL. [ID 23-816](#) \*\*\*RESOLUTION - Conduct a Traffic Assessment to Include Options for Improved Safety (Subject to Mayor's Veto)

*RESOLUTION 2023-156 ADOPTED*

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

- 1.-NN. [ID 23-849](#) Approve the reappointment of Kacey Auston to the Fresno Metropolitan Flood Control District Board, for a term ending August 3, 2026.

**APPROVED ON CONSENT CALENDAR**

- 1.-OO. [ID 23-859](#) \*\*\*RESOLUTION - Relating to the Retention of the Fresno Arts Council to Administer the City's Cultural Arts Grant Programs Pursuant to Fresno Municipal Code Section 7-1506(B)(4) (Subject to Mayor's Veto)

*RESOLUTION 2023-157 ADOPTED*

**APPROVED ON CONSENT CALENDAR**

- 1.-PP. [ID 23-885](#) Approve use of Fresno Municipal Code Section 4-502(d), Design-Build Qualification Method of procurement for the Senior Activity Center Project at 4343 North Blackstone Avenue (Council District 4)

**APPROVED ON CONSENT CALENDAR****THE CITY IN ITS CAPACITY AS HOUSING SUCCESSOR TO THE REDEVELOPMENT AGENCY OF THE CITY OF FRESNO AND FRESNO REVITALIZATION CORPORATION**

- 1.-QQ. [ID 23-852](#) \*\*\*RESOLUTION- Declaring property located near the northwest corner of Fulton and Inyo Streets at 829 and 835 Fulton Street (APNs 468-282-05T and -22T) to be surplus and directing staff to comply with the Surplus Land Act (Council District 3) (Subject to Mayor's Veto).

*RESOLUTION 2023-158 ADOPTED*

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

- 1.-G. [ID 23-807](#) Approve the appointments of Kelly Kucharski and Christina Soto to the Parks, Recreation, and Arts Commission for a term ending July 1, 2026, and approve the reappointments of Jon Dohlin and Jose Barraza, to the Parks, Recreation, and Arts Commission for a term ending July 1, 2027. Approve the appointment of Shannon McCulligh to the Mobile Home Rent Review and Stabilization Commission as a Resident Commissioner for a term ending June 30, 2024. Approve the reappointment of Linda Moreno to the Civil Service Board for a term ending June 30, 2027.

*Councilmember Arias moved this item to Contested Consent to get clarification on the appointment and reappointment process.*

*Council discussion on this item included: The replacement of Commissioner McCoy and Commissioner Parkes; why the appointing authority is seeking the replacement of the two commissioners; continue to have the termed-out*



*commissioners serve; the implementation of Measure P; the qualifications of the newly appointed commissioners; filling the seat of Commissioner Parkes with Kelly Kucharski and Commissioner McCoy remaining on the commission.*

*Motion to approve to amend removing the appointment of Christina Soto.*

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

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

- 1.-M.** [ID 23-775](#) Approve the award of a purchase contract to Samsara Network Inc. of San Francisco, California, to provide a citywide municipal fleet management solution for vehicle telematics, engine trouble codes, emissions testing, and asset tracking in the amount of \$613,500 for city vehicles and equipment

*Councilmember Arias moved this item to Contested Consent to discuss the highest bidder and provide the rationale for recommending the vendor*

*Council discussion on this item included: can the staff find a cheaper vendor that meets the needs of the contract; the impacts of the item if council tables the matter until budget hearings; when the current system expires; and how long it has been non-operational.*

**APPROVED**

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

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

- 1.-N.** [ID 23-729](#) \*\*\*RESOLUTION - Adopting the 39th Amendment to the Annual Appropriation Resolution (AAR) No. 2022-154 to appropriate \$621,200 for various projects in the Information Services Department (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)

*Councilmember Arias moved this item to Contested Consent to discuss the various items and the carryover funds.*

*Council discussion on this item included: the carryover funds; how much of the general fund is being used; what office space is being reconfigured with the carryover money, and when the radio communications upgrade project will be completed.*

**RESOLUTION 2023-147 ADOPTED**

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

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

- 1.-Q.** [ID 23-802](#) Approve use of Fresno Municipal Code Section 4-502(d), Design Build Qualification Method of procurement for automation and video surveillance at the City of Fresno Parking Garages.

*Councilmember Arias moved this item to Contested Consent to discuss the timeline of upgrades to the parking garages.*

*Council discussion on this item included: automation of the ticket booths and when staff will bring an award of contract for the automation and video cameras.*

**APPROVED**

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

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

- 1.-X.** [ID 23-773](#)

Actions pertaining to transmission grid main reimbursements:

1. RESOLUTION - Making findings under the California Environmental Quality Act (CEQA) that the proposed changes to portions of the Fresno Municipal Code and Master Fee Schedule concerning transmission grid mains and associated reimbursements are not a project pursuant to CEQA Guidelines Section 15378.
2. BILL - (For introduction) - Repealing Section 6-516 of the Fresno

Municipal Code and amending Section 6-501(ee) relating to transmission grid mains and associated reimbursements.

3. \*\*\*RESOLUTION - 577th amendment to the Master Fee Resolution No. 80-420 to repeal transmission grid credit/reimbursement amounts under the Public Utilities section. (Subject to Mayor's Veto)

*Councilmember Chavez moved this item to Contested Consent but had no further questions when the item was heard. There was no staff presentation and no Council discussion.*

**RESOLUTION 2023-150 ADOPTED**

**RESOLUTION 2023-151 ADOPTED**

**BILL B-15 APPROVED, INTRODUCED AND LAID OVER**

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

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

- 1.-CC.** [ID 23-757](#) Actions pertaining to the Caltrans Art Project at San Pablo Park at State Route 180 and Belmont Avenue (Council District 3):
1. \*\*\*RESOLUTION - Adopt the 42nd Amendment to the Annual Appropriations Resolution No. 2022-154, in the amount of \$648,600, to allow the San Pablo Park - Caltrans Art project to move forward with the execution of project-related agreements (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)
  2. Approve the Transportation Art Agreement - Clean California Beautification Fund Contribution between the City of Fresno and California Department of Transportation (Caltrans), in the amount of \$675,000 for project management, contract administration and procurement of transportation art on behalf of Caltrans
  3. Affirm the City Manager's determination that Fresno Arts Council is uniquely qualified
  4. Approve the Agreement between City of Fresno and Fresno Arts Council, Inc. of Fresno CA, a uniquely qualified consultant, in the amount of \$642,600 for procurement of transportation art on behalf of the City of Fresno

*Councilmember Bredefeld moved this item to Contested Consent to discuss the artist selection process and the criteria of the art being is selected.*

**RESOLUTION 2023-152 ADOPTED**

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

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

1. [ID 23-833](#) Bill - (For introduction) Adding Article 21 and Article 22 to Chapter 10 of the Fresno Municipal Code, Prohibiting Impeding on Sidewalks Within 500 Feet from Sensitive Areas Including Schools, Childcare Facilities, Public Parks, Public Libraries, Warming and Cooling Centers, and City-Permitted Shelters for the Unhoused.
- MM.

*Councilmember Arias moved this item to Contested Consent to address clarifying points based on public comment received. Councilmember Arias and Councilmember Bredefeld introduced the item to Council.*

*Council discussion on this item included: the logistics of enforcement; who will be doing the enforcement; the consequences of violating the ordinance; if shopping centers are covered; what are the legal restrictions for the city to respond and what the process is; ensuring the city is within the Boise ruling; have other cities have been sued for not having a provision; does the ordinance apply to food vendors; if Section 3 is tied to sensitive uses; if there is an ordinance already in place that addressed obstruction of public right-of-way; the inclusion of residential neighborhoods and why the ordinance does not address railroad, canals or freeways.*

*Motion to approve and adhere to State law, protect the mobile and Retail temporary vendors, and return for a review in three months.*

**BILL B-16 APPROVED AS AMENDED, INTRODUCED AND LAID OVER**

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

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

**No:** 1 - Perea

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

**10:00 A.M.**

[ID 23-809](#)

HEARING to adopt Resolutions and Ordinance to annex territory and levy a Special Tax regarding City of Fresno Community Facilities District Number 18, Annexation Number 002 (T6212, located on the southwest corner of North Parc West Drive and North Grantland Avenue; T6276, located on the northwest corner of North Parc West Drive and North Grantland Avenue; T6350, located on the northeast corner of North Parc West Drive and West Holland Avenue) (District 1)

1. \*\*\*RESOLUTION - to Annex Territory to Community Facilities District No. 18 and Authorizing the Levy of a Special Tax for Annexation No. 002 (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. 18, Annexation No. 002 (Subject to Mayor's Veto)

*The above hearing was called to order at 11:43 A.M. There was no staff presentation, no Council discussion. Upon call, the following member of the public address Council: Lisa Flores. The public comment period closed at 11:48 A.M.*

*RESOLUTION 2023-159 ADOPTED*

*RESOLUTION 2023-160 ADOPTED*

*RESOLUTION 2023-161 ADOPTED*

*BILL B-17 INTRODUCED/ADOPTED AS ORDINANCE 2023-015*

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

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

**10:05 A.M.**[ID 23-764](#)

HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community Facilities District No. 11, Annexation Number 142 (Final Tract Map Number 6350) (located on the northeast corner of North Parc West Drive and West Holland Avenue) (Council District 1)

1. \*\*\*RESOLUTION - to Annex Territory to Community Facilities

- District No. 11 and Authorizing the Levy of a Special Tax for Annexation No. 142 (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. 142 (Subject to Mayor's Veto)

*The above hearing was called to order at 11:48 A.M. There was no staff presentation, no Council discussion, and no public comment. The public comment period closed at 11:48 A.M.*

*RESOLUTION 2023-162 ADOPTED*

*RESOLUTION 2023-163 ADOPTED*

*RESOLUTION 2023-164 ADOPTED*

*BILL B-18 INTRODUCED/ADOPTED AS ORDINANCE 2023-016*

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

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

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

[ID 23-731](#)

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. 143 (Final Tract Map No. 6370) (Located on the west side of North Chestnut Avenue and East Powers Avenue) (Council District 6)

1. \*\*\*RESOLUTION - to Annex Territory to Community Facilities District No. 11 and Authorizing the Levy of a Special Tax for Annexation No. 143 (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. 143 (Subject to Mayor's Veto)

*The above hearing was called to order at 11:49 A.M. There was no staff presentation, no Council discussion, and no public comment. The public comment period closed at 11:49 A.M.*

*RESOLUTION 2023-165 ADOPTED*

*RESOLUTION 2023-166 ADOPTED*

*RESOLUTION 2023-167 ADOPTED*

*BILL B-19 INTRODUCED/ADOPTED AS ORDINANCE 2023-017*

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

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

### **10:15 A.M.**

[ID 23-820](#) Appearance by Joe Morales to discuss American Ambulance. (District 7 Resident)

*Joe Morales appeared and addressed Council.*

*APPEARED*

### **10:18 A.M.**

[ID 23-821](#) Appearance by Josie Morales to discuss American Ambulance. (District 7 Resident)

*Lisa Morales appeared on behalf of Josie Morales and addressed Council.*

*APPEARED*

### **10:21 A.M.**

[ID 23-822](#) Appearance by Virginia Torres to discuss American Ambulance. (District 7 Resident)

*Virginia Morales appeared and addressed Council.*

*APPEARED*

### **3. GENERAL ADMINISTRATION**

- 3.-A. [ID 23-746](#) Actions pertaining to the replacement of customer relationship management software (Bid File 12300269) (Citywide):
1. Award a contract to Incapsulate, LLC for the Customer Relationship Management Replacement solution and implementation services in the amount of \$395,723.80 for one year with the option of four, five-year extensions.
  2. Approve the purchase of Salesforce cloud subscription licenses from Carahsoft Technology Corporation, at government approved pricing, in the amount of \$610,343.91.

*The above item was presented to Council by Dilshad Albert with Incapsulate and Information Services Director Horn.*

*Council discussion on this item included: if the system can be conformed and be integrated with other city's software; continuing the matter to allow staff to test the software system; providing Council the access to test the software system; the responses to be accurate; who will have access; access to the data of the complaints per district and what categories do the complaints fall.*

*Motion to continue the matter to June 8, 2023.*

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

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

- 3.-B. [ID 23-808](#) WORKSHOP - Advanced Clean Fleets Regulation

*The above workshop was presented to Council by General Services Director Barr.*

*Council discussion on this item included: charging capacity; grants for installing the hardware; have the labor unions expressed concerns; environmental tax passed on the rate payers; what impact will be on the city; out of cost with keeping storing the backup vehicles; what are the penalties for not complying, and the size of the fleet in the city.*



PRESENTED

- 3.-C. [ID 23-818](#) Progress of Code Enforcement, including ASET Quarterly report.

*The above item was presented to Council by City Attorney Janz, Assistant City Attorney Roberson, and Chief Assistant City Attorney Camarena.*

*Council discussion on this item included: the number of cases closed by the Council district, providing the council with the ratio of cases closed vs. cases opened, and the acknowledgment of the staff for their quick response and follow through.*

PRESENTED

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

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

*During open session, City Attorney Janz announced the items that would be discussed in closed session.*

*Council withdrew to closed session at 3:47 P.M.*

- 5.-A. [ID 23-124](#)

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

*Raymond Gonzalez, et al. v. City of Fresno, et al;* Eastern District Court  
Case No.: 1:16-cv-01914 JLT SAB

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

DISCUSSED

- 5.-B. [ID 23-448](#)

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

*Case Name: Pamela Motley, et al. v. Fresno Police Officer Joseph Smith, et al;* District Court Case No.: 15-CV-00905 BAM.

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

DISCUSSED

5.-C. [ID 23-761](#)

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

*California Automobile Insurance Company, et al. v. City of Fresno, et al.;*  
Fresno Superior Court: 20CECG01785

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

DISCUSSED

5.-D. [ID 23-834](#)

CONFERENCE WITH LABOR NEGOTIATORS - Government Code  
Section 54957.6

City Negotiators: 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), Unit 4;
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)

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

DISCUSSED

5.-E. [ID 23-841](#)

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

Case Name: *La-Kebbia Wilson, et al. v. City of Fresno, et al.;* Eastern District Court Case No. 1:19-cv-01658

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

*DISCUSSED*

- 5.-F. [ID 23-847](#) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION  
Government Code Section 54956.9, subdivision (d)(4): 1 potential case

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

*DISCUSSED*

## **ADJOURNMENT**

*Adjourned from Open Session at 4:39 P.M.*

# Draft Special Minutes of May 25, 2023



# City of Fresno

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

## Meeting Minutes City Council

**President - Tyler Maxwell**

**Vice President - Annalisa Perea**

**Councilmembers:**

**Mike Karbassi, Miguel Angel Arias, Luis Chavez,**

**Garry Bredefeld, Nelson Esparza**

**City Manager - Georgeanne A. White**

**City Attorney - Andrew Janz**

**City Clerk - Todd Stermer, CMC**

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Thursday, May 25, 2023

9:00 AM

Council Chambers (In  
Person and/or Electronic)

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### Special Meeting

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

10:25 A.M. ROLL CALL

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

### APPROVE AGENDA

[ID 23-887](#) Notice of Special Meeting - Signed

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

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

### OPEN SESSION

- A. [ID 23-888](#) RESOLUTION - Finding Good Cause and Clear and Convincing Benefit to the Public Pursuant to Fresno Municipal Code Section 4-204 Relating to the Development of Property for an Affordable Housing Development APN 426-253-19 (4323-4333 N. Blackstone Avenue)

*The above item was introduced to Council by Council President Maxwell.  
Upon call, there was no public comment and no Council discussion.*

*RESOLUTION 2023-168 ADOPTED*

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

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

**Absent:** 1 - Chavez

**ADJOURNMENT**

*Adjourned from the special meeting at 10:30 am.*