

City of Fresno

2600 Fresno Street

Fresno, CA 93721

www.fresno.gov



Meeting Minutes - Final

Thursday, June 23, 2022

9:00 AM

Regular Meeting / Vote on Budget Motions

Council Chambers (In Person And/Or Electronic)

City Council

President - Nelson Esparza

Vice President - Tyler Maxwell

Councilmembers:

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

Garry Bredefeld

City Manager - Georgeanne A. White

Interim City Attorney - Rina Gonzales

City Clerk - Todd Stermer, CMC

The City Council for the City of Fresno convened in regular session on June 23, 2022, at 9:00 A.M.

9:06 A.M. ROLL CALL

Councilmember Chavez was absent during roll call and joined the meeting at 9:28 A.M.

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 Pastor Pete from Cross Church

Pledge of Allegiance to the Flag

APPROVE AGENDA

City Clerk Stermer announced a correction was made to Schedule Hearing Item 10:10 A.M. (ID 22-1052) regarding the Parc West Development Agreement, the following was read into the record for the Development Agreement Exhibit J, Section 5.6(b)(iii) part B page 21, "the developer will pay for any parking improvement cost that exceed \$987,264."

Councilmember Bredefeld registered a "no" vote on Consent Calendar item 1-N (ID 22-1036) regarding resolution confirming emergency conditions.

Councilmember Bredefeld and Council President Esparza announced a conflict and recused themselves from Closed Session item 5-A (ID 22-1014) Conference with Legal Counsel - Existing Litigation: Nelson Esparza v. Garry Bredefeld.

Council President Esparza announced a conflict and recused himself from Closed Session item 5-B (ID 22-1057) Conference with Legal Counsel - Potential Litigation: Nelson Esparza v. City of Fresno.

Councilmember Soria announced a conflict and recused herself from

Closed Session item 5-E (ID 22-1034) Conference with Real Property Negotiator - City Manager, Won K. Lee, and Sang D. Lee.

THE FOLLOWING ITEMS WERE PULLED FROM CONSENT CALENDAR AND MOVED TO CONTESTED CONSENT FOR FURTHER DIRECTION:

1-C (ID 22-852) regarding restaurant facility inside the Administration/Terminal Building - moved to Contested Consent by Councilmember Arias.

1-E (ID 22-1055) regarding amending administrative abatement - moved to Contested Consent by Councilmember Bredefeld.

1-O (ID 22-1058) regarding bill creating the tenant relocation benefits - moved to Contested Consent by Councilmember Bredefeld.

1-P (ID 22-1054) regarding bill repealing ordinance no. 2018-67 setting forth the compensation of elective officers - moved to Contested Consent by Councilmember Bredefeld.

AGENDA APPROVED AS AMENDED

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

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

Absent: 1 - Chavez

CEREMONIAL PRESENTATIONS

[ID 22-890](#) Proclamation for "John Lee Walker Day"

PRESENTED

COUNCILMEMBER REPORTS AND COMMENTS

There were no Councilmember reports provided to the Council. Councilmembers made additional motions as noted under the 9:00 A.M. Budget Hearing item, ID 22-984, Vote on Council Motions.

MAYOR/MANAGER REPORTS AND COMMENTS

City Manager White announced the opening of the new Animal Center and the upcoming ceremony event.

UNSCHEDULED COMMUNICATION

Upon call, the following members of the public addressed Council: Lisa Flores, Cindy Piombino, Kimberly McCoy, Timmy 2Much, Dez Martinez, Brandi Nuse-Villegas, Fernando Paul Elizando, Pedro Navarro Cruz, Astrid Morano, Marisa Morza, Brenda Quispe, Karla Martinez, Tim, and Haley White.

1. CONSENT CALENDAR

APPROVAL OF THE CONSENT CALENDAR

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

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

Absent: 1 - Chavez

- 1.-A. [ID 22-1032](#) Approval of the Minutes of the June 9, 2022 Regular City Council Meeting, June 13, 2022 Budget Hearing Meeting, June 14, 2022 Budget Hearing Meeting, and the June 15, 2022 Budget Hearing Meeting.

APPROVED ON CONSENT CALENDAR

- 1.-B. [ID 22-894](#) Approve the First Amendment to Consultant Service Agreement between City of Fresno and Unison Consulting, Inc., to extend the current agreement for the Airport Concession Request for Proposals at Fresno Yosemite International Airport. (Council District 4)

APPROVED ON CONSENT CALENDAR

- 1.-D. [ID 22-945](#) Approve a consultant services agreement with CSDA Design Group to provide professional noise abatement related consultant services for the Fresno Yosemite International Airport Residential Sound Insulation Program in an amount not to exceed \$958,771.55 (Council District 4)

APPROVED ON CONSENT CALENDAR

- 1.-F. [ID 22-978](#) Actions pertaining to purchase of document management software for the City Attorney’s Office:
1. Approve the finding that Innovative Computing Systems, Inc., is uniquely qualified;
 2. Approve a Master Service Agreement with Innovative Computing Systems, Inc., for \$128,840, and annual renewals up to \$20,000 per year for document management software; and
 3. Approve an End User Software License Agreement with iManage LLC

APPROVED ON CONSENT CALENDAR

- 1.-G. [ID 22-1020](#) Award Independent Audit Contract to The Pun Group and authorize the Finance Director/Controller to negotiate and execute a four (4) year contract for services

APPROVED ON CONSENT CALENDAR

- 1.-H. [ID 22-1012](#) Approve Addendum to Lease Agreement with Ray Morgan Company

APPROVED ON CONSENT CALENDAR

- 1.-I. [ID 22-987](#) Approve an amendment to extend repayment for 6-months to December 31, 2022 on the Interfund Loan Agreement between the City of Fresno Sewer Operating Fund and the City of Fresno General Fund for the purchase, acquisition, and operation of the Valley Inn motel.

APPROVED ON CONSENT CALENDAR

- 1.-J. [ID 22-1028](#) Actions pertaining to allocation of American Rescue Plan Act funding:
1. Approve the recommendation of fifteen service proposals allocating American Rescue Plan Act (ARPA) funding for local Community Based Organizations (CBOs) totaling \$10,000,000 (Bid File 10083) to the following organizations: (1) Arte Americas \$413,175; (2) Asian Business Institute & Resource Center \$1,000,000; (3) Bitwise \$1,000,000; (4) Boys & Girls Club \$160,000; (5) Breaking the Chains \$104,443; (6) Central Valley Children’s Services Network \$1,000,000; (7) Centro La Familia Advocacy Services \$873,840; (8) Exceptional Parents Unlimited \$158,785 (9) Fresno Area Hispanic Foundation \$1,000,000; (10) Fresno Metro Black Chamber Foundation \$715,000; (11) Fresno Metro Ministry \$429,420; (12) Helping Others Pursue Excellence \$500,000; (13) Marjaree Mason Center \$1,067,297; (14) Neighborhood Industries \$1,000,000; and (15) San Joaquin Valley Manufacturing Alliance \$578,040.
 2. RESOLUTION Granting Authority to the City Manager or his or her designee to enter into agreements with Community Based Organizations to provide programs and services funded by the American Rescue Plan Act (ARPA) to aid in the COVID-19 Recovery

Effort.

RESOLUTION 2022-143 ADOPTED

APPROVED ON CONSENT CALENDAR

- 1.-K. [ID 22-999](#) Actions pertaining to the Fresno Regional Workforce Development Board (FRWDB) - Young Adult Services Work Experience Agreement for an amount not to exceed \$140,400 for the grant period of July 1, 2022 to June 30, 2023

APPROVED ON CONSENT CALENDAR

- 1.-L. [ID 22-1051](#) ***BILL B-12 - (Intro'd 5/26/2022) (For Adoption) - Approving an Amendment to the Development Agreement by and between the City of Fresno and 2500 MLK, LLC for purposes of amending Section 3.9(a) of the Development Agreement which limits the specific number of units relative to respective residential housing types within the West Creek Village project area (Subject to Mayor's Veto).

ORDINANCE 2022-015 ADOPTED

APPROVED ON CONSENT CALENDAR

- 1.-M. [ID 22-996](#) Approve an agreement for Professional Engineering Services with Toole Design Group for \$141,015, with a \$10,000 contingency, for the preparation of the Fancher Creek Trail Plan (District 5)

APPROVED ON CONSENT CALENDAR

- 1.-N. [ID 22-1036](#) ***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).

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

RESOLUTION 2022-144 ADOPTED

APPROVED ON CONSENT CALENDAR

CONTESTED CONSENT CALENDAR

- 1.-C. [ID 22-852](#) Actions related to the Lease Agreement for Restaurant Facility inside the Administration/Terminal Building with Henry Wang, an individual, d.b.a. The Flight Line Café, at Fresno Chandler Executive Airport (FCH). (Council District 3)
 1. Adopt a finding of Categorical Exemption pursuant to Section

15301 (Existing Facilities) of the California Environmental Quality Act Guidelines

2. Approve the Lease Agreement for Restaurant Facility (Lease) inside the Administration/Terminal Building with Henry Wang, an individual, d.b.a. The Flight Line Café, at FCH for a term of three (3) years. The amount of potential revenue generated by this Lease Agreement is \$21,600. (Council District 3)

Councilmember Chavez returned to the meeting 10:11 A.M.

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

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

- 1.-E.** [ID 22-1055](#) BILL (for introduction) - Amending Administrative Abatement, Fresno Municipal Code (FMC) Section 10-616.

There was no staff presentation on the item.

Councilmember Bredefeld asked for clarification on the purpose of a specific premise in the changes to the ordinance. Interim City Attorney Gonzales explained the purpose of the changes to this item were discussed in a closed session, and the direction of the Council was to return with an amendment to the Fresno Municipal Code Section relating to amending the Administrative Abatement process.

BILL B-16 INTRODUCED AND LAID OVER

On motion of Councilmember Bredefeld, seconded by Councilmember Karbassi, the above item was INTRODUCED AND LAID OVER. The motion carried by the following vote:

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

- 1.-O.** [ID 22-1058](#) BILL (for introduction) - Creating the Tenant Relocation Benefits Following City Order To Vacate Due To Immediate Health And Safety Risk

Ordinance, FMC section 11-338.

The above item was presented to Council by Vice President Maxwell.

Councilmember Bredefeld asked whether the conditions are tenant caused and where individuals will be relocated. Assistant City Attorney Roberson responded to questions.

BILL B-17 INTRODUCED AND LAID OVER

On motion of Vice President Maxwell, seconded by Councilmember Bredefeld, the above item was INTRODUCED AND LAID OVER. The motion carried by the following vote:

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

- 1.-P.** [ID 22-1054](#) BILL (for introduction) - Repealing Ordinance No. 2018-67 of the Fresno Municipal Code and adopting an ordinance setting forth the compensation of elective officers.

The above item was introduced to Council by Councilmember Chavez.

Councilmember Bredefeld spoke in opposition of the item stated the salary increases are not justified based on transparency and benchmark clauses of other cities in California, household median income, and the shutting down and fining businesses during the pandemic.

Discussion on the item included: attracting high caliber candidates with higher salaries; considerable responsibilities of Councilmembers, and; financial and personal security of the candidate.

BILL B-18 INTRODUCED AND LAID OVER

On motion of Councilmember Chavez, seconded by Vice President Maxwell, the above item was INTRODUCED AND LAID OVER. The motion carried by the following vote:

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

No: 2 - Soria and Bredefeld

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

9:00 A.M. - Budget Hearings Continued

[ID 22-984](#) Vote on Council Motions

Councilmember Arias motioned to approve the following changes to Motion 6, 10, 13, 15, 16, 26, 28, and 36 for clarity purposes the amounts of the motions remained the same.

Motion #6: motion to appropriate \$150,000 in ARPA funds to conduct audits as determined by the Council Finance and Audit Committee.

Motion #10: motion to establish a \$500,000 revolving loan fund for five years for a garbage compactor in Downtown Fresno's Brewery District or Arte Americas.

Motion #13: motion to fund community engagement, assessments, and renovation plans for Ted C. Wills, Mary Ella Brown, and Frank H. Ball Community Centers from the existing funds identified (\$1,260,000, page C-4) for the community centers in the proposed budget. \$500,000 remaining balance for these community centers will be directed to Roeding Park for improvements.

Motion #15: motion to fund \$1 million for utilities and deferred maintenance for Granite Park as a regional park from the proposed set-aside in Chukchansi Park in the proposed budget.

Motion #16: motion to establish a Housing and Development Department; City staff will bring forward a proposal to Council in 60 days.

Motion #26: motion to restore \$500,000 of neighborhood infrastructure dollars in the Public Works budget for each Council district.

Motion #28: motion to add \$100,000 to the Planning and Development Department to fund the smoke shop text amendment.

Motion #36: motion to add \$250,000 to EDC's contract for Council priority areas.

Vice President Maxwell motioned to approve the following changes to Motion 1, 8, 17, 18, and 40.

Motion #1: motion to allocate the following: 1. \$200,000 for new bleachers at Cary Park, 2. \$6,000 for new goal posts and nets at the hockey rink at Cary Park, 3. \$250,000 for the design phase of El Dorado Park, 4. \$750,000 for faucets and a restroom at Large Park, 5. \$350,000 for parking lot lighting improvements at Reedy Park (Discovery Center), 6. \$450,000 for a tot lot at University Park, similar to one at Tollhouse Park, 7. \$30,000 for a monument sign at University Park, 8. \$150,000 for a tot lot shade structure at Vinland Park 9. \$80,000 for restroom privacy upgrades at Vinland Park, 10. \$1,000,000 for a dedicated pickle ball court at Vinland Park, 11. \$300,000 for a youth activity fee waiver/voucher program, and 12. \$500,000 for major corridor improvements and beautification efforts in District 4.

Motion #8: motion to build shelters for the 10 most in-need and eligible bus stops in District 4 that are not currently sheltered or have any immediate plans to become sheltered.

Motion #17: motion to add an additional \$400,000 to the Climate Adoption Plan to make it a proactive and prescriptive document.

Motion #18: motion to allocate \$100,000 for consulting services and implementation of the text amendment initiated last year by District 4 regarding sensitive use locations.

Motion #40: motion to appropriate \$50,000 of the \$200,000 allocated funding for outreach for minority communities to fund outreach for the tenant relocation benefits ordinance and outreach for Fresno's Eviction Protection Program.

Councilmember Chavez motioned to approve the following changes to Motion #19.

Motion #19: motion to add a list for the upcoming budget with projects related to safe rides to school, ADA accessibility in order neighborhoods pedestrian safety projects: 1. Sidewalks, proper lighting, and crosswalks by

the new Juan Herrera Elementary School located at 5090 E Church Ave, Fresno, CA 93725. 2. Sidewalks on Jensen Avenue from Sunnyside to Fowler Avenues. Pedestrians/kids walk on dirt paths to get to Sanger West High School and Sequoia Elementary School. 3. Sidewalks and a completed bike lane on Jensen Avenue by Sanger West High and Sequoia Elementary School. 4. Four-way stop at Florence Avenue and Chestnut Avenue. 5. Sidewalk repair 3919 E. Lyell Avenue, and 6. Sidewalk repair 4428 E. Lyell Avenue.

THE FOLLOWING ADDITIONAL MOTIONS WERE MADE:

Motion #76: Councilmember Karbassi motioned to allocate \$100,000 towards Pinedale neighborhood improvements including monument signs for their centennial. Councilmember Arias seconded the motion.

Motion #77: Councilmember Karbassi motioned to allocate \$150,000 towards median island improvements including Bullard Avenue between Fig Garden Dr and Carnegie. Councilmember Arias seconded the motion.

Motion #78: Councilmember Arias motioned to designate a minimum of 1 police officer to Motel Drive for the homeless shelters, to be assigned to the Southwest District. Council President Esparza seconded the motion.

Motion #79: Councilmember Arias motioned to repave Kearney Frontage between S. Thorne Avenue and S. Marks Avenue, and S. Hughes between Whitesbridge and Kearney. Council President Esparza seconded the motion.

Motion #80: Councilmember Arias motioned to allocate \$100,000 for the 2022 Fiestas Patrias Event. Council President Esparza seconded the motion.

Motion #81: Vice President Maxwell motioned to allocate \$2,000,000 from the American Rescue Plan for the Eviction Protection Program; and motion to allocate \$50,000 from American Rescue Plan to fund the tenant relocation benefits ordinance. Council President Esparza seconded the motion.

Motion #82: Council President Esparza motioned to allocate \$25,000 to the Council support budget for the operation of the City of Fresno Women's Commission. Councilmember Arias seconded the motion.

Motion #83: Councilmember Arias motioned to add \$300,000 to fund ballot Measure C and Measure V. Councilmember Arias seconded the motion.

Motion #84: Councilmember Karbassi motioned to allocate \$100,000 towards improvements at Holman Park. Vice President Maxwell seconded the motion.

Motion #85: Councilmember Karbassi motioned to allocate \$250,000 towards slurry seals in Council District 2. Vice President Maxwell seconded the motion.

Motion #86: Councilmember Karbassi motioned to allocate \$250,000 towards a street racing camera monitoring program along the Herndon Avenue and Kings Canyon Corridors. Councilmember Chavez seconded the motion.

Motion #87: Councilmember Bredefeld motioned to fund landscaping the median islands on Copper Avenue between Friant and Chestnut. Estimate \$600,000. Councilmember Karbassi seconded the motion.

Motion #88: Councilmember Bredefeld motioned for \$1,000,000 to fund a brand new 8 court tournament facility for Pickleball at Rotary East Park. Vice President Maxwell seconded the motion.

Motion #89: Councilmember Arias motioned to carryover Senior Center funds to Fiscal Year 2023. Vice President Maxwell seconded the motion.

Motion #90: Councilmember Karbassi motioned to allocate \$45,000 for concrete work on N. Brooks Ave in Council District 2. Councilmember Arias seconded the motion.

Motion #91: Councilmember Karbassi motioned to allocate \$900,000 for

road repair and maintenance in Council District 2, including the neighborhood from Herndon to Alluvial and Van Ness to West Avenue. Council President Esparza seconded the motion.

Motion #92 was withdrawn by Councilmember Karbassi

Motion #93: Councilmember Soria motioned to approve up to \$3 million of the housing dollars that have not been allocated for gap financing for the foster care or foster youth housing at the San Joaquin Hotel. Council President Esparza seconded the motion.

Councilmember Arias motion to approve motions #1-91 and 93.

On motion of Councilmember Arias, seconded by Councilmember Karbassi, budget motions numbered 1 thru 91 and 93 were approved to be included as part of the budget to be voted upon July 30, 2022.

The motion carried by the following vote:

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

(CONTINUED TO JUNE 30, 2022) 10:00 A.M.#1

[ID 22-994](#)

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

1. RECOMMEND CONSIDERATION of Environmental Assessment No. P21-05809 dated April 20, 2022, that Text Amendment Application No. P21-05809 is exempt from the California Environmental Quality Act (CEQA) pursuant to the Commonsense Exemption that it can be seen with certainty that there is no possibility that the proposed text amendment may have a significant effect on the environment pursuant to CEQA Guidelines Section 15061(b)(3).
2. RECOMMEND CONSIDERATION of Text Amendment Application No. P21-05809, to amend Section 15-2010 of the Fresno Municipal Code, relating to the to the Zone Districts where Electrified Fences are permitted.

The above item was removed from the agenda and tabled to June 30, 2022, at 10:00 A.M.

TABLED

10:00 A.M. #2

[ID 22-988](#)

HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding CITY OF FRESNO COMMUNITY FACILITIES DISTRICT NO. 9, Annexation No. 54 (Parcel Map No 2020-05) (Northeast corner of South Maple Avenue and East Jensen Avenue) (Council District 5)

1. ***RESOLUTION - to Annex Territory to Community Facilities District No. 9 and Authorizing the Levy of a Special Tax for Annexation No. 54 (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. 9, Annexation No. 54 (Subject to Mayor's Veto)

The item was called to order at 10:52 A.M. There was no Council discussion and upon call, there was no public comment. Public comment closed at 10:53 A.M.

RESOLUTION 2022-145 ADOPTED

RESOLUTION 2022-146 ADOPTED

RESOLUTION 2022-147 ADOPTED

BILL B-19 INTRODUCED / ADOPTED AS ORDINANCE 2022-016

On motion of Councilmember Chavez, 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

10:05 A.M.

[ID 22-1022](#)

Actions pertaining to citywide development impact fees (all council districts):

1. HEARING - to consider amendment to the City of Fresno's Master Fee Schedule to increase and decrease the existing Citywide

- Regional Streets, New Growth Area Major Streets, Traffic Signals, Police Facilities, Fire Facilities; and adopt the associated nexus studies
2. Adopt a Finding of Statutory Exemption, per staff determination in the attached environmental assessment, pursuant to Section 15273 of the California Environmental Quality Act (CEQA) Guidelines;
 3. Adopt the Nexus Studies and incorporated capital improvement programs, for the impact fee programs associated with the citywide regional streets, new growth area major streets, traffic signals, police facilities, and fire facilities fees; and adopt associated findings pursuant to the Mitigation Fee Act;
 4. ***RESOLUTION - Adoption of the 570th Amendment to the Master Fee Schedule Resolution No. 80-420 to increase and decrease the Citywide Regional Streets, New Growth Area Major Streets, Traffic Signals, Police Facilities, and Fire Facilities Development Impact Fees; and to delete the Urban Growth Management (UGM) Impact Fees (subject to Mayoral Veto).

The above hearing was called to order at 10:53 A.M. There was no staff presentation on the item.

Upon call, the following member of the public addressed Council: Ivanka Saunders, and Lisa Flores.

Public comment was closed at 10:59 A.M. Vice President Maxwell asked about the street, police and fire fees and where these impact fees can be spent. Director Mozier and Assistant Director Benelli responded.

Councilmember Arias spoke in opposition of the item due to the concerns that the fees would pose large discounts for industrial and commercial use and the significant increases for housing.

RESOLUTION 2022-148 ADOPTED

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

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

Absent: 1 - Arias

(CONTINUED FROM JUNE 16, 2022) 10:10 A.M.

[ID 22-1052](#) Hearing to consider a proposed Development Agreement by and between the City of Fresno and Parc West Development, Inc. relating to the development of the Parc West Project (Council District 1):

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

The above hearing was called to order at 11:07 A.M. and was presented to Council by Planning and Development Director Clark. Director Clark, Director Mozier, and City Manager White responded to questions.

Upon call, the following members of the public addressed Council: Darius Assemi, Aran Johal, Soraya Lfidence, Wafa Nijmeddin, Sevag Tateosian, Lisa Flores, Brandon Cline, Fabiloa Felix, Dave Kidder, Jay B, and Estela Ortega.

Public comment was closed at 11:35 A.M. Discussion on this item included: Additional services for public safety; green space and more amenities west of Highway 99; creating quality parks in the area, and; fees being necessary to create better parks in both new developments and existing developments.

Councilmember Soria motioned to approve the above item with the following amendments to the Development agreement: increase the maximum amount of Park Facility Impact Fee Credits set forth in Section 5.6(b)(iii) of the Development Agreement by an additional \$1 million so that the maximum Park Facility Impact Fee credits or reimbursements allowed shall not exceed One Million Nine Hundred Eighty Seven Thousand Two Hundred Sixty Four Dollars (\$1,987,264.00). And clarify that Developer will pay for any park improvement costs that exceed One Million Nine Hundred Eighty Seven Thousand Two Hundred Sixty Four Dollars. Councilmember Chavez seconded the motion.

*APPROVED AS AMENDED
BILL B-20 INTRODUCED AND LAID OVER*

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

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

3. GENERAL ADMINISTRATION

- 3.-A.** [ID 22-897](#) Actions related to the Airline Use Agreement with Aerovías de México S.A. de C.V. dba. AeroMéxico; Alaska Airlines, Inc.; Allegiant Air, LLC.; American Airlines, Inc.; Delta Air Lines, Inc.; SkyWest Airlines, Inc.; Southwest Airlines Co.; United Airlines, Inc.; and Concesionaria Vuela Compañía de Aviación S.A.P.I de C.V. dba. Volaris.
1. Adopt a finding of Categorical Exemption pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act Guidelines.
 2. Approve the new Airline Use Agreement (AUA) Agreement between the City of Fresno and Aerovías de México S.A. de C.V. dba AeroMéxico; Alaska Airlines, Inc.; Allegiant Air, LLC.; American Airlines, Inc.; Delta Air Lines, Inc.; SkyWest Airlines, Inc.; Southwest Airlines Co.; United Airlines, Inc.; and Concesionaria Vuela Compañía de Aviación S.A.P.I de C.V. dba. Volaris, for a lease term of five years. (Council District 4)

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

APPROVED

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

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

City Council recessed for lunch at 11:52 -1:34 pm

4. CITY COUNCIL

There were no City Council items on the agenda.

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 items at 1:45 P.M.

5.-A. [ID 22-1014](#)

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

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

DISCUSSED

5.-B. [ID 22-1057](#)

CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION,
Government Code Section 54956.9(d)(2);
Nelson Esparza v. City of Fresno

There were no open session announcements following the above closed session item. Council President Esparza recused himself and was not present for the discussion.

DISCUSSED

5.-C. [ID 22-1039](#)

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Government Code 54956.9(d)(1); Existing Litigation: *J & A Mash & Barrel, LLC. v. Superior Court of Fresno County.*

CONFERENCE WITH REAL PROPERTY NEGOTIATOR -
Government Code Section 54956.8; Property: 809 E Olive Ave;
Negotiating Parties: City Manager, Lawrence Abbate; Under Negotiation:

Terms and Conditions of Property Acquisition.

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

DISCUSSED

5.-D. [ID 22-1033](#)

CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Government Code Section 54956.8 Property: 1343 E. Barstow; Negotiating Parties: City Manager, Wesley United Methodist Church; Under Negotiation: Price and terms of sale or lease.

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

DISCUSSED

5.-E. [ID 22-1034](#)

CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Government Code Section 54956.8 Property: APN 438-022-21; Negotiating Parties: City Manager, Won K. Lee and Sang D. Lee Under Negotiation: Price and terms of payment.

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

DISCUSSED

5.-F. [ID 22-1035](#)

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); 13. Unrepresented Employees in Unit 2 (Non-Represented Management and Confidential Classes): Airport Public Safety Manager, Assistant City Attorney, Assistant City Manager, Assistant Controller, Assistant Director, Assistant Director of Personnel Services, Assistant Director of Public Utilities, Assistant Director of Public Works, Assistant Police Chief, Assistant Retirement Administrator, Background Investigator, Budget Analyst, Budget Manager, Chief Assistant City Attorney, Chief Information Officer, Chief of Staff to Councilmember, Chief of Staff to the Mayor, City Attorney (City Negotiator, Council President Esparza), City Attorney Investigator, City Clerk (City Negotiator, Council President Esparza), City Engineer, City Manager (City Negotiator, Mayor Dyer), Community Coordinator, Community Outreach Specialist, Controller, Council Assistant, Deputy City Attorney II , Deputy City Attorney III, Deputy City Manager, Director, Director of Aviation, Director of Development, Director of Personnel Services, Director of Public Utilities, Director of Transportation, Economic Development Coordinator, Economic Development Director , Executive Assistant to Department Director, Executive Assistant to the City Attorney, Executive Assistant to the City Manager, Executive Assistant to the Mayor, Fire Chief, Governmental Affairs Manager, Human Resources Manager, Independent Reviewer, Internal Auditor, Investment Officer, Labor Relations Manager, Management Analyst II, Payroll Accountant, Payroll Manager, Police Chief, Principal Budget Analyst, Principal Internal Auditor, Principal Labor Relations Analyst, Public Affairs Officer, Public Works Director, Retirement Administrator, Retirement Benefits Manager, Retirement Office Manager, Senior Budget Analyst, Senior Deputy City Attorney I, Senior Deputy City Attorney II, Senior Deputy City Attorney III, Senior Human Resources/Risk Analyst, Senior Law Clerk, Supervising Deputy City Attorney

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

DISCUSSED

- 5.-G.** [ID 22-1074](#) PUBLIC EMPLOYEE PERFORMANCE EVALUATION
1. Government Code Section 54957(b): consider the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee.
Title: City Attorney
 2. Government Code Section 54957.6: conference with labor negotiator. City Negotiator: Council President Nelson Esparza.
Unrepresented Employee: City Attorney

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

DISCUSSED

ADJOURNMENT

City Council adjourned from Closed Session at 3:09 P.M.