

Agenda Item: File 20-00620 (1-A)

Agenda Date: 5/21/2020

FRESNO CITY COUNCIL



Information Packet

Agenda Related Item(s) – File ID 20-00620 (1-A)

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2020 MAY 19 AM 10:11
CITY OF FRESNO
2600 FRESNO STREET
FRESNO, CA 93703

File ID 20-00620 (1-A) - Approval of minutes for the May 14, 2020 Regular Meeting and May 14, 2020 Special Emergency Closed Session Meeting.

Contents of Supplement: Draft Minutes for May 14, 2020 Regular Meeting

Item(s)

Supplemental Information:

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

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City of Fresno

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



Meeting Minutes - Draft

Thursday, May 14, 2020

9:00 AM

Regular Meeting

Council Chambers

City Council

President - Miguel Angel Arias

Vice President - Paul Caprioglio

Councilmembers:

Esmeralda Z. Soria, Mike Karbassi, Luis Chavez, Garry Bredefeld,

Nelson Esparza

City Manager - Wilma Quan

City Attorney - Douglas T. Sloan

City Clerk - Yvonne Spence, MMC

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

9:49 A.M. ROLL CALL

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

Pledge of Allegiance to the Flag

APPROVE AGENDA

*City Clerk Spence announced the following changes to the agenda: File ID 20-00609 (4-B#1) - ***Resolution creating a Housing Retention Grant Program to assist Fresno families impacted by job loss or reduction in working hours related to COVID-19, and adding small business grants to the existing Save our Small Business Program (Subject to Mayor's Veto), page 5, Section i, should read landlords are prohibited from charging "late fees" rather than "late fines."*

City Clerk Spence announced the following items were being pulled from Consent Calendar and placed under Contested Consent for further discussion:

File ID 20-00571 (1-H) - Actions pertaining to the Emergency Procurement of the Driver Protection System (Citywide) was pulled by Councilmember Karbassi.

File ID 20-00545 (1-I) - Approve the Department of Transportation federally - mandated Title VI Service Equity Analysis that was conducted to evaluate future proposed service changes FAX is considering to implement, and it was determined changes do not result in disparate impacts on minority or low-income populations was pulled by Councilmember Chavez.

File ID 20-00587 (1-N) - Approve Contract Change Order No. 1, increasing the contract amount by \$119,500 from \$197,736 to \$316,876 for the

Highway Litter Control Contract between the City of Fresno and Landscape Maintenance of America dba California Highway Adoption California Highway Adoption Co. was pulled by Councilmember Chavez.

File ID 20-00580 (3-B) - Bill (for introduction) Adding California Building Code Title 24 Appendix 0104 to Section 11-102 of the Fresno Municipal Code relating to Amendments to the California Building Code regarding Emergency Sleeping Cabins was removed from the agenda by Council President Arias and tabled to the next meeting, May 21, 2020.

File ID 20-00504 (1-B) - Actions pertaining to the 2017 Transformative Climate Communities (TCC) Grant and Transform Fresno Plan project regarding community Engagement Plan Community Partnership, Councilmember Chavez recused himself from the item.

On motion of Vice President Caprioglio, seconded by Councilmember Soria, the above Action was adopted as amended. The motion carried by the following vote:

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

CEREMONIAL PRESENTATIONS

There were no Ceremonial Presentations.

COUNCILMEMBER REPORTS AND COMMENTS

Council Vice President Caprioglio thanked everyone who helped honor all the front line defenders in the community. He wished everyone a Happy Mother's Day, especially his mother. Council Vice President Caprioglio requested the meeting be adjourned in memory of CVObserver Journalist George Hostetter.

Councilmember Soria thanked the Northwest Police District Captain Farrah and Central Police District Captain Castro for participating in District 1's virtual district meeting. She thanked Public Works Assistant Director Morrison and Director Mozier for updating District 1's community. She acknowledged the City of Fresno Youth Commission for young people, to discuss the impacts of COVID-19 on the youth in the community. She stated they would like a seat at the table to discuss how to reopen the economy.

She also announced she will be doing a mask distribution at no cost with State Center Community College District (SCCCD) Trustee Annalisa Perea.

Councilmember Karbassi thanked all City employees, Code Enforcement, Police Chief Hall, Captain Farrah and the Police Department. He announced it was "National Police Week" and thanked all the City of Fresno Police Officers. He mentioned district 2 now has COVID-19 drive through testing available Monday through Friday and sometimes Saturday, located at the United Health Center off Herndon and Millburn. If you wish to set up an appointment, please call 1-800-492-4227 and they will schedule a time to take the COVID-19 test. He stated you do not have to have symptoms in order to be tested. He also spoke regarding the effects of COVID-19 on employees, small business owners and reopening Fresno safely.

Councilmember Esparza thanked those who joined his first virtual meeting and staying engaged with his community and district.

1. CONSENT CALENDAR

Upon call, the following members of the public addressed all items on the agenda including Unscheduled Communication: Lisa Flores, Yonas Paulos, Alonso Santos-Gonzalez, David Paredes, Jessica Ramirez, Amber Crowell, Karla Arana, Cruz, Madeline Harris, Pedro Hernandez, Pavin Johnson, Brandi Villegas, Gary Hunt, Rick Stiez, Jesse Gonzalez, Estela Castillo, Adela Moreno, Patricia Santiago, Gurdeep Shergill, Val, Mariah Thompson, Denise Rogers-Heydt, Dez Martinez, Yenifer Gallegos, James and Gilbert Ruiz.

On motion of Vice President Caprioglio, seconded by Councilmember Soria, the below CONSENT CALENDAR items were adopted. The motion carried by the following vote:

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

- | | | |
|------------|------------------------------|---|
| 1-A | <u>ID</u>
<u>20-00581</u> | Approval of Minutes for the following: <ol style="list-style-type: none"> 1. April 23, 2020 Regular Meeting 2. April 23, 2020 Special Closed and Open Session Meeting 3. April 23, 2020 Special Open Session Meeting 4. April 23, 2020 Special Emergency Open Session Meeting 5. April 30, 2020 Special Emergency Closed Session Meeting |
|------------|------------------------------|---|

6. May 5, 2020 Special Emergency Closed Session Meeting

- 1-B [ID](#)
[20-00504](#) Actions pertaining to the 2017 Transformative Climate Communities (TCC) Grant and Transform Fresno Plan project regarding Community Engagement Plan Community Partnerships:
1. Approve a Sub-Recipient Agreement with the Fresno Economic Opportunities Commission for the Prime Community Partner component of the Transform Fresno Community Engagement Plan totaling \$177,000;
 2. Approve a Sub-Recipient Agreement with the Fresno Economic Opportunities Commission for the Direct Outreach Community Partner component of the Transform Fresno Community Engagement Plan totaling \$164,200;
 3. Approve a Sub-Recipient Agreement with the Fresno Economic Opportunities Commission for the Media and Communications Community Partner component of the Transform Fresno Community Engagement Plan totaling \$144,000; and
 4. Approve a Sub-Recipient Agreement with the Fresno Economic Opportunities Commission for the Event Coordination Community Partner component of the Transform Fresno Community Engagement Plan totaling \$77,200;

Councilmember Chavez recused himself from the above item.

- 1-C [ID](#)
[20-00538](#) Approve a Sub-Recipient Agreement with the Thrivance Group, LLC DBA Thrivance Project, for the Data and Reporting Community Partner component of the Transform Fresno Community Engagement Plan as a part of the Transformative Climate Communities (TCC) grant totaling \$120,000.
- 1-D [ID](#)
[20-00528](#) Approve Second Amendment to Agreement with Kleinfelder, Inc. in an amount not to exceed \$55,000 for professional geotechnical engineering/environmental services for a site investigation at Maxie L Parks Community Center. (Council District 3)
- 1-E [ID](#)
[20-00529](#) Resolution Designating Authorized Agents of City of Fresno for California Governor's Office of Emergency Services (Cal OES) Public Assistance Grants
- 1-F [ID](#)
[20-00535](#) Approve a Third Amendment to the Community Development Block Grant Program Subrecipient Agreement with Habitat for Humanity Fresno to increase its Home Repair Programs funding by \$4,026 for a total of \$219,026 and extend the term of the agreement from January 22, 2020, to May 31, 2020

1-G [ID](#)
[20-00544](#) Approve the award of a purchase contract to Ditch Witch West of Fowler, California, for the purchase of one vacuum excavator truck in the amount of \$309,166

1-H [ID](#)
[20-00571](#) Actions Pertaining to the Emergency Procurement of the Driver Protection System (Citywide):

1. RESOLUTION - Approve an emergency resolution to suspend competitive bidding of driver protection system
2. Approval of an emergency resolution to suspend competitive bidding of driver protection system due to COVID-19 and award to Gillig LLC in the amount of \$554,753.47

The above item was pulled from Consent Calendar by Councilmember Karbassi and moved to Contested Consent for further discussion.

1-I [ID](#)
[20-00545](#) Approve the Department of Transportation federally-mandated Title VI Service Equity Analysis that was conducted to evaluate future proposed service changes FAX is considering to implement, and it was determined changes do not result in disparate impacts on minority or low-income populations

The above item was pulled from Consent Calendar by Councilmember Chavez and moved to Contested Consent for further discussion.

1-J [ID](#)
[20-00548](#) Approve the First Amendment to the Consulting Services Agreement with Lars Andersen & Associates, Inc., to extend the Agreement from December 31, 2019, to December 31, 2021, for the preparation of plans and specifications for the construction of a Solid Waste Convenience Center for a previously approved contract amount of \$49,700. (Council District 4)

1-K [ID](#)
[20-00554](#) Actions pertaining to Water Main Replacements in the Vicinity of West Figarden, southeast of North Fruit Avenue and West Shaw Avenue (Bid File 3722) (Council District 1 and County):

1. Adopt a finding of Categorical Exemption pursuant Class 2, Section 15302(c) (Replacement or Reconstruction) of the California Environmental Quality Act
2. Award a construction contract to West Valley Construction Company, Inc., in the amount of \$6,648,149

1-L [ID](#)
[20-00552](#) Actions pertaining to the North Friant Road Overlay between East Shepherd Avenue to East Champlain Drive - Bid File No. 3737 (Council District 6)

1. Adopt a finding of Categorical Exemption for Environmental

Assessment No. P18-03433 per staff's determination, pursuant to Sections 15301/Class 1, 15302/Class 2, 15303/Class 3, and 15304/Class 4 of the State of California Environmental Quality Act (CEQA) guidelines

2. Award a construction contract in the amount of \$613,445 to Agee Construction Corp., of Clovis, California

1-M [ID](#)
[20-00555](#)

Actions pertaining to the Inyo Street Overlay between Van Ness Avenue and P Street - Bid File No. 3739 (Council District 3)

1. Adopt a finding of Categorical Exemption for Environmental Assessment No. P18-03917 per staff's determination, pursuant to Sections 15301/Class 1 of the State of California Environmental Quality Act (CEQA) guidelines
2. Award a construction contract in the amount of \$583,240 to Emmett's Excavation, Inc., of Clovis, California

1-N [ID](#)
[20-00587](#)

Approve Contract Change Order No. 1, increasing the contract amount by \$119,500, from \$197,376 to \$316,876 for the Highway Litter Control Contract between the City of Fresno and Landscape Maintenance of America dba California Highway Adoption California Highway Adoption Co.

The above item was pulled from Consent Calendar by Councilmember Chavez and moved to Contested Consent for further discussion.

1-O [ID](#)
[20-00563](#)

Actions pertaining to Initiating Proceedings and Declare 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 18, 2020 at 10:00 a.m. (Citywide)

1. RESOLUTION - Initiating proceedings for the annual levy of assessment
2. RESOLUTION - Of Intention to levy and collect the annual assessment

RESOLUTION 2020-094 ADOPTED

RESOLUTION 2020-095 ADOPTED

1-P [ID](#)
[20-00565](#)

Actions pertaining to Final Map of Tract No. 6215

1. **RESOLUTION** - Approving the Final Map of Tract No. 6215, of Vesting Tentative Tract Map No. 6215, and accepting dedicated public uses offered therein except for dedications offered subject to City acceptance of developer installed required improvements - Southwest corner of West Gettysburg Avenue and North Hayes Avenue (Council District 1)

2. *****RESOLUTION** - 43rd Amendment to the Annual Appropriation Resolution (AAR) No. 2019-133 to appropriate \$50,000 in developer contributions for the acquisition of right-of-way for public street and public utility easements for the Final Map of Tract No 6215 on the Southwest corner of Gettysburg and Hayes Avenue (Council District 1) (Requires 5 affirmative votes)(Subject to Mayor's Veto)

RESOLUTION 2020-096 ADOPTED

RESOLUTION 2020-097 ADOPTED

- 1-Q [ID](#) [20-00569](#) Approve First Amendment to Agreement with Jeff Katz Architecture adding \$44,000 for a total of \$509,000 for the Fire Station No. 18 project (Council District 1).
- 1-R [ID](#) [20-00570](#) **RESOLUTION** - Of Intention to Annex Final Tract Map No. 6198 as Annexation No. 109 to the City of Fresno Community Facilities District No. 11 and to Authorize the Levy of Special Taxes; and setting the public hearing for Thursday, June 18, 2020, at 10:00 am (northwest corner of West Shaw and North Grantland Avenues) (Council District 2)

RESOLUTION 2020-098 ADOPTED

- 1-S [ID](#) [20-00584](#) **RESOLUTION** - Appointing the Members of the Fresno Enhanced Infrastructure Financing District Public Financing Authority

RESOLUTION 2020-099 ADOPTED

City Council recessed for lunch at 12:20 P.M. and returned from lunch at 1:46 P.M.

CONTESTED CONSENT CALENDAR

- 1-H [ID](#) [20-00571](#) Actions Pertaining to the Emergency Procurement of the Driver Protection System (Citywide):
1. **RESOLUTION** - Approve an emergency resolution to suspend competitive bidding of driver protection system
 2. Approval of an emergency resolution to suspend competitive bidding of driver protection system due to COVID-19 and award to Gillig LLC in the amount of \$554,753.47

The above item was introduced to Council by Councilmember Karbassi, District 2. There was no Council discussion.

RESOLUTION 2020-093 ADOPTED

On motion of Councilmember Karbassi, seconded by Councilmember

Bredefeld, that the above Action Item be adopted. The motion carried by the following vote:

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

- 1-I ID 20-00545 Approve the Department of Transportation federally-mandated Title VI Service Equity Analysis that was conducted to evaluate future proposed service changes FAX is considering to implement, and it was determined changes do not result in disparate impacts on minority or low-income populations

The above item was introduced to Council by Councilmember Chavez, District 5.

There was discussion between Councilmember Chavez and Director Barfield, Transportation Department, regarding the cost of the ADA infrastructures, the reduction in ridership and services across the City and the partnership between the County of Fresno and City of Fresno. Councilmember Chavez recommended a workshop regarding ridership. Assistant City Manager Schaad responded.

Councilmember Chavez motioned to accept the report, but to hold off on any route changes until it comes back to Council for final approval after Council gets more information regarding the cost in the assessment. Councilmember Soria seconded the motion.

Discussion was held between Council President Arias and Director Barfield regarding accepting the report as presented to Council, Route 3, Route 45 and Measure C dollars were the main topic of discussion.

Council Vice President Caprioglio spoke regarding his concerns with the County of Fresno moving their employees out of downtown.

Councilmember Chavez amended his motion to accept the report as presented, but not to make any changes until there is a conversation with the County of Fresno. He directed the Administration to discuss with the County of Fresno the cost of the ADA infrastructure and what kind of money would the County of Fresno be coming to the table with to help offset some of the cost. Councilmember Soria seconded the motion.

APPROVED AS AMENDED AND DIRECTED

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

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

- 1-N** [ID](#) Approve Contract Change Order No. 1, increasing the contract amount by
[20-00587](#) \$119,500, from \$197,376 to \$316,876 for the Highway Litter Control
Contract between the City of Fresno and Landscape Maintenance of
America dba California Highway Adoption California Highway Adoption
Co.

*The above item was introduced to Council by Councilmember Chavez,
District 5.*

*There was discussion between Councilmembers and Director Mozier,
Public Works Department regarding the CARES Act money and how it will
be used, giving more money with lack of improvements on Highway 41 and
the concerns with the amount of encampments along Highway 41.*

*Council President Arias motioned to continue the item to May 21, 2020.
Councilmember Chavez seconded the motion.*

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

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

4. CITY COUNCIL

- 4-B** [ID](#) Actions pertaining to emergency relief related to COVID-19:
[20-00609](#) 1. *** RESOLUTION - Creating a Housing Retention Grant Program to
assist Fresno families impacted by job loss or reduction in working
hours related to COVID-19, and adding small business grants to the
existing Save our Small Business Program (Subject to Mayor's
Veto)
2. ***RESOLUTION- 46th Amendment to the Annual Appropriation

Resolution (AAR) No. 2019-133 to appropriate \$2,000,000 for small businesses and \$1,500,000 for housing retention grants (requires 5 affirmative votes)(Subject to Mayor's Veto).

The above item was introduced to Council by Councilmember Soria, District 1, Councilmember Chavez, District 5 and Council Vice President Caprioglio, District 4.

Upon call, the following members of the public addressed Council: David Taub, Lisa Flores, Karla Arana, Janine Nkosi, Kimberly McCoy, Yeny Olivares, Brandi Villegas, Iris Meza, Benita Vasquez, Estela Ortega, Ricco Salvador, Gracia Elenes, Amber Crowell and Jessica Ramirez.

Council Vice President Caprioglio motioned to approve the item as presented. Councilmember Soria seconded the motion.

Councilmember Karbassi amended the motion to include criteria such as equal distribution among Council districts, random drawing of applicant, and that the Council subcommittee shall convene to determine the criteria. Council Vice President Caprioglio and Councilmember Soria agreed to the friendly amendment.

Councilmember Bredefeld asked several questions regarding the Housing Retention Grant Program and the Consumer Grant Program. He expressed his concerns with money going to illegal residents of Fresno. He stated he does support the Save our Small Business Act but does not support the rest.

Councilmember Bredefeld motioned to separate the save our business act from the Housing Retention Grant Program. There was no second to the motion. Motion FAILED for lack of second.

Councilmember Bredefeld motioned that any money from the Housing Retention Grant Program does not go to illegal residents of Fresno. There was no second to the motion. Motion FAILED for lack of second.

Councilmember Esparza requested clarification on the housing grant and agreed to the equal distribution amongst the Council districts.

Councilmember Bredefeld stated he would like the economy to reopen to

allow members of the community to go back to work rather than handing them a check.

Council President Arias suggested that the committee review the item and bring it back at next weeks Council meeting. He stated the Mayor's goal was to have 80% of the CARES Act money remain unallocated and invest 20% to provide direct relief to residents impacted by COVID-19 and to allow City of Fresno to reopen and that we are currently \$5 million under the mark.

RESOLUTION 2020-105 ADOPTED AS AMENDED

RESOLUTION 2020-106 ADOPTED

On motion of Vice President Caprioglio, seconded by Councilmember Soria, that the above Action Item be adopted as amended. The motion carried by the following vote:

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

No: 1 - Bredefeld

4-A

ID
20-00619

Actions related to Fresno Micro Farmers Farm to Family Program:

1. ***RESOLUTION - Approving the Fresno Micro Farmers Farm to Family Program, in partnership with the Asian Business Institute & Resource Center (ABIRC) (Subject to Mayor's Veto)
2. ***RESOLUTION - 47th Amendment to the Annual Appropriation Resolution (AAR) No. 2019-133 to appropriate \$500,000 in CARES Act funds to the Farm to Family Program. (Subject to Mayor's Veto)

The above item was introduced to Council by Councilmember Soria, District 1. Upon call, the following member of the public addressed Council: Brandi Villegas.

Councilmember Soria motioned to approve the item as presented.

Councilmember Chavez seconded the motion.

Councilmember Bredefeld asked about giving illegal citizens money and how the money would be awarded. Councilmember Soria responded.

Councilmember Karbassi made an amendment to the motion to include "in compliance with federal laws". Councilmember Soria and Councilmember Chavez agreed to the amendment.

RESOLUTION 2020-103 ADOPTED AS AMENDED

RESOLUTION 2020-104 ADOPTED

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 - Arias, Caprioglio, Soria, Karbassi, Chavez, Bredefeld and Esparza

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:00 A.M.

ID
20-00551

HEARING to consider the vacation of a portion of a public utility easement in North Dearing Avenue (now abandoned) between East Fir Avenue and East Herndon Avenue (Council District 6)

1. ***RESOLUTION - Ordering the vacation of a portion of a public utility easement in North Dearing Avenue (now abandoned) between East Fir Avenue and East Herndon Avenue (Subject to Mayor's Veto)

The item was called to order at 3:44 P.M. There was no introduction to Council and no Council discussion. Upon call, the following member of the public addressed Council: Onkar Sandhu.

RESOLUTION 2020-100 ADOPTED

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

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

10:05 A.M. #1

ID
20-00489

Actions pertaining to proposed Substantial Amendment 2019-02 to the 2019-2020 Annual Action Plan:

1. CONTINUED HEARING to obtain public comments regarding Substantial Amendment 2019-02 to the 2019-2020 Annual Action Plan to reprogram Community Development Block Grant (CDBG) entitlement funds for the construction of a Multigenerational Community Center in Large Park, located at 4424 N. Millbrook

- Avenue, Fresno, CA 93726; and
2. RESOLUTION - Adopting Substantial Amendment 2019-02 to the 2019-2020 Annual Action Plan to submit a request to the U.S. Department of Housing and Urban Development (HUD) to reprogram CDBG entitlement funds for the construction of a Multigenerational Community Center and authorizing the City Manager to sign all necessary implementing documents

The above item was called to order at 3:46 P.M. There was no introduction to Council, no Council discussion and no public comment.

RESOLUTION 2020-101 ADOPTED

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

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

10:05 A.M. #2

ID
20-00485 CONTINUED HEARING to obtain public comments regarding the Draft 2020-2024 Consolidated Plan Including Citizen Participation Plan, Draft 2020-2021 Annual Action Plan, and Draft Analysis of Impediments to Fair Housing Choice

The above item was called to order at 3:47 P.M. There was no introduction to Council and no Council discussion. Upon call, the following member of the public addressed Council: Invanka Saunders.

3. GENERAL ADMINISTRATION

- 3-A ID
20-00546 Actions pertaining to leasing of City-owned land at the Fresno-Clovis Regional Wastewater Reclamation Facility (RWRF) (Council District 3) impacted by the COVID-19 global pandemic:
1. Adopt a finding of Categorical Exemption pursuant to Sections 15301/Class 1 of the California Environmental Quality Act Guidelines for the Fourth Amendment to the agricultural Lease and Agreement with James Cook for lease of 550 acres of City-Owned land at the RWRF;
 2. Approve and ratify the Fourth Amendment to the agricultural Lease and Agreement with James Cook for 550 acres of City-owned land at the RWRF, waiving two quarterly rental fee installment payments totaling \$116,885, with revised revenue of \$166,885 for year 2020,

retroactive to April 1, 2020.

3. Approve and ratify a Termination of the Lease and Agreement with James Cook for 125 acres of City-owned land at the RWRF retroactive to April 1, 2020.

The above item was introduced to Council by Director Carbajal, Public Utilities Department and Contractor James Cook. Upon call, there was no public comment.

Discussion held.

Council President Arias motioned to approve with a provision to use a forbearance instead of forgiveness until December 31, 2020. Council may reconsider at a later date with the option of a payment plan and direct staff to bring back for approval prior to December 2020. Councilmember Soria seconded the motion.

APPROVED AS AMENDED

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

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

- 3-B** [ID](#) BILL - (For Introduction) Adding California Building Code Title 24 Appendix 0104 To Section 11-102 of the Fresno Municipal Code relating to Amendments to the California Building Code regarding Emergency Sleeping Cabins.

The above item was removed from the agenda by Council President Arias and tabled until May 21, 2020.

- 3-C** [ID](#) RESOLUTION - Authorizing Coordination to Align Spending Plans for COVID-19 Homeless Response Using Coronavirus Aid, Relief, and Economic Security Act Emergency Solutions Grant Funding

The above item was introduced to Council by Director Strategic Initiatives Spees, Mayor's Office, Council President Arias, District 3 and Councilmember Soria, District 1. There was no Council discussion. Upon call, the following members of the public addressed Council: Yonas Paulos, Dez Martinez and Brandi Villegas.

RESOLUTION 2020-102 ADOPTED

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

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

Absent: 1 - Karbassi

5. CLOSED SESSION

City Council recessed into Closed Session at 4:25 P.M. and returned from Closed Session at 4:33 P.M.

There was no announcements after Closed Session and the below items were discussed.

- 5-A [ID](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
[20-00549](#) Government Code Section 54956.9, subdivision (d)(1)
- Case Name: *Mark Gacayan vs. City of Fresno, psi, Administered by RISICO Claims Management; ADR Claim No. 1010101524* [Police Department]
- 5-B [ID](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
[20-00550](#) Government Code Section 54956.9, subdivision (d)(1)
- Case Name: *Gerald True vs. City of Fresno, psi, Administered by RISICO Claims Management; ADR Case No. FP-ADR-00842* [Police Department]
- 5-C [ID](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
[20-00599](#) Government Code Section 54956.9, subdivision (d)(1)
- Case Name: *Rogelio Salinas v. City of Fresno, et al.*
Fresno Superior Court Case No.: 19CECG03290 (Transportation Department)

PLEASE NOTE: UNSCHEDULED COMMUNICATION IS NOT SCHEDULED FOR A SPECIFIC TIME AND MAY BE HEARD ANY TIME DURING THE MEETING

UNSCHEDULED COMMUNICATION

eComments

ID

eComments received for the Regular Session Meeting.

20-00649

ADJOURNMENT

*City Council adjourned at 4:33 P.M. in memory of CVObserver Journalist
George Hostetter.*

Agenda date: May 14, 2020

FRESNO CITY COUNCIL



eComment Report



The Following Items were Commented On:

File ID 20-00545 (1-L) -Approve the Department of Transportation federally mandated Title VI Service Equity Analysis that was conducted to evaluate future proposed service changes FAX is considering to implement, and it was determined changes do not result in disparate impacts on minority or low-income populations

Total number of eComment(s): 2

File ID 20-00580 – Bill (for introduction) adding California Building Code Title 24 Appendix 0104 to Section 11-102 of the Fresno Municipal Code relating to Amendments to the California Building Code regarding Emergency Sleeping Cabins.

Total number of eComment(s): 3

File ID 20-00609 (4-B) Actions pertaining to emergency relief related to COVID-19:

1. *** RESOLUTION - Creating a Housing Retention Grant Program to assist Fresno families impacted by job loss or reduction in working hours related to COVID-19, and adding small business grants to the existing Save our Small Business Program (Subject to Mayor's Veto)

2. ***RESOLUTION- 46th Amendment to the Annual Appropriation Resolution (AAR) No. 2019-133 to appropriate \$2,000,000 for small businesses and \$1,500,000 for housing retention grants (requires 5 affirmative votes)(Subject to Mayor's Veto).

Total number of eComment(s): 3

Emailed Comments: 2

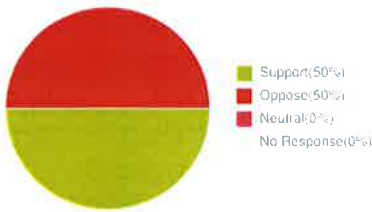
City Council on 2020-05-14 9:00 AM - Regular Meeting
05-14-20 09:00

Agenda Name	Comments	Support	Oppose	Neutral
1-I ID 20-00545 Approve the Department of Transportation federally-mandated Title VI Service Equity Analysis that was conducted to evaluate future proposed service changes FAX is considering to implement, and it was determined changes do not result in disparate impacts on minority or low-income populations	2	1	1	0
3-B ID 20-00580 BILL - (For Introduction) Adding California Building Code Title 24 Appendix 0104 To Section 11-102 of the Fresno Municipal Code relating to Amendments to the California Building Code regarding Emergency Sleeping Cabins.	3	0	3	0
4-B ID 20-00609 Actions pertaining to emergency relief related to COVID-19: 1. *** RESOLUTION - Creating a Housing Retention Grant Program to assist Fresno families impacted by job loss or reduction in working hours related to COVID-19, and adding small business grants to the existing Save our Small Business Program (Subject to Mayor's Veto) 2. ***RESOLUTION- 46th Amendment to the Annual Appropriation Resolution (AAR) No. 2019-133 to appropriate \$2,000,000 for small businesses and \$1,500,000 for housing retention grants (requires 5 affirmative votes)(Subject to Mayor's Veto).	3	3	0	0

Sentiments for All Agenda Items

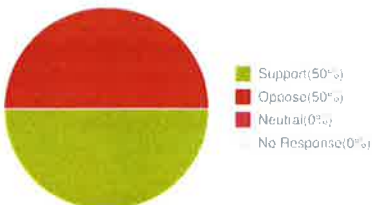
The following graphs display sentiments for comments that have location data. Only locations of users who have commented will be shown.

Overall Sentiment



Agenda Item: eComments for 1-I ID 20-00545 Approve the Department of Transportation federally-mandated Title VI Service Equity Analysis that was conducted to evaluate future proposed service changes FAX is considering to implement, and it was determined changes do not result in disparate impacts on minority or low-income populations

Overall Sentiment



Rick steitz

Location: 93711, Fresno
Submitted At: 4:46am 05-14-20

I and Jesse Gonzalez request to speak to the issue of line 28 which is contained in the staff report. We are not quite sure how to be included in the form of verbal statements. we will attempt to call in at 9:00AM. We are requesting that Item 1-I be removed from the consent calendar. Mr. Gonzalez and I are representing the riding public, ATU and CFPEA. Line 28 change is a mistake. Discuss the reasons why and present a better way to improve service.

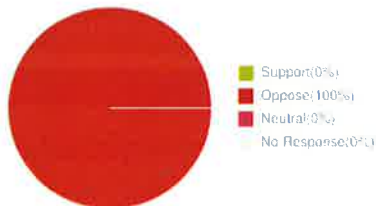
Matthew Woodward

Location:
Submitted At: 6:58am 05-13-20

While budget cuts for FAX could happen, I argue that it is important regardless that the following route changes should be implemented. Essential retail workers will be able to take the bus to their jobs at the El Paseo Shopping center, the Fresno County Social Services Campus, and Saint Agnes Medical Center.

On top of that, it's a new service pattern that could help bring riders back to FAX once COVID-19 is no longer an issue.

Agenda Item: eComments for 3-B ID 20-00580 BILL - (For Introduction) Adding California Building Code Title 24 Appendix 0104 To Section 11-102 of the Fresno Municipal Code relating to Amendments to the California Building Code regarding Emergency Sleeping Cabins.

Overall Sentiment**Pavin J**

Location:
Submitted At: 3:58pm 05-14-20

My name is Dennis Miles I am a member of the Party for Socialism and Liberation and an organizer with Cancel the Rents campaign. If passed, Item 3B would endanger the lives of many houseless people looking for shelter in the middle of a pandemic. Cramming people into 100 square foot rooms of 4 is inhumane and only makes it easier for the virus to spread endangering lives. There are hundreds of empty houses and hotel rooms in Fresno where people can be quartered for a more respectful and safe place to live, but as of now these houses and hotel rooms are kept vacant solely for the profit of a few. This is a sad state of affairs and actively harms the health of the most vulnerable Fresno residents. Houseless or not everyone should be entitled to free and quality housing as a human right. Furthermore if we are truly interested in ultimately curbing houselessness in Fresno we must cancel rents and mortgage payments for rentiers, homeowners and small businesses. Finally PSL Fresno would also like to express our solidarity with councilman Arias and his family after they endured a right wing and white supremacist attempt to intimidate them by coming to their home after numerous threats where articulated at councilman Arias online. This Klan-like violence is unacceptable and must be opposed and our hearts go out to those affected.

Steven M

Location:

Submitted At: 3:54pm 05-14-20

We should not be lessening emergency housing standards during a crisis! Lives and livelihoods are on the line.

Christian B

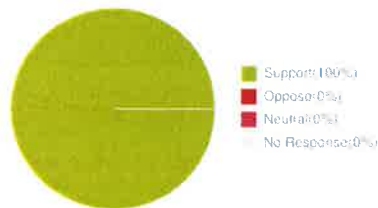
Location: 93721, Fresno
Submitted At: 3:41pm 05-14-20

I am an organizer with Cancel the Rents. This proposal is a death sentence for the homeless. The proposed shelters create the ideal scenario for the rapid spread of COVID-19. If implemented, it is almost certain that more people will contract the virus. Under no circumstances should regulations for housing the homeless be loosened, especially during a global pandemic. If the city council moves forward with this proposal, your decision could very likely result in the death of another human being. The fact that this vote is even being held is deeply shameful. During this global pandemic all rents should be cancelled, all mortgages for homeowners and small businesses should be cancelled, and everyone in our community should be provided safe, adequate housing to ensure the safety and economic well being of our community.

Agenda Item: eComments for 4-B ID 20-00609 Actions pertaining to emergency relief related to COVID-19:

1. *** RESOLUTION - Creating a Housing Retention Grant Program to assist Fresno families impacted by job loss or reduction in working hours related to COVID-19, and adding small business grants to the existing Save our Small Business Program (Subject to Mayor's Veto)
2. ***RESOLUTION- 46th Amendment to the Annual Appropriation Resolution (AAR) No. 2019-133 to appropriate \$2,000,000 for small businesses and \$1,500,000 for housing retention grants (requires 5 affirmative votes)(Subject to Mayor's Veto).

Overall Sentiment



Jessica Ramirez

Location: 93702, fresno
Submitted At: 3:46pm 05-14-20

I am a Fresno resident who is affected by Covid-19. I am one of many that are speaking out for help. I am a renter of a family of seven. I love my children. I will do anything to protect them. It has been really hard trying to protect my children during this statewide emergency. I am being forced to move out by my landlord and we have no place to go. I continue to pay rent, but my lease ended and now we are living in fear on a month-to-month contract. I was served with a notice to vacate, for no reason, right at the beginning of the COVID-19 pandemic. Our landlord wants us to put our children's lives at risk and he is refusing our rent. I should not be asked to violate the shelter in place orders and the CDC guidelines and put my children at risk.

Ashley Rojas

Location: 93702, Fresno
Submitted At: 2:45pm 05-14-20

We support the passing of the Housing Retention Grant Program. We applaud the 1.5 million dollars initiative to keep Fresnans housed. We implore the Council to lead with innovation and morality to advance a robust economy that works for all Fresnans, not just special interest groups or corporations. Before the COVID-19 public health and economic crisis, Fresno ranked 55th out of 59 cities in economic health, 59th in economic inclusion, 59th in racial inclusion, and 59th in overall inclusion. Fresno is also one of the youngest, most diverse, and fastest-growing US cities. Community must be centered in our movement; our Black and Brown, the undocumented, the

houseless or marginally housed, the jobless or underemployed, the over-policed and under-protected, our essential workers, our elders, and our YOUTH! We could expedite cannabis licenses, equity applicants 1st, as a new revenue stream. We could modify our current budget to maximize the federal CARES relief monies and reallocate any funds that cannot be utilized as planned due to COVID-19 impacts. We must hold accountable the Fresno Economic Recovery taskforce to include community most impacted by our historic and current unprecedented economic crisis. We invite everyone to view our "Care for Us" press conference tomorrow, FRIDAY 11am on Facebook Live to hear directly from folks who have historically and are currently absorbing the most acute impacts of COVID-19.

Karla Arana

Location:

Submitted At: 8:24am 05-14-20

I am a Community Organizer with Faith in the Valley. We want to lift up the real stories of those most vulnerable and it is time to start focusing on what really matters, the real needs of Fresno residents who always, long before COVID-19 are always left to fight their fights along. This Housing Retention Program should only be the beginning of a continuation of trying to help families that are always being impacted by housing. Many haven't even fully recovered from the last recession, so it is time for the City of Fresno to really think about these questions, "Who do you love?" "Why did you ran for office?" Use the platform that you have to focus on the root cause of the issues. May God bless you all members of the council.

Briana Parra

From: CityManager
Sent: Tuesday, May 12, 2020 4:52 PM
To: Briana Parra
Subject: FW: Contact City Manager Form submitted on City Manager

Follow Up Flag: Follow up
Flag Status: Flagged

From: Webmaster <webmaster@fresno.gov>
Sent: Tuesday, May 12, 2020 4:03 PM
To: CityManager <CityManager@fresno.gov>
Subject: Contact City Manager Form submitted on City Manager

First Name	Stacy
Last Name	Williams
Email	Stacyw616@yahoo.com
Phone Number	(559) 430-7098
Subject	City Building Code Amendment Item
Message	<p>There is a building code amendment on Thursday city council meeting. I am writing as a local community advocate asking you to drop that amendment. That is a public health risk, inhumane and unethical. Prison cells have more square footage per person than this code? I look forward to you getting public comment and community involvement before moving forward with this amendment. This is the wrong direction, why if in November 2019, just 6 months ago it was fine? and now it isn't. We as the community see what has transpired since November and why you are now trying to change direction. We request that this item is not moved forward, the treatment of our most vulnerable community is at stake and you are proposing treating them worse than animals and criminals.</p>
IP Address	68.254.252.216
User-Agent (Browser/OS)	Google Chrome 81.0.4044.129 / Windows
Referrer	https://www.fresno.gov/citymanager/contact-us/



FRESNO STONEWALL DEMOCRATS

Marsha Conant, President
Beverly Senkowski, Vice President
Edward Chinevere, Secretary
Terry Stasio Jr, Treasurer
Tyler Mackey, Member at Large

May 14, 2020

Dear Mayor Brandt and Council-members,

Fresno Stonewall Democrats supports the leadership that you and the majority of the Fresno City Council have exhibited during the Covid 19 crises. You have demonstrated compassion, common sense, followed science, exhibited strong leadership and made personal sacrifices to help all of our community.

We are horrified that there are organized protestors who have threatened violence and disobedience to you and City Council members, deliberately disregarded state and federal orders and laws and risked the safety of themselves and others by going against CDC guidelines and safe practices. The threat of people going to your homes is intolerable. The citations that Miguel Arias received are ridiculous and should immediately be dismissed!

Although Council member Bredefeld has stated he does not support the actions taken by protestors, we feel his words have inflamed them and he shares responsibility. He has encouraged anti-social behaviors without forethought of individual citizens and community consequences. Such language and sensationalism reflects poor judgment and lack of leadership of an individual holding his office. Racism and privilege are underlying roots to the motivation of the protestors and tragically, we fear that further violence will be the outcome. Bredefeld will be held accountable for his actions by the voters.

We applaud the city's \$5,000 small business loan program and believe it will help. We have complete compassion for the business owners and employees that are suffering, those who have lost their jobs, fear they will lose their business and are eager to get back to work. Many of our members are in this situation, the LGBTQ+ community is hit hard during this crises, but ignoring science, pandering to business will only prolong the crisis, cost more lives and prolong the economic recovery time.

We will continue to watch the actions of the Fresno City Council and Mayor's Office and hope to be able to continue to support your leadership.

The Fresno Rainbow Pride Festival and Parade scheduled June 6, 2020, has been cancelled but will be a day of service for the LGBTQ+ community.

Fresno Stonewall Democrats - 2037 W. Bullard Ave #253 - Fresno - CA - 93711
559.492.8223 - fresnostonewalldemocrats@gmail.com
[facebook.com/FresnoStonewallDems](https://www.facebook.com/FresnoStonewallDems) — twitter.com/fresnostonewall - <https://www.instagram.com/fresnostonewall>

If there are community service projects that you are sponsoring that you believe FSD could assist with we have members willing to serve. Several of our members are already contributing to the community during this crises with coordinated mask making.

Thank you for caring about the health and safety of all of the community not just specific interests.

In Equality,

Marsha Conant
she/her/hers
President FSD
559-709-8016

cc: Council-members; Esmerelda Soria, Mike Karbassi, Miguel Arias, Paul Caprioglio, Luis Chavez, Garry Bredefeld, Nelson Esparza