



# City of Fresno

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

## Meeting Minutes City Council

**President - Annalisa Perea**

**Vice President - Mike Karbassi**

**Councilmembers:**

**Miguel Angel Arias, Tyler Maxwell, 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, August 15, 2024**

**9:00 AM**

**Council Chambers**

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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.

9:04 A.M. ROLL CALL

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

Invocation

*Pastor Shane Ham 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:*

*Invocation would be led by Pastor Shane Ham with Northpointe Community Church.*

*Councilmember Arias would be participating remotely via the Zoom platform under the provisions of the California Government Code section 54953.*

*2-M (ID 24-960) RESOLUTION - Of Intention by the Council of the City of Fresno, California, to grant a Non-Exclusive Franchise for Roll-Off collection services within the City of Fresno and setting the Public Hearing for Thursday, September 26, 2024 at 9:35 a.m. - the resolution at the bottom of page 2 of 4 stipulates a hearing time of 10:00 a.m., it needs to be corrected to read 9:35 a.m.*

*THE FOLLOWING ITEMS WERE REMOVED FROM THE AGENDA:*

*9:15 A.M. (ID 24-898) HEARING to Consider Annexation Application No. P22-03846, Pre-zone Application No. P22-04069 - was removed with no return date by staff.*

*2-O (ID 24-1037) Actions pertaining to a Permanent Local Housing Allocation Agreement between the City of Fresno and Karahunj, LLC for the construction of a multi-family senior affordable rental housing project - was removed with no return date by Councilmember Arias.*

*Councilmember Maxwell Recused himself due to living within proximity of the project.*

*After brief procedural discussion this item was TABLED to August 29, 2024.*

*2-P (ID 24-1028) Approve the Third Amendment to the Service Agreement with Poverello House for professional triage center services at Naomi's House and Clarion Pointe - was tabled to August 29, 2024, by Councilmember Arias.*

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

*2-S (ID 24-1022) Bill (For introduction) - Repealing Section 10-812 of the Fresno Municipal Code, relating to Conditions on Police Response to*

*Public Safety Alarm Systems - was moved to Contested Consent by Councilmember Bredefeld.*

**On motion of Councilmember Maxwell, seconded by Councilmember Esparza, the agenda was ADOPTED AS AMENDED. The motion carried by the following vote:**

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

## **CEREMONIAL PRESENTATIONS**

### **COUNCILMEMBER REPORTS AND COMMENTS**

*Councilmember Maxwell Reports and Comments: announced the Beat the Heat event.*

*Councilmember Chavez Reports and Comments: announced the Fall Festival, and acknowledged partners of the senior citizen air conditioning assistance program.*

*Councilmember Esparza Reports and Comments: announced the 6th annual Beat the Heat event, and acknowledged the sponsors; attended the unveiling of the Willow and Balch park tot lot, along with the Capital Projects Department, PARCS Department, the Mayor, and acknowledged city staff.*

*Vice President Karbassi Reports and Comments: acknowledged the Public Safety Wellness Center staff, and the Police Chaplain; reflected on the special election five years ago; announced the new Audubon Drive traffic signal, and crosswalks, and acknowledged the Mayor, City Manager, and staff for their help.*

*Council President Perea Reports and Comments: announced the back pack drive held, reminded the public school is back in session; announced the installation of speed radar signs at schools in District 1; announced the neighborhood cleanup event in partnership with Beautify Fresno, and acknowledged the Mayor's administration; announced partnership with PG&E for past due bill relief, and the pop up event at Fresno City College.*

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

*There were no reports or comments from the Mayor or City Manager.*

## **CITY CLERK AND CITY ATTORNEY REPORTS AND COMMENTS**

*City Clerk Stermer Reports and Comments: reminded the public to register to vote for the November 5, 2024 election; announced upcoming meetings for various committees.*

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

#### **9:10 A.M. #1**

[ID 24-1009](#) HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community Facilities District Number 11, Annexation Number 150 (Final Tract Map Number 6379). (Located on the northwest corner of East Florence Avenue and South Peach Avenue) (Council District 5)

1. \*\*\*RESOLUTION - to Annex Territory to Community Facilities District No. 11 and Authorizing the Levy of a Special Tax for Annexation No. 150 (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 2024-2025 and Future Tax Years Within and Relating to Community Facilities District No. 11, Annexation No. 150 (Subject to Mayor's Veto)

*The above item was called to order at 9:25 A.M. and was presented to Council by Supervising Engineering Technician Gonzales. Upon call, no members of the public addressed Council. Public comment closed at 9:27 A.M.*

*There was no council discussion.*

**RESOLUTION 2024-174 ADOPTED**

**RESOLUTION 2024-175 ADOPTED**

**RESOLUTION 2024-176 ADOPTED**

**BILL B-24 APPROVED / ORDINANCE ADOPTED AS 2024-022**

**On motion of Councilmember Chavez, seconded by Councilmember Bredefeld, that the above Action Item be ADOPTED. The motion**

carried by the following vote:

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

### **9:10 A.M. #2 (CONTINUED TO AUGUST 29, 2024)**

- [ID 24-964](#) HEARING to consider of an appeal regarding the denial of Conditional Use Permit Application No. P22-03906, requesting authorization to establish a State of California Alcoholic Beverage Control (ABC) Type 21 (Off-Sale Beer, Wine, & Distilled Spirits) alcohol license for Circle "D" Food & Liquor store located at 2520 East Olive Avenue on the southeast corner of North Fresno Street and East Olive Avenue. (Council District 7)
1. DENY the Appellant's appeal and UPHOLD the action of the Planning and Development Department Director to deny CUP Application No. P22-03906 requesting authorization to establish a State of California Alcoholic Beverage Control Type 21 (Off-Sale Beer, Wine, & Distilled Spirits) alcohol license for a Circle "D" Food & Liquor store.

**CONTINUED AS NOTED**

### **9:10 A.M. #3**

- [ID 24-1025](#) HEARING to adopt resolutions and ordinance amending Annexation Number 37 of the City of Fresno Community Facilities District Number 11, Final Tract Map Number 6410, to change the types of Services, the rate and method of apportionment of the special tax, and the Maximum Special Tax to be levied (Located on the northeast corner of East Church Avenue and South Peach Avenue): (Council District 5)
1. \*\*\*RESOLUTION - Authorizing the Amendment of Annexation No. 37 of Community Facilities District No. 11 and the Levy of a New Maximum Special Tax; (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) - Amending Ordinance No. 2011-11 and Levying a Changed Maximum Special Tax for the Property Tax Year 2024-2025 and Future Tax Years Within and Relating to Community Facilities District No. 11, Annexation No. 37, Final Tract Map No. 6410. (Subject to Mayor's Veto)

*The above item was called to order at 9:28 A.M. and was presented to Council by Supervising Engineering Technician Gonzales. Upon call, no members of the public addressed Council. Public comment closed at 9:30*

A.M.

*There was no council discussion.*

*RESOLUTION 2024-177 ADOPTED*

*RESOLUTION 2024-178 ADOPTED*

*RESOLUTION 2024-179 ADOPTED*

*BILL B-25 APPROVED / ORDINANCE ADOPTED AS 2024-023*

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

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

### **9:15 A.M.**

[ID 24-898](#) HEARING to Consider Annexation Application No. P22-03846, Pre-zone Application No. P22-04069 and related Environmental Assessment No. P22-03846/P22-04069 pertaining to approximately 20.23 acres of property on the north and south sides of West Ashlan Avenue between North Polk and North Gregory Avenues (Council District 1) - Planning and Development Department.

1. ADOPT - Negative Declaration prepared for Environmental Assessment No. P22-03846/P22-04069 dated May 3, 2024, for the proposed project pursuant to California Environmental Quality Act (CEQA) Guidelines and Addendum dated June 13, 2024.
2. RESOLUTION - Annexation Application No. P22-03846 (for the Ashlan-Polk Nos. 3 and 4 Reorganization) proposing detachment from the Kings River Conservation District and North Central Fire Protection District and annexation to the City of Fresno.
3. BILL - (For introduction and adoption) - Approving Pre-zone Application No. P22-04069 proposing to pre-zone: approximately 9.54 acres of the subject property from the County of Fresno RR/NB (*Rural Residential/Neighborhood Beautification*) zone district to the City of Fresno RS-5/ANX (*Single-Family Residential, Medium Density/Annexed Rural Residential Transitional Overlay*) zone district; and approximately 9.78 acres of the subject property from the RR/NB (*Rural Residential/Neighborhood Beautification*) zone district to the City of Fresno RS-5/cz (*Single-Family Residential, Medium Density/conditions of zoning*) zone district.

*The above item was removed from the agenda by staff with no return date.*

**TABLED**

**9:20 A.M.**

[ID 24-1024](#) Actions pertaining to the acquisition of fee title interest of a parcel to benefit the Blackstone McKinley BNSF Grade Separation Project: (Council Districts 1 and 7)

1. HEARING to consider a Resolution of Necessity for acquisition of fee title interest of Assessor's Parcel Number 451-071-43, owned by Ravinder Sethi and Ashima Sethi as trustees of The Ravinder and Ashima Sethi Trust, for the construction of the Blackstone McKinley BNSF Grade Separation Project;
2. \*\*\*RESOLUTION - Determining that public interest and necessity require acquisition of fee interest for rights of way for public street purposes of Assessor's Parcel Number 451-071-43, owned by Ravinder Sethi and Ashima Sethi as trustees of The Ravinder and Ashima Sethi Trust, for the construction of the Blackstone McKinley BNSF Grade Separation Project and authorizing eminent domain proceedings for public use and purpose. (Requires 5 affirmative votes) (Subject to Mayor's Veto)

*The above item was called to order at 9:31 A.M. and was presented to Council by Supervising Real Estate Agent Bruno, and Licensed Professional Engineer Lehman. Upon call, following members of the public addressed Council: Lisa Flores. Public comment closed at 9:39 A.M.*

*There was no council discussion.*

**RESOLUTION 2024-180 ADOPTED**

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

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

## **2. CONSENT CALENDAR**

*Upon call, for public comment on all Consent, Contested Consent and Closed Session items, the following members of the public addressed Council: Emmanuel Agraz-Torrez (2-Y), Dez Martinez (2-Y), Orlando E. Watson Sr. (2-Y), Wes White (2-Y), Alex Kush (2-V), Sara Wisham (2-V), Elayne Gonzalez (2-V), Mindi Miller (2-V), Thalia Arenas (2-V), Rex Hime*

(2-G), Shaun McPherson (2-Y), Sting (2-Y), Alix Laffey (2-Y), Bob McCloskey (2-Y), James M (2-Y), Kevin Little (2-Y), Cindy Pimbino (2-Y), Nancy Donat (2-Y), Miss 5250 (2-Y), Linda Tubach (2-Y), Lethal (2-Y), Sean Zweiflur (2-Y), Brandi Nuse-Villegas (2-Y), Josefa (2-Y), Sofia Sanchez (2-Y), Krystal (2-Y), M. W. (2-Y), Elisha Simpson Sanchez (2-Y), Pauline Verdugo (2-Y), Fernando Paul Elizondo (2-Y), Zachary Ferrell (2-Y), Kailee Vansichie (2-Y), Rachel Tuggy (2-Y), Yanas Paulos (2-Y), T.J. Shelton (2-Y), John Brown (2-Y), Jon D. McCubbin (2-Y), Brighten Tompkins (2-O), Sarah A. (2-Y), Katie Meyers (2-Y), Quinton Price (2-Y), Eric Christen (2-W), Arieana Castellanos (2-Y), Traci Robertson (2-Y), Shar Thompson (2-Y), Lisa Flores (2-G, 2-Y, 2-W), Alexandria Alvarado (2-Y), James Rutledge (2-Y), and Keith Scott (2-Y).

#### APPROVAL OF THE CONSENT CALENDAR

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

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

**Absent:** 1 - Chavez

- 2.-A.** [ID 24-1059](#) Approval of the minutes for July 25, 2024, regular meeting and July 29, 2024, special meeting

#### APPROVED ON CONSENT CALENDAR

- 2.-B.** [ID 24-1053](#) Approve Agreement to join the Yosemite Area Regional Transportation System Authority through the Restated Joint Powers Agreement.

#### APPROVED ON CONSENT CALENDAR

- 2.-C.** [ID 24-1011](#) Actions pertaining to Friant Road Adaptive Intelligent Transportation System (ITS) Project from Fort Washington Road to Copper River Drive, Bid File No. 12400307. (Council District 6):
1. Adopt a finding of Categorical Exemption per staff's determination, pursuant to Section 15301/Class 1 of the California Environmental Quality Act (CEQA) Guidelines;
  2. Award a Construction Contract for the Base Bid plus Add Alternates 1, 2, 3, and 6, for a total construction contract amount of \$1,963,964 to A-C Electric Company Inc. of Bakersfield, California

#### APPROVED ON CONSENT CALENDAR



- 2.-D. [ID 24-1014](#) Actions pertaining to the Van Ness Avenue Transmission Grid Main Project between Divisadero Street and Stanislaus Street (Bid File 12401958) (Council District 3):
1. Adopt an addendum to the previously adopted Mitigated Negative Declaration pursuant to the California Environmental Quality Act Guidelines;
  2. \*\*\*RESOLUTION - Adopting the 11th Amendment to the Annual Appropriation Resolution No. 2024-122 appropriating \$2,725,600 for the Van Ness Avenue Transmission Grid Main Project (Requires 5 Affirmative Votes) (Subject to Mayor's Veto);
  3. Award a construction contract in the amount of \$2,223,895 to West Valley Construction Company, Inc., of Fresno, California, as the lowest responsive and responsible bidder.

*RESOLUTION 2024-181 ADOPTED*

**APPROVED ON CONSENT CALENDAR**

- 2.-E. [ID 24-1018](#) Approve an agreement for professional engineering services with Precision Civil Engineering, Inc. of Fresno, California for \$275,150, with a \$27,515 contingency, for design and construction support services for the Ashlan Avenue Westbound Widening Project from Polk Avenue to Bryan Avenue. (Bid File 12402339) (Council District 1)

**APPROVED ON CONSENT CALENDAR**

- 2.-F. [ID 24-1019](#) Actions pertaining to the Southwest Fresno Trail Project: (Council District 3)
1. Approve the Agreement for Purchase and Sale of Real Property and Escrow Instructions to acquire fee interest of a 0.47-acre (20,659 square feet) unimproved parcel, identified as Assessor's Parcel Number 477-040-51T, owned by Housing Authority of the City of Fresno, California, a public body corporate and politic, for an amount of \$39,200.00, for the construction of the Southwest Fresno Trail Project;
  2. Approve the Agreement for Purchase and Sale of Real Property and Escrow Instructions to acquire fee interest of a 0.40-acre (17,402 square feet) unimproved parcel identified as Assessor's Parcel Number 477-040-52T, owned by Better Opportunities Builder, Inc., a California non-profit public benefit corporation, for an amount of \$32,800.00, for construction of the Southwest Fresno Trail Project;
  3. Approve the Agreement for Purchase and Sale of Real Property and Escrow Instructions to acquire fee interest of a 0.435-acre (18,931 square feet) unimproved parcel identified as Assessor's Parcel Number 477-040-69T, owned by Housing Authority of the City of Fresno, California, a public body corporate and politic, for an amount of \$36,000.00, for the construction of the Southwest Fresno

Trail Project;

4. Approve the Agreement for Purchase and Sale of Real Property and Escrow Instructions to acquire fee interest of a 0.02-acre (888 square feet) unimproved parcel identified as Assessor's Parcel Number 477-040-72T, owned by Better Opportunities Builder, Inc., a California non-profit public benefit corporation, for an amount of \$700.00, for construction of the Southwest Fresno Trail Project;
5. Approve the Agreement for Purchase and Sale of Real Property and Escrow Instructions to acquire fee interest of a 0.467-acre (20,322 square feet) portion of an unimproved parcel identified as Assessor's Parcel Number 477-040-73T, owned by Housing Authority of the City of Fresno, California, a public body corporate and politic, for an amount of \$38,700.00, for construction of the Southwest Fresno Trail Project.

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

- 2.-G. [ID 24-1020](#) Reject the bid received for Garage 9 Renovation Project. (Bid File 12402153) (Council District 3)

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

- 2.-H. [ID 24-1021](#) Actions pertaining to the Downtown Redevelopment Grant Water and Sewer Improvements Project (Council District 3):
1. \*\*\*RESOLUTION - Adopting the 6th Amendment to the Annual Appropriation Resolution No. 2024-122 appropriating \$3,495,800 for the Downtown Redevelopment Grant Water and Sewer Improvements Project (Requires 5 Affirmative Votes) (Subject to Mayor's Veto);
  2. Approve the Third Amendment to the Consultant Services Agreement with Carollo Engineers Inc. of Fresno, California, in the amount of \$427,370, increasing the total contract amount to \$3,164,649, with a remaining contingency of \$374,000, to expand the scope of services to include construction support for the Downtown Redevelopment Grant Water and Sewer Improvements Project.

#### *RESOLUTION 2024-182 ADOPTED*

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

- 2.-I. [ID 24-1047](#) RESOLUTION - Of Intention to Annex the Territory Known as Assessor's Parcel Number 506-470-48S as Annexation Number 61 to the City of Fresno Community Facilities District Number 9 and to Authorize the Levy of Special Taxes; and setting the Public Hearing for Thursday, September 12, 2024, at 9:10 am. (Located on the east side of North Cecelia Avenue and West Ellery Way) (Council District 2)

*RESOLUTION 2024-183 ADOPTED***APPROVED ON CONSENT CALENDAR**

- 2.-J. [ID 24-1001](#) RESOLUTION - Of Intention to Annex Final Tract Map Number 6362 as Annexation Number 151 to the City of Fresno Community Facilities District Number 11 and to Authorize the Levy of Special Taxes; and setting the public hearing for Thursday, September 26, 2024, at 9:25 am. (Located on the northeast corner of West Indianapolis Avenue and North Garfield Avenue) (Council District 1)

*RESOLUTION 2024-184 ADOPTED***APPROVED ON CONSENT CALENDAR**

- 2.-K. [ID 24-1002](#) RESOLUTION - Of Intention to Annex Final Tract Map Number 6362 as Annexation Number 001 to the City of Fresno Community Facilities District Number 18 and to Authorize the Levy of Special Taxes; and setting the public hearing for Thursday, September 26, 2024, at 9:20 am. (Located on the northeast corner of West Indianapolis Avenue and North Garfield Avenue) (Council District 1)

*RESOLUTION 2024-185 ADOPTED***APPROVED ON CONSENT CALENDAR**

- 2.-L. [ID 24-1003](#) RESOLUTION - Of Intention to Annex the Territory Known as Assessor's Parcel Number 487-150-45S and 487-150-46S as Annexation Number 60 to the City of Fresno Community Facilities District Number 9 and to Authorize the Levy of Special Taxes; and setting the Public Hearing for Thursday, September 26, 2024, at 9:15 am. (Southwest corner of East Jensen Avenue and South Holloway Avenue) (Council District 5)

*RESOLUTION 2024-186 ADOPTED***APPROVED ON CONSENT CALENDAR**

- 2.-M. [ID 24-960](#) \*\*\*RESOLUTION - Of Intention by the Council of the City of Fresno, California, to grant a Non-Exclusive Franchise for Roll-Off collection services within the City of Fresno and setting the Public Hearing for Thursday, September 26, 2024 at 9:35 a.m. (Citywide) (Subject to Mayor's Veto).

*During approval of the agenda, City Clerk Stermer announced the resolution at the bottom of page 2 of 4 stipulates a hearing time of 10:00 a.m., it needs to be corrected to read 9:35 a.m.*

*RESOLUTION 2024-187 ADOPTED*

**APPROVED ON CONSENT CALENDAR**

- 2.-N. [ID 24-1079](#) \*\*\*RESOLUTION - Adopting the 2nd Amendment to the Annual Appropriations Resolution (AAR) No. 2024-122 Reallocating \$200,000 from the Department of Public Works to the Parks, After School, Recreation and Community Services Department for the Orchid Park Expansion Project (Requires 5 Affirmative Votes) (Subject to Mayor’s Veto)

*RESOLUTION 2024-188 ADOPTED*

**APPROVED ON CONSENT CALENDAR**

- 2.-O. [ID 24-1037](#) Actions pertaining to a Permanent Local Housing Allocation Agreement between the City of Fresno and Karahunj, LLC for the construction of a multi-family senior affordable rental housing project located at 1514 East Bullard Avenue, Fresno (District 6):
  1. Adopt a Categorical Exemption per staff determination pursuant to Section 15332/Class 32 of the California Environmental Quality Act (CEQA) Guidelines
  2. Approve a Permanent Local Housing Allocation (PLHA) Agreement with Karahunj, LLC, in the amount of \$1,000,000 for the construction of the Solterra Senior Living Affordable Rental Housing Development Phase I, located at 1514 East Bullard Avenue, Fresno, California 93710

*Councilmember Arias removed this item from the agenda with no return date.*

*Councilmember Maxwell Recused himself due to living within proximity of the project.*

*After brief procedural discussion the item was TABLED to August 29, 2024.*

- 2.-P. [ID 24-1028](#) Approve the Third Amendment to the Service Agreement with Poverello House for professional triage center services at Naomi’s House and Clarion Pointe, and to increase funding by \$525,405.56 in Homeless, Housing Assistance, and Prevention funds (HHAP) for total program award \$3,125,195.25.

*The above item was removed from the agenda by Councilmember Arias and tabled to August 29, 2024.*

**TABLED**

- 2.-Q. [ID 24-1048](#) Award a requirements contract for the towing and storage of evidence cars to Fortney Towing, Inc. for three years in the total amount of \$1,095,129.30, with two optional one-year extensions in the amount of \$365,043.10 per year (Request for Proposals No.12402054).

**APPROVED ON CONSENT CALENDAR**

- 2.-R. [ID 24-1023](#)

**APPROVED ON CONSENT CALENDAR**

- 2.-T. [ID 24-1046](#) Actions pertaining to the emergency reconstruction of the compressed natural gas fueling station:
1. Adopt Environmental Assessment No. P24-1046 dated August 15, 2024, a determination that the proposed project qualifies for categorical exemption as set forth in the California Environmental Quality Act (CEQA) Guidelines 15301/Class 1.
  2. \*\*\*RESOLUTION-- Approval of an urgent necessity for the preservation of life, health, property, and authorizing the City Manager or designee to enter into agreement without competitive bidding with Chart International, Inc. for emergency reconstruction of the compressed natural gas fueling station (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)

*RESOLUTION 2024-189 ADOPTED*

**APPROVED ON CONSENT CALENDAR**

- 2.-U. [ID 24-1041](#) Actions pertaining to acceptance of a gift exceeding \$25,000 in value from Gillig, LLC to the City of Fresno:
1. Approve acceptance of unsolicited gift items from Gillig, LLC (Gillig) for accidental installation of Thermo King Air Purification Systems into twelve (12) Compressed Natural Gas (CNG) buses for a total value of \$45,246.96.

**APPROVED ON CONSENT CALENDAR**

- 2.-V. [ID 24-1078](#) Bill - (For Introduction) Amending Chapter 10, Article 3, Section 10-328 of the Fresno Municipal Code, relating to breeding, transfer and sale of dogs and cats

*BILL B-26 INTRODUCED AND LAID OVER*

**APPROVED ON CONSENT CALENDAR**

- 2.-W. [ID 24-1038](#) Approve the reappointment of Laura E. Ward to the City of Fresno Women's Commission to a term ending August 15, 2026

**APPROVED ON CONSENT CALENDAR**

- 2.-X. [ID 24-1030](#) \*\*\*BILL-22 (Intro'd July 25, 2024) (For Adoption) - Amending Chapter 12, Article 4.12 of the Fresno Municipal Code Relating to the Fee Waiver Program Definition of Residential Infill Projects (Citywide) (Subject to Mayor's Veto)

*BILL B-22 APPROVED / ORDINANCE ADOPTED AS 2024-024*

**APPROVED ON CONSENT CALENDAR**

- 2.-Y. [ID 24-1045](#) \*\*\*BILL-23 (Intro'd July 29, 2024) (For Adoption) - Amending Sections 10-1703(a), 10-1707, 10-2101, 10-2204, 10-2205 of the Fresno Municipal Code, Relating to the Prohibition of Camping in Public Places (Subject to Mayor's Veto)

*Council President Perea registered a NO vote. As such, this item was approved 5-1 by the following vote:*

*Aye: 5 – , Karbassi, Arias, Maxwell, Bredefeld, Esparza*

*No: 1 – Perea*

*Absent: 1 - Chavez*

*BILL B-23 APPROVED / ORDINANCE ADOPTED AS 2024-025*

**APPROVED ON CONSENT CALENDAR**

- 2.-Z. [ID 24-1051](#) Bill - (For Introduction) Adding Article 24 to Chapter 10 of the Fresno Municipal Code, to remove squatters from short-term rentals and hotels

*BILL B-27 INTRODUCED AND LAID OVER*

**APPROVED ON CONSENT CALENDAR**

**CONTESTED CONSENT CALENDAR**

- 2.-S. [ID 24-1022](#) BILL (For introduction) - Repealing Section 10-812 of the Fresno Municipal Code, relating to Conditions on Police Response to Public Safety Alarm Systems

*Councilmember Bredefeld moved the above item to Contested Consent to get clarification on the purpose of the item.*

*Council discussion included: costs to residents; continuing the item; small businesses; changing the duration; residential and commercial properties; police practices, and the current municipal code; and assessments on*

*police policies.*

*TABLED*

**On motion of Vice President Karbassi, seconded by Councilmember Bredefeld, that the above Action Item be TABLED to August 29, 2024. The motion carried by the following vote:**

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

**Absent:** 1 - Chavez

### **3. GENERAL ADMINISTRATION**

#### **UNSCHEDULED COMMUNICATION**

*Upon call, the following people addressed Council with unscheduled communication: Traci Robertson, Brandi Nuse-Villegas, and Lisa Flores*

### **4. CITY COUNCIL**

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

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

*Council withdrew to closed session at 1:52 P.M.*

- 5.-A.** [ID 24-1049](#) CONFERENCE WITH LABOR NEGOTIATORS - Government Code Section 54957.6  
City Negotiators: Jennifer Misner; Sumeet Malhi  
Employee Organization(s): 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 202, 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) Unit 9; 8. International Association of Firefighters, Local 202, Unit 10 (Fire Management); 9. City of Fresno Professional Employees Association (CFPEA); 10. City of Fresno Management Employees Association (CFMEA); 11. Fresno Airports Public Safety Officers Association (FAPSOA)

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

*DISCUSSED*

- 5.-B. [ID 24-1083](#) CONFERENCE WITH LEGAL COUNSEL - PUBLIC SECURITY -  
Government Code Section 54957(a): Discuss security of City Hall.

*The above item was discussed in closed session to reschedule the item to August 29, 2024. There were no open session announcements for this item.*

*DISCUSSED*

- 5.-C. [ID 24-986](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION  
Government Code Section 54956.9, subdivision (d)(1)  
*Joanna Condie, et al. v. City of Fresno*; Fresno Superior Court  
Case No.: 23CECG00413

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

*DISCUSSED*

- 5.-D. [ID 24-988](#) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION  
Government Code Section 54956.9, subdivision (d)(2)  
Significant Exposure to Litigation:  
*United Financial Casualty Company a/s/o Saljinder Kaur v. City of Fresno*, Risk File No. RM2023044361 (Police Department)

*The above item was discussed in closed session to reschedule the item to August 29, 2024. There were no open session announcements for this item.*

*DISCUSSED*

- 5.-E. [ID 24-1026](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION  
Government Code Section 54956.9, subdivision (d)(1)  
*ACLU, et al. v. City of Fresno, et al.*; Fresno Superior Court Case No.:  
23CECG04744

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

*DISCUSSED*

- 5.-F. [ID 24-1050](#) CONFERENCE WITH LEGAL COUNSEL - DECIDING WHETHER TO  
INITIATE LITIGATION  
Government Code Section 54956.9, subdivision (d)(4): 1 potential case



*The above item was discussed in closed session. City Attorney Janz announced direction was given by council to initiate litigation. The action, defendants and other particulars shall once the action is formally commenced be disclosed to any person upon inquiry. This item was approved 6-0 by the following vote:*

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

*DISCUSSED*

- 5.-G.** [ID 24-1060](#) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION  
Government Code Section 54956.9, subdivision (a) and (d)(4) Case  
Name: *City of Fresno v. Jaime Rivera*; (Code Enforcement case number  
E24-02048)

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

*DISCUSSED*

- 5.-H.** [ID 24-1061](#) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION  
Government Code Section 54956.9, subdivision (a) and (d)(4) Case  
Name: *City of Fresno v. Arthur and Richard Carlson and Kochar Vardanyan* (Carlson Appeal)

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

*DISCUSSED*

- 5.-I.** [ID 24-1062](#) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION  
Government Code Section 54956.9, subdivision (a) and (d)(4) Case  
Name: *City of Fresno v. Mich Michino, and MJE Brothers, LLC.* (Michino Appeal)

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

DISCUSSED

- 5.-J. [ID 24-1013](#) 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 Annalisa Perea.  
Unrepresented Employee: City Attorney

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

DISCUSSED

- 5.-K. [ID 24-1075](#) 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 Clerk
  - 2. Government Code Section 54957.6: conference with labor negotiator.  
City Negotiator: Council President Annalisa Perea.  
Unrepresented Employee: City Clerk

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

DISCUSSED

- 5.-L. [ID 24-1089](#) CONFERENCE WITH REAL PROPERTY NEGOTIATORS
  - Government Code Section 54956.8
  - Property: 500 E. Elkhorn Ave., Caruthers, CA 93609
  - Agency negotiator: City Manager
  - Negotiating parties: City of Fresno, County of Fresno
  - Under negotiation: price, terms of payment

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

DISCUSSED

**ADJOURNMENT**

*The Council meeting adjourned from session at 5:33 P.M.*