

City of Fresno

2600 Fresno Street

Fresno, CA 93721

www.fresno.gov



Meeting Minutes - Final

Thursday, December 9, 2021

9:00 AM

Regular Meeting

In Person and/or Electronic

City Council

President - Luis Chavez

Vice President - Nelson Esparza

Councilmembers:

Esmeralda Z. Soria, Mike Karbassi, Miguel Angel Arias, Tyler Maxwell,

Garry Bredefeld

City Manager - Thomas Esqueda

City Attorney - Douglas T. Sloan

City Clerk - Todd Stermer, CMC

The City Council for the City of Fresno convened in regular session on December 9, 2021 at 9:00 A.M.

9:04 A.M. ROLL CALL

Immediately prior to roll call, Council President Chavez clarified with City Attorney Sloan that public comment is required to be heard when an item remains on the agenda after agenda approval, but is subsequently continued.

Present: 7 - President Luis Chavez
Vice President Nelson Esparza
Councilmember Esmeralda Z. Soria
Council Member Mike Karbassi
Council Member Miguel Angel Arias
Councilmember Tyler Maxwell
Councilmember Garry Bredefeld

Invocation by Reza Nekumanesh with the Islamic Culture Center of Fresno

Pledge of Allegiance to the Flag

APPROVE AGENDA

City Clerk Stermer announced Councilmember Bredefeld would participate via Zoom and voting would occur by roll call. The City Clerk noted the following changes to the agenda: Consent Calendar item 1-A (ID 21-966), regarding approval of the minutes from December 2, 2021, had been removed the agenda and will be placed on the January 13, 2022 agenda; the title of the Resolution for Consent Calendar item 1-XX (ID 21-996), regarding the renaming of Hyde Park, had been changed to, "A Resolution of the Council of the City of Fresno renaming the property currently known as Hyde Park to be more accurately known as Florence Avenue Landfill, and removing its designation as a City Park"; the sponsors for General Administration item 3-A (ID 21-863), regarding the Fresno Veterans Memorial District Workshop, included both Council President Chavez and Councilmember Arias, and; Special Closed Session item (ID 21-1023), regarding a conference with real property negotiator regarding APN 507-030-48ST at Herndon and Brawley, was separately noticed and would be heard pursuant to Government Code Section 54956.8.

The City Clerk announced the following Consent Calendar items had been moved to the Contested Consent Calendar for discussion:

1-D (ID 21-1014) regarding the waste gas flare at the Fresno-Clovis Regional Wastewater Reclamation Facility - moved to Contested Consent by Councilmember Arias and to be heard after Closed Session item 5-B (ID 21-999) concerning existing litigation.

1-F (ID 21-958) regarding a requirements contract to Rehabilitate Public Water Supply Wells in North Quadrant - moved to Contested Consent by Councilmember Karbassi.

1-M (ID 21-1009) regarding the 41st Amendment to the Annual Appropriations Resolution appropriating \$1,935,600 under the General Fund to fund salary increases - moved to Contested Consent by Councilmember Arias.

1-U (ID 21-932) regarding the consultant services agreement between the City of Fresno and De Novo Planning Group - moved to Contested Consent by Councilmember Karbassi.

1-AA (ID 21-1017) regarding the Resolution to authorize application to and participation in the Homekey Program relating to Valley Inn, Parkway Inn and Tiny Homes - moved to Contested Consent by Councilmember Karbassi.

1-CC (ID 21-948) regarding the three year agreement with the County of Fresno to reserve five bed spaces in the Fresno County Jail - moved to Contested Consent by Councilmember Maxwell.

Following announcements, several changes were made from the dais.

Additional Consent Calendar to the Contested Consent Calendar for further discussion:

1-G (ID 21-940) regarding a cooperative purchase agreement for 11 Mack side loading refuse trucks - moved to Contested Consent by Councilmember

Arias.

1-L (ID 21-910) regarding the AMS.NET purchase of Cisco network switches, services, and support for a public safety switch upgrade - moved to Contested Consent by Councilmember Arias.

1-W (ID 21-1021) regarding the joint application to and participation in the Homekey Program - moved to Contested Consent by Arias.

1-BB (ID-21-904) regarding a grant application to the California Homeless Coordinating and Financing Council - moved to Contested Consent by Councilmember Arias.

1-DD (ID 21-965) regarding an agreement to purchase 300 Glock pistols, holsters and Streamlight TLR-7 - moved to Contested Consent by Councilmember Arias.

1-WW (ID 21-1006) regarding the California/Tupman Park Project - moved to Contested Consent by Councilmember Bredefeld.

1-XX (ID 21-996) regarding the renaming Hyde Park and removing its designation as a City park - moved to Contested Consent by Councilmember Karbassi.

1-ZZ (ID 21-973) regarding the agreement with Local Government Strategic Consulting, LLC. - moved to Contested Consent by Councilmember Bredefeld. This item was also amended by Councilmember Maxwell - to be good for six months followed by council review for an additional six months.

Councilmember Maxwell moved Consent Calendar item 1-FF (ID 21-942), regarding review and acceptance of FY 2021 Summary of Impact Fee Waivers, to the January 13, 2022 agenda. Direction was also given for this item to include a workshop on the types of programs established by the City.

Councilmember Soria announced that she had a conflict and would recuse herself from Consent Calendar item 1-VV (ID 21-1015) regarding items related Campus Pointe Development.

On motion of Council Member Arias, seconded by Vice President Esparza, the agenda was approved as amended. The motion carried by the following vote:

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

CEREMONIAL PRESENTATIONS

[ID 21-976](#) Proclamation for "Jenna Liston Day"

PRESENTED

COUNCILMEMBER REPORTS AND COMMENTS

Councilmember Soria announced 8.5 million dollars was received to build a park at Milburn Avenue and Dakota Avenue. She acknowledged citizens and city staff for their continued support for the park which had been promised 30 years ago. The Councilmember also discussed the 9th Annual District One Toy Drive.

Councilmember Arias requested a meeting with the City Manager regarding the insurance requirements imposed on Self Help Enterprises. He also extended an open invitation to a Christmas event on Saturday.

Councilmember Maxwell discussed the first annual toy drive for District 4 that would happen at Me N Ed's Victory Grill on December 16th.

Vice President Esparza announced Radio Park received more than 6 million dollars for improvements through a Proposition 68 grant. He also discussed the Santa's Workshop event planned for Saturday, December 18th, at the Manchester Center.

Council President Chavez acknowledged and thanked city employees, the administration and his District 5 team for their work over the past year.

MAYOR/MANAGER REPORTS AND COMMENTS

Mayor Dyer thanked city employees and the City Council for their work over the past year. He discussed the success of the San Joaquin River Beautify Fresno event and the Santa's Village event that were each held the previous Saturday. The Mayor also acknowledged the successes of the Keiser

Corporation which makes fitness equipment in Fresno. The equipment is utilized by the NFL, NBA and on college campuses and fitness clubs. Finally, Mayor Dyer thanked Council for the supporting the Office of Community Affairs.

City Manager Esqueda acknowledged the hard work of city staff and the City Council over the past year. He announced the January 2022 meetings would include discussions on utility rates, Rebuild Fresno and American Rescue Plan Act funds.

Assistant City Manager White announced the city had been experiencing issues with the online utility payment portal since the previous day. An announcement would be made via multiple platforms and late fees would be waived. Council President Chavez asked the administration to waive related late fees automatically.

UNSCHEDULED COMMUNICATION

Upon call for unscheduled communication and public comment on Consent Calendar, Contested Consent and closed session items, the following members of the public addressed Council: Sam Frank; Ministries Elizondo Sr.; Jalen Swank; Janine Nkosi; Sharrah Thompson; Christopher Washington; Mia Vasquez; Margaret Rusnak; Erika Lara; Briseyda Rivas; Adelaida Hernandez; Sonia Sanchez; Tim Moldonado; Pa Houa Lee; Josefa Vega; Ginny Barnes; Silvestre Gomez; Fabio Savavia; Alexandra Alverado; Jessica Flores; Jenett Porras; Jessica Mahoney; Dez Martinez; Martha Armaskely; Jessica Ramirez; Amber Crowell; Tracy Ward; Lance Kruse; Ericka Kruse; Cintia Quesada; Rain Chamberlain; Asante Nkosi; Jayla Thomas; Jimmy Haynia; Denise Rogers-Heydt; Harman Singh; Navjut Kavr; Matthew Jendian; Monserrath Sanchez; Eric Payne; Sophia Ruby; Aaron Foster; Rod Wade; Lisa Flores; Robert McCloskey; Jasmine Leiva; Juliana Morin; Ruben Espinoza; Ariel Rodriguez; Muay Saetern; Domanique Kitchener; Miguel Ambriz; Gabe Lozano; Brandi Nuse-Villegas; Nandeep Kaur; Kimberly McCoy, and; Ruben Lucero.

Council recessed for lunch at 12:01 P.M. and resumed at 1:35 P.M.

Upon resuming public comment, the following members of the public

addressed Council: Anastasia Deanda; Alexandros Acedo; Karla Martinez, and; Douglas McKinley.

Councilmember Maxwell informed unscheduled speaker Tracy Ward that his staff would meet with her to offer resources for her issue.

City Attorney Sloan announced Assistant City Attorney Camarena would be available in the rear of the Council Chamber to speak with people regarding rental or eviction issues.

Councilmember Karbassi informed unscheduled speaker Rod Wade that he would like to meet with him to offer resources.

1. CONSENT CALENDAR

APPROVAL OF THE CONSENT CALENDAR

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

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

- 1.-A.** [ID 21-966](#) Approval of the minutes for the December 2, 2021 Special Closed Session City Council Meeting and the December 2, 2021 Regular City Council Meeting.

The above item was moved to the January 13, 2022 agenda.

- 1.-B.** [ID 21-943](#) Approve the Second Amendment to the consultant services agreement with Carollo Engineers Inc., to extend the agreement term from December 17, 2021, to March 31, 2023, due to longer than expected railroad crossing permitting efforts for the North Avenue Sewer Trunk Main Realignment Project (Council Districts 3 & 5, and Fresno County)

adopted

- 1.-C.** [ID 21-962](#) Actions pertaining to the Renewable Natural Gas Diversion into Natural Gas Pipeline Project (Council District 3 and Fresno County):
1. Affirm City Manager's determination that Sterns, Conrad and Schmidt Consulting Engineers is uniquely qualified
 2. Award the Professional Engineering Services Agreement with Stearns,

Conrad and Schmidt Consulting Engineers for design, bidding and construction support, in the amount not to exceed \$222,758.64

adopted

- 1.-E. [ID 21-1016](#) ***BILL B-46- (Intro. 12/2/2021)(For Adoption) Amending Article 1 of Chapter 6 of the Fresno Municipal Code, relating to billing and collection procedures for municipal utilities (Subject to Mayor’s Veto).

ORDINANCE 2021-048 ADOPTED

adopted

- 1.-H. [ID 21-959](#) Approve the First Amendment to the professional consultant agreement with Intueor Consulting, Inc., to incorporate a radio system assessment into the Computer Aided Dispatch Automatic Vehicle Locator project for the Department of Transportation, Fresno Area Express in the amount of \$93,050, for a total contract value of \$480,113.68 and authorize the Director of Transportation or designee to execute all related documents. The original contract value approved by Council was \$387,063.68

adopted

- 1.-I. [ID 21-935](#) Actions Pertaining to Modification of Audit Requirement in Convention Center Management Contract:
1. Approve the First Amendment to the 2020 Convention Center Management Agreement between the City and ASM Global Fresno, LLC. removing the audit requirement for Fiscal Year 2021’s financial results.
 2. Accept correspondence from the City’s external auditor, Brown Armstrong, in which Brown Armstrong commits to a review of the Convention Center’s Fiscal Year 2021 financial results as part of their Annual Comprehensive Financial Report audit.

adopted

- 1.-J. [ID 21-953](#) Approve the Cisco FLEX agreement with AMS.Net in the amount of \$507,705.60 for four years with annual payments of \$126,926.40 for licensing, maintenance, and support of the City’s phone system in accordance with purchasing procedures from cooperative agreements as laid out in Administrative Order 3-1 and priced from a cooperative agreement, Merced County FOCUS Agreement 2021092 (FOCUS).

adopted

- 1.-K. [ID 21-909](#) Approve the renewal of Cisco Security Enterprise Agreement with AMS.Net in the amount of \$1,766,696.40 for a five-year agreement in accordance with purchasing procedures from cooperative agreements as

laid out in Administrative Order 3-1 and priced from a cooperative agreement, Merced County FOCUS Agreement 2021092 (FOCUS).

adopted

- 1.-N. [ID 21-849](#) Actions pertaining to the International Brotherhood of Electrical Workers (IBEW) Local 100 for Unit 7, Non-Supervisory Groups and Crafts for Unit 7 :
1. ***Adopt a successor Memorandum of Understanding between the City of Fresno and International Brotherhood of Electrical Workers (IBEW) Local 100 for Unit 7, Non-Supervisory Groups and Crafts (Subject to Mayor's Veto).
 2. ***RESOLUTION: Adopt the 4th Amendment to FY 2022 Salary Resolution No. 2021-176, amending Exhibit 7, Unit 7 - Non-Supervisory Groups and Crafts (IBEW), to provide a salary increase for respective classes as required by the Memorandum of Understanding between the City of Fresno and International Brotherhood of Electrical Workers (IBEW) Local 100 (Subject to Mayor's Veto).

RESOLUTION 2021-310 ADOPTED

adopted

- 1.-O. [ID 21-850](#) Actions pertaining to the City of Fresno Professional Employees Association for Unit 13
1. ***Adopt a successor Memorandum of Understanding between the City of Fresno and City of Fresno Professional Employees Association, Inc. (CFPEA), Exempt Supervisory and Professional and Non-Exempt Professional, Unit 13 **(Subject to Mayor's Veto)**
 2. ***RESOLUTION: Adopt the 5th Amendment to FY 2022 Salary Resolution No. 2021-176, amending Exhibit 13-1, Exempt Supervisory and Professional (CFPEA), and Exhibit 13-2, Non-Exempt Professional (CFPEA), to provide a salary increase for respective classes as required by the Memorandum of Understanding between the City of Fresno and City of Fresno Professional Employees Association, Inc. (CFPEA), **(Subject to Mayor's veto)**

RESOLUTION 2021-311 ADOPTED

adopted

- 1.-P. [ID 21-854](#) Actions pertaining to the Fresno City Employees Association for Unit 3:
1. ***Adopt a successor Memorandum of Understanding between the City of Fresno and Fresno City Employees Association (FCEA), Non-Supervisory White Collar, Unit 3 (Subject to Mayor's Veto).
 2. ***RESOLUTION: Adopt the 6th Amendment to FY 2022 Salary

Resolution No. 2021-176, amending Exhibit 3, Non-Supervisory White Collar (FCEA), to provide a salary increase for respective classes as required by the Memorandum of Understanding between the City of Fresno and Fresno City Employees Association (FCEA) (Subject to Mayor's Veto).

RESOLUTION 2021-312 ADOPTED

adopted

- 1.-Q.** [ID 21-855](#) Actions pertaining to the International Association of Fire Fighters (IAFF), Local 202 for Unit 5:
1. ***Adopt a successor Memorandum of Understanding between the City of Fresno and International Association of Fire Fighters (IAFF), Local 202 for Unit 5 (Subject to Mayor's Veto).
 2. ***RESOLUTION: Adopt the 7th Amendment to FY 2022 Salary Resolution No. 2021-176, amending Exhibit 5, Fire-Non Management (IAFF), to provide a salary increase for respective classes as required by the Memorandum of Understanding between the City of Fresno and International Association of Fire Fighters (IAFF), Local 202 (Subject to Mayor's Veto).

RESOLUTION 2021-313 ADOPTED

adopted

- 1.-R.** [ID 21-856](#) Actions pertaining to the International Association of Fire Fighters (IAFF), Local 202 for Unit 10:
1. ***Adopt a successor Memorandum of Understanding between the City of Fresno and International Association of Fire Fighters (IAFF), Local 202 for Unit 10 (Subject to Mayor's Veto).
 2. ***RESOLUTION: Adopt the 8th Amendment to FY 2022 Salary Resolution No. 2021-176, amending Exhibit 10, Fire Management (IAFF), to provide a salary increase for respective classes as required by the Memorandum of Understanding between the City of Fresno and International Association of Fire Fighters (IAFF), Local 202 (Subject to Mayor's Veto).

RESOLUTION 2021-314 ADOPTED

adopted

- 1.-S.** [ID 21-993](#) Actions pertaining to the acquisition of 959 N. Parkway Drive (APN 449-324-11) (District 3):
1. Adopt a finding that of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) guidelines.
 2. Approve Assignment of Purchase and Sale Agreement from the Fresno

Housing Authority in the amount not to exceed of \$3,234,000.

- 3. Approve an Option Agreement for 959 N. Parkway Drive (APN 449-324-11) with the Fresno Housing Authority for \$1,000.

adopted

- 1.-T. [ID 21-830](#) Approve a First Amendment to the Agreement with Turning Point of Central California, Inc., for triage center services provided under the Homeless Housing, Assistance, and Prevention (HHAP) program at the Journey Home Triage Center to extend the term of the agreement through December 31, 2022, with no increase in the contract amount.

adopted

- 1.-V. [ID 21-922](#) Approve the 4th Amendment to the Consultant Services Agreement with Raimi + Associates for professional services related to the Central Southeast Specific Plan to extend the contract term length to December 31, 2022, and to increase by \$37,008, for a total contract amount of \$587,008.

adopted

- 1.-X. [ID 21-1018](#) ***BILL B-47 (Intro. 12/2/2021) (For Adoption) - Approving the Development Agreement by and between the City of Fresno and Fagundes Bros. Dairy, pertaining to the Oasis Master Plan Area, which consists of Vesting Tentative Tract Map Nos. 5456, 5463, 6183, and 6184, situated on the east and west side of South Valentine Avenue, north of West Madison Avenue (Subject to Mayor’s Veto).

ORDINANCE 2021-049 ADOPTED

adopted

- 1.-Y. [ID 21-1019](#) ***BILL B-48 (Intro. 12/2/2021) (For Adoption) - Amending Section 15-2706 to the Fresno Municipal Code, relating to the use regulations for alcohol sales Subject to Mayor’s Veto).

ORDINANCE 2021-050 ADOPTED

adopted

- 1.-Z. [ID 21-954](#) ***RESOLUTION - Authorizing application to and participation in the Homekey Program to sustain and rapidly expand housing for persons experiencing homelessness or at risk of homelessness, and who are, thereby, inherently impacted by or at increased risk for medical diseases or conditions due to the COVID-19 pandemic (Villa Motel and Ambassador Inn & Suites). (Subject to Mayor’s Veto).

*RESOLUTION 2021-316 ADOPTED***adopted**

- 1.-EE. [ID 21-914](#) Annual Review and Acceptance of the FY 2021 Impact Fee Annual Report as Required By California Government Code.

adopted

- 1.-FF. [ID 21-942](#) Annual Review and Acceptance of the FY 2021 Summary of Impact Fee Waivers.

The above item was moved to the January 13, 2022 agenda by Councilmember Maxwell with direction to include a workshop on the types of programs established by the city.

- 1.-GG. [ID 21-916](#) Approve Contract Change Order No. 04 in the amount of \$45,000 to Euro Style Management for the Rehabilitation of Digester 8 at the Fresno/Clovis Regional Wastewater Reclamation Facility (Council District 3).

adopted

- 1.-HH. [ID 21-941](#) Approve an agreement for professional engineering services with Sherwood Design Engineers, Inc., of Santa Cruz, California for \$144,923, with a \$10,000 contingency, for design and construction support services for the Southwest Fresno Trail Project (Council District 3)

adopted

- 1.-II. [ID 21-932](#) Actions pertaining to the Rebid Barstow Avenue and Palm Avenue Traffic Signal Project - Bid File No. 3827 (Council District 2):
1. Adopt a finding of Categorical Exemption per staff's determination, pursuant to Sections 15301, 15302, and 15303 of the California Environmental Quality Act (CEQA) guidelines.
 2. ***RESOLUTION - 32nd Amendment to the Annual Appropriation Resolution (AAR) No. 2021-178 appropriating \$737,400 for the Barstow Avenue and Palm Avenue Traffic Signal Project (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)
 3. Award a construction contract in the amount of \$699,308 to American Paving Company of Fresno, California.

*RESOLUTION 2021-319 ADOPTED***adopted**

- 1.-JJ. [ID 21-917](#) Actions pertaining to Final Map of Tract No. 6300:
1. RESOLUTION - Approving the Final Map of Tract No. 6300, of Vesting

Tentative Tract Map No. 6300, and accepting dedicated public uses offered therein except for dedications offered subject to City acceptance of developer installed required improvements, to the northeast of the intersection of East Copper and North Maple Avenues, within the Copper River Ranch planned community (Council District 6).

RESOLUTION 2021-320 ADOPTED

adopted

- 1.-KK. [ID 21-937](#) Actions pertaining to Resolution of Intention No. 1144-D to vacate East Townsend Avenue, South Garden Avenue, and East Heaton Avenue, lying west of South Winery Avenue in Tract Number 1552 - Campus Homesites (Council District 5):
 - 1. Adopt Initial Study and a Negative Declaration finding per staff determination, pursuant to California Environmental Quality Act (CEQA) Guidelines §15070
 - 2. Adopt Resolution of Intention No. 1144-D to vacate East Townsend Avenue, South Garden Avenue, and East Heaton Avenue, lying west of South Winery Avenue in Tract Number 1552 - Campus Homesites.

RESOLUTION OF INTENT 1144-D ADOPTED

adopted

- 1.-LL. [ID 21-919](#) Actions pertaining to Final Map of Tract No. 6266:
 - 1. RESOLUTION - Approving the Final Map of Tract No. 6266, of Vesting Tentative Tract Map No. 6266, and accepting dedicated public uses offered therein except for dedications offered subject to City acceptance of developer installed required improvements - northeast corner of Ashlan and Hayes (Council District 1).

RESOLUTION 2021-321 ADOPTED

adopted

- 1. [ID 21-926](#) Actions pertaining to the River West Eaton Trail Extension Planning Project (Council District 2):
 - 1. ***RESOLUTION - Approving the application for grant funds from the Wildlife Conservation Board and authorizing execution of grant related documents for the River West Eaton Trail Extension Planning Project (Subject to Mayor's Veto).
 - 2. ***RESOLUTION - Adopting the 34th amendment to the Annual Appropriation Resolution (AAR) No. 2021-178 appropriating \$65,500 for the River West Eaton Trail Extension Planning (Requires 5 Affirmative Votes) (Subject to Mayor's Veto).
- MM.

RESOLUTION 2021-322 ADOPTED

RESOLUTION 2021-323 ADOPTED

adopted

- 1.-NN.** [ID 21-902](#) Actions pertaining to Peach Avenue and McKenzie Trail High Intensity Activated Crosswalk (HAWK) Project - Bid File 3792 (Council District 7):
1. Adopt a finding of Categorical Exemption per staff's determination pursuant to Section 15301 and Section 15303 of the California Environmental Quality Act Guidelines.
 2. Award a construction contract in the amount of \$209,009 to PTM General Engineering Services, Inc., of Riverside, CA.

adopted

- 1.-OO.** [ID 21-931](#) Actions pertaining to provision of Certified Access Specialist training and mentoring services:
1. Approve an agreement with California Certified Accessibility Specialists, Inc., in the amount of \$65,000 for Certified Access Specialist training and mentoring services.
 2. Approve an agreement with SZS Engineering Access, Inc., in the amount of \$49,980 for Certified Access Specialist mentoring and incidental services.

adopted

- 1.-PP.** [ID 21-968](#) Actions pertaining to the acquisition of a 7,600 square foot building on a 1.95-acre parcel located at 3315 W. Ashlan Avenue (APN: 433-391-30) to serve as a permanent facility for Fire Station 12 (Council District 1):
1. ***RESOLUTION Adopting the 36th Amendment to the Annual Appropriation Resolution No. 2021-178 to appropriate \$2,361,700 for the purchase of property located at 3315 West Ashlan Avenue, Fresno, California, and design of construction documents for permanent Fire Station 12 (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)
 2. Adopt a finding of Categorical Exemption pursuant to section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA)
 3. Approve a Purchase and Sale Agreement with Rajinder Singh Sungu for \$1,450,000

RESOLUTION 2021-324 ADOPTED

adopted

- 1.-QQ.** [ID 21-928](#) Actions pertaining to the Hinton Park Field Lighting Addition (Bid File 3824) (Council District 3)
1. Adopt finding of a Categorical Exemption pursuant to Sections 15301

and Section 15303 of the California Environmental Quality Act Guidelines

- 2. Award a construction contract with CINC 818, Inc., dba C2 Electrical of Fresno, CA, for \$157,765

adopted

- 1.-RR. [ID 21-975](#) Actions pertaining to a Donation Agreement for property located at 770 East Shaw Avenue (APN 418-091-12), south of the intersection of East Keats Avenue and North Sherman Avenue (Council District 4):
 - 1. Adopt a finding of Categorical Exemption pursuant to Sections 15304 and 15316 of the California Environmental Quality Act (CEQA) Guidelines
 - 2. Approve an Agreement for Donation of Property for 14,825 square feet of property for public park purposes

adopted

- 1.-SS. [ID 21-918](#) RESOLUTION - Approving the Final Map of Tract No. 6333 located on the northwest corner of East Alhambra and North Van Ness Avenues (Council District 3).

RESOLUTION 2021-325 ADOPTED

adopted

- 1.-TT. [ID 21-967](#) ***RESOLUTION - Adopt the 9th Amendment to FY 2022 Salary Resolution No. 2021-176, amending Exhibit 14, Unit 14, Management Classes (CFMEA) to reclassify the salary step range for the Assistant City Clerk to an "A" step of \$6,584 to an "I" step of \$8,021. (Subject to Mayor's Veto).

RESOLUTION 2021-326 ADOPTED

adopted

- 1.-UU. [ID 21-1012](#) ***RESOLUTION - Adopt the 10th Amendment to FY 2022 Salary Resolution No. 2021-176, amending "Exhibit 8, Unit 8, Non-Represented effective January 1, 2022," to adjust the salary range for the Services Aide position from \$15.00 - \$17.00 per hour to \$15.00 - \$19.00 per hour. (Subject to Mayor's Veto).

RESOLUTION 2021-327 ADOPTED

adopted

- 1.-VV. [ID 21-1015](#) Items related to Campus Pointe development:
 - 1. Approve Implementation Agreement modifying 2007 Settlement Agreement with Kashian Enterprises, L.P.

Councilmember Soria recused herself from the above Consent Calendar item. PASSED 6-0

adopted

- 1.-YY. [ID 21-997](#) Actions pertaining to the expansion of the Abatement Team in the City Attorney's Office, Division of Code Enforcement:
1. ***RESOLUTION - Adopting the 3rd Amendment to the Position Authorization Resolution (PAR) No. 2021-179, adding six new Laborer positions in the City Attorney's Office for the Code Enforcement Abatement Team (subject to Mayor's veto).
 2. ***RESOLUTION - Adopting the 39th Amendment to the Annual Appropriation Resolution (AAR) No. 2021-178 to appropriate \$420,000 from the Council Projects fund of the City Attorney's Office budget for the City Attorney's Office abatement team personnel, equipment, and operating expenses for FY22 (requires 5 affirmative votes) (subject to Mayor's veto).

RESOLUTION 2021-331 ADOPTED

RESOLUTION 2021-332 ADOPTED

adopted

1. [ID 21-839](#) RESOLUTION - amending certain designated positions which shall be subject to the Conflict of Interest Code and defining categories of disclosures for such positions
- AAA.

RESOLUTION 2021-334 ADOPTED

SUCCESSOR AGENCY RESOLUTION 48 ADOPTED

adopted

CONTESTED CONSENT CALENDAR

- 1.-D. [ID 21-1014](#) Actions pertaining to the waste gas flare at the Fresno-Clovis Regional Wastewater Reclamation Facility (Bid File No. 3750) (District 3):
1. Award a construction contract to W.M. Lyles Co., in the amount of \$6,395,900 for construction of Waste Gas Flare Improvements
 2. Approve the Second Amendment to the consultant services agreement with Carollo Engineers, Inc., to extend the term of the contract from March 31, 2022, to January 31, 2023, for professional engineering services during construction

The above item was considered by Council following Closed Session item 5-B (ID 21-999) regarding existing litigation. There was no discussion.

APPROVED

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

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

Absent: 1 - Bredefeld

- 1.-F. [ID 21-958](#) Actions pertaining to a requirements contract to Rehabilitate Public Water Supply Wells in North Quadrant (Bid File 9617) (Districts 2 & 6):
1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines for the rehabilitations of public water supply wells No. 98, 128, 130, 176, 185, 186, and 187.
 2. Award a requirements contract to Zim Industries, Inc., for a term of one year in the amount not to exceed \$825,680 per year, with provision for up to two one-year extensions.

Public Utilities Assistant Director Buche introduced the above item to Council.

Councilmember Karbassi requested locations of the wells listed as part of the first round of work.

APPROVED

- 1.-G. [ID 21-940](#) Approve the award of a cooperative purchase agreement with Ruckstell Sales of Fresno, California, for the purchase of 11 Mack model LR 64R side loading refuse trucks in the amount of \$4,718,065 for the Department of Public Utilities Solid Waste Management Division. Due to pandemic related supply constraints and global material shortages, price quote is valid through December 10, 2021.

Public Utilities Director Carbajal introduced the above item to Council. Transportation Assistant Director Barr and City Manager Esqueda also addressed Council on this item.

Discussion on this item included the funding source and the short time period the price would be valid.

APPROVED

On motion of Council Member Arias, seconded by Councilmember Soria, that the above Action Item be approved. The motion carried by

the following vote:

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

- 1.-L. [ID 21-910](#) Approve the purchase from AMS.NET of Cisco network switches, services, and support for a public safety switch upgrade in the amount of \$299,811.25. This purchase is made in accordance with purchasing procedures from cooperative agreements as laid out in Administrative Order 3-1 and priced from a cooperative agreement, Merced County FOCUS Agreement 2021092 (FOCUS).

There was no discussion for the above item.

APPROVED

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

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

- 1.-M. [ID 21-1009](#) ***RESOLUTION - 41st Amendment to the Annual Appropriations Resolution (AAR) No. 2021-178 appropriating \$1,935,600 under the General Fund that will fund salary increases for Bargaining Units 03 (FCEA), 05 (IAFF Basic), 07 (IBEW), 10 (IAFF Management) and 13 (CFPEA) (Requires 5 Affirmative Votes) (Subject to Mayor's Veto).

Councilmember Arias asked the administration to provide an assessment regarding the number of retirees that worked during the pandemic and may have been left out of the retroactive increases for that time.

RESOLUTION 2021-309 ADOPTED

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

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

- 1.-U. [ID 21-923](#) Approve the Second Amendment to the consultant services agreement between the City of Fresno and De Novo Planning Group, regarding land use, planning and environmental services for the West Area Neighborhoods Specific Plan and Environmental Impact Report, extending

the contract performance period to December 31, 2022, with no additional funding required.

Planning and Development Manager Pagoulatos addressed Council concerns that delays could cause overlap with the General Plan and undermine the will of the people working on the West Area Neighborhoods Specific Plan.

APPROVED

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

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

- 1.-W.** [ID 21-1021](#) ***RESOLUTION - Authorizing joint application to and participation in the HomeKey Program to sustain and rapidly expand housing for youth experiencing homelessness or at risk of homelessness, and who are, thereby, inherently impacted by or at increased risk for medical diseases or conditions due to the COVID-19 pandemic. (Subject to Mayor's Veto).

Planning and Development Assistant Director Skei introduced the above item to Council. Mayor Dyer and City Manager Esqueda also addressed Council on this item.

For the record, Councilmember Arias clarified with staff that the second round of HomeKey funding was for public entities but UPholdings, LLC was a joint applicant to help meet the city's affordable housing goals.

Jessica Berzac, President of UPholdings, LLC, made a presentation to Council and answered questions. Natalie Chavez, Coordinator with Fresno City College, also answered questions for Council via Zoom.

RESOLUTION 2021-315 ADOPTED

On motion of Councilmember Soria, seconded by Council Member Karbassi, that the above Resolution be approved. The motion carried by the following vote:

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

1.-AA. [ID 21-1017](#)

***RESOLUTION - Authorizing application to and participation in the Homekey Program to sustain and rapidly expand housing for persons experiencing homelessness or at risk of homelessness, and who are, thereby, inherently impacted by or at increased risk for medical diseases or conditions due to the COVID-19 pandemic (Valley Inn, Parkway Inn, Tiny Homes). (Subject to Mayor's Veto).

Planning and Development Assistant Director Skei introduced the above item to Council. Mayor Dyer and City Manager Esqueda also addressed Council on this item.

Discussion on this item included the location, ownership and control of the tiny homes.

Councilmember Soria motioned to approve the item with direction for staff to work with the Housing Committee to flush out the tiny home model.

Councilmember Karbassi seconded the motion.

RESOLUTION 2021-317 ADOPTED

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

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

1.-BB. [ID 21-904](#)

***RESOLUTION - Authorizing a grant application to the California Homeless Coordinating and Financing Council (HCFC) for funding under the Encampment Resolution Funding Program for local demonstration projects that provide services to address the immediate crisis of experiencing unsheltered homelessness in encampments, to support people living in encampments onto paths to safe and stable housing and result in sustainable restoration of public spaces to the intended uses while safeguarding the needs of unhoused people seeking shelter and authorizing the City Manager to sign all required implementing documents (Subject to Mayor's Veto).

Housing and Homeless Initiatives Director Spees introduced the above item to Council. Mayor Dyer, City Manager Esqueda and City Attorney Sloan also addressed Council on this item.

Discussion on this item included: police involvement; available crisis intervention and homelessness models; current homeless response processes and timelines; private versus public property issues; program partners, and; the need for additional details.

Councilmember Arias requested the administration present it's workshop on the program before roll out.

As part of his motion, Council President Chavez included direction to move the item to the Homeless Committee before submission.

RESOLUTION 2021-318 ADOPTED

On motion of President Chavez, seconded by Council Member Arias, that the above Resolution be approved. The motion carried by the following vote:

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

- 1.-CC. [ID 21-948](#)** Approve a three -year agreement, with an option to extend for two additional years, with the County of Fresno to reserve five bed spaces in the Fresno County Jail for the purpose of housing Fresno Police Department Arrestees, at a rate of \$650.00 per day for years one through three and \$670.00 per day for years four and five, for a total amount not to exceed \$1,161,200 (Years 1 - 5).

Police Chief Balderrama introduced the above item to Council. Mayor Dyer also addressed Council on this item.

Discussion on this item included: the agreement rates; how the city uses the jail beds; reasons behind jail releases; communication with the Sheriff; pro-rating empty beds; the possibility for a city facility; the option to add Police Officers as opposed to reserving jail beds.

APPROVED

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

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

No: 2 - Soria and Arias

- 1.-DD. [ID 21-965](#) Approve an Agreement between the City of Fresno and ProForce to purchase 300 Glock pistols, holsters, and Streamlight TLR-7 in the amount of \$217,838.55.

Police Chief Balderrama introduced the above item to Council.

APPROVED

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

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

1. [ID 21-1006](#) Actions pertaining to California/Tupman Park project:
-WW.
1. ***RESOLUTION - Reclassifying the California/Tupman Park improvement project to be funded with General Fund rather than CDBG, due to delay created by requirements of CDBG process (Subject to Veto)
 2. ***RESOLUTION - __ Amendment to the Annual Appropriations Resolution (AAR) No. 2021-178 appropriating \$_____ of Parks General Fund revenue to reimburse CDBG funds paid and fully fund the improvement project at the California/Tupman Park (Requires 5 Votes)(Subject to Veto).

Councilmember Arias introduced the above item to Council.

RESOLUTION 2021-328 ADOPTED

RESOLUTION 2021-329 ADOPTED

On motion of Council Member Arias, seconded by President Chavez, that the above Action Item be approved. The motion carried by the following vote:

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

- 1.-XX. [ID 21-996](#) ***RESOLUTION - Renaming the property currently known as Hyde Park to be more accurately known as Hyde Landfill and removing its designation as a City park (Subject to Mayor's Veto).

There was no staff presentation on this item.

During approval of the agenda, the City Clerk announced the title of the resolution had been changed to, "A Resolution of the Council of the City of Fresno renaming the property currently known as Hyde Park to be more accurately known as Florence Avenue Landfill, and removing its designation as a City Park."

As a technical correction, Councilmember Arias announced the site would be know as the "Florence Avenue Site."

RESOLUTION 2021-330 ADOPTED

On motion of Council Member Karbassi, seconded by President Chavez, that the above Action Item be approved. The motion carried by the following vote:

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

Councilmember Arias exited the Council Chamber at 3:58 p.m. and returned at 4:00 p.m.

- 1.-ZZ. [ID 21-973](#)** Actions pertaining to the agreement with Local Government Strategic Consulting, LLC.:
1. Approve an agreement with Local Government Strategic Consulting, LLC., for public affairs, strategic communications, and public relations services for an amount not to exceed \$145,000; and
 2. ***RESOLUTION - Adopting the 42nd amendment to the Annual Appropriation Resolution (AAR) No. 2021-178 appropriating \$145,000 from the City Attorney's Office budget, Council Projects, for the Local Government Strategic Consulting, LLC., contract (Requires 5 Votes)(Subject to Veto).

City Manager Esqueda responded to questions regarding the possibility that city staff had the technical expertise and capacity to perform the duties in the agreement.

RESOLUTION 2021-333 ADOPTED

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

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

Absent: 1 - Arias

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:00 A.M. #1

[ID 21-886](#) Appearance by Matthew Gillian to Discuss Services of Inspiration Transportation

Mr. Gillian appeared and made his presentation to Council.

10:00 A.M. #2

[ID 21-944](#) **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. 53 (the Adjusted Parcel B of Lot Line Adjustment No. 2020-15, DSS Campus West Dakota Avenue HAWK Traffic Signal) (southeast corner of West Dakota Avenue and East Airways Boulevard) (Council District 4).

1. ***RESOLUTION - to Annex Territory to Community Facilities District No. 9 and Authorizing the Levy of a Special Tax for Annexation No. 53 (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 2021-2022 and Future Tax Years Within and Relating to Community Facilities District No. 9, Annexation No. 53 (Subject to Mayor's Veto)

The above hearing was called to order at 4:05 P.M. and there was no staff presentation.

Upon call, there was no public comment.

RESOLUTION 2021-335 ADOPTED

RESOLUTION 2021-336 ADOPTED

RESOLUTION 2021-337 ADOPTED

BILL 50 / ORDINANCE 2021-051 INTRODUCED AND ADOPTED

On motion of Councilmember Maxwell, seconded by Councilmember

Soria, that the above Action Item be approved. The motion carried by the following vote:

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

10:05 A.M.

[ID 21-960](#)

HEARING to consider Plan Amendment and Rezone Application No. P21-01875, Vesting Tentative Tract Map Nos. 6238 and 6246, and Final Subsequent Environmental Impact Report (FSEIR) State Clearinghouse (SCH) No. 2000021003 relative to property generally located between North Friant Road, East Copper Avenue, North Willow Avenue and the East Silaxo Road (Council District 6) - Planning and Development Department.

1. **REVIEW AND CONSIDER** Final SEIR SCH No. 2000021003, apply the Council's independent judgment and analysis to the review, and then adopt the resolution certifying the FSEIR, as having been completed in compliance with the California Environmental Quality Act (CEQA) based on the Planning Commission's recommendations on the proposed Final SEIR and comments thereon; and,
 - a. ADOPT Findings of Fact as required by Public Resources Code Section 21082(a) and CEQA Guidelines, Section 15091; and,
 - b. ADOPT the Statement of Overriding Considerations as required by Public Resources Code, Section 21081(b) and CEQA Guidelines, Section 15093; and
 - c. APPROVE the Mitigation Monitoring and Reporting Program as required by Public Resources Code Section 21081.6 and CEQA Guidelines Section 15092; and,

2. **RESOLUTION** - Approving Plan Amendment Application No. P21-01875 proposing to amend the Fresno General Plan from the Medium Density Residential (\pm 35.59 acres) planned land use designation to the Low Density Residential (\pm 35.59 acres), Medium High Density Residential (\pm 0.93 acres) planned land use designation to the Urban Neighborhood (\pm 0.93 acres), Medium High Density Residential (\pm 7.23 acres) planned land use designation to Medium Density Residential (\pm 7.23 acres), Medium High Density Residential (\pm 0.79 acres) planned land use designation to Medium Low Density Residential (\pm 0.79 acres), Medium High Density Residential (\pm 2.68 acres) planned land use designation to Community Commercial (\pm 2.68 acres), Golf Course (\pm 2.07 acres) planned land use designation to Medium Low Density Residential (\pm 2.07 acres), Community Commercial (\pm 1.17 acres) planned land use designation to Low

Density Residential (\pm 1.17 acres), Community Commercial (\pm 8.17 acres) planned land use designation to Urban Neighborhood (\pm 8.17 acres), Community Commercial (\pm 2.68 acres) planned land use designation to Medium Low Density Residential (\pm 2.68 acres), General Commercial (\pm 4.53 acres) planned land use designation to Low Density Residential (\pm 4.53 acres).

3. **BILL** (for introduction and adoption) - Rezone Application No. P21-01875 proposing to amend the Official Zone Map to reclassify: \pm 35.59 acres of property from the RS-5/UGM/cz (Single Family Residential, Medium Density/Urban Growth Management/conditions of zoning) zone district to RS-3/UGM/cz (Single-Family Residential, Low Density/Urban Growth Management/conditions of zoning) zone district, \pm 0.93 acres of property from the RM-1/UGM/cz (Multi-Family Residential, Medium High Density/Urban Growth Management/conditions of zoning) zone district to RM-2/UGM/cz (Multi-Family Residential, Urban Neighborhood/Urban Growth Management/conditions of zoning) zone district, \pm 7.23 acres of property from the RM-1/UGM/cz (Multi Family Residential, Medium High Density/Urban Growth Management/conditions of zoning) zone district to RS-5/UGM/cz (Single Family Residential, Medium Density/Urban Growth Management/conditions of zoning) zone district, \pm 0.79 acre of property from the RM-1/UGM/cz (Multi Family Residential, Medium High Density/Urban Growth Management/conditions of zoning) zone district to RS-4/UGM/cz (Single Family Residential, Medium Low Density/Urban Growth Management/conditions of zoning) zone district, \pm 2.68 acres of property from the RM-1/UGM/cz (Multi-Family Residential, Medium High Density/Urban Growth Management/conditions of zoning) zone district to CC/UGM/cz (Community Commercial/Urban Growth Management/conditions of zoning) zone district, \pm 2.07 acres of property from the PR/UGM/cz (Parks and Recreation/Urban Growth Management/conditions of zoning) zone district to RS-4/UGM/cz (Single Family Residential, Medium Low Density/Urban Growth Management/conditions of zoning) zone district, \pm 1.17 acres of property from the CC/UGM/cz (Community Commercial/Urban Growth Management/conditions of zoning) zone district to RS-3/UGM/cz (Single Family Residential, Low Density/Urban Growth Management/conditions of zoning) zone district, \pm 8.17 acres of property from the CC/UGM/cz (Community Commercial/Urban Growth Management/conditions of zoning) zone district to RM-2/UGM/cz (Multi-Family Residential, Urban Neighborhood/Urban Growth Management/conditions of zoning) zone district, \pm 2.68 acres of property from the CC/UGM/cz (Community Commercial/Urban Growth

Management/conditions of zoning) zone district to RS-4/UGM/cz (Single Family Residential, Medium Low Density /Urban Growth Management/conditions of zoning) zone district, and ± 4.53 acres of property from the GC/UGM/cz (General Commercial/Urban Growth Management/conditions of zoning) zone district to RS-3/UGM/cz (Single Family Residential, Low Density /Urban Growth Management/conditions of zoning) zone district.

4. **ADOPT** findings pursuant to Government Code Section 65863(b)(2) that there is substantial evidence in the record that remaining sites identified in the Housing Element can accommodate the City of Fresno's share of the Regional Housing Needs Assessment (RHNA).
5. **APPROVE** Vesting Tentative Tract Map No. 6238/UGM which requests authorization to subdivide approximately 14.01 acres of property for purposes of creating a 47-lot single family residential planned development subdivision located near the southeast corner of North Alicante Drive and North Crest View Drive subject to compliance with the Conditions of Approval dated November 17, 2021.
6. **APPROVE** Planned Development No. P21-02863 subject to compliance with the Conditions of Approval dated November 17, 2021.
7. **APPROVE** Vesting Tentative Tract Map No. 6246/UGM which requests authorization to subdivide approximately 41.58 acres of property for purposes of creating a 144-lot single family residential subdivision near the northeast corner of North Alicante Drive and North Crest View Drive subject to compliance with the Conditions of Approval dated November 17, 2021.
8. **APPROVE** Indemnification Agreement with CRD EAST, Inc., a California Corporation for indemnity related to claims arising from SEIR SCH# 2000021003 and related land use approvals.

The above hearing was called to order at 4:07 P.M.

Planning and Development Supervising Planner Trejo introduced this item to Council.

Upon call, the following members of the public addressed Council: Jeff Roberts on behalf of the applicant, and; Gary McDonald on behalf of the applicant.

Council discussed project density with staff and with the applicant representative.

RESOLUTION 2021-338 ADOPTED

RESOLUTION 2021-339 ADOPTED

BILL B-51 / ORDINANCE 2021-052 INTRODUCED AND ADOPTED

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

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

10:10 A.M. #1

[ID 21-945](#)

HEARING to consider Plan Amendment and Rezone Application No. P19-00417 and the Addendum to Final Environmental Impact Report (EIR) State Clearinghouse (SCH) No. 2020039061 for the proposed "Parc West" development on the northwest corner of North Grantland and West Ashlan Avenues. (Council District 1) - Planning and Development Department

1. **ADOPT** the Addendum to Final Environmental Impact Report SCH No. 2020039061 dated September 28, 2021, for the proposed project pursuant to the California Environmental Quality Act (CEQA).
2. **RESOLUTION** - Approving Plan Amendment Application No. P19-00417 proposing to amend the Fresno General Plan from the Community Commercial (±7.33 acres) planned land use designation to the Medium Density Residential (±7.33 acres) planned land use designation.
3. **BILL** (for introduction and adoption) - Approving Rezone Application No. P19-00417 proposing to amend the Official Zone Map to reclassify an ±7.33-acre portion of the subject property from the CC/UGM/cz (*Commercial - Community/Urban Growth Management/conditions of zoning*) zone district to the RS-5/UGM/cz (*Single Family Residential, Medium Density/Urban Growth Management/conditions of zoning*) zone district.

The above hearing was called to order at 4:16 P.M. and there was no staff presentation.

Upon call, the following members of the public addressed Council concerning this item: Jeff Roberts for the applicant, and; Lisa Flores.

RESOLUTION 2021-340 ADOPTED

BILL B-52 / ORDINANCE 2021-053 INTRODUCED AND ADOPTED

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

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

Councilmember Soria exited the Council Chamber at 4:21 P.M. and returned at 4:24 P.M.

10:10 A.M. #2

[ID 21-946](#)

HEARING to consider Plan Amendment and Rezone Application No. P21-01202 and related Environmental Assessment No. P21-01202, for property located on the east side of North Fowler Avenue between East Shields and East Princeton Avenues (Council District 4) - Planning and Development Department.

1. **ADOPT** the Negative Declaration as prepared for Environmental Assessment No. P21-01202 dated July 23, 2021, for the proposed project pursuant to the California Environmental Quality Act (CEQA).
2. **RESOLUTION** - Approving Plan Amendment Application No. P21-01202 proposing to amend the Fresno General Plan to change the planned land use designation for the subject property from Employment - Business Park (±7.94 acres) to Medium Density Residential (±7.94 acres).
3. **BILL** (for introduction and adoption) - Approving Rezone Application No. P21-01202 proposing to amend the Official Zoning Map of the City of Fresno to rezone the subject property from the BP/UGM/cz (*Business Park/Urban Growth Management/conditions of zoning*) zone district to the RS-5 (*Single Family Residential, Medium Density*) zone district in accordance with Plan Amendment Application No. P21-01202.

The above hearing was called to order at 4:20 P.M.

Supervising Planner Trejo spoke briefly on this item.

Upon call, the following member of the public spoke on this item: Jeff

Roberts, for the applicant.

RESOLUTION 2021-341 ADOPTED

BILL B-53 / ORDINANCE 2021-54 INTRODUCED AND ADOPTED

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

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

Absent: 1 - Soria

10:15 A.M.

[ID 21-936](#)

Actions pertaining to adoption of the new definition of highest-need neighborhoods as it pertains to the Fresno Clean and Safe Neighborhoods Parks Transactions and Use Tax, also known as Measure P (Citywide):

1. Adopt the weighted index incorporating the equity factors as defined in FMC 7-1508 (e)(2) and as recommended by the Parks Recreation and Arts Commission;
2. Adopt the top 50 percent of Fresno census tracts that will make up the highest-need neighborhoods while prioritizing the top 25 percent census tracts for initial funding.

PARCS Director Aguirre introduced the above item to Council. Assistant Director Ramirez also addressed Council.

Council President Chavez stated, for the record, that the 33% option was not previously presented to Council.

Council discussed the equity and highest needs criteria as well as parks that might be excluded by an equity formula set at 33%.

Upon call, the following members of the public addressed Council on this item: Jose Leon-Barraza, and; Lisa Flores.

Councilmember Arias motioned to adopt the equity formula at 33% and for the non-equity portion of funds to utilize the Parks Master Plan as a guiding document for prioritization.

APPROVED AS AMENDED

On motion of Council Member Arias, seconded by Councilmember Maxwell, that the above Action Item be adopted as amended. The motion carried by the following vote:

Aye: 4 - Esparza, Soria, Arias and Maxwell

No: 3 - Chavez, Karbassi and Bredefeld

Council took a break at 5:40 P.M. and resumed at 6:00 P.M.

6:00 P.M.

ID 21-995

Actions pertaining to Redistricting:

1. HEARING - regarding redistricting
2. ***BILL (Intro. 12/2/2021) (For Adoption) - Adopting new Council District boundaries pursuant to the Council redetermination process set forth in Section 304.1 of the Charter of the City of Fresno, Section 21621-21629 of the California Elections Code, and Article 2, Chapter 2, of the Fresno Municipal Code (Subject to Mayor's Veto).

The above hearing was called to order at 6:00 P.M.

There was no staff presentation.

Upon call, the following members of the public addressed Council on this item: Gloria Hernandez (supports map 111); Lisa Flores (district 1 concerns); Brandi Nuse-Villegas (supports Inclusive Families map); Ariana Marmolejo (supports Inclusive Families map and revised Unity map); Alicia Rodriguez (supports Inclusive Families map); Janine Nkosi (supports Fresno Unity map); Pedro Navarro (supports Fresno Unity map); Mario Manganiello (supports Fresno Unity map); Hashid Kasama (does not support map 111); Imelda Cruz (does not support map 111); Luis Huerta Silva (Charter interpretation concerns); Rain Chamberlain (supports Inclusive Families map).

Councilmember Arias motioned to approve the same motion and map as from the December 2, 2021, meeting. The motion was seconded by Councilmember Maxwell.

ORDINANCE 55 ADOPTED

On motion of Council Member Arias, seconded by Councilmember

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

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

No: 1 - Soria

Absent: 1 - Bredefeld

3. GENERAL ADMINISTRATION

3.-A. [ID 21-863](#) WORKSHOP - Formation of a Fresno Veterans Memorial District.

The above workshop was presented to Council by Assistant City Attorney Badhesha. City Attorney Sloan, Mayor Dyer and Assistant City Manager White also addressed Council on this item.

Attorney Badhesha discussed the purpose of memorial districts, the process of formation, considerations when forming a district and options for the City of Fresno.

Council President Chavez asked the City Attorney's Office for additional research as to whether the County of Fresno had passed a resolution opposing jurisdictional overlap for assessment districts.

A committee consisting of Council President Chavez, Vice President Esparza, Councilmember Arias and Mayor Dyer was formed to determine how the City would move forward in pursuit of a Fresno Veterans Memorial District.

WORKSHOP HELD

3.-B. [ID 21-913](#) RESOLUTION - Approve and authorize the City Manager to execute and submit all necessary settlement documents and the intrastate allocation agreement to resolve the City's claims against the Distributor Defendants in the National Prescription Opiate Litigation, U.S. District Court for the Northern District of Ohio, Case No. 1:17-md-02804; Approve and authorize the City Manager to execute and submit all necessary settlement documents and the intrastate allocation agreement to resolve the City's claims against Janssen (Johnson & Johnson) in the National Prescription Opiate Litigation, U.S. District Court for the Northern District of Ohio, Case No. 1:17-md-02804.

There was no discussion on the above item.

Upon call, there was no public comment.

RESOLUTION 2021-342 ADOPTED

On motion of Councilmember Soria, seconded by Vice President Esparza, that the above Resolution be approved. The motion carried by the following vote:

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

Absent: 1 - Bredefeld

- 3.-C.** [ID 21-1020](#) Action pertaining to budgeting American Rescue Plan Act of 2021 (ARPA) funds:
1. ***RESOLUTION - 30th Amendment to the Annual Appropriations Resolution (AAR) No. 2021-178 appropriating \$38,155,000 for citywide operational support that will be funded from first tranche of ARPA funds (Requires 5 Affirmative Votes)(Subject to Mayor's Veto)

The above item was introduced to Council by City Manager Esqueda. Mayor Dyer also addressed Council on this item.

Councilmember Maxwell motioned to approve staff report item number two related to Police Department vehicles as well as \$950,000 for Advance Peace and to table the balance of the items until the January 13, 2022 meeting. Councilmember Arias made a friendly amendment to include staff report item number seven regarding money for eligible City of Fresno employees; staff report item eight for mobile showers, and; \$1,000,000 for housing vouchers for those experiencing homelessness and who are not eligible for the rental assistance program as currently designed by the federal government. Councilmember Soria offered an additional friendly amendment to include staff report item three for Fire Department drill schools and staff report item nine regarding emergency shelter and permanent affordable housing.

Discussion on this item included: results of the community survey; needing direction and deliverables for money allocated to Advance Peace; allowing

the administration to develop details to distribute money allocated for housing vouchers, and; asbestos within the Police Department.

The final motion by Councilmember Maxwell was to approve the following for this item: \$5,637,000 for Police Department Vehicles listed as item two under "Proposed Phase 1 ARPA Investment Plan" (the Plan) in the staff report; \$3,083,500 for Fire Department drill schools listed as item three of the Plan in the staff report; \$2,253,600 for eligible City of Fresno employees listed as item seven of the Plan in the staff report; \$250,000 for mobile showers to serve the homeless listed as item eight of the Plan in the staff report; \$13,200,000 to develop new emergency shelter housing and permanent affordable housing listed as item nine of the Plan in the staff report; \$1,000,000 in housing vouchers; \$950,000 for Advance Peace, and; the balance of remaining available ARPA funds tabled until the January 13, 2022 City Council Meeting. The motion was seconded by Councilmember Arias.

Upon call, the following members of the public addressed Council on this item: Hailey White, Lisa Flores, Gloria Hernandez, Rain Chamberlain, Marisa Moraza, Robert McClosky, Brandi Nuse-Villegas, Alicia Rodriguez, Jessica Ramirez, Alexandra Alvarado, Imelda Cruz, Mario Manganiello, Pedro Navarro.

RESOLUTION 2021-343 ADOPTED AS AMENDED

On motion of Councilmember Maxwell, seconded by Council Member Arias, that the above Action Item be adopted as amended. The motion carried by the following vote:

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

No: 1 - Karbassi

Absent: 1 - Bredefeld

4. CITY COUNCIL

5. CLOSED SESSION

During open session, City Attorney Sloan announced each Closed Session item listed on the Regular Meeting and Special Closed Session Meeting agendas and stated announcements were not expected following the Closed

*Session items.***5.-A.** [ID 21-915](#)

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Government Code Section 54956.9, subdivision (d)(1)
National Prescription Opiate Litigation, U.S. District Court for the Northern District of Ohio, Case No. 1:17-md-02804; and U.S. District Court for the Northern District of Ohio, Case No. 1:17-md-02804.

*DISCUSSED***5.-B.** [ID 21-999](#)

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

City of Fresno v. W.M. Lyles Co. and Carollo Engineering
Fresno Superior Court Case No. 21CECG03426

*DISCUSSED***5.-C.** [ID 21-969](#)

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.

Councilmember Soria recused herself from this Closed Session item and was not present for the discussion.

*DISCUSSED***5.-D.** [ID 21-1013](#)

CONFERENCE WITH REAL PROPERTY NEGOTIATOR -Government Code Section 54956.8
Property: APNs 464-020-07; 464-020-08; 464-020-09; 464-020-12; 464-020-13; 464-020-15; 464-020-16; 464-020-19; 464-020-25; 464-020-26; 464-020-28; 464-020-29; 464-020-30; 464-020-31; 464-020-34; 464-020-35; 464-020-36; 464-020-37; 464-060-15; 4664-060-17; 464-070-10; 464-070-11; 464-101-23; 477-021-09; 477-021-11; 464-101-23; 477-021-09; 477-021-11; 477-021-18; 477-021-19; 477-021-20; 477-021-25 (former Running Horse property)
Negotiating Parties: City Manager, C&A Farms, LLC
Under Negotiations: Price and terms of sale

DISCUSSED

- 5.-E. [ID 21-1022](#) CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Government Code Section 54956.8 Property: UMC Campus; Negotiating Parties: City Manager, County of Fresno; Under Negotiations: Price and terms of sale.

Council President Chavez recused himself from this Closed Session item and was not present for the discussion.

DISCUSSED

- 5.-F. [ID 21-1007](#) CONFERENCE WITH LABOR NEGOTIATORS - Government Code Section 54957.6

1. Fresno Police Officers Association, Unit 4 (FPOA Basic); 2. International Association of Firefighters, Local 753, Unit 5 (IAFF Fire Basic); 3. Amalgamated Transit Union, Local 1027, Unit 6 (ATU); 4. Fresno Police Officers Association, Unit 9 (FPOA Management); 5. International Association of Firefighters, Local 753, Unit 10 (IAFF Fire Management); 6. Fresno Airport Public Safety Supervisors, Unit 11 (FAPSO); 7. City of Fresno Management Employees Association, Unit 14 (CFMEA); 8. Fresno Airport Public Safety Supervisors, Local 3, Unit 15 (FAPSS)

DISCUSSED

ADJOURNMENT

The meeting adjourned at 8:35 P.M.