

# Regular Council Meeting

May 25, 2023

## FRESNO CITY COUNCIL



### Supplemental Packet

#### ITEM(S)

#### 1-A (ID 23-781)

Approval of Minutes for May 11, 2023, Regular Meeting and May 18, 2023, Special Meeting.

**Supplement Content: Draft Minutes for May 11, 2023 and May 18, 2023.**

#### *Item(s)*

#### **Supplemental Information:**

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

#### **Americans with Disabilities Act (ADA):**

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, sign language interpreters, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650. Please keep the doorways, aisles and wheelchair seating areas open and accessible. If you need assistance with seating because of a disability, please see Security.

## DRAFT MINUTES

May 11, 2023, Regular Meeting



# City of Fresno

2600 Fresno Street  
Fresno, CA 93721  
[www.fresno.gov](http://www.fresno.gov)

## Meeting Minutes City Council

***President - Tyler Maxwell***

***Vice President - Annalisa Perea***

***Councilmembers:***

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

***Garry Bredefeld, Nelson Esparza***

***City Manager - Georgeanne A. White***

***City Attorney - Andrew Janz***

***City Clerk - Todd Stermer, CMC***

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**Thursday, May 11, 2023**

**9:00 AM**

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

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### Regular Meeting

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

9:10 A.M. ROLL CALL

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

Invocation by Pastor D.J. Criner

*Pastor D.J. Criner 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:*

*Consent Calendar item 1-BB (ID 23-727) regarding bill amending Chapter 9,*

*Article 26 of the Fresno Municipal code to add Section 9-2610, "Sideshows, Street Races, and Reckless Driving Exhibitions" - the Bill for Introduction should read "Bill B-13" and not "Bill B-12."*

*Councilmember Bredefeld registered a "no" vote on Consent Calendar item 1-J (ID 23-650) regarding Local Housing Trust Fund Agreement with Avalon Commons Phase II, LP.*

*THE FOLLOWING ITEMS WERE MOVED TO THE MAY 25, 2023, AGENDA:*

*Consent Calendar item 1-R (ID 23-694) rejecting all bids for the John Muir Elementary Safe Routes Project - Bid File 12301163 - removed from the agenda by staff and tabled to May 25, 2023.*

*Consent Calendar item 1-DD (ID 23-759) regarding a traffic safety assessment on running red lights and accidents - removed from the agenda by Councilmember Karbassi and tabled to May 25, 2023.*

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

*1-C (ID 23-693) regarding the Lease Agreement with New Vision Aviation, Inc., - moved to Contested Consent by Councilmember Arias.*

*1-D (ID 23-707) regarding a cooperative purchase agreement with Braun Northwest, Inc. for the purchase of one NorthStar 267-5 mobile command vehicle - moved to Contested Consent by Councilmember Arias.*

*1-F (ID 23-696) regarding an addendum to Order #419913 with Zencity Technologies US, Inc., for data gathering and analytics - moved to Contest Consent by Council President Maxwell.*

*1-H (ID 23-630) regarding an agreement with Poverello House to operate the Clarion Pointe as a low barrier emergency homeless shelter and bridge housing site - moved to Contested Consent by Councilmember Bredefeld.*

*1-K (ID 23-679) regarding a \$1.5 million Permanent Local Housing Allocation Agreement with Broadway Plaza Family Apartments, LP - moved to Contested Consent by Councilmember Arias.*

*1-M (ID 23-616) regarding renewal of the Fresno Police Department Annual Military Equipment Use Report - moved to Contested Consent by Councilmember Arias.*

*1-S (ID 23-695) regarding a construction contract with A-C Electric Company, for the Fresno Street Corridor Project - Bid File 12301137 - moved to Contested Consent by Councilmember Arias.*

*1-V (ID 23-709) regarding a consultant agreement with Baker Tilly US, LLP. - moved to Contested Consent by Councilmember Esparza.*

*1-W (ID 23-714) rejecting all bids for the Fresno Street and Browning Avenue Intersection Improvements Project - Bid File 12301325 - moved to Contested Consent by Council President Maxwell.*

*1-AA (ID 23-725) regarding a pilot program to incentivize job creation within portions of the Tower District located within Districts 1 and 3 and the portion of the area west of Highway 99 between Clinton Avenue and Shaw Avenue located within District 1 - moved to Contested Consent by Councilmember Esparza.*

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

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

## **CEREMONIAL PRESENTATIONS**

[ID 23-450](#) Proclamation for "Jewish American Heritage Month"

*PRESENTED*

[ID 23-504](#) Proclamation for "Honoring Tourism Month"

PRESENTED

[ID 23-627](#) Proclamation for "Historic Preservation Month"

PRESENTED

[ID 23-581](#) Proclamation for "Anna Hun Day"

PRESENTED

## **COUNCILMEMBER REPORTS AND COMMENTS**

*Councilmember Karbassi Reports and Comments. Acknowledged staff for attending two community meetings in District 2. The first was the quarterly meeting held at Bullard High School, and the second meeting was with the consultant on River West regarding the changes to access the San Joaquin River through Northwest Fresno from Palm to Perrin. Announced the recent appointment of Karen Buhr as the Interim Executive Director of the San Joaquin River Conservancy. Requested the meeting be adjourned in memory of Harold "H." Spees, former Director of Housing and Homeless Services, for the City of Fresno.*

*Councilmember Arias Reports and Comments. Discussed the growing popularity of cricket and a pending meeting with staff to discuss a cricket court at Southwest Regional Park and JSK Park. Acknowledged staff for excellent handling of the recent sewer break, which included housing, and relocating impacted residents. Discussed medical services available to the unhoused at the Poverello House, Radio Park, Salvation Army, City Hall, and Fulton Mall in coordination with the movement of the mobile restrooms and showers. Acknowledged staff for getting the downtown fountain with sculpture working and requested the peeling paint be addressed. Announced the Butterfly Garden and the Kingdom of Asia Exhibit at the Fresno Chaffee Zoo were expected to be open on June 3, 2023, and would result in nearby traffic delays. Requested action be taken to address the non-operations electric vehicle charging stations at Roeding Park.*

*Councilmember Chavez Reports and Comments. Acknowledged staff for attending a recent Southeast Fresno community meeting about regional parks. Acknowledged the request to adjourn in memory of Harold "H." Spees and requested the meeting also be adjourned in the memory of*

*Manuel Nunez, Trustee for the Fresno Unified School District Board. Condolences were expressed.*

*Councilmember Esparza Reports and Comments. Hosted a "Save Money Workshop" at the Fresno Center in Southeast Fresno and helped 17 families learn more about utility discount rates, debt relief, and electronic vehicle rebates. Acknowledged staff for hosting a successful tire amnesty event which collected 1,000 tires. Announced an upcoming "Play Streets" event in District 7 on Saturday, May 13, 2023, at Huntington Boulevard between First and Third Street, and thanked the partners making it possible. Announced Every Neighborhood Partnership would be hosting a "Land Use Boot Camp" to empower local residents and builders.*

*Vice President Perea Reports and Comments. Announced District 1 was sponsoring animal adoptions during the Fresno Animal Center open house on Saturday, May 13, 2023. Reported the second annual Pleasant Street Block Party was scheduled for May 20, 2023, and would include free food, resources, prizes, and a food box giveaway by Central California Food Bank. Announced a town hall meeting, focused on the historical Fresno High Community, on May 15, 2023, at the Big Red Church. Wished everyone a happy Mother's Day.*

*Council President Maxwell Reports and Comments. Announced concrete replacement and street improvement projects would be occurring on Santa Ana Avenue between First Street and Millbrook Avenue. Celebrated "Teacher Appreciation Week" and honored Mr. Oregel at Holland Elementary and Ms. Maddux at Del Mar Elementary. Discussed the District 4 campaign to collect 1,000 books for the free Little Libraries neighborhood library program. Requested the administration review recent changes to ADA parking at Fresno Yosemite International Airport and the impact on employees with disability parking placards. Wished Councilmember Chavez a happy birthday.*

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

*Mayor Dyer Reports and Comments. Discussed the passing of his dear friend, Harold "H." Spees, and the many great things he had accomplished for the City of Fresno. Attended the 60th anniversary event for Wawona*

*Packing which provides numerous jobs for the people of Fresno. Discussed the recent Bicycle and Pedestrian Advisory Committee's bicycle ride in downtown Fresno. Announced he would present a proclamation during the Hmong American Day celebration on May 13, 2023, and would also attend the Kiwanis Crab Feed event later that day.*

*City Manager White Reports and Comments. Announced the airport expansion bonds were very in demand and were oversubscribed by 5.8 times thanks to staff keeping the airport finances in good order. Acknowledged City staff and crews for the excellent response and working non-stop between Friday night to Monday night to deal with the sewer break in the McKinley Avenue and Weber Avenue area. Wished Councilmember Chavez a happy birthday.*

## **UNSCHEDULED COMMUNICATION**

*Upon call for unscheduled communication and public comment on consent calendar, contested consent calendar and closed session items, the following members of the public addressed Council: Raymond Juarez, Rex Hime (3-A), Abram Bowman (3-A), Mariah Thompson, David Willis, Kim, Patricia, Leticia Lugun, Erica Cabrera (1-V), Joe Martinez., Antonio Lopez (1-Z), Lisa Flores, Bob McCloskey, Dez Martinez, Ashley Rojas and Brandi Nuse-Villegas.*

[ID 23-777](#) Public Comment Received for May 11, 2023, Regular Agenda

## **1. CONSENT CALENDAR**

### **APPROVAL OF THE CONSENT CALENDAR**

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

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

- 1.-A.** [ID 23-728](#) Approval of Minutes for April 20, 2023, and April 27, 2023, Regular Meeting and April 27, 2023, Special Meeting.

### **APPROVED ON CONSENT CALENDAR**



- 1.-B. [ID 23-732](#) \*\*\*RESOLUTION - 44th Amendment to the Annual Appropriations Resolution (AAR) No. 2022-154 to Reappropriate \$70,000 from the City Attorney/Code Department to the City Council Department (Requires 5 Affirmative Votes)(Subject to the Mayor's Veto)

*RESOLUTION 2023-136 ADOPTED*

**APPROVED ON CONSENT CALENDAR**

- 1.-E. [ID 23-716](#) \*\*\*RESOLUTION - Approving the reallocation of \$500,000 from the Fleet Operations Fund contingency to pay fuel expenses (Subject to Mayor's Veto)

*RESOLUTION 2023-137 ADOPTED*

**APPROVED ON CONSENT CALENDAR**

- 1.-G. [ID 23-555](#) Approval of a Consultant Services Agreement in an amount not to exceed \$97,500 with Moss Adams, LLP for a user fee study in accordance with the Mitigation Fee Act.

**APPROVED ON CONSENT CALENDAR**

- 1.-I. [ID 23-632](#) Approve an Agreement with Housing Authority of the City of Fresno to operate Journey Home emergency shelter in the total amount of \$2,200,075 in Homeless Housing, Assistance, and Prevention funds (HHAP).

**APPROVED ON CONSENT CALENDAR**

- 1.-J. [ID 23-650](#) Approve a \$3,000,000 Local Housing Trust Fund Agreement with Avalon Commons Phase II, LP, for the proposed Avalon Commons Phase II project located at 7521 North Chestnut Avenue in northeast Fresno (District 6).

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

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

*No: 1 - Bredefeld*

**APPROVED ON CONSENT CALENDAR**

- 1.-L. [ID 23-700](#) Actions pertaining to the City of Fresno Local Housing Trust Fund:  
\*\*\*RESOLUTION - Authorizing and directing submission of an application for funding under the State of California Local Housing Trust Fund Grant program to provide matching funds to the City of

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Fresno Local Housing Trust Fund (Subject to Mayor's veto)*RESOLUTION 2023-135 ADOPTED***APPROVED ON CONSENT CALENDAR**

- 1.-N. [ID 23-457](#) Approve the First Amendment to a three-year On-Call Land Surveying Services Agreement with Blair, Church & Flynn Consulting Engineers, Inc. to increase the contract amount by \$250,000 for a total amended contract amount of \$550,000, to provide land surveying services to facilitate Citywide infrastructure projects (Citywide)

**APPROVED ON CONSENT CALENDAR**

- 1.-O. [ID 23-690](#) Approve an agreement for professional engineering services with Provost & Pritchard, Inc. for \$110,500, with a \$10,000 contingency, for design and construction support services for the Manchester Splash Pad Project (Council District 7)

**APPROVED ON CONSENT CALENDAR**

- 1.-P. [ID 23-691](#) Actions pertaining to the Cedar Avenue and Teague Avenue Intersection Improvements Project - Bid File 12301630 (Council District 6)
1. Adopt a finding of Categorical Exemption per staff determination pursuant to Section 15301/Class 1 of the California Environmental Quality Act (CEQA) Guidelines
  2. \*\*\*RESOLUTION - 40th Amendment to the Annual Appropriation Resolution (AAR) No. 2022-154 appropriating \$425,000 for the Cedar Avenue and Teague Avenue Intersection Improvements project (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)
  3. Award a construction contract in the amount of \$828,450 to Avison Construction, Inc., of Madera, California

*RESOLUTION 2023-138 ADOPTED***APPROVED ON CONSENT CALENDAR**

- 1.-Q. [ID 23-692](#) Actions pertaining to the Bus Rapid Transit (BRT) Corridor Pedestrian Improvements Project - Bid File 12301743 (Citywide)
1. Adopt a finding of Categorical Exemption per staff determination pursuant to Section 15301/Class 1, Section 15302/Class 2, and Section 15303/Class 3 of the California Environmental Quality Act (CEQA) Guidelines
  2. \*\*\*RESOLUTION - 41st Amendment to the Annual Appropriation Resolution (AAR) No. 2022-154 appropriating \$200,300 for the BRT Corridor Pedestrian Improvements project (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)
  3. Award a construction contract in the amount of \$1,469,097 to

Pelagic Engineering, of Oxnard, California

**RESOLUTION 2023-139 ADOPTED**

**APPROVED ON CONSENT CALENDAR**

- 1.-R. [ID 23-694](#) Reject all bids for the John Muir Elementary Safe Routes Project - Bid File 12301163 (Council District 3)

*The above item was removed from the agenda by staff and tabled to May 25, 2025.*

**TABLED**

- 1.-T. [ID 23-697](#) RESOLUTION - Of Intention to Annex Final Tract Map No. 6276 as Annexation No. 144 to the City of Fresno Community Facilities District No. 11 and to Authorize the Levy of Special Taxes; and setting the public hearing for Thursday, June 22, 2023, at 10:00 am (located on the northwest corner of North Parc West Drive and North Grantland Avenue) (Council District 1)

**RESOLUTION 2023-140 ADOPTED**

**APPROVED ON CONSENT CALENDAR**

- 1.-U. [ID 23-704](#) Approve Amendment No. 2 to the Measure C Agreement with the Fresno County Transportation Authority, to allocate the Construction funding for the widening of the Herndon Avenue/Burlington Northern Santa Fe (BNSF) overpass between Polk Avenue and Milburn Avenue (Urban Project, K-11), in the amount of \$17,022,000.00 (Council District 2)

**APPROVED ON CONSENT CALENDAR**

- 1.-X. [ID 23-705](#) Award a consultant services agreement to --Blair, Church & Flynn Consulting Engineers, Inc., in the amount not to exceed \$207,683, inclusive of a \$18,789 contingency, for the design, bidding support, and construction support services for the Water Main Replacements in the area bound by Clinton, Teilman, University, and West Avenues (Bid File 12302048) (Council District 1).

**APPROVED ON CONSENT CALENDAR**

- 1.-Y. [ID 23-708](#) Award a Product Requirements Contract in the annual amount of \$1,184,975.19, for three-years with provisions for two one-year extensions, for bulk sodium hydroxide to Univar USA, Inc, (Bid File 12301172) (Citywide)

**APPROVED ON CONSENT CALENDAR**

- 1.-Z. [ID 23-653](#) Approve the award of a purchase contract to New Flyer of America Inc. for Two (2) 40' Hydrogen Fuel Cell Electric Buses in the amount of \$2,882,919.01

**APPROVED ON CONSENT CALENDAR**

- 1.-BB. [ID 23-727](#) \*\*\*Bill B-12 (Intro'd 4/27/2023)(For Adoption) - Amending Chapter 9, Article 26 of the Fresno Municipal Code to add Section 9-2610, "Sideshowes, Street Races, and Reckless Driving Exhibitions," prohibiting the knowing participation as a driver, passenger, or spectator in sideshows, street races, or reckless driving exhibitions. (Subject to Mayor's Veto)

*City Clerk Stermer noted the agenda title for the above item incorrectly refers to "Bill B-12" but should read "Bill B-13."*

**ORDINANCE 2023-013 ADOPTED**

**APPROVED ON CONSENT CALENDAR**

- 1.-CC. [ID 23-734](#) Actions pertaining to the 2023/2024 Women's Recovery Response Grant
1. \*\*\*Authorize the City Manager to accept \$100,000 in grant funding for the 2023/2024 Women's Recovery Response grant awarded to the City of Fresno Women's Commission from the California Commission on the Status of Women and Girls (CCSWG) through the State of California (Subject to Mayor's veto)
  2. Authorize the City Manager or her designee to execute the agreement, extensions, and all related documentation applicable to the 2023/2024 Women's Recovery Response grant
  3. \*\*\*RESOLUTION - Adopt the 43rd Amendment to the Annual Appropriation Resolution (AAR) No. 2022-154 appropriating \$100,000 for the Fresno Women's Commission Women's Recovery Response grant (Requires 5 Affirmative Votes) (subject to Mayor's Veto)

**RESOLUTION 2023-142 ADOPTED**

**APPROVED ON CONSENT CALENDAR**

- 1.-DD. [ID 23-759](#) \*\*\*RESOLUTION - Conduct a Traffic Safety Assessment on Running Red Lights and Accidents to Address the Top 10 Intersections with Red-Light Runners in Honor of Amaya Suni Chenot (Subject to Mayor's Veto)

*The above item was removed from the Consent Calendar by Councilmember Karbassi and tabled to May 25, 2025.*

**TABLED**

## **CONTESTED CONSENT CALENDAR**

- 1.-C. [ID 23-693](#) Actions related to the Lease Agreement with New Vision Aviation, Inc., a 501(C)3 Non-Profit Charitable Organization, that runs a training center for careers in aviation for residents and youth from disadvantaged communities at Fresno Chandler Executive Airport (FCH). (Council District 3)
1. Adopt a finding of Categorical Exemption pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act Guidelines.
  2. Approve the Lease Agreement (Lease) with New Vision Aviation, Inc., a 501(C)3 Non-Profit Charitable Organization, to continue operating a training center for careers in aviation for residents and youth from disadvantaged communities at FCH for a term of three (3) years. The amount of potential revenue generated by this Lease is \$27,000.00, annually. Total anticipated revenue during the full term of the contract is approximately \$81,000 plus annual CPI adjustments. (Council District 3)

*Councilmember Arias moved this item to Contested Consent to acknowledge staff for working with the tenet on this item.*

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

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

**Absent:** 1 - Chavez

- 1.-D. [ID 23-707](#)

*Councilmember Arias moved this item to Contested Consent to discuss the timing of the vehicle, the term of the lease, and the cost of the vehicle.*

*Council discussion on this item included: the Fiscal Year budget the lease is purchased in; bringing the item before the Council prior to budget*

*adoption; how many years the lease is budgeted for, how much money is in the current budget for the purchase; the timing of the item; and direction to staff to provide Council the budget account line in the current budget.*

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

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

**Absent:** 1 - Chavez

- 1.-F. [ID 23-696](#) Approve an Addendum to Order #419913 with Zencity Technologies US, Inc., in the amount of \$217,500 for three years with three annual payments of \$75,000 for data gathering and analytics, and authorize the Chief Information Officer, or designee, to sign and execute all related documents.

*Council President Maxwell moved this item to Contested Consent for additional clarification from staff.*

*Council discussion on this item included: how does the software determine an issue; what will the third party use the information for; using the software as a management tool for the administration; duplicative with roles and responsibilities of Councilmembers communicating with their district; how does the software help in the decision making process for the administration when it comes to allocating resources; dedicated staff in the administration and Office of Community Affairs overseeing social media; and the reports from FresGo application.*

**DENIED**

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

**Aye:** 4 - Esparza, Maxwell, Perea and Arias

**No:** 2 - Karbassi and Bredefeld

**Absent:** 1 - Chavez

- 1.-H. [ID 23-630](#) Approve an agreement with Poverello House to operate the Clarion Pointe as a low-barrier emergency homeless shelter and bridge housing site in the total amount of \$2,799,997.48.

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

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

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

**Absent:** 1 - Chavez

- 1.-K. [ID 23-679](#)** Approve a \$1.5 million Permanent Local Housing Allocation Agreement with Broadway Plaza Family Apartments, LP for its Hotel Fresno Apartments currently underway and located at 1241-1263 Broadway Plaza in downtown Fresno

*Councilmember Arias moved this item to Contested Consent to discuss concerns with the final phase of inspections and fire requirements for high density multiple story housing projects.*

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

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

**No:** 1 - Chavez

- 1.-M. [ID 23-616](#)** Approve the renewal of the Fresno Police Department Annual Military Equipment Use Report as originally required by Assembly Bill 481, codified under Government Codes § 7070-7075

*Councilmember Arias moved this item to Contested Consent to discuss the use of equipment over the last year.*

*Council discussion on this item included: the use of equipment for community events vs. policing situations, the analysis used to assess if there is a need for the equipment going forward, the replacement of the equipment, an agreement to loan the equipment to other agencies and or can the city borrow similar equipment from other agencies, and does the city reimbursed if the equipment is loaned to other agencies.*

**On motion of Councilmember Arias, seconded by Council President Maxwell, that the above Action Item be APPROVED. The motion**



carried by the following vote:

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

**Absent:** 1 - Chavez

- 1.-S. [ID 23-695](#) Award a construction contract in the amount of \$2,168,547.75 to A-C Electric Company, of Fresno, California for the Fresno Street Corridor Project - Bid File 12301137 (Council Districts 3, 4, 6, and 7)

*Councilmember Arias moved this item to Contested Consent to discuss the repaving needs of Fresno Street.*

*Council discussion on this item included: what is the plan for repaving Fresno Street; what section of Fresno Street is currently proposed to be repaved; if the street along the hospital will remain or be repaved too.*

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

**Aye:** 5 - Esparza, Maxwell, Karbassi, Arias and Bredefeld

**Absent:** 2 - Perea and Chavez

- 1.-V. [ID 23-709](#) Approve a consultant agreement with Baker Tilly US, LLP in the amount of \$256,443, plus a not-to-exceed contingency amount of \$10,000, to provide consulting services on development of an assessment - along with recommendations for options - to improve the services and affordability of electricity in the City of Fresno; authorize the City Manager or designee to execute all related documents. (Citywide)

*Council President Maxwell motioned to continue the above item to May 25, 2023.*

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

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

**Absent:** 1 - Chavez

- 1.-W. [ID 23-714](#) Reject all bids for the Fresno Street and Browning Avenue Intersection Improvements Project - Bid File 12301325 (Council District 4)

*Council President Maxwell moved this item to Contested Consent to discuss why the bids were rejected and the options to expedite the project.*



*Council discussion on this item included: if the city is legally required to reject the bids; how do the rejected bids affect the timeline; if there is a way the project can be expedited if the RFP is put together, can it go out for a smaller amount of time; legal options to help expedite the project when it comes to putting the RFP out; competitive procurement; the timeline for the Federal process; when the project will go back out and start the 21-day timer; what happens if the city runs into similar DBE issues; what happens if the city were to transgress on the Federal requirements and what would the penalty be, and finding a way to expedite the project.*

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

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

**Absent:** 1 - Chavez

- 1.-AA. [ID 23-725](#)** \*\*\*RESOLUTION - Adopting a pilot program to incentivize job creation within portions of the Tower District located within Districts 1 and 3 and the portion of the area west of Highway 99 between Clinton Avenue and Shaw Avenue located within District 1. (Subject to Mayor's Veto)

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

**RESOLUTION 2023-141 ADOPTED**

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

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

**Absent:** 1 - Chavez

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

### **10:00 A.M.**

[ID 23-643](#)

Consideration of Plan Amendment and Rezone Application No. P22-01086, Development Permit Application No. P21-06232, and related Environmental Assessment No. P22-01086/P21-06232 pertaining to ±2.20 acres of property located on the west side of North Chestnut Avenue, between East Shepherd and East Teague Avenues (Council District 6) - Planning & Development Department.

1. ADOPT - Mitigated Negative Declaration as prepared for Environmental Assessment No. P22-01086/P21-06232, dated March 28, 2023, for the proposed project pursuant to the State of California Environmental Quality Act (CEQA).
2. RESOLUTION - approving Plan Amendment Application No. P22-01086, requesting authorization to amend the Fresno General Plan and Woodward Park Community Plan to change the planned land use designation for the subject ±2.20 acre property from Residential - Medium Low Density to Residential - Medium High Density.
3. BILL - (For introduction and adoption) Rezone Application No. P22-01086, requesting authorization to amend the Official Zoning Map of the City of Fresno to rezone the ±2.20 acre subject property from the from RS-4/UGM (*Residential Single Family, Medium Low Density/Urban Growth Management Area*) to RM-1/UGM (*Residential Multi-family - Medium High Density/Urban Growth Management Area*) zone district in accordance with the Plan Amendment Application.
4. APPROVE - Development Permit Application No. P21-06232, requesting authorization to construct a 32 unit apartment complex consisting of four (4) 5,750 square-foot two-story buildings and a 1,069 square-foot leasing and managers office on a vacant parcel, subject to compliance with the Conditions of Approval dated April 5, 2023.

*The above hearing was called to order at 11:06 A.M. and introduced to council by Planning Manager Trejo. Upon call, there was no public comment. Public Comment period closed at 11:07 A.M.*

*Council discussion on the above item included: concerns about traffic from the residents and if it will be able to handle all the traffic from the new development.*

*RESOLUTION 2023-143 ADOPTED*

*BILL B-14 INTRODUCED/ADOPTED AS ORDINANCE 2023-014*

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

**The motion carried by the following vote:**

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

### **10:05 A.M.**

[ID 23-717](#) Appearance by Derek Cahill to discuss potholes and the surrounding streets negatively affecting business and local communities at large.  
(District 1 Resident)

*Upon call, Derek Cahill addressed Council.*

*APPEARED*

### **10:08 A.M.**

[ID 23-718](#) Appearance by Mary Padilla to discuss who are we representing. (District 2 Resident)

*DID NOT APPEARED*

### **10:11 A.M.**

[ID 23-719](#) Appearance by Shirley Jackson to discuss homelessness. (District 2 Resident)

*DID NOT APPEARED*

### **10:14 A.M.**

[ID 23-720](#) Appearance by Jorge Zavala to discuss interference and damages with DBE Contract. (District 4 Resident)

*Upon call, Jorge Zavala addressed Council.*

*APPEARED*

## **3. GENERAL ADMINISTRATION**

**3.-A.** [ID 23-726](#) WORKSHOP - Annual Review of the Community Workforce Agreement  
(Project Labor Agreement)

*The above workshop was presented to Council by Public Works Director Mozier and Public Works Licensed Engineer Yost.*

*Council discussion on this item included: acknowledging staff for their efforts on local hire, Project Labor Agreement, and projects on time and budget. Discussed working out the issues and making sure the projects are bid accordingly; if the non-union company is allowed to participate in the bidding; and formalizing a team to have ongoing communication with the trades specifically on the number with the Apprentice Program; elaborate on the \$1.5 million and what does it mean for the City of Fresno; what is the plan for the next version of Measure C and to include Council in discussion; work needs to be still done by the Building Trades.*

**PRESENTED**

- 3.-B.** [ID 23-745](#) WORKSHOP - On Status of Negotiations Concerning Cleaner and Greener Neighborhood Industry Overlay District and Elm Avenue

*The above workshop was presented to Council by Councilmember Arias and Wanger, Jones, Helsley PC, John Kinsey. Upon call, the following member of the public addressed Council: Venice Curry.*

*Discussion on the item included: the status of the overlay; whether there is an overlay for the Council to consider; is there a proposal by the administration that will be brought forward; is the administration is supportive of a rezone for the remaining parcels; if the neighborhood mixed use zoning prohibiting companies abilities to go after loans; the language of net increase no net increase, and if the neighborhood mixed use Zone allows for residential.*

*Council directed the City Attorney to provide Council with a memo on a viable option on how the city can move forward and requested the Applicant send the Council specifics of what the Applicant would be willing to do and provide a copy to the Councilmembers.*

**PRESENTED**

**4. CITY COUNCIL**

## **5. CLOSED SESSION**

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

*Council withdrew to closed session at 2:46 p.m.*

- 5.-A.**    [ID 23-721](#)    CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION  
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: 1 potential case

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

*DISCUSSED*

- 5.-B.**    [ID 23-743](#)    CONFERENCE WITH LABOR NEGOTIATORS - Government Code Section 54957.6  
City Negotiators: TJ Miller  
Employee Organizations:  
1. International Union of Operating Engineers, Stationary Engineers, Local 39 (Local 39); 2. Fresno City Employees Association (FCEA); 3. Fresno Police Officers Association (FPOA Basic), Unit 4; 4. International Association of Firefighters, Local 753, Unit 5 (Fire Basic); 5. Amalgamated Transit Union, Local 1027 (ATU); 6. International Brotherhood of Electrical Workers, Local 100 (IBEW); 7. Fresno Police Officers Association (FPOA Management); 8. International Association of Firefighters, Local 753, Unit 10 (Fire Management); 9. City of Fresno Professional Employees Association (CFPEA); 10. City of Fresno Management Employees Association (CFMEA); 11. Operating Engineers, Local Union No. 3, Fresno Airport Public Safety Supervisors (FAPSS); 12. Operating Engineers, Local Union No. 3, Fresno Airport Public Safety Officers (FAPSO)

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

*DISCUSSED*

- 5.-C.**    [ID 23-722](#)    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 Tyler Maxwell.  
Unrepresented Employee: City Clerk

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

*DISCUSSED*

**5.-D. [ID 23-724](#) 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 Tyler Maxwell.  
Unrepresented Employee: City Attorney

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

*DISCUSSED*

**ADJOURNMENT**

*Adjourned from Closed Session at 5:00 p.m. in the memory of Harold "H." Spees and Manuel Nunez.*

# DRAFT MINUTES

May 18, 2023, Special Meeting



# City of Fresno

2600 Fresno Street  
Fresno, CA 93721  
[www.fresno.gov](http://www.fresno.gov)

## Meeting Minutes City Council

***President - Tyler Maxwell***

***Vice President - Annalisa Perea***

***Councilmembers:***

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

***Garry Bredefeld, Nelson Esparza***

***City Manager - Georgeanne A. White***

***City Attorney - Andrew Janz***

***City Clerk - Todd Stermer, CMC***

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**Thursday, May 18, 2023**

**10:00 AM**

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

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### **Special Meeting**

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

10:05 A.M. ROLL CALL

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

### **APPROVE AGENDA**

**On motion of Councilmember Esparza, seconded by Vice President Perea, the above AGENDA was APPROVED. The motion carried by the following vote:**

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

[ID 23-749](#)

Revised Notice of Special Meeting - Signed



**OPEN SESSION**

*Upon Call, the following members of the public addressed Council:  
Fernando Elizando, Ruben Espinoza, Brandi Nuse-Villegas, Nishea  
Balajadia, Ashley Rojas, Camila Rivera, Lisa Flores, and Karla Martinez.*

- A. [ID 23-829](#) RESOLUTION - of Intention to Annex Parcel Map Number 2007-41 as Annexation Number 58 to the City of Fresno Community Facilities District Number 9 and to Authorize the Levy of Special Taxes; and setting the Public Hearing for Monday, June 5, 2023, at 10:00 am (Northeast and Southeast corners of East Tulare Avenue and North Clovis Avenue) (Council District 5)

*There was no staff presentation on the above item. Upon call for public comment, no member of the public addressed Council and there was no Council discussion.*

**RESOLUTION 2023-144 ADOPTED**

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

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

- B. [ID 23-758](#) Presentation of Mayor's Proposed Fiscal Year 2024 Budget

*The above item was presented to Council by Mayor Dyer.*

*Council discussion on this item included: general funds and grants; MuniServices sale tax projection; Measure "P" sales tax and status of spending; historical data of vacancies; comparison to last year's reserve; transparency of increased expenditures; correlation between police resources and reduction in crime; increased resources reflecting improved public services; how certain percentages were allocated and distributed; budget gaps in solid waste funds; new hire of Firefighters; the cost of utilities including PG&E; funding towards bonding capacity or other deferred maintenance; Fresno County's responsibility regarding wrap around services; congratulated staff for increased credit rating; appreciated addition of potholes crews; opportunities to grow tax space without raising taxes; affordable housing and commercial properties; Convention Center's future*

*economic role; investments in traffic infrastructure and increased traffic enforcement for public safety, and; mentioned Camp Fresno and the need for services for affected youth.*

*Councilmember Chavez directed staff to provide a breakdown of the actual general funds and additional dollars.*

*Council President Maxwell directed staff to provide updated list of uncompleted or partially funded infrastructure, motions over the last two fiscal budget years no later than Monday, May 22, 2023, and reference to proposed budget page number related to eviction protection program, zero fair, and senior center.*

## **ADJOURNMENT**

*Council adjourned from special session at 12:02 p.m.*