

City of Fresno

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



Meeting Minutes - Draft

Thursday, October 15, 2020

9:00 AM

Regular Meeting

Council Chambers

City Council

President - Miguel Angel Arias

Vice President - Paul Caprioglio

Councilmembers:

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

Nelson Esparza

City Manager - Wilma Quan

City Attorney - Douglas T. Sloan

City Clerk - Yvonne Spence, MMC

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

9:14 A.M. ROLL CALL

Councilmember Bredefeld was absent during roll call and joined the meeting at 9:15 A.M. and Councilmember Esparza was absent during roll call and joined the meeting at 9:17 A.M.

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

Pledge of Allegiance to the Flag

APPROVE AGENDA

City Clerk Spence announced the following changes to the agenda: File ID 20-001219 (2-C) -Adopt Modifications Required by Law to the City Of Fresno Deferred Compensation Plan Document as Unanimously Recommended by the Deferred Compensation Board, is "Subject to Mayor's Veto," File ID 20-001291 (2-E) - Actions pertaining to the acquisition of 1625 G Street (APN 465-084-30) was continued to October 22, 2020 at the City Manager's request, File ID 20-001376 (2-AA) - Actions pertaining to contract with Pardini's, Inc., for administration of the Senior Aid for Food and Resources (SAFR) Program, there was a correction to item 1. the dollar amount was changed from \$1,348,200 to \$500,000, File ID 20-001377 (2-BB) - Actions pertaining to the Fresno Arts and Culture Emergency Relief Grant Program the Sponsors should include Councilmember Karbassi, File ID 20-001378 (2-CC) - Actions pertaining to the Fresno Nonprofit Emergency Relief Grant Program, the second resolution should read "Resolution – Direction Staff to create and administer the Fresno Nonprofit Emergency Relief Fund," File ID 20-001384 (2-FF) - Actions related to United Health Centers construction of clinics in Southeast and West Fresno was continued to October 22, 2020, File ID 20-001386 (2-GG) - Actions pertaining to CARES Act Grant Agreement with Housing Authority of the City of Fresno to provide interim housing for at-risk residents due to

COVID-19 was continued to October 22, 2020 by Councilmember Chavez.

The following items were pulled for further discussion:

File ID 20-001241 (2-G) - Actions pertaining to the Mayor's Faith Based Partnership Agreement was pulled by Councilmember Bredefeld. Council President Arias continued the item to October 22, 2020.

*File ID 20-001265 (2-L) - ***RESOLUTION - Claiming funds of \$441,187.01 for stale dated (uncashed) utility customer refund checks dated December 28, 2000, through December 30, 2016, and transferring said funds from Utility Sales Clearing Fund 52502 to Water Enterprise Fund 40101, Solid Waste Operating Fund 41001, Community Sanitation Operating Fund 41501, and Wastewater Operating Fund 40501. (Subject to Mayor's Veto) was pulled by Councilmember Soria.*

File ID 20-001363 (2-O) - Actions pertaining to Text Amendment Application No. P20-02212 and related Environmental Finding for Environmental Assessment No. P20-02212, sections 15-2706, 15-6801 and 15-6802 of the Fresno Municipal Code, to be titled the Responsible Neighborhood Market Act and relating to the use regulations for alcohol sales was pulled by Councilmember Bredefeld and Council President Arias.

File ID 20-001377 (2-BB) - Actions pertaining to the Fresno Arts and Culture Emergency Relief Grant Program was pulled by Councilmember Bredefeld.

File ID 20-001378 (2-CC) - Actions pertaining to the Fresno Nonprofit Emergency Relief Grant Program was pulled by Councilmember Bredefeld.

File ID 20-001379 (2-DD) - Actions pertaining to the agreement with Barrios Unidos related to the Maskup CV marketing campaign was pulled by Councilmember Bredefeld.

*File ID 20-001383 (2-EE) - ***RESOLUTION - 33rd Amendment to AAR No. 2020-159 appropriating \$10,000,000 in CARES Act Funds for reimbursement of Fire Department salaries related to COVID-19 (Requires 5 Votes) (Subject to Mayo's Veto) was pulled by Councilmember Karbassi.*

*File ID 20-001398 (2-II) - ***RESOLUTION - Directing a review of the names of all City facilities and prohibiting naming of city assets after cultural or historic figures known to be racist or bigoted (Subject to Mayor's veto) was pulled by Councilmember Bredefeld.*

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

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

CEREMONIAL PRESENTATIONS

The below Ceremonial Presentations were presented to Council

[ID](#) Proclamation for "National Farmers Day"
[20-00721](#)

[ID](#) Proclamation to Recognize and Honor Indigenous People's Day
[20-001345](#)

[ID](#) Proclamation of "Code Enforcement Appreciation Week"
[20-001371](#)

2. CONSENT CALENDAR

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

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

2-A [ID](#) Approval of Minutes for the September 24, 2020 Regular Council
[20-001217](#) Meeting and the September 28, 2020 Special Closed Session
Minutes

2-B [ID](#) Approve a Service and Product Agreement with Prime
[20-001298](#) Government Solutions for digital government software suites and
services to manage Council Meetings and Agendas in an amount
not to exceed \$75,000

2-C [ID](#) [20-001219](#) ***Adopt Modifications Required by Law to the City Of Fresno Deferred Compensation Plan Document as Unanimously Recommended by the Deferred Compensation Board. (Subject to Mayor's Veto)

2-D [ID](#) [20-001226](#) Actions pertaining to Commercial Cannabis Activity:
1. ***RESOLUTION - Adopting the 559th Amendment to the Master Fee Schedule Resolution No. 80-420 adding fees relating to Commercial Cannabis Business permit applications (Subject to Mayor's veto).
2. Approve the Cannabis Social Equity Assistance Program Services

The above item PASSED 5-2. Councilmembers Bredefeld and Karbassi voted no.

RESOLUTION 2020-259 ADOPTED

2-E [ID](#) [20-001291](#) Actions pertaining to the acquisition of 1625 G Street (APN 465-084-30):

1. Adopt a finding that this approval is exempt from the requirements of CEQA pursuant to the common sense exemption set forth in CEQA Guidelines 15061(b)(3), and that it can be seen with certainty that there is no possibility that this approval will have significant effect on the environment.

2. Approve Purchase and Sale Agreement with 1626 Fresno MRP, LLC, in the amount of \$5,750,000 for real property located at 1625 G Street (APN 465-084-30) (District 3).

The above item was continued to October 22, 2020

2-F [ID](#) [20-001292](#) Approve the appointment of Christopher Rocha to the Historic Preservation Commission

2-G [ID](#) [20-001241](#) Actions pertaining to the Mayor's Faith Based Partnership Agreement:
1. ***RESOLUTION - 29th Amendment to AAR No. 2020-159 appropriating \$19,000 for the Faith Based Partnership Amended Agreement (Requires 5 affirmative votes) (Subject to Mayor's

Veto);

2. Approve Third Amendment to Agreement with Fresno Pacific University's Center for Community Transformation (CCT) in the amount of \$18,000 and an additional \$1,000 for reimbursement of meeting expenses, for a total amount not to exceed \$69,000 for services under the Mayor's Faith Based Partnership Council.

The above item was continued to October 22, 2020 by Council President Arias.

2-H [ID](#) Award a contract to CORE Spaces and Design in the amount of
[20-001297](#) \$214,993.08 utilizing CARES funding to complete cubicle reconfigurations implementing social distancing protocols in response to the COVID-19 Pandemic for the Police Department Records Division, Court Liaison Office, and Prosecutor Liaison Office; Public Works Streets Maintenance Administration, and Supervisor Unit; and the Traffic Operations and Planning Division.

2-I [ID](#) RESOLUTION - Of Intention to Annex Final Tract Map No. 6280
[20-001310](#) as Annexation No. 115 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, November 19, 2020, at 10:00 am (northeast corner of North Polk and West Dante Avenues) (Council District 2)

RESOLUTION 2020-260 ADOPTED

2-J [ID](#) Approve a substitution of a listed Subcontractor Omni
[20-001311](#) Underground, Inc., for N. Gates and W. San Jose Avenue Traffic Signal Installation (Council District 2)

2-K [ID](#) BILL - (For introduction) Amending the uncodified ordinance to
[20-001313](#) adopt changes and additions to the official list of designated special speed zones for various streets within the City of Fresno pursuant to Section 14-1501 of the Fresno Municipal Code (Citywide)

BILL 48 APPROVED, INTRODUCED AND LAID OVER

2-L [ID](#) ***RESOLUTION - Claiming funds of \$441,187.01 for stale dated
[20-001265](#) (uncashed) utility customer refund checks dated December 28,

2000, through December 30, 2016, and transferring said funds from Utility Sales Clearing Fund 52502 to Water Enterprise Fund 40101, Solid Waste Operating Fund 41001, Community Sanitation Operating Fund 41501, and Wastewater Operating Fund 40501. (Subject to Mayor's Veto)

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

- 2-M** [ID](#) BILL - (For Introduction) Repealing Sections 2-1303 and 2-1309
[20-001329](#) of the Fresno Municipal Code Regarding the Housing and
Community Development Commission

BILL 49 APPROVED, INTRODUCED AND LAID OVER

- 2-N** [ID](#) Consideration of Text Amendment Application No. P20-02213
[20-001312](#) and related Environmental Finding for Environmental
Assessment No. P20-02213, to add section 15-1614 to Chapter
15 of the Fresno Municipal Code creating the Focused Infill (FI)
Overlay District in the City of Fresno.
1. ***BILL NO. B-45 - (Introduced 9/24/2020) (For adoption) -
Adding Section 15-1614 to the Fresno Municipal Code, creating
the Focused Infill (FI) Overlay District in the City of Fresno.
(Subject to Mayor's veto)

ORDINANCE 2020-044 ADOPTED

- 2-O** [ID](#) Actions pertaining to Text Amendment Application No.
[20-001363](#) P20-02212 and related Environmental Finding for Environmental
Assessment No. P20-02212, sections 15-2706, 15-6801 and
15-6802 of the Fresno Municipal Code, to be titled the
Responsible Neighborhood Market Act and relating to the use
regulations for alcohol sales.

1. ADOPT Environmental Assessment No. P20-02212, dated July 29, 2020, that Text Amendment Application No. P20-02212 is exempt from the California Environmental Quality Act (CEQA) pursuant to the common sense exemption that it can be seen with certainty that there is no possibility that the proposed Text Amendment may have a significant effect on the environment pursuant to CEQA Guidelines Section 15061(b)(3).
2. ***BILL (Intro. 9/24/2020)(For adoption) - Amending Sections

15-2706, 15- 6801, and 15-6802 to the Fresno Municipal Code, relating to the use regulations for alcohol sales. (Subject to Mayor's veto)

3. RESOLUTION - Of the Council establishing the Responsible Neighborhood Market Act Committee

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

- 2-P** [ID](#) Approve the Second Amendment to the Consultant Services Agreement with Provost and Pritchard Consulting Group, Inc., to extend the agreement term from June 30, 2020 to October 31, 2021, for design and construction support services on the Big Dry Creek Diversion Channel Slope Repairs project related to the City of Fresno's Friant-Kern Canal Raw Water Pipeline project, for a previously approved contract amount of \$20,000 (Fresno County)
- 2-Q** [ID](#) Approve the Sixth Amendment to the Consultant Services Agreement with Live Oak Associates, Inc., to increase the fee amount by \$53,750 for a total amended contract amount of \$639,706; and to extend the agreement term from June 30, 2020 to October 31, 2021, for Biological Resources Monitoring Services relating the City of Fresno's Friant-Kern Canal Raw Water Pipeline project (Fresno County)
- 2-R** [ID](#) Approve a First Amendment to the Consultant Services Agreement with Carollo Engineers Inc., to increase the design fee amount by \$23,570, utilizing the full \$20,000 of contingency, resulting in a net contract increase of \$3,570, for a total amended not to exceed contract amount to \$214,490; and to extend the agreement term from July 18, 2020, to December 17, 2021, for design revisions and permitting efforts on the North Avenue Sewer Trunk Main Realignment Project (Council Districts 3, 5 and Fresno County)
- 2-S** [ID](#) Actions pertaining to the construction of 2,700 linear feet of 16-inch diameter water main for the Armstrong - Kings Canyon to Butler Water Main Replacement Project (Bid File 3742) (Council District 5 and Fresno County):
1. Adopt a finding of Notice of Exemption pursuant to 14 CCR

Section 15282(k), Public Resources Code Section 21080.21 (California Environmental Quality Act does not apply to any project of less than one mile in length within a public street for the replacement of an existing pipeline within a public street)

2. Award a construction contract to West Valley Construction Company, Inc., in the amount of \$809,298

2-T

[ID](#)

[20-001339](#)

Actions pertaining to Pump Station 208-2:

1. Adopt a finding of Categorical Exemption per staff's determination, pursuant to Sections 15301, 15302, and 15303 of the California Environmental Quality Act Guidelines
2. Award a Construction Contract to Nor-Cal Pump & Well Drilling, Inc., in the amount of \$418,167 to drill and construct a new production well at Pump Station 208-2, located at 4554 North Wishon Avenue (Bid File 3754) (County Island near Council Districts 4 and 7)

2-U

[ID](#)

[20-001325](#)

Actions pertaining to Coronavirus Aid Relief and Economic Securities (CARES) Act funding for purchase and installation of extractors:

1. Approve the Fire Chief or her designee to accept Coronavirus Aid Relief and Economic Securities (CARES) Act funding for \$608,800 for the purchase of and installation of eleven (11) extractors at fire stations that are currently without extractors.
2. ***RESOLUTION - Adopting the 31st amendment to the Annual Appropriation Resolution (AAR) No. 2020-159 appropriating \$608,800 in CARES Act funding for the purchase and installation of extractors (Subject to Mayor's Veto)

RESOLUTION 2020-262 ADOPTED

2-V

[ID](#)

[20-001338](#)

Actions pertaining to the 2021 Selective Traffic Enforcement Program (STEP) grant:

1. Authorize the Chief of Police to accept \$725,000 in grant funding for the 2021 STEP grant awarded to the Fresno Police Department from the National Highway Traffic Safety Administration (NHTSA) through the California Office of Traffic Safety (OTS)
2. Authorize the Chief of Police to execute the agreement, extensions and all related documentation applicable to the 2021

STEP grant

- 2-W** [ID](#) Actions pertaining to the 2018 State Homeland Security Grant Program (SHSGP)
[20-001340](#)
1. Authorize the Chief of Police to accept \$128,293.20 in grant funding for the 2018 State Homeland Security Grant awarded to the Fresno Police Department by the California Office of Emergency Services (CalOES) through the County of Fresno Department of Behavioral Health.
 2. Authorize the Chief of Police or his designee to execute the agreement and all related documentation applicable to the 2018 SHSGP grant.
- 2-X** [ID](#) Actions pertaining to the 2020 Off-Highway Vehicle (OHV) Grant Program:
[20-001343](#)
1. Authorize the Chief of Police to accept \$33,564 in grant funding for the 2020 Off-Highway Vehicle grant program awarded to the Fresno Police Department from the State of California Department of Parks and Recreation;
 2. Authorize the Chief of Police to execute the agreement and all related documents applicable to the 2020 OHV grant including amendments and extensions; and
 3. ***RESOLUTION - Adopt the 32nd Amendment to the Annual Appropriation Resolution (AAR) No. 2020-159 appropriating \$33,600 for the Police Department's Off-Highway Vehicle (OHV) grant program from the State of California, Department of Parks and Recreation (requires five affirmative votes) (Subject to Mayor's veto);
 4. RESOLUTION - Authorizing acceptance of \$33,564 in grant funding from the State of California Department of Parks and Recreation for the Fresno Police Department's 2020 Off-Highway Vehicle grant

RESOLUTION 2020-263 ADOPTED

RESOLUTION 2020-264 ADOPTED

- 2-Y** [ID](#) BILL (for introduction) - Extending the Economically
[20-001361](#) Disadvantaged Neighborhoods Act to 2022

BILL 51 APPROVED, INTRODUCED AND LAID OVER

- 2-Z** [ID](#) BILL (for introduction) - Extending the Commercial Build Act to
 [20-001362](#) 2022

BILL 52 APPROVED, INTRODUCED AND LAID OVER

- 2-AA** [ID](#) Actions pertaining to contract with Pardini's, Inc., for
 [20-001376](#) administration of the Senior Aid for Food and Resources (SAFR)
 Program:

1. ***RESOLUTION - Adopting the 35th Amendment to the
Annual Appropriation Resolution No. 2020-159 appropriating
\$500,000 in CARES Act Funds for extension of the Senior Aid for
Food and Resources (SAFR) Program

2. Approve First Amendment to Agreement with Pardini's, Inc.,
for administration of the SAFR Program

RESOLUTION 2020-265 ADOPTED AS AMENDED

- 2-BB** [ID](#) Actions pertaining to the Fresno Arts and Culture Emergency
 [20-001377](#) Relief Grant Program:

1. ***RESOLUTION - Adopting the 36th Amendment to the
Annual Appropriation Resolution No. 2020-159 to appropriate
\$1,500,000 in CARES Act Funds for Fresno Arts and Culture
Emergency Relief Grant Program (Requires 5 affirmative votes)
(Subject to Mayor's Veto)

2. RESOLUTION - Directing Staff to create and administer the
Fresno Arts and Culture Emergency Relief Grant Program

3. Approve Agreement with Fresno Arts Council in the amount of
up to \$1,500,000, to administer the Fresno Arts and Culture
Emergency Relief Grant Program

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

- 2-CC** [ID](#) Actions pertaining to the Fresno Nonprofit Emergency Relief
 [20-001378](#) Grant Program:

1. ***RESOLUTION - Adopting the 37th Amendment to the

Annual Appropriation Resolution No. 2020-159 to appropriate \$500,000 in CARES Act Funds for Fresno Nonprofit Emergency Relief Grant Program (Requires 5 affirmative votes)(Subject to Mayor's Veto)

2. RESOLUTION -Direction Staff to create and administer the Fresno Nonprofit Emergency Relief Fund.

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

- 2-DD** [ID](#) Actions pertaining to the agreement with Barrios Unidos related to the Maskup CV marketing campaign:
[20-001379](#)

1. ***RESOLUTION - Adopting the 38th Amendment to the Annual Appropriation Resolution No. 2020-159 to appropriate \$44,300 in CARES Act Funds for the Maskup CV Campaign (Requires 5 affirmative votes)(Subject to Mayor's Veto)

2. Approve Agreement with Barrios Unidos for the Maskup CV Campaign

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

- 2-EE** [ID](#) ***RESOLUTION - 33rd Amendment to AAR No. 2020-159
[20-001383](#) appropriating \$10,000,000 in CARES Act Funds for reimbursement of Fire Department salaries related to COVID-19 (Requires 5 Votes) (Subject to Mayor's Veto)

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

- 2-FF** [ID](#) Actions related to United Health Centers construction of clinics in
[20-001384](#) Southeast and West Fresno:
1. Adopt a finding of Categorical Exemption pursuant to Section 15332/Class 32 of the California Environmental Quality Act (CEQA) Guidelines
 2. ***RESOLUTION - 34th Amendment to AAR No. 2020-159 appropriating \$10,000,000 for the United Health Centers projects in Southeast and West Fresno (Requires 5 Votes) (Subject to Mayor's Veto)

3. Approve Agreement with United Health Centers

The above item was continued to October 22, 2020

- 2-GG** [ID](#) [20-001386](#) Actions pertaining to CARES Act Grant Agreement with Housing Authority of the City of Fresno to provide interim housing for at-risk residents due to COVID-19:

1. Adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 and Section 15303/Class 3 of the California Environmental Quality Act (CEQA) Guidelines
2. ***RESOLUTION - Adopting the 39th Amendment to the Annual Appropriation Resolution No. 2020-159 to appropriate \$4,500,000 in CARES Act Funds for Grant Agreement with Housing Authority (Requires 5 Votes) (Subject to Mayor's Veto)
3. Approve Grant Agreement with Housing Authority of the City of Fresno in an amount up to \$4,500,000 to purchase motels to provide interim housing for at-risk residents due to COVID-19.

The above item was continued to October 22, 2020

- 2-HH** [ID](#) [20-001388](#) Approve First Amendment to Grant Agreement between the City of Fresno and Fresno Area Hispanic Foundation regarding small business relief to provide an additional \$1,000,000 in small business grants.

- 2-II** [ID](#) [20-001398](#) ***RESOLUTION - Directing a review of the names of all City facilities and prohibiting naming of city assets after cultural or historic figures known to be racist or bigoted (subject to Mayor's veto)

Sponsor: Councilmember Soria

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

CONTESTED CONSENT

- 2-L** [ID](#) [20-001265](#) ***RESOLUTION - Claiming funds of \$441,187.01 for stale dated (uncashed) utility customer refund checks dated December 28, 2000, through December 30, 2016, and transferring said funds from Utility Sales Clearing Fund 52502 to Water Enterprise Fund 40101, Solid Waste Operating Fund 41001, Community

Sanitation Operating Fund 41501, and Wastewater Operating Fund 40501. (Subject to Mayor's Veto)

Councilmember Soria recommended that the unclaimed checks from 2000 to 2015 be transferred as recommended by staff and continue to allow those from 2015 to 2020 additional time to claim their unclaimed checks and direct staff to continue to promote online, through social media, through additional press releases and to bring the item back next year. Director Lima responded.

Assistant City Manager Schaad requested the item be continued to the next Council meeting.

After further discussion Councilmember Soria motioned to table the item to October 22, 2020. Councilmember Karbassi seconded the motion.

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

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

2-O [ID](#) Actions pertaining to Text Amendment Application No. [20-001363](#) P20-02212 and related Environmental Finding for Environmental Assessment No. P20-02212, sections 15-2706, 15-6801 and 15-6802 of the Fresno Municipal Code, to be titled the Responsible Neighborhood Market Act and relating to the use regulations for alcohol sales.

1. ADOPT Environmental Assessment No. P20-02212, dated July 29, 2020, that Text Amendment Application No. P20-02212 is exempt from the California Environmental Quality Act (CEQA) pursuant to the common sense exemption that it can be seen with certainty that there is no possibility that the proposed Text Amendment may have a significant effect on the environment pursuant to CEQA Guidelines Section 15061(b)(3).

2. ***BILL (Intro. 9/24/2020)(For adoption) - Amending Sections 15-2706, 15- 6801, and 15-6802 to the Fresno Municipal Code, relating to the use regulations for alcohol sales. (Subject to Mayor's veto)

3. RESOLUTION - Of the Council establishing the Responsible Neighborhood Market Act Committee

The above item was introduced to Council by Council President Arias, District 3, Councilmember Esparza, District 7 and Councilmember Chavez, District 5. Upon call, the following members of the public addressed Council: Debbie Darden, Ms. Rocio, Estela Ortega, Jose Espinoza, Ivanka Saunders, Rob Wade, John Kinsey, Shaun Robinson, Mehri Barati, Anthony Yu, Mr. Hopkins, Ed Osuna, Kimberly McCoy, Dr. Shaz Jahromi, Hilda Perez, Dr. Praveen Buddiga, Kristin Safian, Aaron Foster, Kaya Herron, Louis Tucker, Andy Chhikara, Terry Shelton, Saeed Attar, Victor Gonzalez, Baolia Xiong, Grecia Elenes, Lisa Flores, Varoojan Mirayan, Jesus Mendoza, Darius Assemi, Suki Sahota, Nick Yovino Jr., and Rajdeep Singh.

Council President Arias motioned to approve the Responsible Neighborhood Market Act with the following direction: staff initiate a revision of the Fresno Municipal Code section 15-6704 to update and refine the definitions of grocery stores, including the terms "General Market" and "Healthy Food Grocer," to foster and accommodate future development of grocery stores with a footprint of less than 10,000 square feet by establishing a steering committee of stakeholders and members of public in consultation with the Council and Mayor for the Council's consideration. Councilmember Esparza seconded the motion.

Councilmember Chavez asked Deputy City Attorney III Gonzales about the variance in the text amendment. Deputy City Attorney III Gonzales stated the variance will need to come back to Council in another resolution.

Councilmember Bredefeld asked several questions regarding the variances and the Alcohol Beverage Control (ABC) licenses and asked about a 50% credit to grocery stores. Council President Arias responded he is open to it so long as it does not go to convenience store. Councilmember Bredefeld asked what will it take to get a Save Mart or Super Walmart type of store in Southwest Fresno and he would like to find the dollars to incentivize stores.

*BILL 50/ORDINANCE 2020-045 ADOPTED
RESOLUTION 2020-261 ADOPTED*

On motion of President Arias, seconded by Councilmember Esparza,

that the above Action Item be adopted as amended. The motion carried by the following vote:

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

No: 1 - Karbassi

City Council recessed for lunch at 12:10 P.M. and returned from lunch at 2:04 P.M.

2-DD [ID](#) Actions pertaining to the agreement with Barrios Unidos related
[20-001379](#) to the Maskup CV marketing campaign:

1. ***RESOLUTION - Adopting the 38th Amendment to the Annual Appropriation Resolution No. 2020-159 to appropriate \$44,300 in CARES Act Funds for the Maskup CV Campaign (Requires 5 affirmative votes)(Subject to Mayor's Veto)
2. Approve Agreement with Barrios Unidos for the Maskup CV Campaign

Councilmember Bredefeld asked for clarification on the Maskup CV Campaign and what an influencer was. Councilmember Chavez responded.

RESOLUTION 2020-270 ADOPTED

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

Aye: 5 - Arias, Caprioglio, Chavez, Bredefeld and Esparza

Absent: 2 - Soria and Karbassi

COUNCILMEMBER REPORTS AND COMMENTS

Council Vice President Caprioglio thanked the Fresno State Police Department and gave an update on the SAFR Food distribution program at Vineland Elementary. He stated about 430 meals have been distributed. He celebrated Peace Day at Fresno State and thanked all who coordinated the event. He thanked the Public Works Department for all the work they have been doing in District 4 and the FAX Department for the upgrades in front of Hoover High School and Duncan High School.

Councilmember Esparza spoke regarding his third mobile COVID testing at McLane High School and mentioned he held a couple Fresno EIFD hearings for the final formation of the infrastructure.

Councilmember Chavez thanked the University of California San Francisco, Fresno (UCSF) for working with the mobile healthy unit and spoke regarding his upcoming street name change in Southeast Fresno.

3. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:00 A.M.

[ID](#)
[20-001321](#)

TEFRA HEARING - To hear and consider information concerning the proposed issuance of tax-exempt bonds by California Enterprise Development Authority for the purpose of financing, refinancing and/or reimbursing to the Borrower the cost of designing, developing, constructing, installing and equipping, renovating and remodeling of two facilities by United Health Centers of the San Joaquin Valley.

1. ***RESOLUTION - Approving the issuance by the California Enterprise Development Authority of revenue bonds in an aggregate principal amount not to exceed \$12,000,000 for the purpose of financing, refinancing, and/or reimbursing the cost of designing, developing, constructing, installing, equipping, renovating, and remodeling two facilities for the benefit of United Health Centers of the San Joaquin Valley and other matters relating thereto (Subject to Mayor's veto).

The item was called to order at 2:20 P.M. and was introduced to Council by Director Lima, Finance Department. Upon call, there was no public comment.

Councilmember Esparza asked how the item relates to the United Health Center under Consent Calendar. Director Lima responded it does not relate, they are two separate items for discussion.

RESOLUTION 2020-273 ADOPTED

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

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

Absent: 1 - Soria

10:15 A.M.

[ID](#)
[20-001324](#)

HEARING to Consider Plan Amendment Application No. P20-00577; Rezone Application No. P20-00577; Planned Development Application No. P20-00845; Vesting Tentative Tract Map No. 6299/UGM; and related Environmental Assessment No. P20-00577/P20-00845/T-6299 for ±22 acres of property located on the southeast corner of East Belmont and North Armstrong Avenues (Council District 5).

1. ADOPT Environmental Assessment No. P20-00577/P20-00845/T-6299, dated June 26, 2020, a Mitigated Negative Declaration for the proposed project pursuant to the California Environmental Quality Act (CEQA).

2. RESOLUTION - Approving Plan Amendment Application No. P20-00577 proposing to amend the Fresno General Plan and the Roosevelt Community Plan to change the planned land use designation for the subject property from Low Density Residential to Medium Density Residential and the realignment of a planned trail to be relocated to the east side of North Armstrong Avenue between East Belmont Avenue and the existing trail alignment directly south of East Fancher Creek Drive.

3. BILL - (For introduction and adoption) - Approving Rezone Application No. P20-00577 proposing to rezone the subject property from the RS-3/UGM (Residential Single-Family, Low Density/Urban Growth Management) zone district to the RS-5/UGM (Residential Single-Family, Medium Density/Urban Growth Management) zone district.

4. APPROVE - Planned Development Application No. P20-00845 proposing to modify the RS-5 (Residential Single-Family, Medium Density) zone district development standards to allow for reduced setbacks, reduced lot sizes, and reduced lot depths for the proposed detached single-family residences.

5. APPROVE - Vesting Tentative Tract Map No. 6299/UGM, proposing to subdivide ±22 acres of the subject property into a

218-lot single-family residential development subject to compliance with the Conditions of Approval dated September 16, 2020, and contingent upon approval of Plan Amendment Application No. P20-00577, Rezone Application No. P20-00577 and the related environmental assessment.

The item was called to order at 2:24 P.M. There was no introduction to Council and upon call, there was no public comment, and no Council discussion.

RESOLUTION 2020-274 ADOPTED

BILL 53/ORDINANCE 2020-046 ADOPTED

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

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

Absent: 1 - Soria

10:25 A.M.

[ID](#)
[20-001335](#)

HEARING to Consider Rezone Application No. P20-00596, Development Permit Application No. P20-00595, and related Environmental Assessment No. P20-00595/P20-00596 pertaining to ±1.07 acres of property located on the northeast corner of North Fresno Street and East Browning Avenue (Council District 4) - Planning & Development Department.

1. ADOPT Environmental Assessment No. P20-00595/P20-00596, dated September 16, 2020, a determination that the proposed project qualifies for the streamlined analysis set forth in the California Environmental Quality Act (CEQA) Guidelines Section 15183 (Projects Consistent w/ a Community Plan, General Plan, or Zoning) ; and,
2. BILL - (For introduction and adoption) - Approving Rezone Application No. P20-00596 requesting authorization to remove conditions of zoning on ±1.07 acres located on the northeast corner of North Fresno Street and East Browning Avenue; and,
3. APPROVE - Development Permit Application No. P20-00595 requesting authorization to construct a professional office complex on the subject property, subject to compliance with

Conditions of Approval dated September 16, 2020.

The item was called to order at 2:25 P.M. There was no introduction to Council and upon call, there was no public comment and no Council discussion.

BILL 55/ORDINANCE 2020-048 ADOPTED

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

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

Absent: 1 - Soria

10:20 A.M.

- [ID](#) HEARING to consider Plan Amendment and Rezone Application
[20-001336](#) Nos. P20-00957; and related Environmental Assessment No. P20-00957 for approximately 18.9 acres of property located on the west side of North Palm Avenue, between West Nees and West Fallbrook Avenues. (Council District 2) - Planning and Development Department.
1. ADOPT the addendum to the Master Environmental Impact Report ("MEIR") SCH No. 2012111015, dated September 16, 2020 for the proposed project pursuant to the California Environmental Quality Act (CEQA).
 2. RESOLUTION - Approving Plan Amendment Application No. P20- 00957 proposing to amend the 2035 Fresno General Plan to change the planned land use designations for the subject properties from Employment, Office (±16.7 acres) and Employment, Light Industrial (±2.2 acres) to Commercial Community (±18.9 acres).
 3. BILL (For introduction and adoption) - Approving Rezone Application No. P20-00957 proposing to rezone the Official Zoning Map of the City of Fresno to rezone the subject properties from the O/UGM/cz (Office/Urban Growth Management/conditions of zoning)(±16.7 acres) and IL/UGM/cz (Light Industrial/Urban Growth Management/conditions of zoning)(±2.2 acres) zone districts to the CC/UGM/cz (Community Commercial/Urban Growth Management/conditions of zoning)(±

CONTESTED CONSENT (CONTINUED)

2-BB [ID](#) Actions pertaining to the Fresno Arts and Culture Emergency
[20-001377](#) Relief Grant Program:

1. ***RESOLUTION - Adopting the 36th Amendment to the Annual Appropriation Resolution No. 2020-159 to appropriate \$1,500,000 in CARES Act Funds for Fresno Arts and Culture Emergency Relief Grant Program (Requires 5 affirmative votes) (Subject to Mayor's Veto)
2. RESOLUTION - Directing Staff to create and administer the Fresno Arts and Culture Emergency Relief Grant Program
3. Approve Agreement with Fresno Arts Council in the amount of up to \$1,500,000, to administer the Fresno Arts and Culture Emergency Relief Grant Program

Councilmember Bredefeld asked several questions regarding the criteria, the definition of the terms, what the amounts awarded to the programs will be, and if the Fresno Arts and Culture is best to administer the relief grant program. Councilmember Soria responded there is a lot of oversight on the program.

RESOLUTION 2020-266 ADOPTED

RESOLUTION 2020-267 ADOPTED

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

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

2-CC [ID](#) Actions pertaining to the Fresno Nonprofit Emergency Relief
[20-001378](#) Grant Program:

1. ***RESOLUTION - Adopting the 37th Amendment to the Annual Appropriation Resolution No. 2020-159 to appropriate \$500,000 in CARES Act Funds for Fresno Nonprofit Emergency

Relief Grant Program (Requires 5 affirmative votes)(Subject to Mayor's Veto)

2. RESOLUTION -Direction Staff to create and administer the Fresno Nonprofit Emergency Relief Fund.

Councilmember Bredefeld asked several questions regarding the criteria, which Nonprofit will be awarded money and how do they prove they were affected by COVID19. Councilmember Soria responded.

RESOLUTION 2020-268 ADOPTED

RESOLUTION 2020-269 ADOPTED

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

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

2-II [ID](#) ***RESOLUTION - Directing a review of the names of all City
[20-001398](#) facilities and prohibiting naming of city assets after cultural or
 historic figures known to be racist or bigoted (subject to Mayor's
 veto)
 Sponsor: Councilmember Soria

The above item was introduced to Council by Councilmember Soria, District 1. Upon call, the following members of the public addressed Council: Gary Hut, Lisa Flores, and Brandi Villegas.

Councilmember Bredefeld expressed his opposition of the item and addressed his concerns with the criteria and how the historical figures were going to be identified as racist or bigot.

RESOLUTION 2020-272 ADOPTED

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

Aye: 4 - Arias, Soria, Chavez and Esparza

No: 1 - Bredefeld

Absent: 2 - Caprioglio and Karbassi

- 2-EE [ID](#) [20-001383](#) ***RESOLUTION - 33rd Amendment to AAR No. 2020-159 appropriating \$10,000,000 in CARES Act Funds for reimbursement of Fire Department salaries related to COVID-19 (Requires 5 Votes) (Subject to Mayor's Veto)

There was no introduction to Council and upon call, there was no public comment and no Council discussion.

RESOLUTION 2020-271 ADOPTED

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

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

Absent: 2 - Caprioglio and Karbassi

10:30 A.M. JOINT MEETING WITH THE FRESNO JOINT POWERS FINANCING AUTHORITY

- [ID](#) [20-001342](#) Actions pertaining to bonds for the Animal Control Facility:
1. ***RESOLUTION - Ratifying, approving and supplementing Resolution No. 2020-254, authorizing the release of facilities (Animal Control Shelter), extension of collateralization (Municipal Service Center, Municipal Auditorium, Parking Garage #4, City Hall), and amendment to the Facilities Lease and Facilities Sublease relating to the Fresno Joint Powers Financing Authority Lease Revenue Refunding Bonds (Various Capital Projects), Series 2020 and approving the taking of all necessary or desirable actions in connection therewith (Council action) (Requires 5 affirmative votes) (Subject to Mayor's veto)
 2. RESOLUTION - Ratifying, approving and supplementing Resolution No. 48, authorizing the release of facilities (Animal Control Shelter) and extension of collateralization (Municipal Service Center, Municipal Auditorium, Parking Garage #4, City Hall) and amendment of the Facilities Sublease relating to the Fresno Joint Powers Financing Authority Lease Revenue Refunding Bonds (Various Capital Projects), Series 2020 and approving the taking of all necessary or desirable action in

connection therewith (Authority action)

The item was called to order at 3:16 P.M. There was no introduction to Council and upon call, there was no public comment and no Council discussion.

Member Arias motioned to adopt the item as presented. Chair Soria seconded the motion. Motion PASSED 3-0.

JPFA 49 ADOPTED

RESOLUTION 2020-276 ADOPTED

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

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

Absent: 2 - Caprioglio and Karbassi

2:00 P.M. #1

[ID](#) WORKSHOP - Office of Independent Review
[20-001320](#)

The workshop was presented to Council by Independent Reviewer Gliatta, City Manager's Office.

2:00 P.M. #2

[ID](#) Continued Budget Hearings (if needed)
[20-001355](#)

The Retirement budget was presented to Council by Retirement Administrator Theller, Retirement Department.

Council President Arias requested the rolling average of the markets used for the current pension calculations.

Council Vice President Caprioglio motioned to amended motion 23 to authorize Public Works Department to pave Cedar Avenue between Shaw and Barstow Avenue. Councilmember Karbassi seconded the motion.

Council President Arias motioned to allocate \$1 million to fund the recommendation of the Commission on Police Reform. Councilmember Esparza seconded the motion.

Council President Arias motioned to fund \$250,000 from Public Works budget to fund the Truck study in partnership with San Joaquin Air Control District. Councilmember Chavez seconded the motion.

5. CITY COUNCIL

There were no City Council items.

1. CLOSED SESSION

Upon call, there was no public comment and City Council recessed for Closed Session at 4:19 P.M. and returned from Closed Session at 5:25 P.M.

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

- 1-A** [ID](#) CONFERENCE WITH REAL PROPERTY NEGOTIATOR -
[20-001290](#) Government Code Section 54956.8 Property: 1625 G Street
Fresno, CA 93706 (APN 465-084-30) Negotiating Parties: City
Manager, 1626 Fresno MRP, LLC Under Negotiations: Price
and terms of acquisition
- 1-B** [ID](#) PUBLIC EMPLOYEE PERFORMANCE EVALUATION
[20-001302](#) 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 Miguel Arias
Unrepresented Employee: City Clerk
- The above item was continued to October 22, 2020.*
- 1-C** [ID](#) PUBLIC EMPLOYEE PERFORMANCE EVALUATION
[20-001301](#) 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 Miguel Arias

Unrepresented Employee: City Attorney

The above item was continued to October 22, 2020.

- 1-D** [ID](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING
[20-001309](#) LITIGATION - Government Code Section 54956.9, subdivision (d)(1)
1. Fabian Lara v. City of Fresno, et al.; Fresno County Superior Court Case No.:18CECG03514 (Public Works Department)
- 1-E** [ID](#) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED
[20-001315](#) LITIGATION or DECIDING WHETHER TO INITIATE
LITIGATION - Government Code Section 54956.9, subdivision (d)(2)
1. Lexington Insurance Company, et al. v. City of Fresno, et al.
- 1-F** [ID](#) CONFERENCE WITH LEGAL COUNSEL - PUBLIC SECURITY
[20-001323](#) - Government Code Section 54957(a):
1. Matters posing a threat to the security of public buildings, the security of essential public services, and to the public's right of access to public services and public facilities, and related actions pertaining to the Declaration by Governor Newsom of a State of Emergency to Help State Prepare for Broader Spread of COVID-19, and related local concerns.
- 1-G** [ID](#) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED
[20-001381](#) LITIGATION OR DECIDING WHETHER TO INITIATE
LITIGATION
Government Code Section 54956.9, subdivision (d)(4)
City of Fresno v. Victoria Shannon, et al.

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

UNSCHEDULED COMMUNICATION

Upon call, there was no Unscheduled Communication.

ADJOURNMENT

City Council adjourned at 5:25 P.M.