

City of Fresno

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



Meeting Minutes - Draft

Thursday, October 22, 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.

9:08 A.M. ROLL CALL

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

Invocation

Pledge of Allegiance to the Flag

APPROVE AGENDA

City Clerk Spence announced the following changes to the agenda: File ID 20-001411 (1-E) – Actions pertaining to the installation of Immaculight-Illumipure ultraviolet disinfecting fixtures at various Parks, After School, Recreation and Community Services facilities was tabled to the next meeting, October 29, 2020, File ID 20-001405 (1-L) – Approve the appointment of Sabrina Kelley to the Housing Authority Board was continued to November 5, 2020, File ID 20-001408 (1-O) - Actions pertaining to the acquisition of 1625 G Street (APN 465-084-30) was continued to November 19, 2020, File ID 20-001423 (1-Q) – Resolution - Supporting California's Proposition 20 on the November 2020 Ballot was removed from Consent Calendar and placed under City Council items, File ID 20-001402 (1-S) – Actions related to United Health Centers construction of clinics in Southeast and West Fresno, there will be no Annual Appropriation Resolution (AAR), as funding will be rolled into the budget if approved, File ID 20-001403 (1-T) – Actions pertaining to the purchase of hotels to provide interim housing for at-risk residents due to COVID-19, the only item going before council is the 39th Amendment to the Annual Appropriation Resolution (AAR), File ID 20-001395 (1-K) - Actions pertaining to Violence Reduction Services Agreement, Councilmember Bredefeld registered a no vote and Councilmember Chavez recused himself and File ID 20-001406 (1-N) - Actions pertaining to the CARES Act Emergency Solutions Grant Round 2 (ESG-CV2) funding from the United

States Department of Housing and Urban Development (HUD) was continued to October 29, 2020 by Councilmember Esparza.

The following items were pulled from Consent Calendar and moved to Contested Consent for further discussion:

File ID 20-001385 (1-F) - Actions pertaining to the approval of an agreement between Borrelli and Associates Inc., of Fresno, CA in the amount of \$177,800 plus a contingency of \$12,000 for the design and preparation of construction documents for the Municipal Service Center Generator Replacement Project (Council District 3) was pulled by Councilmember Soria.

File ID 20-001420 (1-M) - Actions pertaining to the Mayor's Faith Based Partnership Agreement was pulled by Council President Arias.

File ID 20-001423 (1-Q) - Resolution - Supporting California's Proposition 20 on the November 2020 Ballot was tabled by Council President Arias.

Councilmember Bredefeld motioned to keep File ID 20-001423 (1-Q) - Resolution - Supporting California's Proposition 20 on the November 2020 Ballot on the agenda for discussion. Motion FAILED for lack of second.

File ID 20-001404 (1-R) - Approve an agreement with Olympic Property Services, LLC., for Chinatown area clean-up, not to exceed \$250,000 was pulled by Councilmember Bredefeld.

File ID 20-001403 (1-T) – Actions pertaining to the purchase of hotels to provide interim housing for at-risk residents due to COVID-19, was pulled by Councilmember Karbassi and Councilmember Bredefeld recused himself.

File ID 20-001431 (1-U) - RESOLUTION - Initiating a Text Amendment to the Zoning Ordinance of the City of Fresno to Amend Chapter 15, Article 27, Section 15-2706 of the Fresno Municipal Code relating to the Sale of Alcoholic Beverages for Offsite Consumption and Section 15-6704 relating to Food and Beverage Sales definitions, pursuant to Fresno Municipal Code Section 15-5803-A(1) was pulled by Councilmember Bredefeld and

Councilmember Esparza.

*File ID 20-001434 (1-V) - *** BILL NO. 51 (Intro. 10/15/2020) (For adoption) - Extending the Economically Disadvantaged Neighborhoods Act to 2022 (Subject to Mayor's Veto) was pulled by Councilmember Bredefeld.*

*File ID 20-001435 (1-W) - *** BILL NO. 52 (Intro. 10/15/2020) (For adoption) - Extending the Commercial Build Act to 2022 (Subject to Mayor's Veto) was pulled by Councilmember Bredefeld.*

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

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

No: 1 - Bredefeld

CEREMONIAL PRESENTATIONS

The below Ceremonial Presentations were presented to Council.

[ID 20-0042](#) Proclamation of "Breast Cancer Awareness Month"

[ID 20-001370](#) Proclamation for "Domestic Violence Awareness Month"

[ID 20-001439](#) Proclamation of "Richard Dale Keys Sr. Day"

COUNCILMEMBER REPORTS AND COMMENTS

Councilmember Chavez thanked the family of Tim Liles, Principle of Sunnyside High School for attending the renaming of the street in memory of Tim Liles.

Councilmember Bredefeld addressed his Resolution supporting California's Proposition 20 on the November 2020 Ballot and expressed his support.

Councilmember Karbassi responded to the comments made regarding the Resolution supporting Proposition 20 on the Council agenda and stated he is in support of Proposition 20 but does not support having the item on the Council agenda. He recently toured the Central California Food Bank who

have distributed almost 14 million pounds of food to the residents of Fresno, with 24 neighborhood markets and pantries, 5 diaper banks, and 26 School site for backpack distributions. He thanked the Majaree Mason Center, Breaking the Chains and all other organizations who have helped with the disadvantage families in Fresno due to the pandemic. Councilmember Karbassi requested the meeting be adjourned in memory of Richard Keyes.

Councilmember Caprioglio thanked the Administration for all their hard work in completing projects in District 4 and he addressed comments made regarding Proposition 20.

Councilmember Soria announced the following: October 25, 2020 at 11:00 A.M., Tower District will be hosting their annual Pooch Pride. October 28, 2020 at 2:00 P.M. there will be a workshop on the Procurement Process for the Milburn and Dakota Pride Park and she reminded the community the survey phase will be coming to an end at the end of the month and she encouraged everyone to take the survey located on the City of Fresno, District 1 webpage. She thanked the Lions Club, Jakara, District 1 staff, University of California, San Francisco (UCSF) Fresno, Dr. Arambula and Neighborhood Industries for providing free food, masks and flu shots to hundreds of Fresno families.

Council President Arias made the following announcements: There will be a special meeting on October 29, 2020 at 9:00 A.M. and the Council will approve the budget. File ID 20-001406 (1-N) - Actions pertaining to the CARES Act EMergency Solutions Grant ROUNd 2 (ESG-CVS) funding from the Untied States Department of Housing and Urban Development (HUD) and File ID 20-001403 (1-T) Actions pertaining to the purchase of hotels to provide interim housing for at-risk residents due to COVID19 will be continued to the October 29, 2020 meeting. Council President Arias stated he has been working with the community regarding the rise in crime and stated 'It is up to us as a City to provide solutions.' He announced he will be hosting a summit at the Fresno fairgrounds on Wednesday, October 28, 2020. There will be an opportunity for the citizens to voice their concerns and solutions to the rising crime in the City of Fresno.

1. CONSENT CALENDAR

Upon call, the following members of the public addressed Council: Brandi Villegas and D'Aungillique Jackson.

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

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

- 1-A** [ID](#) Approval of minutes for October 12, 2020 Special Meeting, October 12, 2020 , October 13, 2020, and October 14, 2020 Budget Hearings.
[20-001399](#)
- 1-B** [ID](#) ***RESOLUTION- Approving the issuance of revenue bonds by the
[20-001344](#) California Municipal Finance Authority for the purpose of refinancing the California Statewide Communities Development Authority Revenue Bonds, Series 2012A and certain other matters pertaining thereto (Subject to Mayor's veto)

RESOLUTION 2020-277 ADOPTED

- 1-C** [ID](#) Approve the award of a purchase contract to Winner Chevrolet of Elk
[20-001337](#) Grove, California, for the purchase of ten Chevrolet Bolts in the amount of \$289,050 (Bid File 3778)
- 1-D** [ID](#) Reject all bids for a product requirements contract for schedule guide
[20-001356](#) printing services, and the department will re-bid the contract (Bid File 9542)
- 1-E** [ID](#) Actions pertaining to the installation of Immaculight-Illumipure ultraviolet
[20-001411](#) disinfecting fixtures at various Parks, After School, Recreation and Community Services facilities:
1. Adopt finding of Categorical Exemption pursuant to sections 15301(c), 15301(d) and 15301(e) of the California Environmental Quality Act Guidelines
 2. Approve a change order to construction contract with Alliance Building Solutions, Inc. utilizing CARES funding in the amount of \$991,000 to provide and install 200 Immaculight-Illumipure ultraviolet disinfecting fixtures at various Parks, After School, Recreation and Community Services facility locations

The above item was continued to October 29, 2020

- 1-F** [ID](#) Actions pertaining to the approval of an agreement between Borrelli and
[20-001385](#) Associates Inc., of Fresno, CA in the amount of \$177,800 plus a contingency of \$12,000 for the design and preparation of construction

documents for the Municipal Service Center Generator Replacement Project (Council District 3)

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

- 1-G** [ID](#) ***BILL NO. 48 (Intro. 10/15/2020) (For adoption) - Amending the
[20-001432](#) uncodified ordinance to 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) (Subject to Mayor's Veto)

ORDINANCE 2020-049 ADOPTED

- 1-H** [ID](#) *****RESOLUTION** - Authorizing a grant application to the California State
[20-001350](#) Department of Housing and Community Development (California HCD) for
funding under the CalHome Program and execution of a standard
agreement and other required program documents for the repair,
rehabilitation or replacement of manufactured homes in the City of Fresno
(Subject to Mayor's Veto)

RESOLUTION 2020-278 ADOPTED

- 1-I** [ID](#) Approve a Consultant Services Agreement with De Novo Planning Group
[20-001409](#) for environmental assessment services related to the proposed Southeast
Fresno Regional Park and Soccer Complex in an amount not to exceed
\$100,000.

- 1-J** [ID](#) ***BILL NO. 49 (Intro. 10/15/2020) (For adoption) - Repealing Sections
[20-001433](#) 2-1303 and 2-1309 of the Fresno Municipal Code Regarding the Housing
and Community Development Commission (Subject to Mayor's Veto)

ORDINANCE 2020-050 ADOPTED

- 1-K** [ID](#) Actions pertaining to Violence Reduction Services Agreement:
[20-001395](#) 1. *****RESOLUTION** - 29TH Amendment to AAR No. 2020-159
appropriating \$125,000 for the Fresno Advance Peace Project
Agreement (Requires 5 affirmative votes) (Subject to Mayor's veto)
2. Approve Agreement with Fresno Economic Opportunities
Commission in the amount of \$125,000 for violence reduction
services for the Fresno Advance Peace Project.

*The above item PASSED 5-1, Councilmember Bredefeld voted no and
Councilmember Chavez recused himself.*

RESOLUTION 2020-279 ADOPTED

- 1-L [ID](#) Approve the appointment of Sabrina Kelley to the Housing Authority Board.
[20-001405](#)

The above item was continued to November 5, 2020.

- 1-M [ID](#) Actions pertaining to the Mayor's Faith Based Partnership Agreement:
[20-001420](#)
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 pulled from Consent Calendar by Council President Arias and moved to Contested Consent for further discussion.

- 1-N [ID](#) Actions pertaining to the CARES Act Emergency Solutions Grant Round 2 (ESG-CV2) funding from the United States Department of Housing and Urban Development (HUD):
[20-001406](#)
1. ***RESOLUTION - Adopting and approving submission of Substantial Amendment 2019-05 to the 2019-2020 Annual Action Plan to the U.S. Department of Housing and Urban Development (HUD) to program \$8,845,443 in Emergency Solutions Grant Round 2 (ESG-CV2) funds to prevent, prepare for, and respond to the Coronavirus (COVID-19) and authorizing the City Manager to sign all necessary implementing documents (Requires 5 affirmative votes) (Subject to Mayor's Veto); and
 2. Approve an Amendment to the HEARTH Emergency Solutions Grant (HESG) Agreement with the County of Fresno Department of Social Services in the amount of \$2,100,000 for a total award of \$4,098,334.50 for implementation of the Joint COVID-19 Homeless Response Plan.

The above item was continued to October 29, 2020

- 1-O [ID](#) Actions pertaining to the acquisition of 1625 G Street (APN 465-084-30):
[20-001408](#)
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 November 19, 2020.

- 1-P** [ID](#) Approve the appointment of Sherry Neil to the Fresno Regional Workforce Development Board
[20-001334](#)

- 1-Q** [ID](#) RESOLUTION - Supporting California's Proposition 20 on the November 2020 Ballot.
[20-001423](#)

The above item was tabled by Council President Arias.

- 1-R** [ID](#) Approve an agreement with Olympic Property Services, LLC., for Chinatown area clean-up, not to exceed \$250,000.
[20-001404](#)

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

- 1-S** [ID](#) Actions related to United Health Centers construction of clinics in Southeast and West Fresno:
[20-001402](#)
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 amended to remove item 2. Resolution - 34th Amendment to AAR No. 2020-159 appropriating \$10,000,000 for the United Health Centers projects in Southeast and West Fresno from the agenda.

- 1-T** [ID](#) Actions pertaining to the purchase of hotels to provide interim housing for at-risk residents due to COVID-19:
[20-001403](#)
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 to fund acquisition of interim housing (Requires 5 Votes) (Subject to Mayor's Veto)

3. Approve material terms and delegate authority to the City Manager to enter into Agreement(s) to provide interim housing for at-risk residents due to COVID-19, subject to approval by the City Attorney's Office.

The above item was amended to remove items 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 and 3. Approve material terms delegate authority to the City Manager to enter into Agreement(s) to provide interim housing for at-risk residents due to COVID-19 from the agenda.

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

- 1-U** [ID](#) RESOLUTION - Initiating a Text Amendment to the Zoning Ordinance of the City of Fresno to Amend Chapter 15, Article 27, Section 15-2706 of the Fresno Municipal Code relating to the Sale of Alcoholic Beverages for Offsite Consumption and Section 15-6704 relating to Food and Beverage Sales definitions, pursuant to Fresno Municipal Code Section 15-5803-A(1)

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

- 1-V** [ID](#) *** BILL NO. 51 (Intro. 10/15/2020) (For adoption) - Extending the Economically Disadvantaged Neighborhoods Act to 2022 (Subject to Mayor's Veto)

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

- 1-W** [ID](#) *** BILL NO. 52 (Intro. 10/15/2020) (For adoption) - Extending the Commercial Build Act to 2022 (Subject to Mayor's Veto)

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

JOINT MEETING OF THE CITY COUNCIL, THE CITY OF FRESNO IN ITS CAPACITY AS HOUSING SUCCESSOR TO THE REDEVELOPMENT AGENCY OF THE CITY OF FRESNO AND THE FRESNO REVITALIZATION CORPORATION

- 1-X [ID](#)
[20-001365](#) Actions pertaining to approximately 3.06 acres consisting of one parcel generally located at the southwest corner of Florence and Walnut and seven parcels located at the northwest corner of Florence and Plumas Avenue.
1. Adopt a finding of Categorical Exemption pursuant to Article 19, Section 15332 (Class 32-Infill) of the California Environmental Quality Act (CEQA)
 2. Approve a Disposition and Development Agreement between the City of Fresno in its capacity as Housing Successor and Self-Help Enterprises for property located at the southwest corner of Florence and Walnut Avenues and the northwest corner of Plumas and Florence Avenues.

CONTESTED CONSENT CALENDAR

- 1-F [ID](#)
[20-001385](#) Actions pertaining to the approval of an agreement between Borrelli and Associates Inc., of Fresno, CA in the amount of \$177,800 plus a contingency of \$12,000 for the design and preparation of construction documents for the Municipal Service Center Generator Replacement Project (Council District 3)

Councilmember Soria asked several questions regarding the emergency generator replacement at the Municipal Service Center and if the money set aside to cover the replacement cost was general fund money. She asked staff if other grant funds were explored to cover the cost, like Cal OES. Director Mozier responded.

APPROVED

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

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

- 1-M [ID](#)
[20-001420](#) 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.

Council President Arias asked what services are being paid for and if there were similar arrangements with anyone else to advise the Mayor. He asked if they will be addressing the violence in the City of Fresno and providing support for everyone who is struggling with violence throughout the City of Fresno. Director Strategic Initiatives Spees responded.

Councilmember Soria asked what is going to be done with the \$19,000 and if the money is going to Fresno Pacific University's Center for Community Transformation. Director Strategic Initiatives Spees responded.

RESOLUTION 2020-280 ADOPTED

On motion of President Arias, 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. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:00 A.M. #1

[ID](#)
[20-001341](#)

HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding CITY OF FRESNO COMMUNITY FACILITIES DISTRICT NO. 11, Annexation No. 114 (Final Tract Map No. 6235) (northeast corner of North Armstrong and East Olive Avenues) (Council District 4)

1. *****RESOLUTION** - to Annex Territory to Community Facilities District No. 11 and Authorizing the Levy of a Special Tax for Annexation No. 114 (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 2020-2021 and Future Tax Years Within and Relating to Community Facilities District No. 11, Annexation No. 114 (Subject to Mayor's Veto)

The item was called to order at 10:13 A.M. There was no introduction to Council, no public comment and no council discussion.

RESOLUTION 2020-281 ADOPTED

RESOLUTION 2020-282 ADOPTED

RESOLUTION 2020-283 ADOPTED

BILL 56/ORDINANCE 2020-053 ADOPTED

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

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

CONTESTED CONSENT CALENDAR (CONTINUED)

- 1-R** [ID](#) Approve an agreement with Olympic Property Services, LLC., for Chinatown area clean-up, not to exceed \$250,000.

Discussion was held between Councilmembers and staff regarding the complete bid and Request for Proposal (RFP) process, the contract amount, information given on the project, and awarding a contract to a the vendor instead of going through the City of Fresno Public Works Department.

Upon call, the following members of the public addressed Council: Lisa Flores, D'Aungillique Jackson, and Sam Frank.

Council President Arias motioned to approve the agreement not to exceed \$143,000 with direction to staff to start the development of the Request for Proposal (RPF) process. Councilmember Karbassi seconded the motion.

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

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

No: 1 - Bredefeld

- 1-T** [ID](#) Actions pertaining to the purchase of hotels 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 to fund acquisition of interim housing (Requires 5 Votes) (Subject to Mayor's Veto)
3. Approve material terms and delegate authority to the City Manager to enter into Agreement(s) to provide interim housing for at-risk residents due to COVID-19, subject to approval by the City Attorney's Office.

The above item was amended to remove items 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 and 3. Approve material terms delegate authority to the City Manager to enter into Agreement(s) to provide interim housing for at-risk residents due to COVID-19 from the agenda.

Upon call, there was no public comment.

Councilmember Karbassi motioned to continue the item as amended to October 29, 2020. Council President Arias seconded the motion. Councilmember Bredefeld recused himself.

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

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

Recused: 1 - Bredefeld

- 1-U** [ID](#) RESOLUTION - Initiating a Text Amendment to the Zoning Ordinance of the
[20-001431](#) City of Fresno to Amend Chapter 15, Article 27, Section 15-2706 of the
Fresno Municipal Code relating to the Sale of Alcoholic Beverages for
Offsite Consumption and Section 15-6704 relating to Food and Beverage
Sales definitions, pursuant to Fresno Municipal Code Section
15-5803-A(1)

The above item was introduced to Council by Councilmember Esparza,

District 7 and Councilmember Chavez, District 5. Upon call, there was no public comment.

Councilmember Bredefeld asked when the item will be brought back before Council. Councilmember Chavez responded within a month.

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

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

- 1-V** [ID](#) *** BILL NO. 51 (Intro. 10/15/2020) (For adoption) - Extending the
[20-001434](#) Economically Disadvantaged Neighborhoods Act to 2022 (Subject to Mayor's Veto)

The above item was introduced to Council by Councilmember Soria, District 1. Upon call, there was no public comment.

ORDINANCE 2020-051 ADOPTED

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

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

- 1-W** [ID](#) *** BILL NO. 52 (Intro. 10/15/2020) (For adoption) - Extending the
[20-001435](#) Commercial Build Act to 2022 (Subject to Mayor's Veto)

The above item was introduced to Council by Councilmember Soria, District 1. Upon call, there was no public comment.

ORDINANCE 2020-052 ADOPTED

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

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

3. GENERAL ADMINISTRATION

- 3-A [ID](#) [20-001430](#) ***RESOLUTION - Authorizing and directing Finance to decline City participation in the optional federal payroll tax deferral program (Subject to Mayor's veto).

The above item was introduced to Council by Director Cardell, Personnel Services Department. Upon call, there was no public comment and no Council discussion.

RESOLUTION 2020-284 ADOPTED

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

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

4. CITY COUNCIL

- 4-A [ID](#) [20-001413](#) RESOLUTION - Approving the honorary street name change designating Lane Avenue in Southeast Fresno to also be known as "Liles Avenue" at the entrance to Sunnyside High School.

The above item was introduced to Council by Councilmember Chavez, District 5. Upon call, there was no public comment.

Councilmember Chavez motioned to adopted the Resolution as amended to change the entrance to Sunnyside High School to "Tim Liles Way." Council President Arias seconded the motion.

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

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

5. CLOSED SESSION

Upon call, there was no public comment. City Council recessed into Closed Session at 11:10 A.M. and returned from Closed Session at 12:25 P.M.

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

5-A [ID](#)
[20-001330](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Government Code Section 54956.9, subdivision (d)(1)

Case Name: *Colony Energy Partners LLC v. City of Fresno* Fresno
County Superior Court Case No.: 20CECG01930 (Public Utilities)

5-B [ID](#)
[20-001407](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Government Code Section 54956.9, subdivision (d)(1)

Case Name: *Norma Aguayo v. City of Fresno, et al.* Fresno County
Superior Court Case No.: 19CECG02026 (Public Works Department)

5-E [ID](#)
[20-001436](#) CONFERENCE WITH REAL PROPERTY NEGOTIATOR - 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

10:00 A.M #2

[ID](#)
[20-001442](#) CONFERENCE WITH LEGAL COUNSEL - PUBLIC SECURITY -
Government Code Section 54957(a):

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.

DISCUSSED

10:05 A.M.

[ID](#)
[20-001374](#) (CONTINUED TO 1:30 P.M.)
Consideration of Conditional Use Permit Application No. P20-00545,
located on the northwest corner of North Cedar Avenue and East Tulare
Street (Council District 7) - Planning and Development Department.

1. **ADOPT** Environmental Assessment No. P20-00545 dated
July 23, 2020, a determination that the proposed project is
exempt from the California Environmental Quality Act

(CEQA) through a CEQA Guidelines 15332/Class 32 Categorical Exemption (In-fill development).

2. **ADOPT** the finding 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).
3. **DENY** the appeal and **UPHOLD** the Planning Commission's and Planning and Development Director's actions on approval of Conditional Use Permit Application No. P20-00545 which requested authorization to develop a 3,131-square-foot 7-11 convenience store and service station, subject to compliance with the Conditions of Approval dated July 23, 2020.

The above item was continued to 1:30 P.M.

City Council recessed for lunch at 12:25 P.M. and returned from lunch at 1:35 P.M.

1:30 P.M.

[ID](#)
[20-001401](#)

(CONTINUED FROM 10:05 A.M.)

Consideration of Conditional Use Permit Application No. P20-00545, located on the northwest corner of North Cedar Avenue and East Tulare Street (Council District 7) - Planning and Development Department.

1. **ADOPT** Environmental Assessment No. P20-00545 dated July 23, 2020, a determination that the proposed project is exempt from the California Environmental Quality Act (CEQA) through a CEQA Guidelines 15332/Class 32 Categorical Exemption (In-fill development).
2. **ADOPT** the finding 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).
3. **DENY** the appeal and **UPHOLD** the Planning Commission's and Planning and Development Director's actions on approval of Conditional Use Permit Application No. P20-00545 which requested authorization to develop a 3,131-square-foot 7-11 convenience store and service

station, subject to compliance with the Conditions of Approval dated July 23, 2020.

Councilmember Esparza motioned to continue the item to November 5, 2020. Council President Arias seconded the motion.

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

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

Absent: 1 - Caprioglio

2:00 P.M. VOTE ON FINAL BUDGET

[ID](#) Continued Budget Hearings - Vote on Final Budget.
[20-001400](#)

Councilmember Soria requested Employee termination Payout Fund's appropriations and final expenditures for Fiscal Year 2020.

Councilmember Esparza motioned to increase PARCS' budget from \$5 million to \$6 million. Councilmember Karbassi seconded the motion. Motion PASSED 7-0.

Council President Arias announced the next budget hearing will be October 29, 2020 at 9:00 A.M.

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.

[ID](#) Emails received for Unscheduled Communication.
[20-001492](#)

Council President Arias recessed the City Council regular meeting at 1:44 P.M. and opened the special emergency meeting at 2:04 P.M.

City Council adjourned the special emergency meeting at 2:11 P.M. and reconvened the regular meeting at 2:12 P.M.

CLOSED SESSION (CONTINUED)

City Council recessed into Closed Session at 2:12 P.M. and returned from Closed Session at 2:40 P.M.

There were no announcements after Closed Session.

- 5-D** [ID](#)
[20-001429](#)
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

DISCUSSED

- 5-C** [ID](#)
[20-001428](#)
- 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 Miguel Arias
Unrepresented Employee: City Clerk

The above item was continued to November 5, 2020

ADJOURNMENT

City Council adjourned the meeting at 2:40 P.M.