



# City of Fresno

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

## Meeting Minutes - Draft City Council

**President -Luis Chavez**

**Vice President - Nelson Esparza**

**Councilmembers:**

**Esmeralda Z. Soria, Mike Karbassi, Miguel Arias,**

**Tyler Maxwell, Garry Bredefeld**

**City Manager - Thomas Esqueda**

**City Attorney - Douglas T. Sloan**

**City Clerk - Yvonne Spence, MMC**

---

**Thursday, April 8, 2021**

**9:00 AM**

**Council Chambers**

---

### **Regular Meeting**

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

**9:00 A.M. ROLL CALL**

*Councilmember Karbassi was absent during roll call and joined the meeting at 9:02 A.M.*

**Present:** 7 - President Luis Chavez

Vice President Nelson Esparza

Councilmember Esmeralda Z. Soria

Councilmember Mike Karbassi

Councilmember Miguel Angel Arias

Councilmember Tyler Maxwell

Councilmember Garry Bredefeld

Invocation by Pastor Kevin Stafford from Fellowship Missionary Baptist Church

Pledge of Allegiance to the Flag

### **APPROVE AGENDA**

*City Clerk Spence announced the following changes to the agenda:*

*The following items were removed from the agenda to a future date:*

*1. File ID 21-482 (1-B) - Bill No. B-5 (Intro 3/4/21) (for adoption) - An*

*emergency ordinance adding Section 2-517 to the Fresno Municipal Code related to grocery store employee hazard pay was removed from the agenda and continued to a future date by Council President Chavez.*

*2. File ID 21-498 (1-W) - Approve the appointment of Haley M. Wagner to the Planning Commission was removed from the agenda and continued to a future date by Council President Chavez.*

*3. File ID 21-238 (10:00 AM #2) - (CONTINUED FROM JANUARY 28, 2021 AT 10:00 A.M. #3) - Continued Hearing to adopt resolutions and ordinance to annex territory and levy a special tax regarding CITY OF FRESNO COMMUNITY FACILITIES DISTRICT NO. 9, Annexation No. 46 (Parcel a of Final Parcel Map No. 2019-06) (northeast corner of North First and East Nees Avenues) (Council District 6) was continued to May 27, 2021 at 10:00 AM.*

*The following items are being pulled from the Consent Calendar and moved to Contested Consent for further discussion.*

*1. File ID 21-474 (1-M) - Actions pertaining to the Fresno Police Department Regional Training Center (RTC) was pulled from the Consent Calendar and moved to Contested Consent for further discussion by Councilmember Maxwell.*

*2. File ID 21-444 (1-S) - Approve Contract Change Order No. 05 in the amount of \$155,555 to Avison Construction, Inc., for the Veterans Boulevard South Extension, Project ID PW00883 (Council District 2) was pulled from the Consent Calendar and moved to Contested Consent for further discussion by Councilmember Arias.*

*3. File ID 21-420 (1-Y) - Actions pertaining to property located at 887 Fulton Street (APN 468-282-21T) was pulled from the Consent Calendar and moved to Contested Consent for further discussion by Councilmember Bredefeld.*

*Councilmember Karbassi asked the Administration to give his office an update on the appointment of Haley Wagner to the Planning Commission.*

*Mayor Dyer responded. Councilmember Karbassi requested File ID 21-498 (1-W) - Approve the appointment of Haley M. Wagner to the Planning Commission remain on the agenda for discussion under Contested Consent. Council President Chavez responded.*

*Councilmember Maxwell asked the Administration for an update on a plan to address Dez Martinez' Encampment and to discuss possible permanent solutions.*

**On motion of Councilmember Arias, seconded by Councilmember Maxwell, the above Action was approved as amended. The motion carried by the following vote:**

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

## **CEREMONIAL PRESENTATIONS**

*The below Ceremonial Presentations were presented to Council*

[ID 21-298](#) Proclamation for "Recognition of the Armenian Genocide"

[ID 21-461](#) Proclamation for "Transgender Day of Visibility"

[ID 21-462](#) Proclamation for "National Donate Life Month"

## **COUNCILMEMBER REPORTS AND COMMENTS**

*Councilmember Soria requested the Administration work with Council to figure out a solution and allow Council districts to report and access the status of homeless issues and constituent complaints from their districts in reporting systems like Accela and FresGo. Councilmember Soria requested this be addressed right away to better serve their districts. She addressed her concerns with PG&E street utility patches on City streets. She stated there should be a standard policy that the repairs that have been done by another private company be fixed at 100% as much as possible. She thanked the Administration on neighborhood projects specifically Weldon and Van Ness future parks.*

*Councilmember Karbassi spoke regarding complains around Herndon and the concerns of speeding, racing and running red lights. He spoke regarding the amount of fatalities and gave an update on the Stay Safe Don't Race*

*Program. He stated last Saturday there were 56 speeding citations 4 DUI and 31 impounds for racing.*

*Councilmember Arias reaffirmed Councilmember Karbassi's comments regarding street racing. He addressed the Electronic Vehicles charging stations in downtown that are being damaged or stolen. He thanked the Administration on the homeless encampments issue in Downtown. He spoke regarding the issue with the finger printing requirements on interns for Council for employment opportunities. He reminded everyone that last November promised youth job opportunities and there has not been any progress. We asked the Council and the Administration make the internship a priority. He requested the City Attorney's Office work with his office to update the rental housing ordinance and if it is meeting the needs of the City. He spoke regarding The Police Reform Implementation Team and stated the committee has been established and that Chair Oliver Baines will work with the City Clerk's Office to schedule the upcoming meetings and requested the members complete their form 700 and oath of office. Mayor Dyer responded to the Youth Job Opportunity Program.*

*Councilmember Maxwell met with a couple of individuals who did great work in District 4, Laneesha Senegal who runs Vision View by the Airports in District 4. She helps some businesses and minority businesses all the way to implementation by providing all the resources they need to get their businesses up and running. He had the opportunity to meet with Parents of Exceptional Services that help families with children with disorders to get them with resources and classes they need. He spoke regarding Earth Day, his district will be planting their final trees with their 100 days a 100 trees program and will be wrapping up at Robinson Park. There will also be a poetry writing contest where the winner will be able to recite their poem at the event.*

*Councilmember Bredefeld asked if the Council Chambers will be open for the next Council meeting on April 22, 2021. Council President Chavez responded yes. He spoke regarding the Beautify Fresno event in District 6 at Woodward Park on Saturday at 10:30 A.M. He encouraged members of the community to join them at the park. He spoke regarding the Youth Job Opportunity Program and stated the most important thing is to open up the*

economy and get all the businesses open for youth to find employment. Councilmember Bredefeld addressed the street racing in the City of Fresno and agrees with the tougher laws being implemented.

Council Vice President Esparza commended the Code Enforcement Division for organizing and executing Manchester Arms and spoke regarding the slum issues and is working for Code Enforcement to continue to address the issues. He announced District 7 will be having their Spring Townhall Meeting, Monday, April 12, 2021 at 6:00 pm. He stated more information will be send out through social media and the meeting will be virtual. He mentioned the University of California, Los Angeles (UCLA) game last week and gave a shout out to UCLA.

Council President Chavez thanked the City Attorney's Office and gave a special shout out to Katie Doerr and wished her a happy birthday. He stated his office is working on a Cruising for Peace Initiative with Councilmember Arias, Mayor Dyer, and Police Chief Balderrama to provide a safe friendly space for families to come. Cruising from Southeast to Southwest ending at the Grizzly Stadium along with food vendor's participation.

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

Mayor Dyer briefly spoke about the success of Cruise Control back in the late 90's. He spoke regarding the racing and is looking at some type of venue with a 100 acres to provide a safe route for racing. He mentioned Saturday, April 10, 2021 there will be a Zoom Youth Forum form 4:00 pm to 6:00 pm. He spoke about The Police Reform Implementation Team and stated he meet last Friday, with four (4) of the members including Chair Baines and looks forward to working with Commission. He stated there has already been some discussion behind the scenes with the City Attorney's Office and Chief Balderrama to discuss the implementation of 73 recommendations. Mayor Dyer announced Chief Balderrama has already implemented about 23 of the Reforms recommendations. He spoke regarding Project Off Ramp where 12 individuals were housed. He mentioned Highway 41, Highway 168, and Golden State Triangle are 100% clear of homeless and that the 180 was about 80% cleared. The Administration will be working on the 99 Freeway in May. He will continue to patrol the freeways and making sure they continue to be free of the

*homeless population. He announced Beautify Fresno is having two (2) events this weekend, one off Clinton and Marks and the other in District 6 at Woodward Park. He stated there will be another Beautify Fresno Saturday, April 17, 2021 at the Armenian Town at 9:00 am. There has been over 2,000 volunteers on Saturdays who have come out and helped clean up the City and removed over 16 tons of trash from street and he will also be meeting with Fresno Irrigation District twice a month to clean up the canals.*

*City Manager Esqueda gave the Council a few updates regarding the Alternative Dispute Resolution Program with Workers Compensation and another memo will be coming shortly for more updates for the Council. He addressed Councilmember Soria's concerns regarding the FresGo system and reporting issue Council Districts are experiencing and on the paving issues she addressed during Councilmembers Reports and Comments.*

*Director Spees gave the Council and update on the availability of beds, the motel renovation, and the housing for the homeless. This workshop will be provided to Council on April 22, 2021.*

## **UNSCHEDULED COMMUNICATION**

*Upon call, the following individuals addressed Council: Lisa Flores, Dez Martinez, Alexandra Alvarado, Ruben Espinoza, Jody Ketcheside, Brandi Villegas, John Pollock, Cesar Casamayor, Ivanka Saunder, Felicia Espinoza, and Shi'an M.*

### **1. CONSENT CALENDAR**

**On motion of Councilmember Soria, seconded by Councilmember Maxwell, the following CONSENT items were approved. The motion failed by the following vote:**

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

- 1-A**     [ID 21-015](#)     Approval of minutes for March 18, 2021 Regular Meeting, March 18, 2021 Special Meeting, and March 31, 2021 Special Open and Closed Session Meeting.
- 1-B**     [ID 21-482](#)     BILL No. B-5 (Intro 3/4/21) (for adoption) - An emergency ordinance adding Section 2-517 to the Fresno Municipal Code related to grocery store employee hazard pay. (Requires five affirmative votes)

*The above item was removed from the agenda and continued to a future date.*

- 1-C**     [ID 21-465](#)     Actions pertaining to Commercial Cannabis Activity:
1. RESOLUTION - AUTHORIZING STATE OF CALIFORNIA CANNABIS EQUITY ACT GRANT FUNDING
  2. \*\*\*RESOLUTION - 71st Amendment to the Annual Appropriation Resolution No. 2021-159 Appropriating \$1,205,000 for the Cannabis Equity Grant Program (Subject to Mayor's Veto)
  3. Approve a No-Cost Extension Agreement Amendment with Hinderliter, de Llamas, and Associates for Professional Cannabis Consulting and Support Services
  4. BILL- (For introduction) Amending Sections 9-3316 and 9-3325 of the Fresno Municipal Code, relating to the regulation of cannabis.

*THE ABOVE ITEM PASSED 6-1, COUNCILMEMBER BREDEFELD VOTED NO.*

*RESOLUTION 2021-080 ADOPTED*

*RESOLUTION 2021-081 ADOPTED*

*BILL 14 APPROVED, INTRODUCED AND LAID OVER*

- 1-D**     [ID 21-397](#)     Approve the First Amendment to the Grant of Option Agreement between City of Fresno and Fresno Community Solar Developers, LLC., to lease up to 158 acres of land at the Fresno Clovis Regional Wastewater Reclamation Facility to generate solar energy under the California Public Utilities Commission Disadvantaged Communities-Green Tariff Program (Council District 3)

- 1-E**     [ID 21-432](#)     \*\*\*RESOLUTION - Authorizing submission of a grant application to the Fresno Council of Governments Housing Planning Grants Program FY 2020-2021 in the amount of \$250,000 for the Manchester Shopping Center Utilities Study and Master Plan for Advance Affordable Housing; and authorizing the execution of grant application and grant agreement documents by the Director of Public Utilities or designee. (Council District 7) (Subject to Mayor's Veto)

*RESOLUTION 2021-082 ADOPTED*

- 1-F**     [ID 21-471](#)     Actions pertaining to the purchase of bulk sodium hydroxide:
1. \*\*\*RESOLUTION - Declaring an urgent necessity for the preservation of life, health, property; and authorizing the Purchasing Manager of the

Finance Department or designee to continue processing invoices for the purchase of bulk sodium hydroxide in the interim while a new requirements contract is established (Requires five affirmative votes) (Subject to Mayor's veto)

2. Approve an interim contract with Univar USA Inc., in an amount not to exceed \$1,037,000 for the purchase and delivery of bulk sodium hydroxide. (Bid File 9429)

*RESOLUTION 2021-083 ADOPTED*

- 1-G**     [ID 21-408](#)     Reject all bids for the purchase of two squad service bodies for the Fire Department and staff will rebid the project (Bid File 3794)
- 1-H**     [ID 21-429](#)     Approve the award of a purchase contract to Ruckstell Sales of Fresno, California, for the purchase of one 520 Peterbilt rear loading refuse truck in the amount of \$322,355
- 1-I**     [ID 21-451](#)     Approve and ratify a Contract between the City of Fresno and PG&E to authorize the Department of Transportation Fresno Area Express to participate in the Electric Vehicle Fleet Electrification Program providing primary power infrastructure for battery electric bus charging at no cost and authorize the Director of Transportation or designee to execute all related documents
- 1-J**     [ID 21-409](#)     Authorize the Parks, After School, Recreation and Community Services Department to enter into lease agreement with Fresno Economic Opportunities Commission for the Office of Neighborhood Safety and Community Engagement office space in the amount of \$51,456 for a one-year term, with the option to extend the lease for an additional two-year term (Council District 3).

*THE ABOVE ITEM PASSED 6-0, COUNCIL PRESIDENT CHAVEZ  
RECUSED HIMSELF FROM THE ITEM.*

- 1-K**     [ID 21-434](#)     Actions pertaining to amending Sections 3-330, 3-336, 3-338, 3-353e, 3-408, 3-413, 3-415 and 3-424e, 3-547, 3-550, 3-552 and 3-566e of the Fresno Municipal Code to Clarify and Conform the Disability and Death Provisions of the Fire and Police Retirement System and the Employees Retirement System.
1. \*\*\*BILL No. B-10 - (Intro 3/18/2021) (For adoption) Amending Sections 3-330, 3-336, 3-338, and 3-353(e) of the Municipal Code Relating to the Disability, Death and DROP Provisions of the First Tier of the Fire and Police Retirement System. (Subject to Mayor's veto)
  2. \*\*\*BILL No. B-11 - (Intro 3/18/2021) (For adoption) Amending Sections 3-547, 3-550, 3-552, and 3-556(e) of the Municipal Code



Relating to the Disability, Death and DROP Provisions of the Employees Retirement System. (Subject to Mayor's veto)

3. \*\*\*BILL No. B-12 - (Intro 3/18/2021) (For adoption) Amending Sections 3-408, 3-413, 3-415, and 3-424(e) of the Municipal Code Relating to the Disability, Death and DROP Provisions of the Second Tier of the Fire and Policy Retirement System. (Subject to Mayor's veto)

*ORDINANCE 2021-012 ADOPTED*

*ORDINANCE 2021-013 ADOPTED*

*ORDINANCE 2021-014 ADOPTED*

- 1-L**     [ID 21-478](#)     \*\*\*RESOLUTION - Repealing Resolution Number 2020-196 and adopting and authorizing submission of a five-year plan to the California Housing and Community Development Department and application for funding from the Permanent Local Housing Allocation (PLHA) for the development of affordable multifamily and single family housing, owner occupied home rehabilitation, and down payment assistance to benefit low-and moderate-income persons and authorizing the city manager to sign all necessary implementing documents (Subject to Mayor's Veto)

*RESOLUTION 2021-084 ADOPTED*

- 1-M**     [ID 21-474](#)     Actions pertaining to the Fresno Police Department Regional Training Center (RTC)
1. Award a sole source contract for the purchase of Winchester Law Enforcement ammunition to Dooley Enterprises not to exceed \$282,400
  2. RESOLUTION - Adopt Resolution authorizing the Chief of Police or designee to enter into a purchase agreement with Dooley Enterprises without advertised competitive bidding

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

- 1-N**     [ID 21-480](#)     Approve a two-year MOU between the Alcohol, Tobacco, Firearms, and Explosives (ATF) and the Fresno Police Department to have six (6) part-time Task Force Officers (TFO) assigned to the ATF for an annual allotted federal overtime amount of \$19,180.25 for each TFO position, or a total of \$115,081.50 annually.
- 1-O**     [ID 21-410](#)     RESOLUTION - Adopt Resolution of Intent Number 1140-D to vacate a public utility easement on Lots 78 through 81 of Campus Homesites Tract Number 1552 (Council District 5)

- 1-P**     [ID 21-424](#)     **RESOLUTION** - Of Intention to Annex Final Tract Map No. 6266 as Annexation No. 123 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, May 13, 2021, at 10:05 am (territory surrounded by North Blythe, North Santa Fe, and West Sierra Avenues) (Council District 2)

*RESOLUTION 2021-086 ADOPTED*

- 1-Q**     [ID 21-441](#)     Actions pertaining to the Rebid Armstrong and Lane Traffic Signal Project - Bid File No. 3769 (Council District 5)
1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Sections 15301, 15302, and 15303 of the California Environmental Quality Act guidelines
  2. Award a construction contract in the amount of \$385,100.00 to Lee Contractors and Consultants, Inc., of Nipomo, California
- 1-R**     [ID 21-443](#)     Actions pertaining to the Blackstone Avenue and McKinley Avenue BNSF Grade Separation Project (Council Districts 1 and 7)
1. Approve Amendment No. 1 to Cooperative Project Agreement, Grade Separation Program (GSP), Blackstone & McKinley BNSF Grade Separation Project, in the amount of \$2,119,938.00, with the Fresno County Transportation Authority
  2. Approve a Consultant Services Agreement with AECOM Technical Services, Inc. for \$6,483,786.23, with a \$325,000.00 contingency, to obtain Professional Engineering services for design and construction support
- 1-S**     [ID 21-444](#)     Approve Contract Change Order No. 05 in the amount of \$155,555 to Avison Construction, Inc., for the Veterans Boulevard South Extension, Project ID PW00883 (Council District 2)

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

- 1-T**     [ID 21-445](#)     Approve the Agreement for Purchase and Sale of a 1,183 square foot permanent easement from a portion of 3936 North Polk Avenue (APN: 511-012-01), owned by Maria D. Meraz for \$80,100 in compensation (Council District 1)
- 1-U**     [ID 21-447](#)     **RESOLUTION** - Of Intention to Annex Final Parcel Map No. 2020-09 as Annexation No. 51 to the CITY OF FRESNO COMMUNITY FACILITIES DISTRICT NO. 9 and to Authorize the Levy of Special Taxes; and setting the public hearing for Thursday, May 13, 2021, at 10:05 am (territory

located west of North Chestnut Avenue between East Herndon and Fir Avenues) (Council District 6)

**RESOLUTION 2021-087 ADOPTED**

**1-V**     [ID 21-475](#)     Approve a professional services agreement in substantially the form attached with NV5, Inc. in the amount of \$6,345,949.36, with a contingency amount of \$310,000.00, for construction management services for the Veterans Boulevard and State Route 99 Interchange Project (Council District 2)

**1-W**     [ID 21-498](#)     Approve the appointment of Haley M. Wagner to the Planning Commission.

*The above item was removed from the agenda and continued to a future date.*

**1-X**     [ID 21-503](#)     Approve the appointment of Maricela Ortiz to the Immigrant Affairs Committee, Laura Gromis to the Bicycle and Pedestrian Advisory Committee, and Anna Hun to the Fresno Youth Commission.

**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-Y**     [ID 21-420](#)

Actions pertaining to property located at 887 Fulton Street (APN 468-282-21T).

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 Purchase and Sale Agreement between the City in its capacity as Housing Successor and Noyan Frazier, L.P., for property located at 887 Fulton Street.

**Sponsors:** Fresno Revitalization Corporation

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

**CONTESTED CONSENT CALENDAR**

**1-M**     [ID 21-474](#)     Actions pertaining to the Fresno Police Department Regional Training Center (RTC)

1. Award a sole source contract for the purchase of Winchester Law Enforcement ammunition to Dooley Enterprises not to exceed \$282,400
2. RESOLUTION - Adopt Resolution authorizing the Chief of Police or designee to enter into a purchase agreement with Dooley Enterprises without advertised competitive bidding

*The above item was introduced to Council by Chief Balderrama, Police Department.*

**RESOLUTION 2021-085 ADOPTED**

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

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

- 1-S**     [ID 21-444](#)     Approve Contract Change Order No. 05 in the amount of \$155,555 to Avison Construction, Inc., for the Veterans Boulevard South Extension, Project ID PW00883 (Council District 2)

*The above item was introduced to Council by Director Mozier, Public Works Department.*

**APPROVED**

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

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

- 1-Y**     [ID 21-420](#)

Actions pertaining to property located at 887 Fulton Street (APN 468-282-21T).

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 Purchase and Sale Agreement between the City in its capacity as Housing Successor and Noyan Frazier, L.P., for property located at 887 Fulton Street.

**Sponsors:** Fresno Revitalization Corporation

*Councilmember Soria recused herself from the above item. The above item was introduced to Council by Director Murphy, Redevelopment Agency Department.*

*There was discussion between Councilmembers and staff regarding the extension of the Exclusive Negotiation Agreement (ENA) and what has been done in the last five (5) years, the proof of finance, when the City of Fresno will receive the \$800,000 for the property.*

**APPROVED**

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

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

**No:** 1 - Bredefeld

**Recused:** 1 - Soria

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

### **10:00 A.M. #1**

[ID 21-412](#)

**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. 97, Final Tract Map No. 6285 (area surrounding the southeast corner of North Armstrong and East Clinton 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. 97 (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. 97 (Subject to

Mayor's Veto)

*The above item was called to order at 12:02 P.M. Upon call, there was no introduction to Council, no Council discussion, and no public comment.*

*RESOLUTION 2021-088 ADOPTED*

*RESOLUTION 2021-089 ADOPTED*

*RESOLUTION 2021-090 ADOPTED*

*BILL 15/ORDINANCE 2021-015 ADOPTED*

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

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

## **10:00 A.M. #2**

[ID 21-238](#) (CONTINUED FROM JANUARY 28, 2021 AT 10:00 A.M. #3)

**CONTINUED HEARING** to adopt resolutions and ordinance to annex territory and levy a special tax regarding CITY OF FRESNO COMMUNITY FACILITIES DISTRICT NO. 9, Annexation No. 46 (Parcel A of Final Parcel Map No. 2019-06) (northeast corner of North First and East Nees Avenues) (Council District 6)

1. **\*\*\*RESOLUTION** - to Annex Territory to Community Facilities District No. 9 and Authorizing the Levy of a Special Tax for Annexation No. 46 (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. 9, Annexation No. 46 (Subject to Mayor's Veto)

*The above item was continued to May 27, 2021 at 10:00 A.M.*

## **10:05 A.M. #1**

[ID 21-411](#) Appearance by James D. Mendez to discuss Right To Counsel Community Proposal. (Speaker resides in District 2)

APPEARED

### **10:05 A.M. #2**

[ID 21-449](#) Appearance by Starry Rinn to discuss the cost-benefit analysis of passing a Right to Counsel in Fresno. (Speaker resides in District 5)

APPEARED

### **10:05 A.M. #3**

[ID 21-458](#) Appearance by Janine Nkosi to discuss Right to Counsel community proposal to mitigate homelessness and the housing/eviction crisis in Fresno. (Speaker resides in District 4)

APPEARED

### **10:05 A.M. #4**

[ID 21-450](#) Appearance by James Prater to discuss fire inspection fees. (Speaker resides in District 3)

APPEARED

City Council recessed for lunch at 12:10 P.M. and returned from lunch at 1:30 P.M.

## **3. GENERAL ADMINISTRATION**

**3-A** [ID 21-476](#) Workshop - Street Infrastructure

*The above workshop was presented to Council by Director Mozier, Public Works Department.*

PRESENTED

**3-B** [ID 21-484](#) Workshop - Fiscal year 2021 mid-year budget review

*The above workshop was presented to Council by City Manager Esqueda, City Manager's Office.*

PRESENTED

## **4. CITY COUNCIL**

- 4-A**     [ID 21-500](#)     RESOLUTION - Establishing a committee to facilitate the formation of an association of local mobile food vendors

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

*Council President Chavez motioned to appoint Councilmember Soria, Councilmember Arias and Council President Chavez as members to The Local Mobile Food Vendor Association Committee. Council Vice President Esparza seconded the motion.*

*RESOLUTION 2021-091 ADOPTED*

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

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

- 4-B**     [ID 21-504](#)     RESOLUTION - Creating the Rental Mediation Program

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

*Council President Chavez announced the above item is for discussion and not adoption.*

*There was discussion was held between Councilmembers regarding the housing crises, high rents for residents, housing conditions, and the right to counsel for evictions.*

- 4-C**     [ID 21-502](#)     RESOLUTION - Denouncing the discrimination against the Asian American communities during the COVID-19 crisis in Fresno.

*The above item was introduced to Council by Council Vice President Esparza, District 7. Upon call, the following members of the public addressed Council: Mai Thao, Gaonoucci Vang, Liberty Thao, and Michael Vang.*

*Councilmember Bredefeld and Councilmember Karbassi asked if the*



*following language, "white supremacy" in Section 1 of the resolution be removed or changed to "racial supremacy". Council Vice President Esparza declined to remove the current language.*

**RESOLUTION 2021-092 ADOPTED**

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

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

**5. CLOSED SESSION**

*Upon call, there was no public comment. City Council recessed into Closed Session at 4:28 P.M. and returned from Closed Session at 5:38 P.M. There were no announcements after Closed Session and the below items were discussed.*

- 5-A**     [ID 21-437](#)     CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Government Code Section 54956.8; Property: APN 438-021-92T, 35T, 93T, and 60T, and 438-062-37T and 53T Negotiating Parties: City Manager, CVCSF.

*Councilmember Soria recused herself from the above item*

- 5-B**     [ID 21-438](#)     CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, subdivision (d)(1) 1. Terance Frazier, et al. v. City of Fresno, et al.; United States District Court Case No.: 1:20-CV-01069.

*Councilmember Soria recused herself from the above item*

- 5-C**     [ID 21-446](#)     CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Government Code Section 54956.8  
Property: APN 468-282-21T (Berkeley Building)  
Negotiating Parties: Executive Director Murphey, Noyan Frazier Capital, L.P.  
Under Negotiations: Price and terms of sale

**Sponsors:** Executive Director, Fresno Revitalization Corporation

*The above item was removed from the agenda*

- 5-D**     [ID 21-454](#)     CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Government Code Section 54956.9, subdivision (d)(1)

Case Name: *City of Fresno v. Shell Oil Company, et al.*

San Bernardino County Superior Court Case No.:  
SCVSS120627

(Public Utilities Department)

**5-E**     [ID 21-455](#)     CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION  
Government Code Section 54956.9, subdivision (d)(1)

Case Name: *Isiah Murrietta-Golding, et al. v. City of Fresno, et al.*

United States District Court Case No.: 1:18-CV-00332  
(Police Department).

**5-F**     [ID 21-456](#)     CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION  
Government Code Section 54956.9, subdivision (d)(1)

Case Name: *Phil Sampson, et al. v. City of Fresno, et al.*

United States District Court Case No.: 1:20-CV-00322  
(Police Department).

**5-G**     [ID 21-453](#)     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 Luis Chavez

Unrepresented Employee: City Clerk

## **ADJOURNMENT**

*City Council adjourned at 5:38 P.M.*