

City of Fresno

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



Meeting Minutes - Final

Thursday, August 27, 2020

9:00 AM

Electronic 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.

9:06 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

Pledge of Allegiance to the Flag

APPROVE AGENDA

City Clerk Spence announced the following changes to the agenda: File ID 20-001072 (1-T) – Actions pertaining to Disposition of Pride Park was continued to September 17, 2020, File ID 20-001086 (3-B) - CARES Act retrofit of City's Facilities was moved to the Consent Calendar by Council President Arias, File ID 20-001108 (3-C) – Resolution adopting the 19th Amendment to the Annual Appropriation Resolution No. 2020-159 appropriating \$2,500,000 in CARES Act Funds for the Telework Technology for Remote Working Program was moved to the Consent Calendar by Council President Arias, File ID 20-001045 (1-N) - Approve the award of a product requirements contract to Casey Printing of King City, California, for schedule guide printing services for a total not to exceed \$134,082.30 over five years (Bid Eval 9542) was removed from the agenda by Council President Arias.

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

File ID 20-001037 (1-G) - Actions pertaining to the Veterans Boulevard South Extension Project was pulled by Councilmember Karbassi.

File ID 20-001034 (1-K) - Approve a three year Agreement with an option of three one-year extensions for Employee Assistance Program Services between the City of Fresno and Halcyon Behavioral Employee Assistance and authorize the Personnel Services Director to execute the agreement on

behalf of the City was pulled by Councilmember Soria. This item was pulled from Consent for further discussion after Councilmember Soria motioned to reconsidered the vote on the Consent Calendar and was seconded by Councilmember Karbassi.

*File ID 20-00500 (1-R) - ***Resolution - Approve 1st Amendment to Position Authorization Resolution No. 2020-160, adding six (6) Custodian and one (1) Airport Operations Officer full-time positions at Fresno Yosemite International Airport (Council District 4) - Airports Department, effective September 1, 2020 was pulled by Councilmember Karbassi.*

File ID 20-001044 (1-M) - Award a service contract to ScrubCan, Inc., Cleaning Solutions of Fresno, California, for Custodial Services at various Department of Transportation facilities, for three years with two optional one-year extensions, in the amount of \$224,630 per year, and authorize the Director of Transportation, or designee, to sign the contract on behalf of the City (Bid File 9520) was pulled by Councilmember Bredefeld.

File ID 20-001048 (1-O) - Actions pertaining to submitting an application to the Clean Mobility Options Program for funding to conduct a Transportation Needs Assessment was pulled by Councilmember Bredefeld.

File ID 20-001108 (1-U) - Approve a First Amendment to Agreement with Pinnacle Training Systems, LLC., for \$120,000 for a total of \$167,794.50 to provide professional employee health screening services for COVID-19 employee screening at the Municipal Services Center was pulled by Councilmember Soria.

File ID 20-001076 (1-X) - Actions pertaining to the Installation of a Tot Lot at Tollhouse Park was pulled by Council Vice President Caprioglio.

File ID 20-001122 (1-AA) - Action related to conversion of motels to permanent residences by modifying zoning and use regulations for Lodging-to-Dwelling uses within the City of Fresno was pulled by Council Vice President Caprioglio.

File ID 20-00951 (3-A) - Resolution - Approving allocations and awarding

subrecipient agreements in accordance with the 2020-2021 Annual Action Plan; and authorizing the City Manager to sign all implementing documents required by the U.S. Department of Housing and Urban Development (HUD) as approved to form by the City Attorney was removed from the agenda and continued to September 17, 2020 by Councilmember Esparza.

File ID 20-001062 (10:05 A.M.) - Continued Hearing to consider Annexation Application No. P19-02239, Plan Amendment/Rezone Application No. P19-02237, Vesting Tentative Tract Map No. 6234/UGM, and related Environmental Assessment No. T-6234/P19-02237/P19-02239, for property located on the west side of North Hayes Avenue between West Ashlan and West Shields Avenues was continued to September 17, 2020 at 10:15 A.M.

The following item was continued to September 17, 2020 from the Special Meeting Agenda:

File ID 20-001134 (B) - Actions pertaining to Marjaree Mason Center was removed from the agenda by Council President Arias.

On motion of Councilmember Karbassi, seconded by Vice President Caprioglio, 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

[ID 20-0040](#) Proclamation of "Women's Equality Day"

PRESENTED

5. CLOSED SESSION

Upon call, there was no public comment. City Council recessed into Closed Session at 9:18 A.M. and returned from Closed Session at 10:38 A.M.

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

5-C [ID 20-001124](#) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION -

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

1. Anthony Perez, et al. v. City of Fresno, et al.; United States District Court Case No.: 1:18-CV-00127 (Police Department)

5-B

[ID](#)
[20-00966](#)

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION -

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

1. State of California, Ex Rel. v. Cellco Partnership, et al.; Sacramento Superior Court Case No.: 34-2012-00127517

5-A

[ID](#)
[20-001032](#)

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION -

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

1. City of Fresno v. Outfront Media LLC.; Fresno Superior Court Case No.: 20CECG01793

Council President Arias called the special meeting to order at 10:39 A.M. and adjourned the special meeting at 10:52 A.M.

COUNCILMEMBER REPORTS AND COMMENTS

Council Vice President Caprioglio spoke regarding his virtual community meeting on the Multi-Generational Community Center. He encouraged members of the community to continue to add their input and to call Debra Bernard at 621-1201, or Chief of Staff Laura Rios at 621-7844 or email at District4@fresno.gov. He thanked the Administration, PARCS and Public Works Department for all their help.

Councilmember Bredefeld spoke regarding the "Back the Blue" Rally that occurred on Saturday, August 22, 2020. He addressed the recent closure of the Posh Hair Salon, the recent ruling of Immanuel Schools and the opening of the Council Chambers.

Councilmember Chavez thanked the Center and the Educational Leadership Foundation for the food for the Food Bank. He stated there will be an agenda item on the next agenda as an emergency item to fast track all required permits for a health clinic that has been in the que for Southeast for over 18 months. He feels due to the pandemic that it is urgent and necessary that we fast track these projects. United Health Centers is having a hard time getting through the City's paperwork.

Councilmember Soria stated District 1 is working on the design phase for the new Fresno Park on Milburn and Dakota. She thanked PARCS, staff and the design team for working with them. Flyers of the survey for the

design have been distributed at the Steinbeck Elementary school. We have been sharing an online survey that received over 400 responses. The PARCS staff will be at Steinbeck Elementary this Saturday, August 29th from 9am to 12pm to pick up completed surveys. Councilmember Soria stated that she believes that in spite of the pandemic, more citizens are engaged and are participating in local government. She recognizes that the local school districts are also doing well (Central Unified, Fresno Unified). She is also proud that the City of Fresno is putting healthcare centers in the neighborhoods that need them most.

Council President Arias recognized the work of the United Health Center and, the testing of 600 people at Roeding Park. There will be an testing next week at JSK Park off Clinton and Brawley. He addressed the Immanuel School rally and participants not wearing masks.

1. CONSENT CALENDAR

Upon call, the following member of the public addressed Council: Kiel Lopez-Schmidt.

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

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

- 1-A** [ID](#) Approval of Minutes for the August 17, 2020 Special Closed and Open Session Meeting, the August 20, 2020 Special Meeting and the August 20, 2020 Council Meeting
[20-001077](#)
- 1-B** [ID](#) Actions pertaining to the approval of an agreement between TAM+CZ Inc., of Fresno, CA in the amount of \$127,880 plus a contingency of \$10,000 for the design and preparation of construction documents for the Community Center Remodel Project at 5191 North Sixth Street (Council District 4)
[20-001006](#)
- 1-C** [ID](#) **RESOLUTION** - Of Intention to Annex Final Parcel Map No. 2017-12 as Annexation No. 47 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, September 24, 2020, at 10:00 a.m. (southwesterly side of North Golden State Boulevard; north of West Herndon Avenue) (Council District 2)
[20-001038](#)

RESOLUTION 2020-201 ADOPTED

1-D [ID](#) Reject all bids for the City Hall Elevator Remodel Project - Bid File No. 20-001040 3757 (Council District 3)

1-E [ID](#) RESOLUTION - Authorizing the Department of Public Works to Submit Grant Applications Totaling up to \$11 Million in Requests for Funding to the California Department of Transportation's Active Transportation Program Cycle 5 Call for Projects, and authorizing the execution of application related documents by the Public Works Director or designee (Council Districts 1,3,4,5 and 7)

RESOLUTION 2020-202 ADOPTED

1-F [ID](#) Actions pertaining to the Cedar Avenue and Woodward Avenue Traffic Signal Installation Project - Bid File No. 3738 (Council District 5)

1. Adopt a finding of Categorical Exemption per staff determination, pursuant to Section 15301(c) and 15304 of the California Environmental Quality Act guidelines
2. ***RESOLUTION - 6th Amendment to the Annual Appropriations Resolution No. 2020-159 appropriating \$310,700 to the Cedar Avenue and Woodward Avenue Traffic Signal Installation Project (Requires 5 affirmative votes) (Subject to Mayor's veto)
3. Award a construction contract in the amount of \$498,969.60 to American Paving Co. of Fresno, California

RESOLUTION 2020-203 ADOPTED

1-G [ID](#) Actions pertaining to the Veterans Boulevard South Extension Project (Council District 2):

1. RESOLUTION - Adopting findings pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15091 and 15093 as required by CEQA Guidelines Section 15096
2. ***RESOLUTION - 7th Amendment to the Annual Appropriation Resolution No. 2020-159 appropriating \$2,003,400 for the Veterans Boulevard South Extension Project (Requires 5 affirmative votes) (Subject to Mayor's veto)
3. Award a construction contract in the amount of \$6,563,662.00 to Avison Construction, of Madera, California for the Veterans Boulevard Project - South Extension Package from Barstow Avenue to Shaw Avenue - Bid File No. 3755

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

1-H [ID](#) Actions pertaining to Peach Avenue Widening project (Districts 5 and 7):

1. Adopt the Mitigated Negative Declaration, dated September 13, 2019, prepared for the Peach Avenue widening project between

East Butler and East Jensen Avenues

2. Approve Amendment No. 1 to Cooperative Project Agreement Short-Term Regional Transportation Program Project 12 Urban, Peach Avenue Widening - Butler to Jensen Avenues
3. Approve Amendment No. 3 to Cooperative Project Agreement Short-Term Regional Transportation Program Project 13 Urban, Peach Avenue Widening - Kings Canyon Road to Belmont Avenue
4. Approve New Public Highway At-Grade Crossing Agreement with Union Pacific Railroad and San Joaquin Valley Railroad in the amount of \$803,896.93

1-I [ID](#) [20-00980](#) Report to Council by Tutelian & Company, Inc. regarding First Amendment to the Exclusive Negotiation Agreement between the City of Fresno and Tutelian & Company, Inc.

1-J [ID](#) [20-001104](#) ***RESOLUTION - Adopting the 15th Amendment to the Annual Appropriation Resolution No. 2020-159 to appropriate \$18,454,300 for the Animal Shelter Project in the Public Works Department (Subject to Mayor's veto) (Requires 5 votes)

RESOLUTION 2020-206 ADOPTED

1-K [ID](#) [20-001034](#) Approve a three year Agreement with an option of three one-year extensions for Employee Assistance Program Services between the City of Fresno and Halcyon Behavioral Employee Assistance and authorize the Personnel Services Director to execute the agreement on behalf of the City

Councilmember Soria motioned to reconsider the Consent vote so that she could bring the item back for discussion on Contested Consent.

Councilmember Karbassi seconded the motion. Motion PASSED 7-0.

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

1-L [ID](#) [20-001110](#) Actions pertaining to FY 2021 Insurance Expenses:

1. ***RESOLUTION - Approving the reallocation of \$480,000 in the Property Self-Insurance Fund to provide additional funding for FY 2021 insurance expenses (Subject to Mayor's Veto); (5 affirmative votes required).
2. ***RESOLUTION - Approving the reallocation of \$295,000 in the Liability Self-Insurance Fund to provide additional funding for FY 2021 insurance expenses (Subject to Mayor's Veto); (5 affirmative votes required).

RESOLUTION 2020-207 ADOPTED

RESOLUTION 2020-208 ADOPTED

- 1-M** [ID](#) Award a service contract to ScrubCan, Inc., Cleaning Solutions of Fresno, California, for Custodial Services at various Department of Transportation facilities, for three years with two optional one-year extensions, in the amount of \$224,630 per year, and authorize the Director of Transportation, or designee, to sign the contract on behalf of the City (Bid File 9520)

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

- 1-N** [ID](#) Approve the award of a product requirements contract to Casey Printing of King City, California, for schedule guide printing services for a total not to exceed \$134,082.30 over five years (Bid Eval 9542)

The above item was removed from the agenda by Council President Arias.

- 1-O** [ID](#) Actions pertaining to submitting an application to the Clean Mobility Options Program for funding to conduct a Transportation Needs Assessment:
1. Adopt a finding of Categorical Exemption pursuant to Section 15306/Class 6 of the California Environmental Quality Act (CEQA) Guidelines
 2. RESOLUTION - Authorizing submission of a funding request to the California Air Resources Board Clean Mobility Options Program for Disadvantaged Communities for a Community Needs Assessment Project of the Three Palms Mobile Home Park area, directing execution of grant award documents, acceptance of funds, if awarded, and administration of the Transportation Needs Assessment

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

- 1-P** [ID](#) Approve the award of a service contract to REMIX of San Francisco, California, for cloud-based transit planning software for a total not to exceed \$97,000 over four years (Bid File 9551)

- 1-Q** [ID](#) RESOLUTION - Authorizing and directing submission of applications and execution of related documents for Transportation Security Administration Other Transaction Agreement Funding of a Checked Baggage Facility and In-line Checked Baggage Inspection System at Fresno Yosemite International Airport (Council District 4)

RESOLUTION 2020-210 ADOPTED

- 1-R [ID](#) [20-00500](#) ***RESOLUTION - Approve 1st Amendment to Position Authorization Resolution No. 2020-160, adding six (6) Custodian and one (1) Airport Operations Officer full-time positions at Fresno Yosemite International Airport (Council District 4) - Airports Department, effective September 1, 2020. (Subject to Mayor's Veto)

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

- 1-S [ID](#) [20-001056](#) Reject all bids for the construction of a Solid Waste Convenience Center at 4111 N. Winery Avenue (Bid File 3691) (Council District 4)

- 1-T [ID](#) [20-001072](#) Actions pertaining to Disposition of Pride Park (APN 467-29-205T):
1. Adopt a finding of Categorical Exemption pursuant to Section 15312/Class 12 of the California Environmental Quality Act (CEQA) guidelines.
 2. Approve Purchase and Sale Agreement with Fresno Economic Opportunities Commission (FEOC), in the amount of \$1.00 for real property located at Pride Park (APN 467-29-205T) to be used in conjunction with the Fresno Economic Opportunities Commission's Educational Services Program (District 3).

The above item was removed from the agenda by Councilmember Esparza and continued to September 17, 2020.

- 1-U [ID](#) [20-001108](#) Approve a First Amendment to Agreement with Pinnacle Training Systems, LLC., for \$120,000 for a total of \$167,794.50 to provide professional employee health screening services for COVID-19 employee screening at the Municipal Services Center

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

- 1-V [ID](#) [20-001111](#) RESOLUTION - Declaring property located on the southeast corner of Broadway and Elizabeth Avenues (APN 452-114-34T) to be surplus and directing staff to comply with the Surplus Land Act

RESOLUTION 2020-212 ADOPTED

- 1-W [ID](#) [20-00981](#) Actions pertaining to the FY 20 Federal Equitable Sharing Agreement and Certification Program:
1. Approve the FY 20 annual participation agreement for the Federal Equitable Sharing Agreement and Certification Program for the disposition \$81,382.65, including interest, forfeited in connection with a crime. Funds will be used for the Skywatch program, safety equipment and other items directly related to law enforcement

2. Authorize the City Manager and the Chief of Police to execute related documents

- 1-X** [ID](#) Actions pertaining to the Installation of a Tot Lot at Tollhouse Park (**District**
[20-001076](#) **4)**
1. Adopt finding of a Categorical Exemption pursuant to Sections 15303/Class 3, 15304/Class 4 and 15332/Class 32 of the California Environmental Quality Act (CEQA) Guidelines
 2. ***RESOLUTION - Approving the reallocation of \$647,800 within the PARCS Department to address funding for Tollhouse Park and JSK Park (Subject to Mayor's veto) (Requires 5 affirmative votes)
 3. Approve a Playspace Partner Agreement with KaBOOM!, Inc. for the Tollhouse Park Tot Lot Installation in the amount of \$113,500

The above item was pulled from the Consent Calendar by Council Vice President Caprioglio and moved to Contested Consent for further discussion.

- 1-Y** [ID](#) Approve the appointment of Michael Vasquez to the District 5 Project
[20-001115](#) Review Committee

- 1-Z** [ID](#) Action pertaining to Electric Vehicle Charging:
[20-001121](#)
1. ***BILL NO. B-29 - (Intro. 8/20/2020) (For adoption) - Adding Section 14-1022 of the Fresno Municipal Code, Relating to Electric Vehicle Charging. (Subject to Mayor's veto)

ORDINANCE 2020-030 ADOPTED

- 1-AA** [ID](#) Action related to conversion of motels to permanent residences by
[20-001122](#) modifying zoning and use regulations for Lodging-to-Dwelling uses within the City of Fresno.
1. ***BILL NO. B-32 - (Intro. 8/20/2020) (For adoption) - Adding Section 15-2737.5 to the Fresno Municipal Code, relating to Lodging-to-Dwelling conversion requirements; amending Table 15-1102 relating to use regulations for Mixed-Use Districts; amending Table 15-1202 relating to land use regulations for Commercial Districts; amending Table 15-1302 relating to land use regulations for Employment Districts; and amending Table 15-1502 relating to use regulations for Downtown Districts and amending Section 15-6702 relating to definitions for residential use classifications related to Text Amendment Application No. P20-00460, to modify zoning and use regulations for Lodging-to-Dwelling uses within the City of Fresno. (Subject to Mayor's veto.)

The above item was pulled from the Consent Calendar by Council Vice

President Caprioglio and moved to Contested Consent for further discussion.

- 3-B** [ID](#) Actions related to CARES Act retrofit of City's Facilities (Citywide):
[20-001086](#)
1. Adopt of a finding of Categorical Exemption pursuant to Section 15301(d) of the California Environmental Quality Act Guidelines
 2. Approve the extension of Agreement with The Gordian Group; and
 3. Approve the extension of Contract with Puma Construction in the amount of \$2,418,252, for a total of \$3,504,796.

The above item was moved to Consent Calendar and taken as one action.

APPROVED

- 3-C** [ID](#) ***RESOLUTION - Adopting the 19th Amendment to the Annual
[20-001107](#) Appropriation Resolution No. 2020-159 appropriating \$2,500,000 in CARES Act Funds for the Telework Technology for Remote Working Program. (Requires 5 affirmative votes) (Subject to Mayor's veto)

The above item was moved to Consent Calendar and taken as one action.

RESOLUTION 2020-219 ADOPTED

CONTESTED CONSENT CALENDAR

- 1-G** [ID](#) Actions pertaining to the Veterans Boulevard South Extension Project
[20-001037](#) (Council District 2):
1. RESOLUTION - Adopting findings pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15091 and 15093 as required by CEQA Guidelines Section 15096
 2. ***RESOLUTION - 7th Amendment to the Annual Appropriation Resolution No. 2020-159 appropriating \$2,003,400 for the Veterans Boulevard South Extension Project (Requires 5 affirmative votes) (Subject to Mayor's veto)
 3. Award a construction contract in the amount of \$6,563,662.00 to Avison Construction, of Madera, California for the Veterans Boulevard Project - South Extension Package from Barstow Avenue to Shaw Avenue - Bid File No. 3755

The above item was introduced to Council by Director Mozier, Public Works Department. Upon call, there was no public comment.

Councilmember Karbassi asked what the Administration was doing to ensure there are local hires and local preferences for the project. Director Mozier responded.

Councilmember Soria asked if this project can be similar to the Airports project and asked if the local ordinance pertains to this project. Councilmember Soria stated she would like to see a Project Labor Agreement in the future. City Attorney Sloan and Director Mozier responded.

RESOLUTION 2020-204 ADOPTED

RESOLUTION 2020-205 ADOPTED

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

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

- 1-M** [ID](#) Award a service contract to ScrubCan, Inc., Cleaning Solutions of Fresno, California, for Custodial Services at various Department of Transportation facilities, for three years with two optional one-year extensions, in the amount of \$224,630 per year, and authorize the Director of Transportation, or designee, to sign the contract on behalf of the City (Bid File 9520)

The above item was introduced to Council by Director Barfield, Transportation Department. Upon call, there was no public comment.

Councilmember Bredefeld asked about the prior contractor who was the lowest bidder, Dial Enterprises and why they were not awarded. Director Barfield responded.

Councilmember Soria asked if complaints are occurring in other service areas that Dial Enterprises is providing. City Manager Quan responded.

APPROVED

On motion of Councilmember Bredefeld, seconded by Councilmember Soria, 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-O [ID](#) [20-001048](#) Actions pertaining to submitting an application to the Clean Mobility Options Program for funding to conduct a Transportation Needs Assessment:
1. Adopt a finding of Categorical Exemption pursuant to Section 15306/Class 6 of the California Environmental Quality Act (CEQA) Guidelines
 2. RESOLUTION - Authorizing submission of a funding request to the California Air Resources Board Clean Mobility Options Program for Disadvantaged Communities for a Community Needs Assessment Project of the Three Palms Mobile Home Park area, directing execution of grant award documents, acceptance of funds, if awarded, and administration of the Transportation Needs Assessment

The above item was introduced to Council by Director Barfield, Transportation Department. Upon call, there was no public comment.

Councilmember Bredefeld asked if it is necessary to spend the \$48,000 to determine how they can best meet the transportation services. Director Barfield responded.

RESOLUTION 2020-209 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: 7 - Arias, Caprioglio, Soria, Karbassi, Chavez, Bredefeld and Esparza

- 1-R [ID](#) [20-00500](#) ***RESOLUTION - Approve 1st Amendment to Position Authorization Resolution No. 2020-160, adding six (6) Custodian and one (1) Airport Operations Officer full-time positions at Fresno Yosemite International Airport (Council District 4) - Airports Department, effective September 1, 2020. (Subject to Mayor's Veto)

The above item was introduced to Council by Director Meikle, Airports Department. Upon call, there was no public comment.

Councilmember Karbassi spoke about the restrooms and the lack of cleanliness in Chandler Airport and asked why there is a hiring freeze if there is money to pay it. Director Meikle responded.

Council President Arias asked why the department hires permanent

custodians when other departments hire outside custodians. He expressed his concerns for making the positions permanent when there might be layoffs later down the road. Director Meikle responded.

Council Vice President Caprioglio asked for an update on the parking garage expansion project at the Airport. Director Meikle responded.

Councilmember Soria expressed her concerns with any indirect General Fund costs.

Council President Arias asked for a friendly amendment to not make the custodian position permanent until there is a conversation on the budget. Councilmember Karbassi and Council Vice President Caprioglio did not agree to the friendly amendment.

RESOLUTION 2020-211 ADOPTED

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

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

No: 1 - Arias

1-X [ID](#) Actions pertaining to the Installation of a Tot Lot at Tollhouse Park (**District**
[20-001076](#) **4)**

1. Adopt finding of a Categorical Exemption pursuant to Sections 15303/Class 3, 15304/Class 4 and 15332/Class 32 of the California Environmental Quality Act (CEQA) Guidelines
2. ***RESOLUTION - Approving the reallocation of \$647,800 within the PARCS Department to address funding for Tollhouse Park and JSK Park (Subject to Mayor's veto) (Requires 5 affirmative votes)
3. Approve a Playspace Partner Agreement with KaBOOM!, Inc. for the Tollhouse Park Tot Lot Installation in the amount of \$113,500

Council Vice President Caprioglio thanked the Administration, PARCs, Planning and Development, Public Works, Risk Management and his Chief of Staff for all their help. Upon call, there was no public comment.

RESOLUTION 2020-213 ADOPTED

On motion of Vice President Caprioglio, 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

1-AA

[ID](#)

[20-001122](#)

Action related to conversion of motels to permanent residences by modifying zoning and use regulations for Lodging-to-Dwelling uses within the City of Fresno.

1. ***BILL NO. B-32 - (Intro. 8/20/2020) (For adoption) - Adding Section 15-2737.5 to the Fresno Municipal Code, relating to Lodging-to-Dwelling conversion requirements; amending Table 15-1102 relating to use regulations for Mixed-Use Districts; amending Table 15-1202 relating to land use regulations for Commercial Districts; amending Table 15-1302 relating to land use regulations for Employment Districts; and amending Table 15-1502 relating to use regulations for Downtown Districts and amending Section 15-6702 relating to definitions for residential use classifications related to Text Amendment Application No. P20-00460, to modify zoning and use regulations for Lodging-to-Dwelling uses within the City of Fresno. (Subject to Mayor's veto.)

Council Vice President Caprioglio motioned to remove the Shaw Avenue Corridor from the Mixed-Use District. Councilmember Karbassi seconded the motion. Motion FAILED 5/2, Councilmembers Bredefeld, Chavez, Esparza, Soria and Council President Arias voted no.

Discussion was held between Councilmembers regarding the removal of Shaw Avenue Corridor from the Mixed-Use text amendment and the Conditional Use Permit (CUP) process.

Councilmember Soria motioned to approve the item as presented. Councilmember Esparza seconded the motion.

Upon call, there was no public comment.

ORDINANCE 2020-031 ADOPTED

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

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

No: 1 - Caprioglio

City Council recessed for lunch at 12:15 A.M. and returned from lunch at 1:35 P.M.

- 1-K** [ID](#) Approve a three year Agreement with an option of three one-year extensions for Employee Assistance Program Services between the City of Fresno and Halcyon Behavioral Employee Assistance and authorize the Personnel Services Director to execute the agreement on behalf of the City
[20-001034](#)

Councilmember Soria asked the Administration about the three year agreement and if there was anyway the agreement can be approved for one year until the budget is adopted. City Manager Quan responded.

Councilmember Soria motioned to approve for the contract for one year and to monitor the ability to extend the agreement based off of the adoption of the budget. Councilmember Chavez seconded the motion.

Upon call, there was no public comment.

APPROVED AS AMENDED

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

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

Absent: 1 - Caprioglio

- 1-U** [ID](#) Approve a First Amendment to Agreement with Pinnacle Training Systems, LLC., for \$120,000 for a total of \$167,794.50 to provide professional employee health screening services for COVID-19 employee screening at the Municipal Services Center
[20-001108](#)

Council President Arias asked the Administration about the Scope of Work and the screening at City Hall. Public Works Manager Aguirre responded.

Upon call, there was no public comment.

Councilmember Soria asked how long will the there be services. Public Works Manager Aguirre responded until the end of the year.

APPROVED

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

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

Absent: 1 - Caprioglio

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:05 A.M.#1 JOINT MEETING WITH THE FRESNO JOINT POWERS FINANCING AUTHORITY

[ID](#)
[20-001117](#)

Actions pertaining to the Fresno Joint Powers Financing Authority Lease Revenue Refunding Bonds (Various Capital Projects), Series 2004:

1. RESOLUTION of the City Council of the City of Fresno authorizing the release of facilities (Promenade Parking Lot) 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 2004 and approving the taking of all necessary or desirable actions in connection therewith (Council action)
2. RESOLUTION of the Fresno Joint Powers Financing Authority authorizing the release of facilities (Promenade Parking Lot) and amendment of the Facilities Sublease relating to the Fresno Joint Powers Financing Authority Lease Revenue Refunding Bonds (Various Capital Projects), Series 2004 and approving the taking of all necessary or desirable action in connection therewith (Authority action)

The above item was called to order at 1:44 P.M. and introduced to Council by Director Lima, Finance Department. Upon call, there was no public comment and no Council discussion.

RESOLUTION 2020-214 ADOPTED

RESOLUTION 2020-215 ADOPTED

Member Soria called the Fresno Joint Powers Financing meeting to order at 1:47 P.M.

Member Soria motioned to approve the item as presented. Member Arias

seconded the motion. Motion PASSED 2-0, Mayor Brand was absent.

JFPA 46 ADOPTED

JFPA 47 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: 6 - Arias, Soria, Karbassi, Chavez, Bredefeld and Esparza

Absent: 1 - Caprioglio

10:05 A.M.

ID

20-001062

(CONTINUE TO SEPTEMBER 17, 2020 AT 10:15 A.M.)

CONTINUED HEARING to consider Annexation Application No. P19-02239, Plan Amendment/Rezone Application No. P19-02237, Vesting Tentative Tract Map No. 6234/UGM, and related Environmental Assessment No. T-6234/P19-02237/P19-02239, for property located on the west side of North Hayes Avenue between West Ashlan and West Shields Avenues (Council District 1)

1. ADOPT the finding of a Mitigated Negative Declaration as prepared for Environmental Assessment No. T-6234/P19-02237/P19-02239 dated March 13, 2020 for the proposed project pursuant to the California Environmental Quality Act (CEQA).
2. ***RESOLUTION - Approving Annexation Application No. P19-02239 proposing to initiate proceedings for the Dakota-Hayes No. 4 Reorganization to annex the ±235 acre property to the City of Fresno; and detachment from the North Central Fire Protection District and the Kings River Conservation District. (Subject to Mayor's Veto.)
3. RESOLUTION - Approving Plan Amendment Application No. P19-02237 proposing to amend the Fresno General Plan and the West Area Community Plan to change the planned land use designations for the subject property from the Low Density Residential (±1.06 acres), Medium-High Density Residential (±9.76 acres), Urban Neighborhood (±17.26 acres) and Open Space/Neighborhood Park (±5.25 acres) planned land use designations to the Medium Density Residential (±35.88 acres) land use designation.
4. BILL (For introduction and adoption) - Approving Pre-zone Application No. P19-02237 proposing to pre-zone the subject property from the Fresno County RR (*Rural Residential*) to the City of Fresno RS-3/UGM/ANX (*Single Family Residential, Low Density/Urban Growth Management/Annexed Rural Residential Transitional Overlay*), RS-5/UGM (*Residential Single Family, Urban*

Growth Management), RS-5/UGM/ANX (Residential Single Family, Medium Density/Urban Growth Management/Annexed Rural Residential Transitional Overlay), RM-2/UGM/ANX (Residential Multi-Family, Urban Neighborhood Density/Urban Growth Management/Annexed Rural Residential Transitional Overlay) and OS/UGM/ANX (Open Space/Urban Growth Management/Annexed Rural Residential Transitional Overlay) zone districts in accordance with the Fresno General Plan and pursuant to the proposed General Plan Amendment.

5. APPROVE Vesting Tentative Tract Map No. 6234/UGM, proposing to subdivide approximately 88.1 acres of the subject property into a 486-lot single-family residential development subject to compliance with the Conditions of Approval dated May 20, 2020, and contingent upon approval of Annexation No. P19-02239, Plan Amendment/Rezone Application No. P19-02237 and the related environmental assessment.
6. APPROVE Indemnification Agreement with Edward D. Fannuchi for indemnity related to claims arising from SB 330.

The above item was continued to September 17, 2020 at 10:15 A.M.

10:10 A.M.

[ID](#)
[20-001054](#)

HEARING to Consider Annexation Application No. P19-06059; Plan Amendment Application No. P19-06060; Pre-zone Application No. P19-06060; Development Permit Application No. P19-06061; and, related Environmental Assessment No. P19-06059/P19-06060/P19-06061 for ±8.48 acres of property located on the southwest corner of East Tulare Street and South Peach Avenue (Council District 5 or 7).

1. **ADOPT** Environmental Assessment No. P19-06059/P19-06060/P19-06061, dated June 5, 2020, a Mitigated Negative Declaration, and related Addendum dated August 14, 2020, for the proposed project pursuant to the California Environmental Quality Act (CEQA).
2. *****RESOLUTION** - Approving Annexation Application No. P19-06059 to initiate annexation proceedings for the Tulare-Peach No. 3 Reorganization proposing incorporation of the subject property within the City of Fresno; and, detachment from the Kings River Conservation District and Fresno County Fire Protection District. (Subject to Mayor's Veto.)
3. **RESOLUTION** - Approving Plan Amendment Application No. P19-06060 proposing to amend the Fresno General Plan and the Roosevelt Community Plan to change the planned land use designation for a ±4.38 acre portion of the subject property from Medium Density Residential to Urban Neighborhood Residential; and, a ±0.74 acre portion of the subject property from the Medium Density

- Residential (± 0.42 acres) and Commercial Community (± 0.32 acres) to Commercial Main Street (± 0.74 acres).
4. **BILL - (For introduction and adoption)** - Approving Pre-zone Application No. P19-06060 proposing to pre-zone: ± 4.38 acres of the subject property from the Fresno County RA NB (*Single Family Residential Agriculture/Neighborhood Beautification*) zone district to the City of Fresno RM-2 (*Residential Multi-Family, Urban Neighborhood*) zone district; ± 2.19 acres from the Fresno County RA NB (*Single Family Residential/Neighborhood Beautification*) zone district to the City of Fresno RS-5 (*Residential Single-Family, Medium Density*) zone district; ± 0.74 acres from the Fresno County AL20 (*Limited Agriculture*) and Fresno County C1 (*Neighborhood Shopping Center*) zone districts to the City of Fresno CMS (*Commercial - Main Street*) zone district; and, ± 0.18 acres from the Fresno County R2 NB (*Low Density Multiple Family Residential*) zone district to the City of Fresno RS-5 (*Residential Single-Family, Medium Density*) zone district.
5. **APPROVE** - Development Permit Application No. P19-06061, requesting authorization to construct a 129-unit multi-family development in the RM-2 (*Residential Multi-Family, Urban Neighborhood*) zone district, subject to compliance with the Conditions of Approval dated August 5, 2020, and contingent upon City Council approval of Annexation Application No. P19-06059, Plan Amendment Application No. P19-06060, Pre-zone Application No. P19-06060 and the related environmental assessment.

The item was called to order at 1:47 P.M. and introduced to Council by Representative Nick Yovino. Upon call, the following member of the public addressed Council: Jose Leon Barraza.

Discussion was held between Councilmembers regarding the hesitation to any additional Annexation on the City of Fresno due to the Tax Sharing Agreement with the County of Fresno.

RESOLUTION 2020-216 ADOPTED

RESOLUTION 2020-217 ADOPTED

BILL 33/ORDINANCE 2020-032 ADOPTED

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

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

Absent: 1 - Caprioglio

10:15 A.M.

[ID](#)
[20-00915](#)

HEARING to Consider Plan Amendment Application No. P18-01089; Pre-zone Application No. P18-01089; Vesting Tentative Tract Map No. 6237/UGM; and, related Environmental Assessment No. T-6237/P18-01089 for ±26.92 acres of property located on the southeast corner of North Grantland Avenue and the West Dakota Avenue alignment (Council District 2).

1. **ADOPT** Environmental Assessment No. P18-01089/T-6237, dated May 15, 2020, a Mitigated Negative Declaration for the proposed project pursuant to the California Environmental Quality Act (CEQA).
2. **RESOLUTION** - Approving Plan Amendment Application No. P18-01089 proposing to amend the Fresno General Plan and the West Area Community Plan to change the planned land use designations for the subject property from Residential Medium Density (±18.07 acres) and Residential High Density (±8.85 acres) to Residential Medium Low Density (±26.92 acres).
3. **BILL - (For introduction and adoption)** - Approving Pre-zone Application No. P18-01089 proposing to pre-zone the subject property from the Fresno County RR (*Rural Residential*) zone district to the RS-4/UGM (*Residential Single-Family, Medium Low Density/Urban Growth Management*) zone district.
4. **APPROVE** - Vesting Tentative Tract Map No. 6237/UGM, proposing to subdivide ±26.92 acres into a 116-lot single-family residential development subject to compliance with the Conditions of Approval dated May 20, 2020, and contingent upon approval of Plan Amendment Application No. P18-01089, Pre-zone Application No. P18-01089 and the related environmental assessment.
5. **APPROVE** Indemnification Agreement between the City of Fresno and GVM Investments, LLC for indemnity related to claims arising from SB 330.

The item was called to order at 1:56 P.M. and introduced to Council by Planner II Holt, Planning and Development Department. Upon call, the following members of the public addressed Council: Lisa Flores and Jeff Roberts.

Council Vice President Caprioglio joined the meeting at 1:58 P.M.

Discussion was held between the Councilmembers regarding the growth within the City of Fresno, the return on investment, the housing crisis, the

Tax Sharing Agreement between the County of Fresno and the City of Fresno, and the budget deficit for the upcoming years.

RESOLUTION 2020-218 ADOPTED

BILL-34/ORDINANCE 2020-033 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: 6 - Caprioglio, Soria, Karbassi, Chavez, Bredefeld and Esparza

Abstain: 1 - Arias

3. GENERAL ADMINISTRATION

- 3-A** [ID](#) RESOLUTION - Approving allocations and awarding subrecipient
[20-00951](#) agreements in accordance with the 2020-2021 Annual Action Plan; and
authorizing the City Manager to sign all implementing documents required
by the U.S. Department of Housing and Urban Development (HUD) as
approved to form by the City Attorney

The above item was removed from the agenda by Councilmember Esparza and continued to September 17, 2020.

- 3-D** [ID](#) ***RESOLUTION - Directing application for electric vehicle grants,
[20-001112](#) purchasing vehicles, and installing necessary infrastructure (Subject to
Mayor's veto).

The above item was introduced to Council by City Attorney Sloan, City Attorney's Office. Upon call, there was no public comment.

Discussion was held between Councilmembers, Assistant City Manager Schaad and Director Barfield regarding the utilization of the vehicles, incentives, and the infrastructure.

Councilmember Karbassi motioned to direct staff to come back to Council with the vehicles the department wishes to purchase. Council President Arias seconded the motion.

RESOLUTION 2020-220 ADOPTED

On motion of Councilmember Karbassi, seconded by President Arias, that the above Resolution 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](#) WORKSHOP on Homelessness
[20-001080](#)

The above item was removed from the agenda by Council President Arias and continued to September 17, 2020.

On motion of President Arias, seconded by Councilmember Soria, that the above Action Item be continued to September 17, 2020. The motion carried by the following vote:

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

GENERAL ADMINISTRATION (CONTINUED)

3-E [ID](#) ***RESOLUTION - Directing use of virtual residential inspections and
[20-001114](#) associated fee waivers (Subject to Mayor's veto).

The above item was introduced to Council by Housing Manager Watkins, Code Enforcement Department. Upon call, there was no public comment and no Council discussion.

RESOLUTION 2020-221 ADOPTED

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

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

CITY COUNCIL (CONTINUED)

4-B [ID](#) Approve CARES Act expenditure and contract for the Senior Aid for
[20-001119](#) Food and Resources (SAFR) Program:
1. ***RESOLUTION - Adopting the 20th Amendment to the Annual Appropriation Resolution No. 2020-159 to appropriate \$500,000 in CARES Act Funds for the Senior Aid for Food and Resources (SAFR) Program (Requires 5 affirmative votes)

(Subject to Mayor's Veto)

2. Approve agreement with Pardini's Catering

The above item was introduced to Council by Councilmember Karbassi, District 2, Councilmember Chavez, District 5 and Council Vice President Caprioglio, District 4. Upon call, the following members of the public addressed Council: Yonas Paulos and Brandi Villegas.

Discussion was held between Councilmembers ensuring the program is citywide and the advertisement of the program.

RESOLUTION 2020-222 ADOPTED

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

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

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.

eComments

[ID](#) eComments and Emails received for August 27, 2020 Regular Meeting
[20-001213](#)

ADJOURNMENT

City Council adjourned the meeting at 3:16 P.M.